

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

**COMMODITY FUTURES
TRADING COMMISSION,**

Plaintiff,

v.

MARK A. RAMKISHUN,

Defendant.

Case No. 1:23-cv-00120

**COMPLAINT FOR INJUNCTIVE AND OTHER EQUITABLE RELIEF,
RESTITUTION, AND CIVIL MONETARY PENALTIES**

Plaintiff Commodity Futures Trading Commission (“CFTC”), an independent federal agency, by and through its attorneys, for its Complaint against Defendant Mark A. Ramkishun alleges as follows:

I. INTRODUCTION

1. Beginning in at least March 2019 and continuing through at least September 2021 (the “Relevant Period”), Mark A. Ramkishun (“Ramkishun”) operated a fraudulent commodity pool, Leo Growl LLC (the “Pool”). Ramkishun fraudulently solicited and received at least \$1.69 million from at least 34 individuals (“Pool Participants”) for the purpose of trading, among other things, commodity futures and options contracts in the Pool.

2. In the course of soliciting as well as after receiving Pool Participant funds, Ramkishun knowingly made fraudulent and material misrepresentations and/or omitted material facts about the use of Pool Participant funds and the profits purportedly earned by Pool Participants.

3. Rather than use all of the Pool Participant funds to trade in the Pool, Ramkishun traded less than half of the funds, resulting in net trading losses, and ultimately misappropriated a substantial portion of Pool Participant funds. In addition, Ramkishun failed to operate the Pool as a separate entity from himself and otherwise mishandled Pool Participant funds.

4. Because Ramkishun solicited and pooled funds for the purported purpose of trading commodity futures, options, and other financial products in a pooled account, he acted as a commodity pool operator (“CPO”) without being registered with the CFTC as a CPO or exempt from registration, as required by the Commodity Exchange Act (“Act”), 7 U.S.C. §§ 1–26.

5. Through the acts and practices described herein, Ramkishun has engaged, is engaging, or is about to engage in fraudulent acts and practices in violation of Sections 4b(a)(1)(A)–(C), 4c(b), and 4o(1)(A)–(B) of the Act, 7 U.S.C. §§ 6b(a)(1)(A)–(C), 6c(b), 6o(1)(A)–(B), and CFTC Regulation 32.4, 17 C.F.R. § 32.4 (2021), failed to register as a CPO in violation of Section 4m(1) of the Act, 7 U.S.C. § 6m(1), and engaged in prohibited activities in connection with the operation of the Pool in violation of CFTC Regulation 4.20, 17 C.F.R. § 4.20 (2021).

6. Unless restrained and enjoined by this Court, Ramkishun is likely to continue to engage in the acts and practices alleged in this Complaint, or in similar acts and practices.

7. Accordingly, the CFTC brings this action pursuant to Section 6c of the Act, 7 U.S.C. § 13a-1, to enjoin Ramkishun’s unlawful acts and practices and to compel his compliance with the Act. In addition, the CFTC seeks civil monetary penalties, restitution, disgorgement, and such equitable relief as this Court may deem necessary and appropriate.

II. JURISDICTION AND VENUE

8. This Court has jurisdiction over this action under 28 U.S.C. § 1331 (federal question jurisdiction) and 28 U.S.C. § 1345 (district courts have original jurisdiction over civil actions commenced by the United States or by any agency expressly authorized to sue by Act of Congress). This Court also has jurisdiction over Ramkishun and the subject matter of this action pursuant to Section 6c(a) of the Act, 7 U.S.C. § 13a-1(a), which authorizes the CFTC to seek injunctive relief against any person whenever it shall appear that such person has engaged, is engaging, or is about to engage in any act or practice constituting a violation of any provision of the Act or any rule, regulation, or order thereunder.

9. Venue properly lies with this Court pursuant to 7 U.S.C. § 13a-1(e) in that Ramkishun is found in, inhabits, and/or transacted business in this District, and Ramkishun's acts and practices in violation of the Act have occurred, are occurring, and/or are about to occur within this District, among other places.

III. PARTIES

10. Plaintiff **Commodity Futures Trading Commission** is the independent federal regulatory agency charged by Congress with the administration and enforcement of the Act and the Regulations promulgated thereunder.

11. Defendant **Mark A. Ramkishun** currently resides in Florida. Ramkishun has never been registered with the CFTC in any capacity.

IV. OTHER RELEVANT ENTITY

12. Leo Growl LLC was a New Mexico limited liability company formed in June 2018 with its business address in Santa Fe, New Mexico. Leo Growl LLC is currently an inactive company and was dissolved in March 2022. At least \$1.47 million of Pool Participant

funds were deposited into bank accounts in the name of Leo Growl LLC which Ramkishun controlled. Leo Growl LLC has never been registered with the CFTC in any capacity.

V. FACTS

A. Overview

13. During the Relevant Period, Ramkishun, acting as a CPO, fraudulently solicited and accepted at least \$1.69 million from at least 34 Pool Participants and pooled some of those funds for the purported purpose of trading, among other things, commodity futures and options contracts on the Pool Participants' behalf. Ramkishun instructed Pool Participant to send their funds to one or more accounts controlled by Ramkishun including bank accounts held in the name of the Pool as well as his personal bank accounts in which he commingled his personal funds with Pool Participant funds. Less than forty percent of Pool Participant funds ever went into the trading accounts where Ramkishun traded futures contracts and options on futures contracts, among other financial products. Ramkishun's trading in these accounts resulted in extensive trading losses, and he misappropriated a substantial portion of Pool Participant funds for his personal use. In order to conceal and perpetuate his fraud, Ramkishun fabricated and distributed to Pool Participants fraudulent account statements that falsely reported Pool Participants' profits and account values and made Ponzi-type payments to some Pool Participants.

B. Ramkishun Fraudulently Solicited Pool Participants

14. Starting in at least March 2019, Ramkishun solicited personal friends, persons referred to him by his mother from her religious congregation, and other members of the public to participate in the Pool. Ramkishun's primary means of communicating to prospective and existing Pool Participants were through telephone, text messaging, and email. In soliciting Pool

Participants, Ramkishun knowingly made fraudulent and material misrepresentations and omitted material facts.

15. Ramkishun represented to prospective Pool Participants that he was an experienced trader with a good track record of not losing money and that Pool Participants could expect to earn several thousand dollars per month in profits, depending on the size of their underlying investments.

16. For example, Ramkishun told one Pool Participant that she could expect monthly profits of between \$2,500 and \$5,000 if she invested in the Pool. Ramkishun guaranteed monthly profits to at least two other Pool Participants. Ramkishun told another Pool Participant that if he doubled his investment in the Pool, his profit payments could double and that in no event would he lose his underlying investment.

17. In fact, what trading Ramkishun did during the Relevant Period resulted in net trading *losses*.

18. Ramkishun told at least one Pool Participant that he was licensed with FINRA when in fact he was not.

19. Ramkishun boasted to at least one Pool Participant that he (Ramkishun) recently received \$500,000 from a Pool Participant and \$1 million from another Pool Participant for investment in the Pool. This statement was false.

20. In his solicitations, Ramkishun downplayed the risks of participating in the Pool (in particular the likelihood of loss).

21. For example, Ramkishun told at least three Pool Participants that they could never lose their underlying investments in the Pool. He also told one of these Pool Participants that his money would be secure, insured, and not subject to loss because Ramkishun “monitored the

markets.” Ramkishun told still other Pool Participants that they would lose little to none of their funds. All of these statements were false and intended to convince these prospective Pool Participants to send Ramkishun money in order to participate in the Pool.

22. Pool Participants were required to execute a “Financial Services Agreement” that was countersigned by Ramkishun purportedly on behalf of Leo Growl LLC. This Agreement stated in part that Ramkishun would trade in a purported “Capital Growth Fund,” “derivatives (stocks, bonds, options, mutual funds, REITs, futures, notes, and insurance instruments) to meet the needs of” Pool Participants. In fact, less than half of Pool Participant funds were used for trading.

C. Ramkishun Misused Pool Participant Funds

23. During the Relevant Period, Ramkishun instructed Pool Participants to send their money to accounts controlled by Ramkishun, namely (1) bank accounts in the name of Leo Growl LLC, which were controlled by Ramkishun; (2) Ramkishun’s personal bank accounts; and/or (3) a trading account in Ramkishun’s name. Ramkishun received a total of approximately \$1.69 million from Pool Participants for investment in the Pool.

24. Less than \$700,000 of these funds was deposited into trading accounts. Ramkishun’s trading of these funds, which included the trading of futures contracts and options on futures contracts, resulted in massive net trading losses totaling approximately \$553,000.

25. During the Relevant Period, Ramkishun returned approximately \$615,000 to Pool Participants, many in the form of Ponzi-type payments using funds from other Pool Participants but represented as purported profits from Ramkishun’s trading that were never earned.

26. For example, on August 24, 2021, a Pool Participant (“Pool Participant 1”) transferred \$100,000 to one of Ramkishun’s personal bank accounts (“Ramkishun Bank Account 1”) for the purpose of investing in the Pool. Prior to this deposit, the balance in this bank

account was negative \$28.14. That same day, Ramkishun subsequently paid several other Pool Participants a total of \$7,080 via check and wire from this same account using the funds just deposited by Pool Participant 1. Ramkishun also sent checks from this account to additional Pool Participants totaling more than \$17,000. The memo line of these checks stated “P/L,” apparently referring to profits purportedly earned as a result of Ramkishun’s trading of their funds. However, Ramkishun’s trading in August 2021 resulted in net trading *losses* of approximately \$101,000. Ramkishun continued to deplete the funds deposited by Pool Participant 1, including by transferring more than \$40,000 to two of Ramkishun’s other personal bank accounts. Thus, by August 27, 2021—three days after receiving the \$100,000 from Pool Participant 1—the balance in Ramkishun Bank Account 1 was less than \$300.

27. During the Relevant Period, Ramkishun transferred a total of approximately \$114,000 to various miscellaneous institutions for unknown reasons.

28. After accounting for trading losses, payments to Pool Participants, and miscellaneous transfers, Ramkishun misappropriated at least \$408,000 of Pool Participant funds for his personal use.

29. For example, during the Relevant Period, Ramkishun transferred a net total of approximately \$300,000 from the Leo Growl LLC bank accounts to his personal bank accounts and only used a portion of these funds for trading and payments to Pool Participants. Ramkishun also used at least \$100,000 in the Leo Growl LLC bank accounts to pay for various personal expenditures such as rent, merchandise, airline tickets, and food delivery services. By the end of the Relevant Period, the collective balance of the Leo Growl LLC bank accounts was zero.

D. Ramkishun Issued False Account Statements to Pool Participants

30. Throughout the Relevant Period and on a nearly monthly basis, Ramkishun fabricated and issued false account statements to Pool Participants. These account statements

contained purported trading profits earned by each Pool Participant as a result of Ramkishun's trading and the current total value of the Pool Participant's investment. Ramkishun generally sent these account statements to Pool Participants via email or social media.

31. These statements showed consistent monthly profits and an ever-growing account balance in the Pool Participants' purported accounts.

32. For example, monthly account statements sent by Ramkishun to two different Pool Participants showed the value of their investments had increased by \$5,400 and \$4,000, respectively, in both June and July 2021. These statements were false, because Ramkishun's trading during this time period resulted in net trading *losses* of approximately \$121,000 and \$131,000 in June and July 2021, respectively.

33. Furthermore, the fraudulent account statements were created using the letterhead of a major brokerage firm and addressed to the Pool Participants at their personal address giving the false impression that accounts in the names of the Pool Participants had been opened at the brokerage firm. In many of these statements, the account number was blacked out, however in other statements the account number was revealed and pertained to an account in the name of Ramkishun, not the Pool Participant or the Pool. The account statements sent to Pool Participants were completely fictitious.

34. Ramkishun knew these account statements were false and sent them in order to conceal his trading losses and misuse of Pool Participant funds and to convince Pool Participants to maintain or increase their investments in the Pool.

E. Ramkishun's Fraudulent Enterprise Unravels

35. During the latter part of the Relevant Period, as new investments in Ramkishun's scheme declined, Ramkishun became increasingly unresponsive to Pool Participants' inquiries.

36. Many Pool Participants repeatedly demanded Ramkishun to return their money only to be met with a string of unfulfilled promises and falsehoods that payments were forthcoming, excuses and lies as to why their funds could not be returned, and/or bounced checks.

37. For example, Ramkishun told some Pool Participants that their funds could not be returned because they were being held up by his bank or that he was unable to go to his bank that day. He told other Pool Participants that he was having health issues which were causing the delay in sending their funds.

38. Eventually, Ramkishun ceased responding to Pool Participants altogether. For example, the last message one Pool Participant received from Ramkishun on September 24, 2021 stated that he (Ramkishun) was “dedicating some time for [sic] concrete update for you later this afternoon.” This Pool Participant never heard from Ramkishun again. As another example, Ramkishun told a Pool Participant that he (Ramkishun) was selling his car in order to pay back the Participant. This Pool Participant never heard from Ramkishun again.

39. Despite repeated requests, few Pool Participants received their funds back from Ramkishun—either in the form of promised returns or a refund of their principal investments. After making Ponzi-type payments to some Pool Participants during the Relevant Period, Ramkishun had no other funds to return, because Ramkishun misappropriated or lost in trading the remaining funds.

F. Ramkishun Did Not Operate the Pool in the Manner Required by CFTC Regulations

40. During the Relevant Period, Ramkishun as the CPO did not operate the Pool as a legal entity separate from the CPO (i.e., himself). Nor did he receive all of the Pool Participant funds in the name of the Pool; rather, he instructed some Pool Participants to send their funds

directly to Ramkishun's personal bank or trading account. In addition, Ramkishun commingled some Pool Participant funds with his own assets.

VI. VIOLATIONS OF THE COMMODITY EXCHANGE ACT

Count I

Violations of Section 4b(a)(1)(A)–(C) of the Act, 7 U.S.C. § 6b(a)(1)(A)–(C) Fraud by Misappropriating Funds, Making False Misrepresentations and Omissions, and Making False Reports/Statements

41. The allegations set forth in the preceding paragraphs are realleged and incorporated herein by reference.

42. 7 U.S.C. § 6b(a)(1)(A)–(C) make it unlawful for any person, in or in connection with any order to make, or the making of, any contract of sale of any commodity in interstate commerce or for future delivery that is made, or to be made, on or subject to the rules of a designated contract market, for or on behalf of any other person: “(A) to cheat or defraud or attempt to cheat or defraud the other person;” (B) “willfully to make or cause to be made to the other person any false report or statement or willfully to enter or cause to be entered for the other person any false record,” and “(C) willfully to deceive or attempt to deceive the other person by any means whatsoever in regard to any order or contract or the disposition or execution of any order or contract, or in regard to any act of agency performed, with respect to any order or contract for ... the other person.”

43. During the Relevant Period, Ramkishun violated 7 U.S.C. § 6b(a)(1)(A) and (C) by misappropriating Pool Participant funds and by knowingly making false representations of material fact and knowingly omitting material facts to Pool Participants in connection with futures transactions. Ramkishun misrepresented, among other things, that he was a successful trader, that all Pool Participant deposits would be used to trade in the Pool, and that the Pool was

profitable, in part by providing false information and statements regarding the profits and balances of the Pool. In addition, Ramkishun omitted material facts to Pool Participants, including, among other things, that their funds were misappropriated for Ramkishun's personal use and what trading Ramkishun did resulted in net losses.

44. Additionally, during the Relevant Period, Ramkishun violated 7 U.S.C. § 6b(a)(1)(B) by willfully providing some or all Pool Participants false account statements, in connection with futures transactions, (i) showing profitable trading activity of Pool Participant funds and concomitant increases in the value of Pool Participant investments when in reality Pool Participant funds were lost in trading, misappropriated, or otherwise misused by Ramkishun; and (ii) giving the false impression that accounts in the names of the Pool Participants had been opened at a major brokerage firm.

45. Each act of misappropriation, misrepresentation or omission of a material fact, and/or issuance of a false report including but not limited to those specifically alleged herein, is alleged as a separate and distinct violation of 7 U.S.C. §§ 6b(a)(1)(A), (B), and/or (C).

Count II

Violations of Section 4c(b) of the Act, 7 U.S.C. § 6c(b), and CFTC Regulation 32.4, 17 C.F.R. § 32.4 (2021) Fraud in Connection with Commodity Options Transactions

46. The allegations set forth in the preceding paragraphs are realleged and incorporated herein by reference.

47. 7 U.S.C. § 6c(b) provides that “[n]o person shall offer to enter into, enter into or confirm the execution of, any transaction involving any commodity regulated under this chapter which is of the character of, or is commonly known in the trade as, an ‘option’, ... ‘bid’, ‘offer’, ‘put’, [or] ‘call’ ... contrary to any rule, regulation, or order of the [CFTC] prohibiting any such

transaction or allowing any such transaction under such terms and conditions as the [CFTC] shall prescribe.”

48. 17 C.F.R. § 32.4 (2021) makes it unlawful for any person, in or in connection with an offer to enter into, the entry into, or the confirmation of the execution of, any commodity option transaction, to directly or indirectly (a) “cheat or defraud or attempt to cheat or defraud any other person;” (b) “make or cause to be made to any other person any false report or statement thereof or cause to be entered for any person any false record thereof;” or (c) “deceive or attempt to deceive any other person by any means whatsoever.”

49. During the Relevant Period, Ramkishun violated 7 U.S.C. § 6c(b) and 17 C.F.R. § 32.4 (2021) by misappropriating Pool Participant funds and by knowingly making false representations of material fact and knowingly omitting material facts to Pool Participants in connection with options transactions. Ramkishun misrepresented, among other things, that he was a successful trader, that all Pool Participant deposits would be used to trade in the Pool, and that the Pool was profitable, in part by providing false information and statements regarding the profits and balances of the Pool. In addition, Ramkishun omitted material facts to Pool Participants, including, among other things, that their funds were misappropriated for Ramkishun’s personal use and what trading Ramkishun did resulted in net losses.

50. Additionally, during the Relevant Period, Ramkishun violated 7 U.S.C. § 6c(b) and 17 C.F.R. § 32.4 (2021) by willfully providing some or all Pool Participants false account statements, in connection with options transactions, (i) showing profitable trading activity of Pool Participant funds and concomitant increases in the value of Pool Participant investments when in reality Pool Participant funds were lost in trading, misappropriated, or otherwise

misused by Ramkishun; and (ii) giving the false impression that accounts in the names of the Pool Participants had been opened at a major brokerage firm.

51. Each act of misappropriation, misrepresentation or omission of a material fact, and/or issuance of a false report including but not limited to those specifically alleged herein, is alleged as a separate and distinct violation of 7 U.S.C. § 6c(b) and 17 C.F.R. § 32.4 (2021).

Count III

Violations of Section 4o(1)(A)–(B) of the Act, 7 U.S.C. § 6o(1)(A)–(B) Fraud by a Commodity Pool Operator

52. The allegations set forth in the preceding paragraphs are realleged and incorporated herein by reference.

53. A commodity pool is defined in 7 U.S.C. § 1a(10) as “any investment trust, syndicate, or similar form of enterprise operated for the purpose of trading in commodity interests”

54. A CPO is defined in 7 U.S.C. § 1a(11) as “any person engaged in a business that is of the nature of a commodity pool, investment trust, syndicate or similar form of enterprise and who, in connection therewith, solicits, accepts, or receives from others, funds, securities or property . . . for the purpose of trading in commodity interests.”

55. During the Relevant Period, Ramkishun acted as a CPO because he solicited and accepted funds for the purpose of trading commodity interests in the Pool and otherwise operated the Pool.

56. 7 U.S.C. § 6o(1), in relevant part, makes it unlawful for CPOs, by use of the mails or any means or instrumentality of interstate commerce, directly or indirectly, “(A) to employ any device, scheme, or artifice to defraud” any participant or prospective participant; or “(B) to engage in any transaction, practice, or course of business that operates as a fraud or deceit upon”

any participant or prospective participant. As provided in CFTC Regulation 4.15, 17 C.F.R. § 4.15 (2021), 7 U.S.C. § 6o(1) applies to all CPOs whether registered, required to be registered, or exempted from registration.

57. Ramkishun violated 7 U.S.C. § 6o(1)(A)–(B) in that, by use of the mails or any means or instrumentality of interstate commerce, he, among other things, misrepresented the performance of the Pool, provided false account statements to Pool Participants, and misappropriated and otherwise misused Pool Participant funds.

58. Each fraudulent or deceptive act, act of misappropriation, misrepresentation or omission of a material fact, and making of a false account statement and/or report, including without limitation those specifically alleged herein, is alleged as a separate and distinct violation of 7 U.S.C. § 6o(1)(A)–(B).

Count IV

Violations of Section 4m(1) of the Act, 7 U.S.C. § 6m(1) Failure to Register as a CPO

59. The allegations set forth in the preceding paragraphs are realleged and incorporated herein by reference.

60. With certain specified exceptions and exemptions not applicable to Ramkishun, 7 U.S.C. § 6m(1) makes it unlawful for any CPO to make use of the mails or any means or instrumentality of interstate commerce in connection with its business unless it is registered with the CFTC.

61. During the Relevant Period, Ramkishun acted as a CPO within the meaning of Section 1a(11) of the Act, 7 U.S.C. § 1a(11), and violated 7 U.S.C. § 6(m)(1) by using the mails or other means or instrumentalities of interstate commerce in connection with his business as a CPO without being registered with the CFTC as such.

62. Each use by Ramkishun of the mails or other means or instrumentalities of interstate commerce in connection with his business as a CPO without registration with the CFTC including, but not limited to, those specifically alleged herein, is alleged as a separate and distinct violation of 7 U.S.C. § 6m(1).

Count V

Violations of CFTC Regulation 4.20(a)(1), (b)–(c), 17 C.F.R. § 4.20(a)(1), (b)–(c) (2021) Failure to Operate the Pool as a Separate Legal Entity and Properly Handle Pool Participant Funds

63. The allegations set forth in the preceding paragraphs are realleged and incorporated herein by reference.

64. 17 C.F.R. § 4.20(a)(1) (2021) requires a CPO, whether registered or not, to operate its commodity pool as a legal entity separate from that of the CPO.

65. 17 C.F.R. § 4.20(b) (2021) prohibits a CPO, whether registered or not, from receiving pool funds in any name other than that of the pool.

66. 17 C.F.R. § 4.20(c) (2021) prohibits a CPO, whether registered or not, from commingling the property of any pool it operates with the property of any other person.

67. During the Relevant Period, Ramkishun, while acting as an unregistered CPO, violated 17 C.F.R. § 4.20(a)(1), (b)–(c) (2021) by (i) failing to operate the Pool as a legal entity separate from himself; (ii) failing to receive all Pool Participant funds in the Pool's name; and (iii) commingling Pool Participant funds with non-Pool assets.

68. Each act of failing to operate the Pool as a legal entity separate from that of the CPO, improperly receiving Pool Participant funds, and commingling Pool assets with non-Pool assets, including but not limited to those specifically alleged herein, is alleged as a separate and distinct violation of 17 C.F.R. § 4.20(a)(1), (b), and/or (c) (2021).

RELIEF REQUESTED

WHEREFORE, the CFTC respectfully requests that this Court, as authorized by Section 6c of the Act, 7 U.S.C. § 13a-1, and pursuant to its own equitable powers:

- A. Find that Ramkishun violated Sections 4b(a)(1)(A)–(C), 4c(b), 4o(1)(A)–(B), and 4m(1) of the Act, 7 U.S.C. §§ 6b(a)(1)(A)–(C), 6c(b), 6o(1)(A)–(B), 6m(1), and CFTC Regulations 4.20(a)(1), (b)–(c) and 32.4, 17 C.F.R. §§ 4.20(a)(1), (b)–(c), 32.4 (2021);
- B. Enter an order of permanent injunction enjoining Ramkishun, and his affiliates, agents, servants, employees, successors, assigns, attorneys, and all persons in active concert with them, who receive actual notice of such order by personal service or otherwise, from engaging in the conduct described above, in violation of 7 U.S.C. §§ 6b(a)(1)(A)–(C), 6c(b), 6o(1)(A)–(B), and 6m(1) and 17 C.F.R. §§ 4.20(a)(1), (b)–(c) and 32.4 (2021);
- C. Enter an order of permanent injunction restraining and enjoining Ramkishun, and his affiliates, agents, servants, employees, successors, assigns, attorneys, and all persons in active concert with them, from directly or indirectly:
 - (1) Trading on or subject to the rules of any registered entity (as that term is defined in Section 1a(40) of the Act, 7 U.S.C. § 1a(40));
 - (2) Entering into any transactions involving “commodity interests” (as that term is defined in CFTC Regulation 1.3, 17 C.F.R. § 1.3 (2021)), for accounts held in Ramkishun’s name or for accounts in which Ramkishun has a direct or indirect interest;
 - (3) Having any commodity interests traded on Ramkishun’s behalf;

(4) 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;

(5) Soliciting, receiving, or accepting any funds from any person for the purpose of purchasing or selling any commodity interests;

(6) Applying for registration or claiming exemption from registration with the CFTC in any capacity, and engaging in any activity requiring such registration or exemption from registration with the CFTC, except as provided for in CFTC Regulation 4.14(a)(9), 17 C.F.R. § 4.14(a)(9) (2021); and/or

(7) Acting as a principal (as that term is defined in CFTC Regulation 3.1(a), 17 C.F.R. § 3.1(a) (2021)), agent, or any other officer or employee of any person registered, exempt from registration with the CFTC, or required to be registered with the CFTC except as provided for in 17 C.F.R. § 4.14(a)(9).

D. Enter an order directing that Ramkishun, as well as any third-party transferee and/or successors thereof, to disgorge pursuant to such procedure as the Court may order, all benefits received including, but not limited to, salaries, commissions, loans, fees, revenues, and trading profits derived, directly or indirectly, from acts or practices which constitute violations of the Act as described herein, including pre-judgment and post-judgment interest;

E. Enter an order requiring Ramkishun, as well as any successors thereof, to make full restitution to every person who has sustained losses proximately caused by the violations described herein, including pre-judgment and post-judgment interest;

F. Enter an order requiring Ramkishun to pay a civil monetary penalty assessed by the Court, in an amount not to exceed the penalty prescribed by 7 U.S.C. § 13a-1(d)(1), as adjusted for inflation pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, Pub. L. 114–74, tit. VII, § 701, 129 Stat. 584, 599-600, *see* CFTC Regulation 143.8, 17 C.F.R. § 143.8 (2021), for each violation of the Act, as described herein;

G. Enter an order requiring Ramkishun to pay costs and fees as permitted by 28 U.S.C. §§ 1920 and 2413(a)(2); and

H. Enter an order providing such other and further relief as this Court may deem necessary and appropriate under the circumstances.

Date: January 9, 2023

Respectfully submitted,

/s Daniel C. Jordan

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