

**STATE OF ILLINOIS  
SECRETARY OF STATE  
SECURITIES DEPARTMENT**

\_\_\_\_\_  
IN THE MATTER OF:      MARK D. DE SOUZA      )  
\_\_\_\_\_)

FILE NO. 0400663

**SUMMARY ORDER OF DENIAL**

TO THE RESPONDENT:

Mark De Souza  
(CRD# 4729240  
2249 North Oakley Avenue  
Chicago, Illinois 60647

c/o Spike Financial Services, LLC  
30 South Wacker Drive  
Suite 1300  
Chicago, Illinois 60606

WHEREAS, on September 17<sup>th</sup>, 2004, Spike Financial Services, LLC, a registered dealer, filed a Form U-4 application for registration of Mark D. De Souza (the "Respondent") as a salesperson in the State of Illinois,

WHEREAS, pursuant to the authority granted under Section 11.F of the Illinois Securities Law of 1953 [815 ILCS 5] (the "Act"), the Secretary of State has determined that the Respondent's application for registration as a salesperson in the State of Illinois is subject to a Summary Order of Denial;

WHEREAS, the Secretary of State finds that the grounds for such Summary Order of Denial are as follows:

1. That on July 30, 2002, the Chicago Mercantile Exchange, Inc. ("CME") pursuant to an offer of settlement in which Respondent neither admitted nor denied findings, issued NOTICE OF DISCIPLINARY ACTION ("Disciplinary Action") in File No. 01—18883-BC. The Disciplinary Action imposed the following sanctions upon the Respondent:
  - a. Pay a fine in the amount of \$50,000; and

Summary Order of Denial

-2-

- b. Suspended Respondent's membership privileges for a period of 25 business days.
2. That the Disciplinary Action found that the Respondent violated CME Rule 432.q, a major offense, in that Respondent entered into a number of non-competitive trades with a trader in the Nasdaq-100 Index futures pit.
3. That Section 8.E (1)(j) of the Act provides, *inter alia*, that the registration of a salesperson may be denied if the Secretary of State finds that such salesperson has been suspended by any self-regulatory organization registered under the Federal 1934 Act or the Federal 1974 Act arising from any fraudulent or deceptive act or a practice in violation of any rule, regulation or standard duly promulgated by the self-regulatory organization.
4. That the CME is a self-regulatory organization as specified in Section 8.E (1)(j) of the Act.
5. That by virtue of the foregoing, the Respondent's registration as a salesperson in the State of Illinois is subject to denial pursuant to Section 8.E (1)(j) of the Act.

**NOW IT IS HEREBY ORDERED THAT:**

The Respondent's application for registration as a salesperson in the State of Illinois is DENIED, subject to the further Order of the Secretary of State.

A public hearing will be set within thirty (30) days of the Respondent's filing a written request for hearing with the Secretary of State at 69 West Washington Street, Suite 1220, Chicago, Illinois 60602. Said hearing will be held at the aforesaid address before a Hearing Officer duly designated by the Secretary of State. A copy of the Rules under the Act pertaining to contested cases is attached to this Order.

**YOUR FAILURE TO REQUEST A HEARING WITHIN THIRTY (30) DAYS AFTER RECEIPT OF THIS ORDER SHALL CONSTITUTE AN ADMISSION OF ANY FACTS ALLEGED HEREIN AND SHALL CONSTITUTE A SUFFICIENT BASIS TO MAKE THIS ORDER FINAL.**

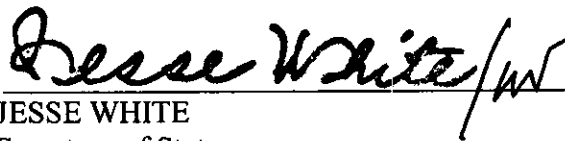
You are further notified that if you request a hearing that you may be represented by legal counsel, may present evidence; may cross-examine witnesses and otherwise participate. Failure to so appear shall constitute default, unless any Respondent has upon due notice moved for and obtained a continuance.

Summary Order of Denial

-3-

Delivery of this Order or any subsequent notice to the designated representative of any Respondent constitutes service upon such Respondent.

Dated: This 11<sup>th</sup> day of March, 2005.

A handwritten signature in black ink that reads "Jesse White" followed by a stylized monogram "JW".

JESSE WHITE  
Secretary of State  
State of Illinois

Attorney for the Secretary of State:  
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