

**BEFORE THE
NATIONAL FUTURES ASSOCIATION**

In the Matter of:)
)
FIN FX LLC)
(NFA ID #389246),)
) NFA Case No. 11-MRA-003
and)
)
LEON LOURENS WOLMARANS)
(NFA ID #391541).)

**NOTICE OF MEMBER RESPONSIBILITY ACTION AND ASSOCIATE
RESPONSIBILITY ACTION UNDER NFA COMPLIANCE RULE 3-15**

National Futures Association ("NFA") hereby gives notice to FIN FX LLC ("FINFX"), a commodity trading advisor ("CTA") and NFA Member, and Leon Lourens Wolmarans ("Wolmarans"), an associated person ("AP") and principal of FINFX and an NFA Associate, that, pursuant to NFA Compliance Rule 3-15, the President of NFA, with the concurrence of NFA's Executive Committee, has taken a Member Responsibility Action ("MRA") against FINFX and an Associate Responsibility Action ("ARA") against Wolmarans, respectively, whereby:

1. Effective immediately, FINFX and Wolmarans are suspended from NFA membership and associate membership, respectively, and are prohibited from soliciting or accepting any funds from customers or investors and soliciting investments for any investment vehicles;
2. FINFX and Wolmarans are required to provide copies of this MRA/ARA via overnight courier to all banks and other financial institutions with which money is on deposit in the name of FINFX or Wolmarans or accounts over which FINFX or Wolmarans exercises control; and
3. FINFX and Wolmarans are prohibited from disbursing or transferring any funds from any bank accounts, or brokerage account (including securities, commodities, and forex), in either of their names or in the name of any other individual or entity over which they exercise control, without prior approval from NFA.

This action is effective immediately and is deemed necessary to protect prospective customers of FINFX and Wolmarans since FINFX and Wolmarans were attempting to solicit customers with patently false and misleading information. In addition, FINFX and Wolmarans provided misleading information to NFA and have

failed to cooperate with NFA in an examination of FINFX or demonstrate that they are in full compliance with NFA Requirements.

In support of these actions, NFA attaches the affidavit of Mark Arnold, who is a Supervisor in NFA's Compliance Department, and based thereon alleges as follows:

1. FINFX is an NFA Member CTA and became registered as a CTA on December 6, 2007. Wolmarans is FINFX's sole AP, an NFA Associate and sole listed principal, and has been since December 6, 2007. FINFX is located in Carrollton, Texas.
2. In early March 2011, NFA received a call from an individual inquiring about a company called FIN FX. This individual wanted to know if NFA was able to provide an opinion about this firm. NFA conducted a google search and found the website, www.fin-fx.com, which appeared to be for FINFX. Although FINFX had not indicated that it operated a website in its last annual questionnaire filed with NFA in 2010, the firm had previously indicated that this website belonged to the firm in 2009.
3. NFA reviewed the website and found information that was extremely troubling. Specifically, the website included performance for various managed account programs purported to be operated by FINFX. The website posted performance for a "1520 Trading System" for the time period of January 1999 through September 2008 with annual rates of return ranging from 39.12% to 116.08%. It also contained performance for a "1487 Trading System" for the same time period with annual rates of return ranging from 30.76% to 67.07%. A separate section of the website contained rates of return for a "Sentiment Program" from February 2007 to January 2008 with a twelve-month return of 36.05% and the "Sentiment Aggressive Program" with a rate of return from July 2007 to January 2008 of 57.73%.
4. Further, the website contained a section entitled "Mini Forex Trading Contest" winners, showing the 1st Place winner was an individual who garnered a return of 354.27%.
5. FINFX's website gave the impression that this firm was clearly soliciting for new customer accounts. Additionally, other than one small link to FXCM, it was not clear to potential customers what entity would serve as the counterparty to their forex transactions.
6. On March 24, 2011, NFA staff e-mailed Wolmarans asking for support for the performance disclosed on FINFX's website as well as asking him to provide information on FINFX's current business operations. On April 4, 2011 Wolmarans responded by stating that he previously only traded an account in the name of FINFX at Forex Capital Markets LLC ("FXCM"), an NFA Member Forex Dealer Member, and managed two accounts that were held at FXCM Ltd. ("FXCM UK"). Wolmarans further stated that

FINFX's website had not been updated since 2008 and the Sentiment programs were, in fact, not FINFX's programs but were previously offered by FXCM. Wolmarans also stated that the 1520 and 1487 Programs were also never offered or managed by FINFX but were offered by another NFA Member CTA that has ceased offering these programs. He further stated that the "Contest Winners" were from a December 2007 competition also run by FXCM.

7. Therefore, none of the highly profitable performance contained on FINFX's website belonged to either FINFX or Wolmarans, and these programs did not appear to be managed account programs offered by FINFX. Additionally, other than identifying the purported source of these programs, FINFX and Wolmarans had no independent support for the programs' highly profitable performance claims. As of April 14, 2011, Wolmarans had this website removed from public view.
8. At the same time, NFA independently obtained account opening documents from FXCM for what turned out to be three accounts that were owned by Wolmarans. In reviewing these documents, NFA learned that another individual named Stephen Botes ("Botes") was also listed as the Vice-President of FINFX and appeared to be an unlisted principal. Both Botes and Wolmarans are believed to be South African nationals.
9. NFA also independently conducted an internet search relating to Botes and found that in December 2005 a "Stephen Anthony Botes" was a named defendant in a complaint in the High Court of South Africa and was charged with defrauding innocent persons in South Africa and Namibia through false representations. The complaint alleges that through the entities Webforex, Ltd. and Webforex USA, Inc., Botes and an individual named "Leon Lourens Wolmarans" collected \$12.5 million to be used for trading purposes but instead they used the money to fund their own personal lifestyles. The documents also allege that in 2006, both Wolmarans and Botes fled South Africa for Texas.
10. Based on the above information, on April 19, 2011, NFA commenced an unannounced exam of FINFX. NFA arrived at the office address listed in NFA's Online Registration System ("ORS") for the firm only to find that the office was actually a business address for an "International Aviation Support" company owned by another South African individual. Upon questioning the administrative assistant there, NFA learned that FINFX leases space and Wolmarans only visits every few months. She additionally had no contact information for Wolmarans.
11. NFA then visited two alleged personal home addresses for Wolmarans that were found via FXCM account opening documents as well as an Internet search. Upon arriving at both addresses, NFA found that these were gated communities and Wolmarans was not listed as a resident at either address.

12. NFA sent an e-mail to Wolmarans that same day indicating that he needed to contact NFA regarding its exam no later than 12:00 p.m. CDT on April 20, 2011 or he would be subject to disciplinary action.
13. On the morning of April 20, 2011, both Wolmarans and Botes called NFA staff from a South African phone number stating that they were both in South Africa and had moved back there in 2006 – which was prior to the effective date for the firm's registration and NFA membership. This information contradicts the residential address information contained in Wolmarans' Form 8-R registration application, which contains a Texas residential address. Additionally, Wolmarans has never filed an update to his Form 8-R to update his residential address to a South African one.
14. Botes and Wolmarans – when not speaking to each other in a foreign language – informed NFA that they only visited the United States every few months and only maintained a U.S. registered entity so that they could solicit for South African customer investments pursuant to the rules of South Africa.
15. Botes and Wolmarans stated that they were currently managing an account for five "friends" at FXCM UK. Wolmarans also stated that he had limited power of attorney over one additional individual's account.
16. NFA gave the firm until 5:00 p.m. CDT that same day to provide information on all of the customer accounts currently and previously under the control of Wolmarans and the firm. NFA also requested that the firm provide bank statements from January 2010 in the names of FINFX and Wolmarans, and statements for the life of the account for any accounts over which Wolmarans maintained control. These account statements are critical to NFA's investigation given the highly profitable performance claims contained on FINFX's website.
17. On the morning of April 21, 2011, Wolmarans sent an e-mail response to NFA stating that due to the time difference between South Africa and Chicago, he was unable to meet the established deadline. Wolmarans confirmed that he and Botes were the two individuals discussed in the High Court of South Africa's complaint; however, he insisted the charges had been dropped but he failed to provide any documentation as support. Further, Wolmarans did not provide any of the documents requested by NFA.
18. Given the time difference, NFA gave FINFX until 12:00 p.m. CDT on April 22, 2011 to provide all required documents, and NFA gave FINFX the option to produce Wolmarans for questioning at either NFA's Chicago office or at FINFX's listed ORS address in Texas at 12:00 p.m. CDT on Monday, April 25, 2011. Despite NFA's request, Wolmarans and FINFX

again failed to produce any documents on April 22nd, and did not make Wolmarans available for questioning in person on April 25, 2011.

19. As demonstrated above, FINFX and Wolmarans have provided misleading information to NFA and potential customers. In addition, FINFX and Wolmarans have failed to cooperate with NFA's investigation, and as a result NFA is unable to determine if FINFX is in full compliance with NFA Requirements.

The MRA and ARA will remain in effect until such time as FINFX and Wolmarans have demonstrated to the satisfaction of NFA that they are in complete compliance with all NFA Requirements.

FINFX and Wolmarans are entitled to a prompt hearing on this matter before NFA's Hearing Committee if they so request. The request for a hearing shall be made in writing to:

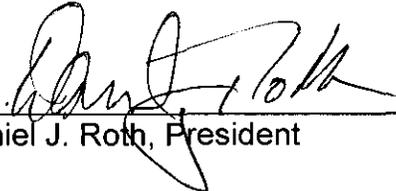
National Futures Association
300 South Riverside Plaza
Suite 1800
Chicago, Illinois 60606
Attn: Legal Department-Docketing

E-Mail: Docketing@nfa.futures.org
Facsimile: 312-781-1672

Aggrieved parties may petition the Commodity Futures Trading Commission ("CFTC") for a stay of this MRA and ARA pending a hearing pursuant to and in conformity with the terms set forth in CFTC Regulation 171.41.

NATIONAL FUTURES ASSOCIATION

Date: 04-26-2011

By: 

Daniel J. Roth, President

m/rvh/FIN FX MRA (final)

AFFIDAVIT

THE AFFIANT, MARK ARNOLD, BEING DULY SWORN AND UNDER OATH STATES THAT:

1. My name is Mark Arnold, and I am employed by National Futures Association ("NFA") as a Supervisor in the Compliance Department. In my capacity as an Investigator, I conducted an examination and investigation of FIN FX LLC ("FINFX") and Leon Lourens Wolmarans ("Wolmarans").
2. FINFX is an NFA Member commodity trading advisor ("CTA") and became registered as a CTA on December 6, 2007. Wolmarans is FINFX's sole associated person, an NFA Associate and sole listed principal, and has been since December 6, 2007. FINFX is located in Carrollton, Texas.
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learned that FINFX leases space and Wolmarans only visits every few months. She additionally had no contact information for Wolmarans.

12. The NFA audit team and I then visited two alleged personal home addresses for Wolmarans that were found via FXCM account opening documents as well as an Internet search. Upon arriving at both addresses, we found that these were gated communities and Wolmarans was not listed as a resident at either address.
13. We sent an e-mail to Wolmarans that same day indicating that he needed to contact NFA regarding its exam no later than 12:00 p.m. CDT on April 20, 2011 or he would be subject to disciplinary action.
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Further, Wolmarans did not provide any of the documents requested by NFA.

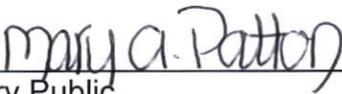
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20. As demonstrated above, FINFX and Wolmarans have provided misleading information to NFA and potential customers. In addition, FINFX and Wolmarans have failed to cooperate with NFA's investigation, and as a result NFA is unable to determine if FINFX is in full compliance with NFA Requirements.

Further Affiant sayeth not.



Mark Arnold

Subscribed and sworn to before me
on this 26th day of April 2011.



Notary Public



AFFIDAVIT OF SERVICE

I, Nancy Miskovich-Paschen, on oath state that on April 26, 2011, I served copies of the attached Notice of Member Responsibility Action and Associate Responsibility Action Under NFA Compliance Rule 3-15, by sending such copies by facsimile and overnight mail, in envelopes addressed as follows:

David Stawick
Office of the Secretariat
Commodity Futures Trading
Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581
(Facsimile: 202-418-5521)

Terry Montgomery
Division of Enforcement
Commodity Futures Trading
Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581
(Facsimile: 202-418-5523)

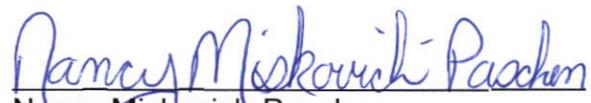
and by sending such copies by e-mail and overnight delivery, in envelopes addressed as follows:

FIN FX LLC
c/o Leon L. Wolmarans
2201 Midway Road
Suite 201
Carrolton, TX 75006
E-mail: fxceleon@yahoo.com

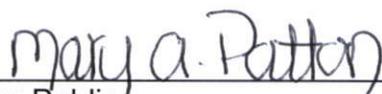
Leon L. Wolmarans
2201 Midway Road
Suite 302
Carrolton, TX 75006
E-mail: fxceleon@yahoo.com

and by hand delivery to:

Ronald V. Hirst, Esq.
National Futures Association
300 South Riverside Plaza
Suite 1800
Chicago, IL 60606


Nancy Miskovich-Paschen

Subscribed and sworn to before me
on this 26th day of April 2011.



Notary Public

