NATIONAL FUTURES ASSOCIATION
BEFORE THE
BUSINESS CONDUCT COMMITTEE

FILED

MAY - 5 2010

NATIONAL FUTURES ASSOCIATION
LEGAL DOCKETING

In the Matter of:	)	
	)	
CITY CAPITAL MANAGEMENT LLC (NFA ID #400788),	)	
	)	
and	)	NFA Case No. 10-BCC-001
	)	
JONATHAN LEE (NFA ID #358182),	)	
	)	
Respondents.	)	

DECISION

Having reviewed all matters relevant to the Complaint issued by the Business Conduct Committee ("Committee") of National Futures Association ("NFA") against City Capital Management LLC ("CCM") and Jonathan Lee ("Lee") in the above-captioned proceeding, and having found that CCM and Lee were duly served with the Complaint and that they did not file an Answer to the Complaint, the Committee hereby issues the following Decision as to CCM and Lee.

I

ALLEGED VIOLATIONS OF NFA REQUIREMENTS

On February 24, 2010, the Committee issued a Complaint against CCM, a commodity trading advisor Member of NFA, and Lee, the sole principal and an associated person of CCM, and an NFA Associate, which alleged that CCM failed to provide an approved disclosure document to customers, in violation of NFA Compliance Rule 2-41; and that CCM and Lee failed to cooperate promptly and fully with NFA, in violation of NFA Compliance Rule 2-5.

II

FAILURE TO RESPOND

As required under NFA Compliance Rule 3-3(a), the Complaint was served on CCM and Lee by first-class mail and overnight delivery to the last addresses that they had provided to NFA. Pursuant to NFA Compliance Rules 3-4 and 3-6, CCM and Lee were given notice in the Complaint that they were required to file a written Answer to the Complaint with NFA within thirty days. CCM and Lee were further informed in the Complaint that a failure to file an Answer would be deemed to be an admission by CCM and Lee of the facts and legal conclusions alleged in the Complaint and a waiver of their right to a hearing.

CCM and Lee failed to respond to the Complaint in any way and NFA, subsequently, sent another copy of the Complaint to CCM and Lee, along with a reminder letter that noted that they had not filed a timely Answer, and that under NFA Compliance Rule 3-4, their failure to answer would be deemed to be an admission by them of all of the allegations of the Complaint and a waiver of their right to a hearing. The letter further informed CCM and Lee that if they intended to file an Answer they should do so within seven days. CCM and Lee have neither filed an Answer to the Complaint nor otherwise responded to it.

III

FINDINGS AND CONCLUSIONS

The Committee finds that CCM and Lee were duly served with the Committee's Complaint at the last addresses that they provided to NFA. The Committee further finds that CCM and Lee failed to answer the Complaint. Pursuant to NFA Compliance Rule 3-6(b), CCM and Lee are, therefore, deemed to have admitted

the facts and legal conclusions alleged in the Complaint and to have waived their right to a hearing. Therefore, the Committee finds that CCM and Lee committed each and every violation alleged against them in the Complaint. Specifically, the Committee finds that CCM failed to provide an approved disclosure document to customers, in violation of NFA Compliance Rule 2-41; and that CCM and Lee failed to cooperate promptly and fully with NFA, in violation of NFA Compliance Rule 2-5.

IV

PENALTY

The violations involved in this case are extremely serious and involve a failure to cooperate with NFA on the part of CCM and Lee in NFA's audit of CCM. As Member cooperation is the foundation for NFA's audit program, without which it ceases to function, this Committee and NFA's Hearing Panels have generally imposed permanent bars on Members and Associates who have been guilty of failing to cooperate with NFA in the course of an audit. This Committee is not aware of any mitigating circumstances in the present case which would justify a lesser sanction here. Therefore, this Committee permanently bars CCM from NFA membership and from acting as a principal of an NFA Member and permanently bars Lee from NFA membership and associate membership and from acting as a principal of an NFA Member.

V

INELIGIBILITY

Pursuant to the provisions of Commodity Futures Trading Commission ("CFTC") Regulation 1.63, this Decision and the sanctions imposed herein render Lee permanently 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.

VI

APPEAL

CCM and Lee may appeal this Decision to the Appeals Committee of NFA by filing a written notice of appeal with NFA's Secretary within fifteen days of the date of this Decision. Pursuant to NFA Compliance Rule 3-13(a), the notice must describe those aspects of the disciplinary action to which exception is taken and must contain any request to present written or oral argument. This Decision shall be final after the expiration of the time for appeal or review, unless it is appealed or reviewed.

NATIONAL FUTURES ASSOCIATION
BUSINESS CONDUCT COMMITTEE

Date: 05/05/2010

By: _____
Chairperson

m/rvh/CCM and Lee default Decision

AFFIDAVIT OF SERVICE

I, Nancy Miskovich-Paschen, on oath state that on May 5, 2010, 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:

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and by hand delivery to:

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Nancy Miskovich-Paschen

Nancy Miskovich-Paschen

Subscribed and sworn to before me
on this 5th day of May 2010.

Mary A. Patton

Notary Public

OFFICIAL SEAL
MARY A PATTON
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 8/28/2013