

**BEFORE THE
NATIONAL FUTURES ASSOCIATION**

In the Matter of:)
)
IFINIX FUTURES INC.) NFA Case No. 11-MRA-005
(NFA ID #312871))

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

National Futures Association ("NFA") hereby gives notice to IFINIX Futures Inc. ("IFINIX"), a registered introducing broker ("IB") and a Forex Firm Member of NFA, that, pursuant to NFA Compliance Rule 3-15, the President of NFA, with the concurrence of NFA's Board of Directors, has taken a Member Responsibility Action ("MRA") against IFINIX, whereby:

1. IFINIX is hereby suspended from NFA membership effective immediately and until further notice;
2. IFINIX, and any person acting on its behalf, is prohibited from disbursing or transferring any funds over which it or any person acting on its behalf exercises control, without prior approval from NFA; and
3. IFINIX is required to provide copies of this MRA by overnight courier or e-mail to all: a) customers; b) banks and other financial institutions in which money is on deposit in the name of IFINIX; and c) futures commission merchants ("FCMs") which carry customer accounts introduced to them by IFINIX.
4. All NFA Member FCMs that carry customer accounts which were introduced to them by IFINIX are required to provide those customers with copies of this MRA by overnight courier or e-mail.

This action is effective immediately and deemed necessary to protect customers because IFINIX, through its principal Benhope Munroe ("Munroe"), created fabricated bank statements in a deliberate attempt to deceive NFA regarding IFINIX's capital position and has also failed to demonstrate that it is in capital compliance with NFA Financial Requirements.

In support of these actions, NFA has attached the affidavit of Dan Dan Liu ("Liu"), who is a Manager in NFA's Compliance Department, and based thereon alleges as follows:

1. IFINIX, located in Plainview, New York, has been a registered IB and NFA Member since October 2001. IFINIX also operates as Pro Active Futures, Inc. and has been an approved Forex Firm since September 2010. IFINIX currently has approximately 300 customer accounts.
2. Munroe is an owner, listed principal and Chief Financial Officer of the firm. Munroe has never been an NFA Associate.
3. In June 2009, NFA issued a Business Conduct Committee Complaint against IFINIX, which alleged that it failed to maintain minimum adjusted net capital and failed to comply with several NFA Financial Requirements. IFINIX resolved the Complaint through a settlement where it agreed to pay a fine of \$17,500.
4. On June 29, 2011, NFA commenced an audit of IFINIX to ensure the firm was complying with NFA's Financial Requirements, which require IFINIX to maintain \$45,000 in adjusted net capital. During the audit, NFA reviewed IFINIX's May 31, 2011 balance sheet, which listed \$60,000 in cash as a current asset. Although the \$60,000 comprised the majority of IFINIX's current assets, none of IFINIX's bank account statements reflected a balance anywhere close to \$60,000. In fact, as of May 31, 2011, the balance in IFINIX's three bank accounts combined for a total of negative \$1,058.27.
5. As a result, NFA asked Munroe where the \$60,000 in cash was held, and Munroe claimed that it was in a safety deposit box at a bank in Connecticut. However, since IFINIX and Munroe could not provide NFA with evidence to support the existence of the \$60,000, NFA told Munroe that IFINIX could not consider the cash as a current asset and would consequently have to remove it from IFINIX's May 31, 2011 balance sheet. Furthermore, NFA also told IFINIX that it would also need to re-do its May 31, 2011 monthly net capital computation to account for the removal of \$60,000. This adjustment to IFINIX's May 31, 2011 net capital computation, as well as other minor adjustments by NFA, meant that IFINIX was below its minimum net capital requirement by \$60,962.
6. Therefore, NFA told Munroe that IFINIX needed to immediately infuse additional capital. On July 5, 2011, Munroe claimed to NFA that he made two deposits totaling \$62,000 to the firm's operating account. Munroe also provided NFA with a purported July 6, 2011 daily bank statement and a deposit certification, which showed a current balance of \$62,004.95 in IFINIX's operating account. Based on this information, as of July 6, 2011, it appeared as if IFINIX was in capital compliance.
7. Over the next few weeks, in order to ensure that IFINIX continued to maintain adequate capital, NFA told Munroe to provide copies of IFINIX's

bank statements. Munroe produced what appeared to be a July 14, 2011 daily bank statement, which showed a current balance of \$62,004.95. The following week, Munroe produced what he claimed was a July 20, 2011 statement indicating the exact same balance of \$62,004.95. One week later, Munroe likewise produced what appeared to be July 25, 2011 statement, which also showed a balance of \$62,004.95 (the same balance as the three prior weeks). Given that the statements Munroe produced indicated that there had been no activity in IFINIX's operating bank account for three weeks, NFA began to question the authenticity of the statements. Furthermore, when closely comparing the July 14, 20, and 25, 2011 statements, NFA noticed slight formatting differences between them. This led NFA to further suspect that Munroe had fabricated the bank statements.

8. As a result, NFA decided to confirm IFINIX's balance with the bank. On August 15, 2011, bank personnel told NFA (and later confirmed the same via fax) that IFINIX's operating account had a current balance of \$100, and that on July 14, 20, and 25, 2011, respectively, IFINIX's operating account had a balance of negative \$7.05. This amount is substantially less than the alleged \$62,004.95 balance shown on the statements Munroe produced to NFA.
9. Since the purported \$60,000 in cash represented the vast majority of IFINIX's assets, NFA is left to conclude that IFINIX is unable to meet its minimum net capital requirement and cannot demonstrate compliance with NFA Financial Requirements. More troubling, however, is the fact that it appears as if Munroe has deliberately fabricated IFINIX's bank statements in an attempt to deceive NFA regarding IFINIX's seriously deficient capital position.

The MRA will remain in effect until such time as IFINIX has demonstrated to the satisfaction of NFA that the firm is in complete compliance with all NFA Requirements.

IFINIX is entitled to a prompt hearing on this matter before NFA's Hearing Committee if it so requests. The request for a hearing shall be made in writing to:

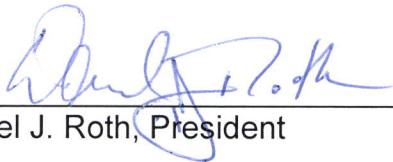
National Futures Association
300 South Riverside Plaza
Suite 1800
Chicago, Illinois 60606
Attn: Legal Department-Docketing

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: August 18, 2011

By: 
Daniel J. Roth, President

m/cxc:MRAs/MRA_IFINIX (8.11).docx

AFFIDAVIT

THE AFFIANT, DAN DAN LIU, BEING DULY SWORN AND UNDER OATH STATES THAT:

1. I am a Manager in National Futures Association's ("NFA") Compliance Department. On June 29, 2011, I and an NFA audit team working under my direction commenced an unannounced examination of IFINIX Futures Inc. ("IFINIX").
2. IFINIX, located in Plainview, New York, has been a registered introducing broker and NFA Member since October 2001. IFINIX also operates as Pro Active Futures, Inc. and has been an approved Forex Firm since September 2010. IFINIX currently has approximately 300 customer accounts.
3. Benhope Munroe ("Munroe") is an owner, listed principal and Chief Financial Officer of the firm. Munroe has never been an NFA Associate.
4. In June 2009, NFA issued a Business Conduct Committee Complaint against IFINIX, which alleged that it failed to maintain minimum adjusted net capital and failed to comply with several NFA Financial Requirements. IFINIX resolved the Complaint through a settlement where it agreed to pay a fine of \$17,500.
5. On June 29, 2011, NFA commenced an audit of IFINIX to ensure the firm was complying with NFA's Financial Requirements, which require IFINIX to maintain \$45,000 in adjusted net capital. During the audit, NFA reviewed IFINIX's May 31, 2011 balance sheet, which listed \$60,000 in cash as a current asset. Although the \$60,000 comprised the majority of IFINIX's current assets, none of IFINIX's bank account statements reflected a balance anywhere close to \$60,000. In fact, as of May 31, 2011, the balance in IFINIX's three bank accounts combined for a total of negative \$1,058.27.
6. As a result, NFA asked Munroe where the \$60,000 in cash was held, and Munroe claimed that it was in a safety deposit box at a bank in Connecticut. However, since IFINIX and Munroe could not provide NFA with evidence to support the existence of the \$60,000, NFA told Munroe that IFINIX could not consider the cash as a current asset and would consequently have to remove it from IFINIX's May 31, 2011 balance sheet. Furthermore, NFA also told IFINIX that it would also need to re-do its May 31, 2011 monthly net capital computation to account for the removal of \$60,000. This adjustment to IFINIX's May 31, 2011 net capital


computation, as well as other minor adjustments by NFA, meant that IFINIX was below its minimum net capital requirement by \$60,962.

7. Therefore, NFA told Munroe that IFINIX needed to immediately infuse additional capital. On July 5, 2011, Munroe claimed to NFA that he made two deposits totaling \$62,000 to the firm's operating account. Munroe also provided NFA with a purported July 6, 2011 daily bank statement and a deposit certification, which showed a current balance of \$62,004.95 in IFINIX's operating account. Based on this information, as of July 6, 2011, it appeared as if IFINIX was in capital compliance.
8. Over the next few weeks, in order to ensure that IFINIX continued to maintain adequate capital, NFA told Munroe to provide copies of IFINIX's bank statements. Munroe produced what appeared to be a July 14, 2011 daily bank statement, which showed a current balance of \$62,004.95. The following week, Munroe produced what he claimed was a July 20, 2011 statement indicating the exact same balance of \$62,004.95. One week later, Munroe likewise produced what appeared to be July 25, 2011 statement, which also showed a balance of \$62,004.95 (the same balance as the three prior weeks). Given that the statements Munroe produced indicated that there had been no activity in IFINIX's operating bank account for three weeks, NFA began to question the authenticity of the statements. Furthermore, when closely comparing the July 14, 20, and 25, 2011 statements, NFA noticed slight formatting differences between them. This led NFA to further suspect that Munroe had fabricated the bank statements.
9. As a result, NFA decided to confirm IFINIX's balance with the bank. On August 15, 2011, bank personnel told NFA (and later confirmed the same via fax) that IFINIX's operating account had a current balance of \$100, and that on July 14, 20, and 25, 2011, respectively, IFINIX's operating account had a balance of negative \$7.05. This amount is substantially less than the alleged \$62,004.95 balance shown on the statements Munroe produced to NFA.
10. Since the purported \$60,000 in cash represented the vast majority of IFINIX's assets, NFA is left to conclude that IFINIX is unable to meet its minimum net capital requirement and cannot demonstrate compliance with NFA Financial Requirements. More troubling, however, is the fact that it appears as if Munroe has deliberately fabricated IFINIX's bank statements in an attempt to deceive NFA regarding IFINIX's seriously deficient capital position.

Further Affiant sayeth naught.


Dan-Dan Liu

Subscribed and sworn to before me
on this 18th day of August 2011.


Notary Public



AFFIDAVIT OF SERVICE

I, Myra Lewis, on oath state that on August 18, 2011, I served copies of the attached Notice of Member Responsibility Action under NFA Compliance Rule 3-15, by sending such copies by facsimile, e-mail and overnight delivery, 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
(E-mail: tmontgomery@cftc.gov)

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

Richard Dank
IFINIX Futures Inc.
255 Executive Drive
Suite 410
Plainview, NY 11803
E-mail: rich@proactivefutures.com

Richard Killough, General Counsel
Clear Chicago
a/k/a Velocity Futures LLC
1220 Augusta, Suite 600
Houston, TX 77057
E-mail: compliance@velocityfutures.com

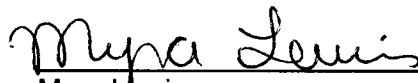
Jack Earnest, CEO
Clear Chicago
a/k/a Velocity Futures LLC
1220 Augusta, Suite 600
Houston, TX 77057
E-mail: compliance@velocityfutures.com

Greg Schrader
Ironbeam Inc.
1077 S. Winchester Boulevard
San Jose, CA 95128
E-mail: gschrader@farrfinancial.com

Brian Sass
Secretary and Treasurer
Transact Futures
141 W. Jackson Boulevard, 24th Floor
Chicago, IL 60604
E-mail: bsass@transactfutures.com


Susan O'Meara
Chief Compliance Officer
Peregrine Financial Group Inc.
311 W. Monroe, Suite 1300
Chicago, IL 60603
E-mail: someara@pfgbest.com

Marc Nagel, COO
Dorman Trading LLC
141 W. Jackson Boulevard, Room 2070
Chicago, IL 60604
E-mail: mn@dormantrading.com



Myra Lewis

Subscribed and sworn to before me
on this 18th day of August 2011.



Notary Public

m:\my\affid\IFINIX Futures MRA 8 18 11

