

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

U.S. COMMODITY FUTURES  
TRADING COMMISSION,

Plaintiff,

v.

Case No. 3:15-cv-5-J-34MCR

ALLIED MARKETS, LLC,  
JOSHUA GILLILAND, and  
CHAWALIT WONGKHIAO,

Defendants.

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**ORDER**

**THIS CAUSE** is before the Court on Magistrate Judge Monte C. Richardson's Report and Recommendation (Doc. 76; Report), entered on June 28, 2019, recommending that Plaintiff's Motion for Entry of Final Default Judgment (Doc. 75; Motion) be granted in part and denied in part; that a permanent injunction be entered against Defendant Allied Markets, LLC; and that judgment be entered in favor of Plaintiff. See Report at 1, 26-27. To date, no objections to the Report have been filed by Plaintiff or Defendant, and the time for doing so has passed.

The Court "may accept, reject, or modify, in whole or in part, the finding or recommendations by the magistrate judge." 28 U.S.C. § 636(b). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994);

United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at \* 1 (M.D. Fla. May 14, 2007).

Upon independent review of the file and for the reasons stated in the Magistrate Judge's Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge.<sup>1</sup> Accordingly, it is hereby

**ORDERED:**

1. Magistrate Judge Monte C. Richardson's Report and Recommendation (Doc. 76) is **ADOPTED** as the opinion of the Court.
2. Plaintiff's Motion for Entry of Final Default Judgment (Doc. 75) is **GRANTED, in part, and DENIED, in part.**
3. The motion is **GRANTED** to the extent that the Clerk of the Court is **DIRECTED** to enter judgment in favor of Plaintiff U.S. Commodity Futures Trading Commission and against Allied Markets, LLC in the total amount of \$2,470,062.00, representing \$1,235,031.00 in restitution and \$1,235,031.00 in civil monetary penalty. Post-judgment interest will accrue at the statutory rate set forth in 28 U.S.C. § 1961.
4. The Clerk of Court is further **DIRECTED** to enter judgment in favor of Plaintiff U.S. Commodity Futures Trading Commission as follows:

Defendant, Allied Markets, LLC, is permanently restrained, enjoined, and prohibited from directly or indirectly: (a) engaging in conduct that violates 7 U.S.C. §§ 2(c)(2)(C)(iii)(I)(cc), 6b(a)(2)(A), (C), 6k(2), 6m(1), and 6o(1), and 17 C.F.R. §§ 3.12, 4.20, 4.41, 5.2 and 5.3; (b) trading on or subject to the rules of any registered entity as that term is defined in 7 U.S.C. § 1a; (c) entering into any transactions involving commodity interests for its own personal account or for any account in which it has a direct or indirect interest; (d) having any

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<sup>1</sup> In doing so, the Court reads the reference to the Weinberger decision in footnote 5 to be authority from the 6th Circuit Court of Appeals rather than the 8th.

commodity interests traded on its behalf; (e) controlling or directing the trading for or on behalf of any other person or entity, whether by power of attorney or otherwise, in any account involving commodity interests; (f) soliciting, receiving, or accepting any funds from any person for the purpose of commodity-related activity; (g) applying for registration or claiming exemption from registration with CFTC in any capacity; (h) engaging in any act requiring registration with the CFTC (or an exemption from such registration); (i) acting as a principal, agent, officer, or any other employee of any person required to be registered with CFTC or expressly exempted from such registration pursuant to 17 C.F.R. § 4.14(a), except such persons provided for in 17 C.F.R. § 4.14(a)(9).

5. Otherwise, the Motion is **DENIED**.
6. The Clerk of the Court is **DIRECTED** to terminate any pending motions and close the file.

**DONE AND ORDERED** at Jacksonville, Florida, this 4th day of October, 2019.

  
**MARCIA MORALES HOWARD**  
United States District Judge

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Copies to:

Counsel of Record

Allied Markets, LLC