

FILED

NATIONAL FUTURES ASSOCIATION
LEGAL DOCKETING

1

On October 18, 2011, the BCC issued a Complaint against Farview, an independent introducing broker (IB) NFA Member in Chicago, Illinois, and Brooks, a listed principal and associated person of Farview, and an NFA Associate. The Complaint alleges that Farview failed to keep accurate financial records, failed to maintain required minimum adjusted net capital, and failed to notify NFA of the firm's capital deficiencies, in violation of NFA Compliance Rule 2-10 and NFA Financial

Requirements 5(a) and 5(c). The Complaint further alleges that Farview failed to implement an adequate anti-money laundering program, in violation of NFA Compliance Rule 2-9(c). The Complaint also charges that Brooks, as the firm's managing member, failed to adequately supervise Farview's operations, in violation of NFA Compliance Rule 2-9(a).

II

OFFER OF SETTLEMENT

Without admitting or denying the allegations of the Complaint, Farview and Brooks submitted an Offer in which they propose settling the charges against them on the following terms: they agreed to pay a fine of \$7,500 to NFA, and they agreed that Farview, and any NFA Member firm of which Brooks is a principal, shall operate only as a guaranteed IB (GIB) for three years, commencing on the date of a Decision accepting their Offer.

Farview and Brooks further agree that after the expiration of the three-year requirement that Farview only operate as a GIB, Farview, and any NFA Member firm of which Brooks is a principal, agree not to commence operation as an independent IB unless and until Brooks acknowledges in writing the validity of NFA's position as to the proper method of accounting for (a) funds in a proprietary trading account on deposit with a futures commission merchant (FCM), and (b) commission receivables; and agrees to conform the books, records and financial statements of Farview, and any NFA Member firm of which he is a principal, so as to comply with NFA's position regarding these issues.

III

PENALTY

Having considered the matter and having accepted the Offer of Farview and Brooks, the Hearing Panel orders Farview and Brooks to pay a fine of \$7,500 to NFA, payable within 30 days of the date of a Decision accepting their Offer, and further orders that Farview, and any NFA Member firm of which Brooks is a principal, shall only operate as a GIB for three years, commencing on the date of a Decision accepting their Offer.

In addition, the Panel orders that following the expiration of the three-year requirement that Farview only operate as a GIB, Farview, and any NFA Member firm of which Brooks is a principal, shall not commence operations as an independent IB unless and until Brooks acknowledges in writing the validity of NFA's position (as previously communicated to Farview and Brooks) as to the proper method of accounting for (a) funds in a proprietary trading account on deposit with an FCM, and (b) commission receivables; and agrees to conform the books, records and financial statements of Farview, and any NFA Member firm of which he is a principal, so as to comply with NFA's position regarding these issues.

This Decision accepting the Offer of Farview and Brooks shall operate to bar any future Member Responsibility Action or BCC Complaints against Farview and Brooks for any conduct occurring, of which NFA had corporate knowledge, prior to and up to the date of their Offer, and shall resolve and terminate all complaints, investigations and audits, relative to Farview and Brooks that were received or pending as of the date of their Offer. In addition, the Offer of Farview and Brooks, and this

Decision accepting their Offer shall not be used as a sole basis for any other action or proceeding by NFA against Farview and/or Brooks, including any registration matter, except their Offer and this Decision accepting their Offer may be used in an action to enforce the terms thereof or in a subsequent disciplinary action or regulatory action, where they may be considered as disciplinary history and as evidence in aggravation on the issue of sanctions.

IV

INELIGIBILITY

Pursuant to the provisions of Commodity Futures Trading Commission (CFTC) Regulation 1.63, this Decision and the sanctions imposed herein render Brooks ineligible to serve on a disciplinary committee, arbitration panel, oversight panel or governing board of any self-regulatory organization, as that term is defined in CFTC Regulation 1.63, until the later of three years after the effective date of this Decision, or until he has satisfied all the sanctions and conditions imposed by this Decision.

NATIONAL FUTURES ASSOCIATION HEARING PANEL

Date: 03/02/2012

By: Wendy E. Kolman
Chairperson

AFFIDAVIT OF SERVICE

I, Nancy Miskovich-Paschen, on oath state that on March 2, 2012, I served a copy of the attached Decision, by sending such copy in the United States Mail, postage prepaid, certified mail, return receipt requested, and by regular mail, first-class delivery, in envelopes addressed as follows to:

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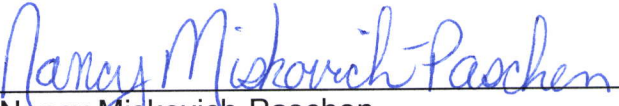
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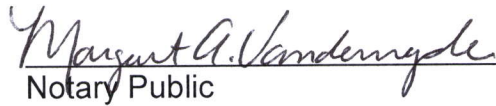
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Nancy Miskovich-Paschen

Subscribed and sworn to before me
on this 2nd day of March 2012.


Notary Public

