

SEP 25 2009

NATIONAL FUTURES ASSOCIATION  
BEFORE THE HEARING PANEL

NATIONAL FUTURES ASSOCIATION  
LEGAL DOCKETING

In the Matter of:	)	
	)	
ACM USA LLC, et. al.	)	NFA Case No. 09-BCC-011
(ACM USA LLC, NFA ID #245020)	)	
	)	
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 ACM USA LLC ("ACM") and having accepted the Offer, the Hearing Panel ("Panel") hereby issues this Decision as to ACM.

1

**ALLEGED VIOLATIONS OF NFA REQUIREMENTS**

On June 10, 2009, the BCC issued a Complaint against ACM, a futures commission merchant Member of NFA, and a former forex dealer member, located in New York City. The Complaint also named Edward George Anderson ("Anderson"), as a respondent. Anderson was the chief executive officer and an associated person of ACM and an NFA Associate.

The Complaint alleged that ACM violated NFA Financial Requirements Section 1 by failing to file monthly financial reports and its 2008 annual certified financial statement in the time prescribed by NFA Financial Requirements Section 1. The Complaint also alleged that Anderson violated NFA Compliance Rule 2-9 by failing to

adequately supervise ACM's operations to secure the firm's compliance with NFA's financial reporting requirements.

**II**  
**RESPONSE**

ACM submitted an Offer to the Panel in which, without admitting or denying the allegations in the present case, it agreed to pay a fine of \$10,000 in accordance with the payment schedule set forth in the Offer.

**III**  
**FINDINGS**

In accordance with the Offer submitted by ACM, the Panel finds that ACM violated NFA Financial Requirements Section 1 by failing to file monthly financial reports and its 2008 annual certified financial statement in the time prescribed by NFA Financial Requirements Section 1, as alleged in the Complaint and described in Section I above.

**IV**  
**PENALTY**

The Panel, having considered this matter and having accepted the Offer made by ACM, hereby orders ACM to pay a fine of \$10,000 in accordance with the payment schedule set forth in the Offer.

This Decision accepting ACM's Offer shall operate to bar any future Complaints by NFA against ACM for the conduct charged in the Complaint in this case.

**NATIONAL FUTURES ASSOCIATION  
HEARING PANEL**

Date: September 23, 2009

By:   
Chairperson

**AFFIDAVIT OF SERVICE**

I, Nancy Miskovich-Paschen, on oath state that on September 25, 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, 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

Richard Foelber  
Deputy Chief  
Division of Enforcement  
Commodity Futures Trading  
Commission  
Three Lafayette Centre  
1155 21st Street, NW  
Washington, DC 20581

William Penner  
Deputy Director  
Compliance & Registration, DCIO  
Commodity Futures Trading  
Commission  
Three Lafayette Centre  
1155 21st Street, NW  
Washington, DC 20581


Tempest Thomas  
Proceedings Clerk  
Office of Proceedings  
Commodity Futures Trading  
Commission  
Three Lafayette Centre  
1155 21st Street, NW  
Washington, DC 20581

Edward George Anderson  
116 Heritage Street  
Robbinsville, NJ 08691


ACM USA LLC  
575 Lexington Avenue  
30th Floor  
New York, NY 10022  
Attn: Gregory LaMarca

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 25th day of September 2009.

  
Notary Public

