

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

LOGISTA ADVISORS LLC AND ANDREW
HARRIS SEROTTA,

Defendants.

Case No. 1:23-cv-07485

Hon. John F. Kness

Hon. Jeffrey T. Gilbert

JOINT STIPULATION TO DISMISS WITH PREJUDICE AND RELEASES

Plaintiff Commodity Futures Trading Commission (“Plaintiff” or “CFTC”) and Defendants Logista Advisors LLC and Andrew Harris Serotta (together, “Defendants”) respectfully submit this joint stipulation and releases (“Stipulation”).

WHEREAS Plaintiff filed its complaint in this civil enforcement action (“Civil Action”) on September 7, 2023 (Dkt. 1), and filed an Amended Complaint on November 28, 2023 (Dkt. 25);

WHEREAS on July 25, 2024, the Court issued an oral ruling denying in its entirety Defendants’ motion to dismiss the Amended Complaint and entered an order on the docket (Dkt. 59);

WHEREAS in the exercise of its discretion, Plaintiff believes that dismissal of the Civil Action is appropriate;

WHEREAS Plaintiff’s decision to seek dismissal of the Civil Action does not necessarily reflect Plaintiff’s position on any other case;

WHEREAS, by this Stipulation, Plaintiff and Defendants agree that the Civil Action is dismissed with prejudice;

NOW, THEREFORE,

1. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff and Defendants stipulate that the Civil Action is hereby dismissed with prejudice, including all claims and conduct alleged in Plaintiff's Complaint through the date of the filing of this Stipulation, and without costs or attorneys' fees to either party.

2. Defendants, for themselves and any of their agents, attorneys, employees, or representatives, hereby waive and release:

- a. Any and all rights under the Equal Access to Justice Act, the Small Business Regulatory Enforcement Fairness Act of 1996, or any other provision of law to seek from the United States, or any agency or official of the United States acting in his or her official capacity, directly or indirectly, reimbursement of attorneys' fees or other fees, expenses, or costs expended by either Defendant that in any way relate to the Civil Action, including but not limited to investigative steps taken prior to commencing the Civil Action.
- b. Any and all claims, demands, rights, and causes of action of every kind and nature, asserted or unasserted, against Plaintiff and its present and former officers or employees that arise from or in any way relate to the Civil Action, including but not limited to investigative steps taken prior to commencing the Civil Action.

3. Defendants agree that, with respect to any and all dismissed counts, the Defendants are not the "prevailing party" within the meaning of the Equal Access to Justice Act, the Small Business Regulatory Enforcement Fairness Act of 1996, or any other provision of law, specified in subpart (a) of paragraph 2, and will not file any claim under that law.

4. Each of the undersigned represents that he or she has the authority to execute this

Stipulation on behalf of the party or parties so indicated.

STIPULATED AND AGREED

Dated: December 10, 2025

COMMODITY FUTURES TRADING
COMMISSION

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