

Commodity Futures Trading Commission
CEA CASES

NAME: DANIEL A. DE LATTRE

DOCKET NUMBER: 122

DATE: OCTOBER 13, 1964

DOCUMENT TYPE: COMPLAINT

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re: Daniel A. de Lattre, Respondent

CEA Docket No. 122

Complaint and Notice of Hearing Under Section 6(b) of the Commodity Exchange Act

There is reason to believe that the respondent, Daniel A. de Lattre, has violated the Commodity Exchange Act (7 U.S.C. 1 et seq.), and the regulations made pursuant thereto (17 CFR, Part 1), and in accordance with the provisions of section 6(b) of the said act (7 U.S.C. 9), this complaint and notice of hearing is issued stating the charges in that respect as follows:

I

The respondent, Daniel A. de Lattre, an individual whose business address is 343 South Dearborn Street, Room 203, Chicago, Illinois, is now and was at all times material herein, a registered futures commission merchant and floor broker under the Commodity Exchange Act, and a member of the Chicago Open Board of Trade and the Chicago Mercantile Exchange, both duly designated contract markets.

II

During the period May 2, 1961, through March 6, 1963, the respondent, having received approximately \$ 5,000 from a customer to margin and secure futures contracts in commodities under the Commodity Exchange

Act, executed futures transactions for the customer, but failed to keep the funds received and accruing to the customer and the customer's contracts separate or segregated from the respondent's own funds and contracts. During the same period, the respondent maintained no record showing the amount of money held for said customer or the transactions made for his account, and sent him no statements or accountings.

III

By reason of the acts and omissions described in paragraph II, the respondent failed to treat and deal with the funds of a customer as belonging to the customer, failed to segregate and to account for the funds, commingled the funds with funds belonging to the respondent, failed to maintain required records, and failed to send the customer required statements, in wilful violation of sections 4d(2) and 4g of the Commodity Exchange Act (7 U.S.C. 6d(2), 6g), and sections 1.20, 1.21, 1.32, 1.33, 1.34 and 1.35 of the regulations made pursuant thereto (17 CFR 1.20, 1.21, 1.32, 1.33, 1.34, 1.35).

WHEREFORE, it is hereby ordered that this complaint and notice of hearing be served upon the said respondent. The respondent will have twenty (20) days after the receipt of this complaint in which to file with the Hearing Clerk,

United States Department of Agriculture, Washington, D. C. 20250, an answer with an original and three

copies, fully and completely stating the nature of the defense and admitting or denying specifically and in detail, each allegation of this complaint. Allegations not answered will be deemed admitted for the purpose of this proceeding. Failure to file an answer will constitute an admission of all the allegations of this complaint and a waiver of hearing. The respondent is hereby notified that unless hearing is waived, either expressly or by failure to file an answer, or by filing an answer in which all of the material allegations of fact contained in the complaint are admitted and a hearing is not requested, a hearing will be held at 10:00 a.m., local time, on the 18th day of November 1964, in Chicago, Illinois, at a place therein to be specified later, before a referee designated to conduct such hearing. At such hearing the respondent will have the right to appear and show cause, if any there be, why an order should not be made suspending or revoking the registration of the respondent as a futures commission merchant and floor broker, and directing that all contract markets refuse all trading privileges to the respondent for such period of time as may be determined.

It is ordered that this complaint and notice of hearing be served on the respondent at least twenty (20) days prior to the date set for hearing.

Done at Washington, D. C.

OCT 13 1964

[SEE SIGNATURE IN ORIGINAL]

George L. Mehren

Assistant Secretary

LOAD-DATE: June 12, 2008

