

Commodity Futures Trading Commission
CEA CASES

NAME: SECRETARY OF AGRICULTURE V. FRED J. HOLZAPFEL

DOCKET NUMBER: 3

DATE: MAY 13, 1937

DOCUMENT TYPE: COMPLAINT

UNITED STATES OF AMERICA

BEFORE THE SECRETARY OF AGRICULTURE

Docket No. 3 C.E.A.

Secretary of Agriculture, Complainant, v. Fred J. Holzapfel, Respondent

Complaint and notice of hearing on the suspension or revocation of registrations under the Commodity Exchange Act

Fred J. Holzapfel, hereinafter called the registrant, having filed with the Department of Agriculture on August 29, 1936, an application on form 1-R for registration as futures commission merchant, and an application on form 2-R for registration as floor broker, pursuant to the Commodity Exchange Act and the rules and regulations of the Secretary of Agriculture; and the said registrations having been issued by the Secretary of Agriculture on September 3, 1936 and September 4, 1936, respectively; and

The Secretary of Agriculture having reason to believe that

(a) The said registrant was suspended from membership in a commodity exchange, namely, the Chicago Open Board of Trade, pursuant to the action of the board of directors of that exchange on March 24, 1937; and

(b) The said registrant has violated section 305 of the rules and regulations governing registration, as amended, made and promulgated by the Secretary of Agriculture pursuant to the Commodity Exchange Act, by reason of the said registrant's having failed to report on form 3-R the fact of the suspension referred to in (a) above, within ten days after the date thereof, which rendered the information stated under Item 14 of the aforesaid application for registration as futures commission merchant, and the information stated under Item 10 of the aforesaid application for registration as floor broker, no longer accurate;

WHEREFORE, the said Fred J. Holzapfel is hereby notified to be and appear at a hearing to be held at 10:00 o'clock a.m., Eastern Standard Time, on the seventh day of June 1937, at the office of the Commodity Exchange Administration, United States Department of Agriculture, Washington, D. C., before a referee to be designated by the Secretary of Agriculture to conduct such hearing, and then and there show cause if any there be, why the registrations of the said registrant should not be suspended or revoked.

IT IS ORDERED that this complaint and notice of hearing be served on the said Fred J. Holzapfel by an employee of the Department of Agriculture or by registered mail at least three days prior to the date herein set for hearing.

IN WITNESS WHEREOF, the Secretary of Agriculture has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, this 13th day of May 1937.

[SEE SIGNATURE IN ORIGINAL]

Secretary of Agriculture.

LOAD-DATE: June 11, 2008

