

**In the United States District Court  
for the District of Colorado**

Civil Action No. 15-cv-02313-REB-GPG

U.S. COMMODITY FUTURES TRADING COMMISSION,  
Plaintiff,

v.

GREGORY L. GRAMALEGUI,  
Defendant.

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**CONSENT ORDER OF PRELIMINARY INJUNCTION AGAINST  
DEFENDANT GREGORY L. GRAMALEGUI**

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On October 19, 2015, Plaintiff U.S. Commodity Futures Trading Commission (“Commission”) filed a Complaint (DE #1) against Defendant Gregory L. Gramalegui (“Defendant”) seeking injunctive and other equitable relief as well as a civil monetary penalty for alleged violations of the Commodity Exchange Act, 7 U.S.C. §§ 1 *et seq.* (2012), Commission Regulations, 17 C.F.R. §§ 1.1 *et seq.* (2015), and an administrative order entered by the Commission to settle prior fraud charges against Defendant, *In the Matter of Gramalegui*, [2000-2002 Transfer Binder] Comm. Fut. L. Rep. (CCH) ¶¶28,590 (July 12, 2001) (“CFTC Order”). Subsequently, the Commission filed a Motion for a Preliminary Injunction (DE #12) (“Motion”). On January 19, 2016, the parties filed a Joint Motion for Entry of Consent Order of Preliminary Injunction (DE #36) (“Joint Motion”) that would partially resolve the Commission’s request for a preliminary injunction.

The Court has considered the parties' Joint Motion. The Court finds that Defendant admits to this Court's jurisdiction over this action and that venue lies properly with this Court. The Court further finds that Defendant consents to the entry of this Order. The Court also finds that Defendant's consent to this Order is voluntary and that no promise or threat has been made by the Commission, or any member, officer, agent, or representative of the Commission, to induce Defendant to consent to this Order.

**THE PARTIES AGREE AND THE COURT FINDS THAT:**

1. This Court has jurisdiction over the parties, subject matter, and transactions at issue in this action pursuant to 7 U.S.C. § 13a-1.
2. Venue properly lies with this Court pursuant to 7 U.S.C. § 13a-1(e).
3. Defendant waives the entry of findings of fact and conclusions of law for purposes of this Order pursuant to Rule 52 of the Federal Rules of Civil Procedure.

**I. INJUNCTIVE RELIEF IS GRANTED**

**THE PARTIES AGREE AND IT IS THEREFORE ORDERED THAT:**

4. Defendant, and any person or entity acting in the capacity of an officer, agent, servant, employee, or attorney of Defendant, is restrained, enjoined, and prohibited, until further order of the Court, from directly or indirectly violating 7 U.S.C. § 6o(1), 17 C.F.R. § 4.41, and the CFTC Order.

**II. BOND NOT REQUIRED OF PLAINTIFF**

**IT IS FURTHER ORDERED THAT:**

5. As an agency of the United States of America and pursuant to 7 U.S.C. § 13a-1(b), the Commission need not post a bond.

IT IS ORDERED, this 21st day of January 2016, at Denver, Colorado.

Bob Blackburn  
UNITED STATES DISTRICT JUDGE

CONSENTED TO AND APPROVED BY:

Gregory L. Gramalegui  
Gregory L. Gramalegui, Defendant

Dated: 1/19/16

Martin Berliner  
Martin Berliner, Esq., Counsel for  
Defendant

Dated: 01/19/16

Laura Brookover  
Laura Brookover, Esq., Counsel for and  
on behalf of Plaintiff U.S. Commodity  
Futures Trading Commission

Dated: 1/19/16