

Count I of the Complaint alleged that Gizienski violated NFA Compliance Rule 2-4 by failing to observe high standards of commercial honor and just and equitable principals of trade by using an unapproved, unmonitored communication platform to communicate with customers. Count I of the Complaint also alleged BBL violated NFA Compliance Rule 2-10(a) by failing to maintain written communication records in accordance with regulatory requirements due to Gizienski's use of the encrypted messaging system. Count II of the Complaint alleged BBL violated NFA Registration Rule 208, by failing to promptly list Gizienski as a principal of the firm. Finally, Count III of the Complaint alleged Bosworth and BBL violated NFA Compliance Rule 2-9(a) by failing to supervise.

II

OFFER OF SETTLEMENT

Without admitting or denying the allegations made against them in the Complaint, BBL, Bosworth, and Gizienski submitted an Offer proposing to settle the charges against them by agreeing that BBL and Gizienski each pay a fine of \$100,000 to NFA within 45 days after the effective date of this Decision. BBL, Bosworth and Gizienski acknowledged in the Offer that any Decision accepting the Offer would include findings of the violations alleged against them in the Complaint.

III

FINDINGS

Pursuant to the Offer, the Panel finds that BBL and Bosworth violated NFA Compliance Rule 2-9; that BBL violated NFA Compliance Rule 2-10 and NFA Registration Rule 208; and that Gizienski violated NFA Compliance Rule 2-4.

IV

PENALTY

Having considered the matter and having accepted the Offer submitted by Respondents, the Panel hereby orders BBL to pay a fine of \$100,000 and Gizienski to pay a fine of \$100,000, with each fine to be paid to NFA within 45 days after the effective date of this Decision.

This Decision and the Offer shall not be used as a sole basis for any other action or proceeding by NFA against Respondents, except that this Decision and 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.

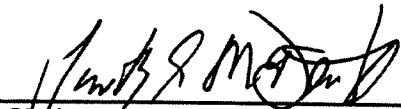
V

INELIGIBILITY

Pursuant to Commodity Futures Trading Commission (CFTC) Regulation 1.63, this Decision and the sanctions imposed herein render Bosworth and Gizienski ineligible for a period of three years 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.

**NATIONAL FUTURES ASSOCIATION
HEARING PANEL**

Date: Sept. 18, 2023

By: 
Chairperson