

**NATIONAL FUTURES ASSOCIATION
BEFORE THE HEARING PANEL**

FILED

DEC 21 2011

In the Matter of:

MOHR & MOORE LLC
(NFA ID #412404),

and

WILLIAM ELMER MOORE
(NFA ID #274245),

Respondents.

NATIONAL FUTURES ASSOCIATION
LEGAL DOCKETING

NFA Case No. 11-BCC-019

DECISION

Having reviewed the Complaint issued by the Business Conduct Committee (BCC) of National Futures Association (NFA) in the above-captioned proceeding, and the Offer of Settlement (Offer) submitted by Mohr & Moore LLC (M&M) and William Elmer Moore (Moore), and having accepted the Offer, this Panel hereby issues the following Decision.

I

ALLEGED VIOLATIONS OF NFA REQUIREMENTS

On August 31, 2011, the BCC issued a Complaint against M&M, a commodity trading advisor (CTA) NFA Member, and Moore, an associated person and principal of M&M and an NFA Associate. The Complaint alleged that Moore and M&M opened and exercised discretion over 110 customer accounts without providing those customers with a disclosure document (DD) that had been approved by NFA, in violation of Compliance Rule 2-41(b). The Complaint also alleged that M&M and Moore failed to observe high standards of commercial honor and just and equitable principles

of trade in that they recklessly entrusted a convicted felon with their customers' investments, in violation of NFA Compliance Rule 2-36(c), as incorporated by NFA Compliance Rule 2-39(a). Finally, the Complaint alleged that M&M failed to maintain trading records to support performance claims in M&M's DD, in violation of NFA Compliance Rule 2-10.

II

OFFER OF SETTLEMENT

M&M and Moore submitted an Offer whereby M&M and Moore agreed to withdraw from NFA membership and associate membership, respectively, within 30 days of the date of a Decision accepting their Offer. M&M also agreed that it would never again apply for NFA membership, associate membership or principal status with any NFA Member.

In addition, Moore agreed that he would not apply for NFA associate membership or principal status with an NFA Member for a period of five years from the date of his withdrawal and, in the event that he is granted NFA associate membership or approved as a principal of an NFA Member at any time in the future, he shall pay a fine of \$40,000 to NFA which shall be due in full within 30 days of the date he attains such status. Moore also agreed that, in the event he attains NFA membership or associate membership at any time in the future, he will neither act in the capacity of a CTA nor manage, direct, or exercise discretionary trading authority over any accounts, either pursuant to a power of attorney, a letter of direction, or verbal authorization from a customer.

III

FINDINGS

Having considered the matter and having accepted the Offer submitted by M&M and Moore, the Panel finds that M&M and Moore committed the violations alleged in the Complaint. Specifically, the Panel finds that M&M and Moore violated NFA Compliance Rules 2-41(b) and 2-36(c), as incorporated by and in NFA Compliance Rule 2-39(a), and that M&M also violated NFA Compliance Rule 2-10.

IV

PENALTY

Having considered the matter and having accepted the Offer submitted by M&M and Moore, the Panel orders M&M and Moore to withdraw from NFA membership and associate membership, respectively, within 30 days of the date of this Decision. The Panel further orders M&M to never again apply for NFA membership, associate membership and principal status with any NFA Member.

The Panel also orders Moore not to apply for NFA associate membership or principal status with an NFA Member for a period of five years from the date of his withdrawal and, in the event that he is granted NFA associate membership or approved as a principal of an NFA Member at any time in the future, he shall pay a fine of \$40,000 to NFA which shall be due in full within 30 days of the date he attains such status. Finally, the Panel orders that, in the event Moore attains NFA membership or associate membership at any time in the future, he shall not act in the capacity of a CTA nor manage, direct, or exercise discretionary trading authority over any accounts, either

pursuant to a power of attorney, a letter of direction, or verbal authorization from a customer.

V

INELIGIBILITY

Pursuant to the provisions of Commodity Futures Trading Commission (CFTC) Regulation 1.63, this Decision and the sanctions imposed herein render Moore 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 five 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**

Dated: 12/21/2011

By: Marjorie Matthews-John
Chairperson

(ecs/decisions/2011/Dec_M&M, Moore (Final, 12-14).docx)

AFFIDAVIT OF SERVICE

I, Nancy Miskovich-Paschen, on oath state that on December 21, 2011, I served copies of the attached Decision, by sending such copies by e-mail and regular mail, first-class delivery to:

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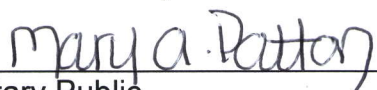
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Nancy Miskovich-Paschen

Subscribed and sworn to before me
on this 21st day of December 2011.


Notary Public

