FILED

JUN 29 2009

NATIONAL FUTURES ASSOCIATION
LEGAL DOCKETING

NATIONAL FUTURES ASSOCIATION
BEFORE THE
MEMBERSHIP COMMITTEE

In the Matter of:	)	
	)	
KEVIN O'GRADY	)	NFA Case No. 09-REG-010
(NFA ID #406045)	)	
	)	
Respondent.	)	

FINAL ORDER GRANTING CONDITIONAL REGISTRATION

Kevin O'Grady (O'Grady or Respondent), has filed an application with National Futures Association (NFA) to become registered as a floor trader. On June 29, 2009, NFA's President issued a Notice of Intent to Deny Registration (Notice of Intent) to O'Grady.

The Notice of Intent alleged that on December 11, 1995, in the Glassboro, New Jersey Municipal Court, in New Jersey v. O'Grady, Summons No. S-1995-861579, O'Grady was found guilty of the disorderly persons offense of shoplifting, in violation of Section 2C:20-11B(1) of the New Jersey Code. The Notice of Intent charged that O'Grady's failure to disclose the fact that he was found guilty of a disorderly persons offense involving theft on his January 2009 registration application may disqualify him from registration under Section 8a(2)(G) of the Commodity Exchange Act (Act), 7 U.S.C. § 12a(2)(G) (2000).

Respondent has submitted an Offer of Settlement (Offer) in the above-referenced proceeding in which he offers to be registered subject to conditions. Upon

consideration, a Subcommittee of NFA's Membership Committee (Subcommittee) has determined to accept the Offer.

In his Offer, without admitting or denying the allegations of the Notice of Intent, Respondent acknowledges service of the Notice of Intent, admits the jurisdiction of NFA with respect to the matters set forth in the Notice of Intent, waives a hearing, all post-hearing procedures, Commodity Futures Trading Commission (Commission) and judicial review, and any objection to NFA staff's participation in the consideration of this Offer by the Membership Committee or its designated Subcommittee, and stipulates that the record upon which this Final Order Granting Conditional Registration (Final Order) is granted consists solely of the Notice of Intent and the submissions made by Respondent in response thereto. On the basis of the consent evidenced by the Offer, and without any adjudication on the merits, the Subcommittee orders that O'Grady's floor trader/broker registration be hereby granted subject to the following conditions:

1. Respondent may not directly or indirectly act as a principal, partner, officer, director, or branch office manager of any entity registered or required to be registered with the Commission under the Act or regulations thereunder;

2. Respondent may not directly or indirectly exercise supervisory authority over any person registered or required to be registered with the Commission under the Act or regulations thereunder;

3. Respondent shall not serve on any disciplinary committee, arbitration panel, governing board or oversight panel of any self-regulatory organization (SRO) subject to regulation by the Commission;

4. Respondent shall not violate any provision of the Act, the regulations thereunder, the Final Order and this Offer, or any exchange bylaws, rules, regulations or requirements; and

5. If the Commission, NFA, any SRO, law enforcement or regulatory agency institutes a proceeding charging Respondent with any violation of the Act, Commission regulations, NFA requirements, SRO rules, or any order,

statute, rule, or regulation, Respondent will immediately notify NFA in writing of such action. NFA may, upon written notice to Respondent, immediately suspend Respondent's registration without regard to the procedures set forth in NFA's Registration Rules, pending the conclusion of the proceedings containing such charge. Respondent shall have the opportunity for a hearing promptly after the suspension, at which NFA would have the burden of showing (i) that Respondent has been charged with the violation referred to herein, and (ii) that Respondent's continued registration is likely to pose a threat to the public interest or threatens to impair public confidence in any market regulated by the Commission.

The conditions set forth in this Final Order shall become effective thirty days after service of the Final Order on O'Grady unless the Commission otherwise directs. These conditions shall remain in effect until two years after the effective date of the Final Order conditioning Respondent's registration, at which time the conditions will automatically expire.

NATIONAL FUTURES ASSOCIATION

Dated: 06/29/09

By: _____
Chairman of the Subcommittee

/nam(Final Order:Kevin O'Grady.map)

AFFIDAVIT OF SERVICE

I, Nancy Miskovich-Paschen, on oath state that on June 29, 2009, I served copies of the attached Final Order Granting Conditional Registration, by sending such copies in the United States mail, postage prepaid, certified mail, return receipt requested, and by regular mail, first-class delivery, in envelopes addressed as follows:

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Attn: Nancy Minett

Nancy Miskovich-Paschen

Nancy Miskovich-Paschen

Subscribed and sworn to before me on this 29th day of June 2009.

Margaret A. Vandermyde

Notary Public

OFFICIAL SEAL
Margaret A. Vandermyde
Notary Public, State of Illinois
MY COMMISSION EXPIRES 03-15-10