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NATIONAL FUTURES ASSOCIATION
BEFORE THE
MEMBERSHIP COMMITTEE

MAR 19 2009

NATIONAL FUTURES ASSOCIATION
LEGAL DOCKETING

In the Matter of:)
)
DALE BOX) NFA Case No. 07-REG-018
(NFA ID #353807),)
)
Respondent.)

FINAL ORDER GRANTING CONDITIONAL REGISTRATION

Velocity Futures LLC, a futures commission merchant and commodity trading advisor, has filed an application with National Futures Association ("NFA") for Dale Box ("Box" or "Respondent") to become registered as an associated person ("AP") of the firm. On July 16, 2007, NFA's President issued a Notice of Intent to Deny Registration ("Notice of Intent") to Box.

The Notice of Intent alleged that on May 5, 1993, in the 176th District Court of Harris County, Texas, in Texas v. Box, Case No. 663756, Box pled nolo contendere to the 1st degree felony offense of burglary of a habitation with intent to commit theft, in violation of Texas Penal Code § 30.02. The Notice of Intent charged that Box's nolo contendere plea to a felony offense disqualifies him from registration under Section 8a(3)(H) of the Commodity Exchange Act ("Act"), 7 U.S.C. § 12a(3)(H) (2000).

In addition, the Notice of Intent alleged that on July 8, 1997, in Texas v. Box, Case No. 9714846, Box was convicted of the Class B misdemeanor offense of theft \$50.00 - \$500.00, in violation of Texas Penal Code § 31.03. The Notice of Intent

charged that Box's conviction of a misdemeanor offense involving theft disqualifies him from registration under Section 8a(3)(E)(iii) of the Act, 7 U.S.C. § 12a(3)(E)(iii) (2000).

Respondent has submitted an Offer of Settlement ("Offer") in the above-referenced proceeding in which he offers to be registered subject to conditions. Upon consideration, a Subcommittee of NFA's Membership Committee ("Subcommittee") has determined to accept the Offer.

In his Offer, without admitting or denying the allegations of the Notice of Intent, Respondent acknowledges service of the Notice of Intent, admits the jurisdiction of NFA with respect to the matters set forth in the Notice of Intent, waives a hearing, all post-hearing procedures, Commodity Futures Trading Commission ("Commission") and judicial review, and any objection to NFA staff's participation in the consideration of this Offer by the Membership Committee or its designated Subcommittee, and stipulates that the record upon which this Final Order Granting Conditional Registration ("Final Order") is granted consists solely of the Notice of Intent, the submissions made by Respondent in response thereto, and the findings contained in his Offer. On the basis of the consent evidenced by the Offer, and without any adjudication on the merits, the Subcommittee finds that Respondent is disqualified from registration under Sections 8a(3)(H) and 8a(3)(E)(iii) of the Act.

Accordingly, the Subcommittee orders that Box's AP registration be hereby granted subject to the following conditions:

1. Respondent is sponsored by an individual or entity eligible under NFA Registration Rule 509(b)(5) to sponsor a registrant whose registration is subject to conditions;

2. Respondent may not directly or indirectly act as a principal, partner, officer, director, or branch office manager of any individual or entity registered or required to be registered with the Commission under the Act or regulations thereunder;
3. Respondent shall not serve on any disciplinary committee, arbitration panel, governing board or oversight panel of any self-regulatory organization ("SRO") subject to regulation by the Commission;
4. Respondent may not directly or indirectly exercise supervisory authority over any person registered or required to be registered with the Commission under the Act or regulations thereunder;
5. Respondent may not exercise discretionary trading authority over customer accounts;
6. Respondent must conduct customer business only when physically present in Respondent's sponsor's office;
7. Respondent shall not violate any provision of the Act, the regulations thereunder, the Final Order, and this Offer or any NFA requirement;
8. Respondent must be strictly supervised by the branch manager of Respondent's sponsor (or, in the case of a sponsor with no branch offices, a designated principal of sponsor) who is physically present in the office on a daily basis. Specifically, the branch manager (or designated principal) must review on at least a monthly basis, and monitor generally, all transaction slips, including office orders and office tickets, for all trading orders received by Respondent. Respondent's sponsor is required to

maintain a written record of these monthly evaluations and to submit copies of these monthly written evaluations to NFA's General Counsel's office on a quarterly basis. In addition, the branch manager (or designated principal) must supervise Respondent's registered activities and meet at least once every month with Respondent to discuss any questions, problems, complaints, disputes or claims arising from or related to Respondent's handling of any customer account. Respondent's sponsor shall maintain a written record of these monthly conferences with Respondent and must submit copies of these monthly written records to NFA's General Counsel's office on a quarterly basis;

9. Respondent must immediately cease acting in the capacity in which Respondent is registered, or must immediately notify NFA if Respondent knows that Respondent's sponsor is not complying with Paragraph 8 above. Respondent's failure to either cease acting or notify NFA could adversely affect Respondent's registration under the provisions of Section 8a of the Act and/or, if Respondent is a Member or Associated with a Member of NFA, subject Respondent to NFA disciplinary action.
10. Respondent's sponsor shall notify NFA immediately in writing of any complaint, whether written or oral, received from any customer which in any way relates to Respondent. Respondent's sponsor shall maintain a separate file of all correspondence and memoranda of telephone calls concerning problems, complaints, disputes or claims arising from or related to Respondent's handling of any customer account;

11. Respondent's sponsor agrees to establish and implement written supervisory policies and procedures to ensure that Respondent's activities are in compliance with the conditions imposed on Respondent's AP registration;
12. If the Commission, NFA, any SRO, law enforcement or regulatory agency institutes a proceeding charging Respondent with any violation of the Act, Commission regulations, NFA requirements, SRO rules, or any order, statute, rule, or regulation, Respondent will immediately notify NFA in writing of such action. NFA may, upon written notice to Respondent, immediately suspend Respondent's registration without regard to the procedures set forth in NFA's Registration Rules, pending the conclusion of the proceedings containing such charge. Respondent shall have the opportunity for a hearing promptly after the suspension, at which NFA would have the burden of showing (i) that Respondent has been charged with the violation referred to herein, and (ii) that Respondent's continued registration is likely to pose a threat to the public interest or threatens to impair public confidence in any market regulated by the Commission;
13. Respondent's sponsor's failure to supervise Respondent in accordance with the conditions set forth above could adversely affect Respondent's sponsor's registration under the provision of Section 8a of the Act and/or, if Respondent's sponsor is a Member or associated with a Member of NFA, subject Respondent's sponsor to NFA disciplinary action;

14. Respondent's sponsor understands that the terms, conditions and obligations set forth in the Final Order remain effective until such time as Respondent's association with Respondent's sponsor is terminated and an individual withdrawal notice using NFA's Online Registration System is filed, in accordance with Commission Regulation 3.31(c)(1)(ii); and
15. At the conclusion of a one-year period from the effective date of the Final Order, Respondent may request that NFA's Membership Committee lift the conditions on Respondent's registration. Prior to the conditions being lifted, NFA will conduct an audit to determine Respondent and Respondent's sponsor's compliance with the terms, conditions and obligations set forth in the Final Order. Respondent and Respondent's sponsor agree to cooperate fully with NFA's audit, including a tape-recorded interview.

The conditions set forth in this Final Order shall become effective thirty days after service of the Final Order on Box unless the Commission otherwise directs. At the conclusion of a one-year period from the effective date of the Final Order, Box may request that NFA's Membership Committee lift the conditions on his registration. These conditions shall remain in effect until lifted by NFA's Membership Committee.

NATIONAL FUTURES ASSOCIATION

Dated: 03-19-09

By: Muaw 17 Achar
Chairman of the Subcommittee

AFFIDAVIT OF SERVICE

I, Nancy Miskovich-Paschen, on oath state that on March 19, 2009, I served copies of the attached Final Order Granting Conditional Registration, by sending such copies in the United States mail, postage prepaid, certified mail, return receipt requested, and by regular mail, first-class delivery, in envelopes addressed as follows:

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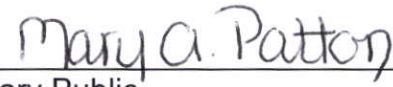
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Attn: Jack Earnest


Nancy Miskovich-Paschen

Subscribed and sworn to before me
on this 19th day of March 2009.


Notary Public

