NATIONAL FUTURES ASSOCIATION
BEFORE THE
HEARING PANEL

FILED

APR 2 7 2012

NATIONAL FUTURES ASSOCIATION
LEGAL DOCKETING

In the Matter of:	)	
	)	
TRADE DOCK CAPITAL LLC (NFA ID #417738),	)	
	)	
and	)	NFA Case No. 11-BCC-020
	)	
DOMINIQUE MIGUEL DA'CRUZ (NFA ID #369464),	)	
	)	
Respondents.	)	

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 Trade Dock Capital LLC (TDC) and Dominique Miguel Da'Cruz (Da'Cruz), and having accepted the Offer, the Hearing Panel (Panel) hereby issues the following Decision.

I

ALLEGED VIOLATIONS OF NFA REQUIREMENTS

On August 31, 2011, NFA's BCC issued a Complaint against TDC, a commodity trading advisor and commodity pool operator NFA Member, and Da'Cruz, an associated person and principal of TDC and an NFA Associate. The Complaint alleged that TDC and Da'Cruz used deceptive and misleading promotional material, in violation of Compliance Rule 2-36(b)(1), as incorporated by and through NFA Compliance Rule 2-39(a). The Complaint also alleged that TDC and Da'Cruz failed to cooperate promptly and fully with NFA and that they provided false and misleading information to NFA

during the audit of TDC, in violation of NFA Compliance Rules 2-5 and 2-2(f). Finally, the Complaint alleged that TDC failed to list the firm's chief executive officer as a principal of the firm and that TDC improperly de-listed another individual as principal, in violation of NFA Registration Rule 208.

II

OFFER OF SETTLEMENT

TDC and Da'Cruz submitted a joint Offer whereby TDC and Da'Cruz neither admitted nor denied the allegations made in the Complaint. They further agreed to withdraw from NFA membership and associate membership, respectively, within 30 days of the date of a Decision accepting their Offer. Furthermore, TDC agreed that it would never again apply for NFA membership, associate membership or principal status with any NFA Member.

In addition, Da'Cruz agreed that he would not apply for NFA membership, associate membership or principal status with any NFA Member for a period of seven years from the date of a Decision accepting his Offer.

III

FINDINGS

Having considered the matter and having accepted the Offer submitted by TDC and Da'Cruz, the Panel finds that TDC and Da'Cruz violated NFA Compliance Rule 2-36(b)(1), as incorporated by and through NFA Compliance Rule 2-39(a), and NFA Compliance Rules 2-5 and 2-2(f), as alleged in the Complaint. The Panel further finds that TDC violated NFA Registration Rule 208.

IV

PENALTY

Having considered the matter and having accepted the Offer submitted by TDC and Da'Cruz, this Panel orders TDC and Da'Cruz to withdraw from NFA membership and associate membership, respectively, within 30 days of the date of this Decision. The Panel further orders TDC never again to apply for NFA membership, associate membership or principal status with any NFA Member and orders Da'Cruz barred from NFA membership, associate membership or principal status with any NFA Member for a period of seven years from the date of this Decision.

V

INELIGIBILITY

Pursuant to the provisions of Commodity Futures Trading Commission (CFTC) Regulation 1.63, this Decision and the sanctions imposed herein render Da'Cruz ineligible to serve on a disciplinary committee, arbitration Committee, oversight Committee or governing board of any self-regulatory organization, as that term is defined in CFTC Regulation 1.63, until the later of seven 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: 04/27/2012

By: Michael Jurso
Chairperson

(ecs/decisions/2012/Decision_TDC, Da'Cruz (4.12)REVISED.docx)

AFFIDAVIT OF SERVICE

I, Nancy Miskovich-Paschen, on oath state that on April 27, 2012, I served a copy of the attached Decision, by sending such copy by e-mail and regular mail, first-class delivery, in an envelope addressed as follows to:

Karl L. Chen, Esq.
Chen Law
9701 Apollo Drive
Suite 301
Largo, MD 20774
E-mail: karl.chen@thebizlawyer.com

David Stawick
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581
E-mail: dstawick@cftc.gov

Tempest Thomas
Office of Proceedings
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581
E-mail: tthomas@cftc.gov

and also by hand delivery to:

Elizabeth C. Sheridan, Esq.
National Futures Association
300 South Riverside Plaza
Suite 1800
Chicago, IL 60606

Nancy Miskovich-Paschen

Nancy Miskovich-Paschen

Subscribed and sworn to before me
on this 27th day of April 2012.

Diane Jenkins-Thomas

Notary Public

OFFICIAL SEAL
DIANE JENKINS-THOMAS
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES DECEMBER 16, 2014