

SEP 25 2009

NATIONAL FUTURES ASSOCIATION
BEFORE THE
HEARING PANEL

NATIONAL FUTURES ASSOCIATION
LEGAL DOCKETING

In the Matter of:)	
)	
ACM USA LLC et. al.)	
(Edward George Anderson)	NFA Case No. 09-BCC-011
NFA ID #394977),)	
)	
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 Edward George Anderson ("Anderson") and having accepted the Offer, the Hearing Panel ("Panel") hereby issues this Decision as to Anderson.

I

ALLEGED VIOLATIONS OF NFA REQUIREMENTS

On June 10, 2009, the BCC issued a Complaint against ACM USA LLC ("ACM"), a futures commission merchant Member of NFA, and a former forex dealer member, located in New York City. The Complaint also named 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

Anderson submitted an Offer to the Panel in which, without admitting or denying the allegations in the present case, he agreed to refrain from being a principal of an NFA Member for a period of one year, commencing on the effective date of a Decision accepting his Offer; or, alternatively, if he elects to become a principal of an NFA Member during such one-year period, he agreed to pay a fine of \$5,000 to NFA within thirty days of becoming a principal.

III

FINDINGS

In accordance with the Offer submitted by Anderson, the Panel finds 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 Requirements.

IV

PENALTY

The Panel, having considered this matter and having accepted the Offer made by Anderson, hereby orders Anderson to refrain from being a principal of an NFA Member for a period of one year, commencing on the effective date of this Decision; or, alternatively, if Anderson elects to become a principal of an NFA Member during such one-year period then, in such event, the Panel orders him to pay a fine of \$5,000 to NFA within thirty days of becoming a principal.

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

V

INELIGIBILITY

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

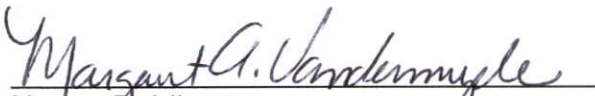
ACM USA LLC
575 Lexington Avenue
30th Floor
New York, NY 10022
Attn: Gregory LaMarca

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

