

NATIONAL FUTURES ASSOCIATION
BEFORE THE HEARING PANEL

JAN - 8 2014

NATIONAL FUTURES ASSOCIATION
LEGAL DOCKETING

In the Matter of:)	
)	
ALPARI US LLC)	NFA Case No. 13-BCC-013
(NFA ID #379678),)	
)	
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 Alpari US LLC ("Alpari"), and having accepted the Offer, the Hearing Panel ("Panel") hereby issues this Decision.

I

ALLEGED VIOLATIONS OF NFA REQUIREMENTS

On June 30, 2013, the BCC issued a Complaint against Alpari, an NFA Member and approved Forex Dealer Member, and registered futures commission merchant and Retail Foreign Exchange Dealer, located in New York City, New York. The Complaint alleged that Alpari violated NFA Compliance Rule 2-48 by failing to submit complete trade reports to NFA's Forex Transaction Reporting Execution Surveillance System ("Fortress") and violated NFA Compliance Rule 2-10 by failing to maintain required trade records. In addition, the Complaint alleged that Alpari violated NFA Compliance Rule 2-36(e) by failing to diligently supervise its employees and agents in the conduct of their forex activities.

II

RESPONSE

Alpari filed an Answer to the Complaint in which it denied the material allegations of the Complaint. Later, Alpari filed an Amended Answer in which it admitted that it had difficulty submitting the missing trade data in the required Fortress format but alleged that the missing data was the consequence of a mistake in computer programming, rather than a subversive pattern or a failure to supervise on Alpari's part.

Subsequently, Alpari – without admitting or denying the allegations of the Complaint – submitted an Offer in which it offered to settle this case by paying a fine of \$50,000 to NFA, due and payable within 30 days after the issuance of a Decision accepting this Offer. Alpari has also agreed to pay late fees to NFA for filing incomplete Fortress reports under NFA Compliance Rule 2-48.

III

FINDINGS

Pursuant to the Offer, the Panel finds that Alpari committed the violations alleged in the Complaint.

IV

SANCTIONS

Having considered the matter and having accepted the Offer of Alpari, the Hearing Panel hereby orders Alpari to pay NFA a fine of \$50,000, payable within 30 days after the issuance of this Decision.

This Decision shall operate to bar any future Member Responsibility Actions or BCC Complaints against Alpari for any conduct occurring, of which NFA had

corporate knowledge, prior to and up to the date of the Offer, and shall resolve and terminate all complaints, investigations and audits relative to Alpari that were received by NFA or pending as of the date of the Offer. In addition, the Offer of Alpari, and this Decision accepting the Offer, shall not be used as a sole basis for any other action or proceeding by NFA against Alpari, including any registration matter, except the Offer and this Decision accepting the Offer may be used in an action to enforce the terms thereof or in a subsequent disciplinary action or regulatory action, where they may be considered as disciplinary history and as evidence in aggravation on the issue of sanctions.

**NATIONAL FUTURES ASSOCIATION
HEARING PANEL**

Date: 8 January 2014

By:


Chairperson