

**SEC & CFTC & DOJ Digital Asset Cases, in particular those with International Dimensions**

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This database is drawn from information provided on the SEC and CFTC websites, as well as court filings, and other publicly available databases. The purpose is to provide skeletal information in a single searchable document, together with links to the actual documents. The database includes cryptocurrency cases with obvious international dimensions. Additional SEC and CFTC cases may indirectly affect international investors in the blockchain space, for example individual international investors in U.S. based companies without obvious cryptocurrency links or international ownership interests. Those are not listed here but can be found on the websites of the SEC or CFTC.

Date	Decision Type	Case #	Name	Short Summary
1 Feb. 2021	Litigation Release Charges filed	25020 Civ. Act. 21 Civ. 0529 (E.D.N.Y.)	SEC v. Kristijan Krstic a/k/a Felix Logan, John de Marr and Robin Enos	Between December 2017 and March 2018, defendants engaged in an unregistered offer and sale of securities, first in a venture they called Start Option, then another called Bitcoin2Gen. Start Option was supposed to be “the largest Bitcoin exchange in euro volume and liquidity.” B2G Tokens were supposed to be trading on the Ethereum Blockchain, although they were not. Defendants raised more than \$11 million. “The SEC’s complaint charges Krstic and Demarr with violating the registration provisions of Sections 5(a) and 5(c) of the Securities Act of 1933 and the antifraud provisions of Section 17(a) of the Securities Act of 1933 and Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder, and Enos with aiding and abetting the antifraud violations listed above. The complaint seeks injunctive relief, disgorgement plus interest, penalties, and an officer-and-director bar against Krstic and DeMarr.” <a href="https://www.sec.gov/litigation/litreleases/2021/lr25020.htm">https://www.sec.gov/litigation/litreleases/2021/lr25020.htm</a>
17 Feb. 2021	Litigation Release Charges filed	25032 Civ. Act. 21 Civ. 1381 (S.D.N.Y.)	SEC v. Coinseed Inc. and Delgerdalai Davaasambuu	From December 2017 to May 2018, defendants engaged in an unregistered token sale of CSD Tokens and raised at least \$141,000. The funds were supposed to be used for the development of a mobile payment app. “The SEC’s complaint charges Coinseed and Davaasambuu with violating the registration provisions of Sections 5(a) and 5(c) of the Securities Act of 1933. The SEC seeks permanent injunctive relief, disgorgement plus prejudgment interest, and civil penalties.” <a href="https://www.sec.gov/litigation/litreleases/2021/lr25032.htm">https://www.sec.gov/litigation/litreleases/2021/lr25032.htm</a>

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29 March 2021	Litigation Release Charges filed	25060 Civ. Act. 1:21-CV-00260	SEC v. LBRY Inc.	<p>Between 2016 and 2021, LBRY sold millions of dollars worth of unregistered digital assets to investors (LBC Tokens), to build a digital content marketplace for video and audio recordings, images, and other information.</p> <p>The SEC “charges LBRY with violating the registration provisions of Sections 5(a) and 5(c) of the Securities Act of 1933 [and] seeks permanent injunctive relief, disgorgement plus prejudgment interest, and civil penalties.”</p> <p><a href="https://www.sec.gov/litigation/litreleases/2021/lr25060.htm">https://www.sec.gov/litigation/litreleases/2021/lr25060.htm</a></p>
11 June 2021	Litigation Release Charges filed	25115 Civ. Act. 2:21-CV-01781- MBS (D.S.C.)	SEC v. Edgar M. Radjabli, Apis Capital Management, et al.	<p>Radjabli conducted an unregistered sale of APIS tokens in 2018. He raised \$1.7 million that were supposed to go towards the Apis Capital main investment fund. Apis subsequently participated in a number of fraudulent market manipulations and investment scams. The SEC is charging defendants with violations of federal securities laws. Defendants have agreed to settle, disgorge profits, and pay \$419,330 in civil penalties.</p> <p><a href="https://www.sec.gov/litigation/litreleases/2021/lr25115.htm">https://www.sec.gov/litigation/litreleases/2021/lr25115.htm</a></p>
15 June 2021	Litigation Release Additional charges filed	25117 Civ. Act. 2:21-CV-12542 (D.N.J.)	SEC v. Ali Asif Hamid, Michael Gietz and Cristine or Cristina Page	<p>The SEC filed charges against additional individuals, including Hamid, a Canadian, in the case of the unregistered 2017/2018 ICO of BCT tokens. The ICO was supposed to fund the development of “an application called ComplianceGuard to record hedge fund transactions on a blockchain and a Bloomberg-style terminal for trading digital assets.”</p> <p>Although over \$30 million were raised, the technology was never developed. The SEC already filed charges against Boaz Manor, Edith Pardo, CG Blockchain, and BCT Inc. SEZC (SEC v. Manor, et al., 2:20-CV-00597-SRC-CLW (D.N.J.) 17 Jan. 2020). The additional defendants were participants in the fraudulent scheme. “The complaint seeks disgorgement of ill-gotten gains plus interest, penalties, and injunctive relief.”</p> <p><a href="https://www.sec.gov/litigation/litreleases/2021/lr25117.htm">https://www.sec.gov/litigation/litreleases/2021/lr25117.htm</a></p>

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2 July 2021	Litigation Release Partial consent judgments obtained	25136 Civ. Act. 8:20-CV-00793	SEC v. Dropil Inc., Jeremy McAlpine, Zachary Matar, and Patrick O’Hara	<p>From January to March 2018, Dropil sold <b>DROP tokens</b> in an unregistered ICO and raised some \$1.8 million. The revenue was supposed to be “pooled to trade various digital assets by a ‘trading bot’ called Dex.” Defendants falsely claimed that the bot was operational and profitable.</p> <p>“Dropil, McAlpine, Matar, and O’Hara have agreed to bifurcated settlements that permanently enjoin them from future violations of [...] federal securities laws and from directly or indirectly participating in the offer, purchase, or sale of digital securities. Under the terms of the settlement, disgorgement, prejudgment interest, and civil penalty [are yet to] be determined by the court. [...] In a parallel action brought by the U.S. Attorney's Office for the Central District of California, McAlpine and Matar have agreed to plead guilty to criminal charges for violations of Sections 10(b) and 32 of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder.”</p> <p><a href="https://www.sec.gov/litigation/litreleases/2021/lr25136.htm">https://www.sec.gov/litigation/litreleases/2021/lr25136.htm</a></p>
20 July 2021	Litigation Release Emergency restraining order filed	25144 Civ. Act. 2:21-CIV-01298-JAD-BNW (D.Nev.)	SEC v. Profit Connect Wealth Services Inc. and Joy and Brent Kovar	<p>The SEC requested an emergency action and obtained a temporary restraining order and asset freeze to stop an ongoing fraud that already raised more than \$12 million from at least 277 retail investors. Defendants collect investor funds to engage in securities trading and purchase of cryptocurrencies based on recommendations made by an “artificial intelligence supercomputer” at their disposal. They were guaranteeing 20-30% annual profits. However, payouts to early investors were largely made with money collected from subsequent investors, a classic Ponzi scheme.</p> <p><a href="https://www.sec.gov/litigation/litreleases/2021/lr25144.htm">https://www.sec.gov/litigation/litreleases/2021/lr25144.htm</a></p>

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4 Aug. 2021	Litigation Release Charges filed	25157 Civ. Act. 5:21-CV-01307 (C.D. Cal.)	SEC v. Uulala Inc., Oscar Garcia, and Matthew Loughran	<p>Garcia and Loughran created Uulala and, between December 2017 and January 2019, raised more than \$9 million from investors in the U.S. and abroad in an unregistered ICO. The UULA token whitepaper contained false information about proprietary technology and claimed that the venture would provide “financial solutions platform that provides the world’s underbanked populations access to the financial inclusion tools they need to change their future.”</p> <p>“Uulala represented to investors that it had developed a functional mobile phone application (“app”) that allows users to store, transfer, and borrow money, pay bills, make purchases, earn rewards for this activity, and establish a credit history to qualify for microcredit loans.”</p> <p>The SEC is seeking “permanent injunctions prohibiting future violations of the federal securities laws by Defendants, conduct-based injunctions permanently enjoining Uulala and Garcia from participating, directly or indirectly, in any unregistered offering of securities, including any digital asset security, undertakings by Defendants to permanently disable and delist the tokens, and an order imposing a civil penalty on Defendants.”</p> <p><a href="https://www.sec.gov/litigation/litreleases/2021/lr25157.htm">https://www.sec.gov/litigation/litreleases/2021/lr25157.htm</a></p>
9 Aug. 2021	Admin Proceeding Settlement agreed	Release No. 92607 File No. 3-20455	SEC v. Poloniex LLC	<p>The SEC charged Poloniex with operating and unregistered securities trading platform from 2014 to 2019. Although registered in Delaware, Poloniex LLC is a wholly-owned subsidiary of Circle Internet Financial Limited (“Circle”), an Irish private company.</p> <p>Poloniex accepted a cease-and-desist order, sold the platform, and agreed to “pay disgorgement of \$8,484,313.99, prejudgment interest of \$403,995.12, and a civil money penalty of \$1,500,000, for a total of \$10,388,309.10,” to the SEC.</p> <p><a href="https://www.sec.gov/news/press-release/2021-147">https://www.sec.gov/news/press-release/2021-147</a></p>
8 Sept. 2021	Litigation Release Charges filed	25198 Civ. Act. 3:21-CV-30092 (D.Mass.)	SEC v. Rivez Corp., Rivez Int’l SEZC, and Steven K. Sprague	<p>From June to September 2017, defendants sold “RvT” digital tokens to more than 7,000 investors for a total of about \$18 million. Some 30% of the investors were in the U.S. but the ICO was not registered. The tokens were issued by Rivetz Int’l from the Cayman Islands. The SEC “charges the defendants with violating the securities registration provisions of Section 5 of the Securities Act of 1933. The SEC seeks injunctive relief, the return of allegedly ill-gotten gains plus prejudgment interest, and a civil penalty.”</p> <p><a href="https://www.sec.gov/litigation/litreleases/2021/lr25198.htm">https://www.sec.gov/litigation/litreleases/2021/lr25198.htm</a></p>

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12 Nov. 2021	Litigation Release Charges filed	25262 Civ. Act. 21-MC-810 (S.D.N.Y.)	SEC v. Terraform Labs PTE Ltd. and Do Kwon	<p>The SEC is seeking documents and testimony from <b>Terraform Labs</b> and its founder Do Kwon, based in South Korea. Terraform Labs is the creator of the Terra and Luna digital tokens and “the fastest-growing ecosystem in crypto with 100+ projects across DeFi, Web3, and NFTs” (website). In 2020, Terraform launched the Mirror Protocol, allowing users to trade mAssets that “mirror” certain U.S. securities. The SEC wants more information to determine “whether Terraform Labs, Kwon or others violated the federal securities laws by, among other things, not registering the offer or sale of securities, selling security-based-swaps outside of a national security exchange, acting as an unregistered broker or dealer, or engaging in securities transactions by an unregistered investment company.”</p> <p><a href="https://www.sec.gov/litigation/litreleases/2021/lr25262.htm">https://www.sec.gov/litigation/litreleases/2021/lr25262.htm</a></p>
23 Nov. 2021	Litigation Release Charges filed	25271 Civ. Act. 5:21-CV-01957 (C.D. Cal.)	SEC v. Ryan Ginster	<p>From 2018 to 2021, Ginster sold unlicensed investment opportunities in his ventures “Social Profimatic” and “MyMicroProfits.com” and raised over \$3.6 million in Bitcoin.</p> <p>The SEC claims that “Ginster violated the antifraud provisions of Section 17(a) of the Securities Act and Section 10(b) of the Exchange Act and Rule 10b-5 thereunder, as well as the registration provisions of Sections 5(a) and 5(c) of the Securities Act.”</p> <p><a href="https://www.sec.gov/litigation/litreleases/2021/lr25271.htm">https://www.sec.gov/litigation/litreleases/2021/lr25271.htm</a></p>
3 Dec. 2021	Litigation Release Charges filed	25277 Civ. Act. 21 Civ. 6693 (E.D.N.Y.)	SEC v. Ivars Auzins	<p>The SEC is accusing Auzins of defrauding U.S. and foreign investors out of at least \$18 million via <b>unregistered ICO of “Denaro”</b> in early 2018, and a purported <b>digital cloud mining program (“Innovamine”)</b> in 2019. “Auzins allegedly used fake names, fictitious entities, and fraudulent profiles to perpetrate his schemes, and misappropriated nearly all of the investor funds that were raised.”</p> <p>The SEC is asking for disgorgement of profits, civil money penalties, a permanent prohibition of Defendant “from serving as an officer or director of any company [required to register securities or file reports with the SEC], and permanently enjoining Defendant from participating, directly or indirectly, in any offering of a digital asset security; provided, however, that such injunction shall not prevent Defendant from purchasing or selling digital asset securities for his own personal account...”</p> <p><a href="https://www.sec.gov/litigation/litreleases/2021/lr25277.htm">https://www.sec.gov/litigation/litreleases/2021/lr25277.htm</a></p>

Date	Decision Type	Case #	Name	Short Summary
9 Dec. 2021	Litigation Release Judgment of 3 December 2021	25286 Civ. Act. 1:21-CV-07349 (S.D.N.Y.)	SEC v. BitConnect et al.	<p>From 2017 to 2018, Glenn Arcaro and his company Future Money Ltd. served as the U.S. national promoters of BitConnect’s investment scheme. <b>BitConnect</b> was founded by an Indian citizen who incorporated various U.K. entities. BitConnect created a proprietary blockchain and the BitConnect Coin (BCC). From November 2016 to January 2017, BitConnect conducted an <b>unlicensed ICO</b> and then operated a trading platform with a <b>“Lending Program.”</b> Altogether BitConnect obtained over \$2 billion from unregistered offers and sales of securities.</p> <p>“The judgments against Arcaro and Future Money order them to pay disgorgement, prejudgment interest, and a civil penalty, if ordered by the court, in an amount to be determined by the court at a later date upon the SEC’s motion.”</p> <p><a href="https://www.sec.gov/litigation/litreleases/2021/lr25286.htm">https://www.sec.gov/litigation/litreleases/2021/lr25286.htm</a></p> <p>See also <a href="https://www.sec.gov/litigation/litreleases/2021/lr25177.htm">https://www.sec.gov/litigation/litreleases/2021/lr25177.htm</a></p>

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7 Jan. 2022	Litigation Release Charges brought	25303 Civ. Act. 5:22-CV-00076 (N.D. Ca.)	SEC v. Crowd Machine Inc. and Craig Derel Sproule and Metavine Pty. Ltd.	<p>The SEC brought charges against Australian citizen Craig Sproule and two of his companies, one registered in Delaware, the other in Australia, for making false and misleading statements in connection with an <b>unregistered offer and sale of digital asset securities</b>.</p> <p>Sproule raised more than \$33 million in an unregistered ICO of digital asset securities called “Crowd Machine Compute Tokens” or “CMCTs”. He false represented that the money would be used for the development of a global decentralized peer-to-peer crowd computer with unparalleled speed and that the tokens would be required to run applications and computations on the network, i.e. would increase in value.</p> <p>“Without admitting or denying the allegations, Sproule and Crowd Machine have consented to judgments permanently enjoining them from violating [the antifraud provisions of Section 17(a) of the Securities Act of 1933 ("Securities Act") and Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder] and participating in future securities offerings, ordering undertakings to permanently disable the CMCT tokens and seek their removal from digital asset trading platforms, and as to Sproule, prohibiting him from serving as an officer or director of a public company, and ordering him to pay a \$195,047 civil penalty. Disgorgement, prejudgment interest, and civil penalties as to Crowd Machine will be determined by the court at a later date.”</p> <p>“Metavine Pty. Ltd., an affiliated Australian entity, has consented to a judgment ordering it to pay, on a joint and several basis with Crowd Machine, such disgorgement as the court orders against Crowd Machine, up to the amount it received, plus prejudgment interest thereon.”</p> <p><a href="https://www.sec.gov/litigation/litreleases/2022/lr25303.htm">https://www.sec.gov/litigation/litreleases/2022/lr25303.htm</a></p>
18 Jan. 2022	Litigation Release Charges filed	25308 Civ. Act. 1:22-CV-00118	SEC v. Paul A. Garcia	<p>Colorado resident Paul Garcia raised about \$400,000 from investors for the creation of a cryptocurrency called “<b>Gold Hawg</b>” token. Instead of using the money to create and develop the business, he misappropriated much of it for personal use.</p> <p><a href="https://www.sec.gov/litigation/litreleases/2022/lr25308.htm">https://www.sec.gov/litigation/litreleases/2022/lr25308.htm</a></p>

Date	Decision Type	Case #	Name	Short Summary
8 Feb 2022	Arrest & Criminal Complaint	Press Release No. 22-105 Case 1:22-mj- 00022 (US D.D.C.)	United States of America v. Ilya Lichtensten (a/k/a Ilya Likhtenshteyn) and Heather R. Morgan	<p>In August 2016, hackers breached Bitfinex cryptocurrency exchange and transferred about 119,754 BTC to their own crypto wallet. At the time, the value was about \$71 million. As of February 2022, the bulk of the BTC were still sitting, visible to everyone, in the wallet, now valued at about \$4.5 billion. Commentators suggested “[i]t was as if a robber’s getaway car was permanently parked outside the bank, locked tight, money still inside.” (Ali Watkins &amp; Benjamin Weiser, NY Times, 13 February 2022)</p> <p>Around 1 February 2022, the hackers finally tried to access the rest of the loot via a complex network of digital wallets and fake internet identities and were promptly arrested and charged with conspiracy to launder billions of dollars in stolen cryptocurrency.</p>



Date	Decision Type	Case #	Name	Short Summary
14 Feb. 2022	Cease and Desist Order	Admin. Proceeding File No. 3-20758	In the Matter of BlockFi Lending LLC	<p>BlockFi is a New Jersey-based DeFi operator offering “BlockFi Interest Accounts (BIAs) to investors, through which investors lend crypto assets to BlockFi in exchange for [...] a variable monthly interest payment. BlockFi generate[s] the interest [payments] by deploying its assets in various ways, including loans of crypto assets made to institutional and corporate borrowers, lending U.S. dollars to retail investors, and by investing in equities and futures. [...] As of December 8, 2021, BlockFi and its affiliates held approximately \$10.4 billion in BIA investor assets, and had approximately 572,160 BIA investors, including 391,105 investors in the United States.”</p> <p>The SEC is classifying BIAs as securities under <i>Reves v. Ernst &amp; Young</i> (494 U.S. 56, 64–66 (1990)) and <i>Howey</i> (328 U.S. 293, 301 (1946)). According to the SEC, BlockFi offered and sold these securities without registration and violated Sec. 5(a) and 5 (c) of the Securities Act and BlockFi made materially false and misleading statements about collateral practices and risks associated with its lending activity. Thereby it also violated Sec. 17(a)(2) and (3) of the Securities Act. Furthermore, the SEC claims that “from at least December 31, 2019 to at least September 30, 2021, BlockFi operated as an unregistered investment company because it is an issuer of securities engaged in the business of investing, reinvesting, owning, holding, or trading in securities and owning investment securities” in violation of Sec. 7(a).</p> <p>The case against BlockFi is the first case of the SEC against a DeFi lending platform.</p> <p>In response to the cease-and-desist order, BlockFi offered and the SEC accepted a settlement. “BlockFi agreed to pay a \$50 million penalty, cease its unregistered offers and sales of the lending product, BlockFi Interest Accounts (BIAs), and attempt to bring its business within the provisions of the Investment Company Act within 60 days. BlockFi’s parent company also announced that it intends to register under the Securities Act of 1933 the offer and sale of a new lending product. In parallel actions announced today, BlockFi agreed to pay an additional \$50 million in fines to 32 states to settle similar charges.”</p> <p><a href="https://www.sec.gov/news/press-release/2022-26">https://www.sec.gov/news/press-release/2022-26</a></p>

Date	Decision Type	Case #	Name	Short Summary
8 March 2022	Press Release Charges filed	Release No. 8498-22	CFTC v. Dwayne Golden, Jatin Patel, Marquis Demarking Egerton a/k/a Mardy Edger, and Gregory Aggesen	<p>From at least April to August 2017, defendants solicited investments of millions of dollars worth of Bitcoin with the promise of guaranteed profits to be earned in Bitcoin trading. Payouts to early investors were in fact paid with money from subsequent investors, a classic Ponzi scheme. Trade names used included Empowercoin, Ecoinplus, and JetCoin. In combination, defendants collected about \$45 million from investors and misappropriated about \$18 million for personal use.</p> <p>“Through this conduct, Defendants were engaged [...] in manipulative and deceptive acts with respect to contracts of sale of a commodity in interstate commerce, in violation of Section 6(c)(1) of the Commodity Exchange Act [...], 7 U.S.C. § 9(1) (2018), and Regulation 180.1(a), 17 C.F.R. § 180.1(a)(1)-(3) (2020).”</p> <p>The CFTC seeks a permanent injunction from trading on or entering into any transactions involving commodity interests, soliciting funds for such trading, applying for registration or claiming exemption from registration with the CFTC, as well as an order to pay civil monetary penalties, disgorgement of all benefits received, and full restitution to every customer or investor.</p> <p><a href="https://www.cftc.gov/PressRoom/PressReleases/8498-22">https://www.cftc.gov/PressRoom/PressReleases/8498-22</a></p>
8 March 2022	Litigation Release Case filed in court on 8 March 2022	25341 Civ. Act. 1:22-CV-01933 (S.D.N.Y.)	SEC v. John and Tina Barksdale	<p>The SEC is charging siblings John and Tina Barksdale with defrauding thousands of retail investors out of more than \$120 million through <b>unregistered sales of the digital token “Ormeus Coin.”</b> The Barksdales operated Ormeus Global out of Panama and Hong Kong from 2017, claiming to be a profitable digital asset mining operation generating millions of dollars in profits monthly. They claimed that 40% of the profits were permanently placed in a digital asset wallet called “Ormeus Reserve Vault” to drive up the market valuation of the Ormeus Coin. Defendants were conducting road show events around the world to sell their digital assets.</p> <p>The SEC is seeking injunctive relief, disgorgement plus prejudgment interest, and civil penalties from the defendants.</p> <p><a href="https://www.sec.gov/litigation/litreleases/2022/lr25341.htm">https://www.sec.gov/litigation/litreleases/2022/lr25341.htm</a></p>

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9 March 2022	Litigation Release Final judgment of 2 March 2022	25342	SEC v. Stefan He Qin	<p>Qin is an Australian citizen who operated two <b>cryptocurrency hedge funds</b> out of New York (Virgil Sigma Fund LP and VQR Multistrategy Fund LP). Qin plead guilty to stealing around \$90 million in assets from the funds and using the money for personal expenses. In criminal court, Qine was sentenced to 7.5 years in prison and ordered to pay \$54,793,532 in criminal forfeiture.</p> <p>In the SEC action, Qin to consented to be permanently enjoined from violating Section 17(a) of the Securities Act of 1933 and Section 10(b) of the Securities Exchange Act of 1934 and to pay disgorgement of \$36,352,028 and prejudgment interest of \$3,494,791. These amounts are deemed satisfied by the order of forfeiture entered against Qin in the parallel criminal action.</p> <p><a href="https://www.sec.gov/litigation/litreleases/2022/lr25342.htm">https://www.sec.gov/litigation/litreleases/2022/lr25342.htm</a></p>
25 March 2022	Press Release Enforcement Action Consent order of permanent injunction obtained	Release No. 8507-22 Civ. Act. EP-21-CV-00237-DCG	CFTC v. Abner Alejandro Tinoco, and Kikit & Mess Investments LLC	<p>Defendants started in October 2020 to solicit investments to place them in the cryptocurrency and foreign exchange market without registering with the CFTC. They collected at least \$7.2 million from some 322 investors from both sides of the U.S./Mexico border but used the vast majority of the funds for personal expenses. The CFTC started proceedings against defendants on 28 September 2021, obtained an asset freeze, temporary restraining order, and access to all books and records. Defendants now agreed to a consent order “finding the defendants liable for fraud, the order enjoins the defendants from future violations of the Commodity Exchange Act (CEA). The order also permanently bans the defendants from trading or registering with the CFTC and reserves determination of the amounts of restitution, disgorgement, and civil monetary penalty for future decision by the court.”</p> <p><a href="https://www.cftc.gov/PressRoom/PressReleases/8507-22">https://www.cftc.gov/PressRoom/PressReleases/8507-22</a></p>