

Commodity Futures Trading Commission  
CEA CASES

**NAME:** HOWARD RANDOLPH, RANDOLPH FOODS, INC. JAMES P. HOBAN, HOBAN AND COMPANY,  
AND ROBERT M. ZADRA

**DOCKET NUMBER:** 100

**DATE:** OCTOBER 10, 1961

**DOCUMENT TYPE:** MOTION TO AMEND COMPLAINT

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re: Howard Randolph, Randolph Foods, Inc. James P. Hoban, Hoban and Company,  
and Robert M. Zadra, Respondents

CEA Docket No. 100

Motion to Amend Complaint

The respondents named above have filed their answers to the complaint. Pursuant to the provisions of section 0.5(c) of the rules of practice under the Commodity Exchange Act (17 CFR 0.5(c)), the complainant hereby moves that the complaint be amended to include Carl A. Bergstrom, 1562 Lemoine Avenue, Fort Lee, New Jersey, as a party respondent and that such amendment be accomplished as follows:

1. By adding the name "Carl A. Bergstrom" to the list of respondents in the caption of the complaint and in the introductory paragraph thereof.

2. By inserting, immediately after paragraph I, a new paragraph, numbered IA, reading as follows: Respondent Carl A. Bergstrom, an individual whose address is 1562 Lemoine Avenue, Fort Lee, New Jersey, is now and was at all times material herein engaged in the egg merchandising and brokerage business.

3. By amending paragraph V to allege that the order of January 13, 1961, to raise the price of Fancy Heavyweight Mixed eggs on the New York Mercantile Exchange spot call, was first transmitted by respondent Howard Randolph to respondent Carl A. Bergstrom and relayed by respondent Bergstrom to respondent Robert M. Zadra for execution.

4. By amending paragraph VI(a) to allege that the order of January 16, 1961, to raise the price of Fancy Heavyweight Mixed eggs on the New York Mercantile Exchange spot call, was transmitted by respondent Howard Randolph to respondent Carl A. Bergstrom.

5. By amending paragraph VI(b) to allege that the order of January 16, 1961, to raise the price of Fancy Heavyweight Mixed eggs on the New York Mercantile Exchange spot call, was transmitted by respondent James P. Hoban to respondent Carl A. Bergstrom.

6. By amending paragraph VI(c) to allege that the said orders of respondents Randolph and Hoban were, after receipt by respondent Carl A. Bergstrom, relayed by respondent Bergstrom to respondent Robert M. Zadra for execution.

7. By adding the name "Carl A. Bergstrom" to the names of the other respondents charged with manipulation and attempted manipulation in paragraph VII.

The complainant requests that the referee issue an order stating that the complaint be considered as amended in accordance with this motion.

/s/ Benj. M. Holstein  
Benj. M. Holstein, Attorney  
Commodity Exchange Authority

October 10, 1961

Approved:

/s/ John P. Duncan, Jr.  
John P. Duncan, Jr.  
Assistant Secretary

**LOAD-DATE:** June 12, 2008

