

**NATIONAL FUTURES ASSOCIATION
BEFORE THE
BUSINESS CONDUCT COMMITTEE**

POSTROCK BROKERAGE LLC)	
(NFA ID #413763),)	
)	
and)	NFA Case No. 20-BCC-008
)	
KEVIN M. MEYER)	
(NFA ID #339372))	
)	
Respondents.)	

DECISION

Having reviewed the Complaint issued by this Committee in the above-captioned case, and having considered the Offer of Settlement (Offer) submitted by Postrock Brokerage LLC (Postrock) and Kevin Meyer (Meyer), and having accepted the Offer, this Committee hereby issues this Decision as to Postrock and Meyer.

I

ALLEGED VIOLATIONS OF NFA REQUIREMENTS

On June 11, 2020, this Committee issued a Complaint against Postrock, an introducing broker and former NFA Member located in Chicago. The Complaint also named Meyer as a respondent. Meyer is Postrock's owner and currently is the firm's sole managing member. Meyer presently has no NFA membership status but has been an NFA Associate at various times since 2004.

The Complaint alleged that Postrock, acting through its former associated person, Jeremy Ruth, violated NFA Compliance Rule 2-2(a) by making misleading statements and misrepresentations to customers about Ruth's trading strategy, the

customers' account statements, the value of their accounts, losses of Ruth's other customers, and Postrock's commissions; and failing to disclose to customers that all of Ruth's other customers had lost money.

The Complaint also alleged that Postrock, acting through Ruth, violated NFA Compliance Rule 2-2(a), or in the alternative NFA Compliance Rule 2-8, by placing unauthorized trades in customers' accounts or exercising discretion over customers' accounts without having written authority from the customers to exercise such discretion.

In addition, the Complaint alleged that Postrock, acting through Ruth, violated NFA Compliance Rule 2-4 by failing to disclose the impact of commissions on customers' profit potential and placing trades for customers which offered no economic benefit to them and, instead, only benefitted Ruth and Postrock by generating additional commissions.

Lastly, the Complaint alleged that Postrock and Meyer violated NFA Compliance Rule 2-9 by failing to adequately supervise Ruth.

II

OFFER OF SETTLEMENT

Postrock and Meyer submitted an Offer of Settlement (Offer) in which they neither admitted nor denied the allegations of the Complaint and agreed to settle the charges against them on the following terms:

1. Postrock – which currently has no NFA membership status – agreed never again to reapply for NFA membership or apply for principal status with any NFA Member;
2. Meyer – who currently has no NFA membership status – agreed that, if, in the future, he applies for NFA membership, or reapplies for NFA

associate membership, he shall pay a \$20,000 fine to NFA due and payable in full on or before the date he applies for NFA membership, or reapplies for NFA associate membership. Meyer further agreed that any future application for NFA membership or NFA associate membership shall not be considered or approved unless his fine has been paid in full; and

3. Meyer also agreed that if, in the future, he is granted NFA membership, or NFA associate membership status, he shall not act as a principal, or serve in a supervisory capacity, for an NFA Member for a period of eighteen months, commencing on the date he is granted NFA membership, or NFA associate membership status. However, this prohibition shall not apply if Meyer is the sole principal and sole associated person of an NFA Member firm.

III

PENALTY

Having considered the matter and having accepted the Offer of Postrock and Meyer, this Committee orders as follows:

1. Postrock shall never again reapply for NFA membership or apply for principal status with any NFA Member;
2. If, in the future, Meyer applies for NFA membership, or reapplies for NFA associate membership, he shall pay a \$20,000 fine to NFA due and payable in full on or before the date he applies for NFA membership, or reapplies for NFA associate membership. Any future application of Meyer for NFA membership or NFA associate membership shall not be considered or approved unless his fine has been paid in full; and
3. If, in the future, Meyer is granted NFA membership, or NFA associate membership status, he shall not act as a principal, or serve in a supervisory capacity, for an NFA Member for a period of eighteen months, commencing on the date he is granted NFA membership, or NFA associate membership status. However, this prohibition shall not apply if Meyer is the sole principal and sole associated person of an NFA Member firm.

This Decision accepting Postrock and Meyer's Offer shall a) operate to bar any future Member Responsibility Actions and BCC Complaints against Postrock and Meyer for any conduct occurring up to the date of their Offer of which NFA had

corporate knowledge, and b) resolve and terminate all complaints, investigations and examinations relating to Postrock and Meyer pending as of the date of this Committee's acceptance of Postrock and Meyer's Offer. In addition, Postrock and Meyer's Offer and this Decision accepting their Offer shall not be used as a sole basis for any other action or proceeding by NFA against Postrock and Meyer, including any registration matter, except their Offer and this Decision accepting their 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 evidence in aggravation.

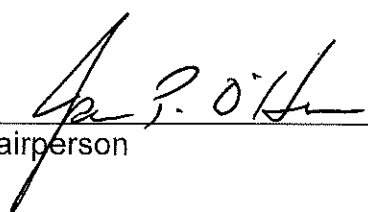
IV

INELIGIBILITY

Pursuant to the provisions of Commodity Futures Trading Commission (CFTC) Regulation 1.63, this Decision and the sanctions imposed herein render Meyer 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
BUSINESS CONDUCT COMMITTEE**

Date: August 6, 2020

By: 
Chairperson