

NOV 19 2009

NATIONAL FUTURES ASSOCIATION
BEFORE THE HEARING PANEL

NATIONAL FUTURES ASSOCIATION
LEGAL DOCKETING

In the Matter of:)	
)	
GLOBEFX CLUB, INC., et al.)	
(James Christopher Morton II,)	NFA Case No. 09-BCC-021
NFA ID #384177))	
)	
Respondent.)	

DECISION

Having reviewed the Complaint issued by the Business Conduct Committee ("BCC") of National Futures Association ("NFA") in the above-captioned case, and having considered the Offer of Settlement ("Offer") submitted by James Christopher Morton II ("Morton") and having accepted the Offer, the Hearing Panel ("Panel") hereby issues this Decision as to Morton.

I

ALLEGED VIOLATIONS OF NFA REQUIREMENTS

On June 30, 2009, the BCC issued a Complaint against GlobeFX Club, Inc. ("GlobeFX") and Morton, who was the firm's sole associated person. Morton was also a listed principal of GlobeFX, along with Jeremy Globe ("Globe") and Christopher Bourne ("Bourne"), neither of whom was registered with the Commodity Futures Trading Commission ("CFTC") or NFA. The Complaint alleged that GlobeFX – acting through Globe and Bourne – failed to cooperate with NFA in its investigation of GlobeFX's operations and provided false and misleading information concerning the firm's operations, in violation of NFA Compliance Rules 2-5 and 2-2(f). The Complaint also alleged that GlobeFX and Morton failed to supervise GlobeFX's forex activities, in violation of NFA Compliance Rule 2-36(e).

II

SETTLEMENT OFFER

Morton submitted an Offer in which he proposed to settle the charges against him on the following terms: he agreed not to apply to be a principal of any NFA Member or act in a capacity requiring him to be disclosed as a principal of any NFA Member for five years; he further agreed that, if he again applies for NFA membership or associate membership then, in such event, he shall pay a fine of \$10,000 to NFA, due and payable at the time he makes such application. Until such time as he pays this fine in full, he agreed that no action shall be taken to process his application.

III

PENALTY

The Panel, having considered this matter and having accepted the Offer submitted by Morton, hereby orders as follows: Morton is prohibited from applying to be a principal of any NFA Member or acting in a capacity requiring him to be disclosed as a principal of any NFA Member for five years; if Morton again applies for NFA membership or associate membership then, in such event, he shall pay a fine of \$10,000 to NFA, due and payable at the time he makes such application. Until such time as Morton pays this fine in full, no action shall be taken to process his application.

This Decision accepting Morton's Offer shall operate to bar any future Member Responsibility Action or BCC Complaints against him for any conduct occurring, of which NFA had corporate knowledge, up to the date of this Offer and shall resolve and terminate all complaints, investigations and audits, relative to him, which were received or pending as of the date of his Offer. Morton's Offer and this Decision

accepting his Offer shall not be used as a sole basis for any other action or proceeding by NFA against him, including any registration matter, except his Offer and this Decision accepting his 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 CFTC Regulation 1.63, this Decision and the sanctions imposed herein render Morton 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: 11/19/09

By: Wendy E. Robinson
Chairperson

AFFIDAVIT OF SERVICE

I, Nancy Miskovich-Paschen, on oath state that on November 19, 2009, I served copies of the attached Decision, 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 to:

David Stawick
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Commodity Futures Trading
Commission
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and by hand delivery to:

Ronald V. Hirst, Esq.
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300 South Riverside Plaza
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Chicago, IL 60606


Nancy Miskovich-Paschen

Subscribed and sworn to before me
on this 19th day of November 2009.


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