UNITED STATES OF AMERICA Before the U.S. COMMODITY FUTURES TRADING COMMISSION



MARK SERGIO, et al.,	Office of Proceed 12:01 pm
Complainants,)
-) CFTC Docket Nos. 18-R012; 18-R014;
v.	18-R015; 18-R016; 18-R017; 18-R018;
) 18-R019;18-R020; 18-R021; 18-R022
JBJ CAPITAL MANAGEMENT, INC.	
and MARTIN DIM,	
	ORDER
Respondents.	
-	
)

On February 26, 27, and 28, and March 1, 2018, ten complainants¹ (collectively, the Complainants) separately filed reparations complaints against respondents JBJ Capital Management, Inc. and Martin Dim (collectively, the Respondents). On November 15 and 16, 2022, the Administrative Judge held a hearing on the Complainants' claims against the Respondents. On May 13, 2024, the Administrative Judge issued an Initial Decision Awarding Damages. On May 21, 2024, the Respondents filed a Notice of Appeal to the Commission.

On June 11, 2024, the Respondents filed a Motion for Additional Time in Filing Appeals Brief. The Respondents requested the extension of time because Mr. Dim had kidney cancer surgery less than two months ago and was undergoing recovery and treatment for that surgery and for underlying kidney and heart disease. The Respondents also provided that they had entered into settlement discussions with the Complainants and were awaiting a response. The Respondents did not request a specific amount of additional time for filing their appeal brief.

¹ The Complainants in the proceeding are the following: Mark Sergio, Fred and Darcy Frost, Alan Guo and Weili He, George Smith, Bruce Ai, Herm, LLC, Janice C. Marschel Revocable Trust, Daniel L. Baker, Jr. and Margie M. Baker Revocable Trust, Kevin Schmidt, and John Corbett.

Commission Rule 12.401(b) provides that the Commission may extend the time for filing an appeal brief for good cause shown on a motion of the appealing party. 17 C.F.R. § 12.401(b). The Respondents have demonstrated good cause for extending the time for filing their appeal brief. Accordingly, I **GRANT** the Respondents' motion and extend the time for filing their appeal briefs by sixty (60) days from the date of this Order.

IT IS SO ORDERED.²

<u>|s| Robert A. Schwartz</u>

Robert A. Schwartz General Counsel

U.S. Commodity Futures Trading Commission

Dated: June 14, 2024

² By the Commission pursuant to delegated authority under 17 C.F.R. § 12.408(a)(1).