

May 4, 2005

Ms. Jean A. Webb  
Secretary  
Commodity Futures Trading Commission  
Three Lafayette Center  
1155 21<sup>st</sup> Street, N.W.  
Washington, D.C. 20581

Reference File #2551.01  
Rule Certification

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OFC. OF THE SECRETARIAT

Dear Ms. Webb:

Pursuant to Commission Regulation 40.6(a), the Chicago Board of Trade (CBOT<sup>®</sup>) hereby submits the following:

- **Amendment to Regulation 249.01(h) per the attached text (additions underlined)**

This amendment restores a definition regarding the period for filing claims against CBOT membership sale proceeds which inadvertently was shown as being deleted in a previous Exchange filing (CBOT Reference File #2536.01).

The CBOT intends to implement this change no later than one day following the Commission's receipt of this filing.

There were no opposing views regarding this amendment.

The CBOT certifies that this amendment complies with the Commodity Exchange Act and the rules thereunder.

Sincerely,

Paul Draths  
Vice President and Secretary

B021505

#### 249.01 Purchase and Sale or Transfer of Membership

- (h) Notice of Membership Sale or Transfer and Filing Claims –
- (i) On the first and sixteenth calendar day of each month (or if the first or sixteenth is not a business day on the following business day) (“notice days”), the Exchange shall make available to the membership a notice listing the following claims events: each sale, transfer or exchange of a membership, including a temporary transfer pursuant to subparagraph (d)(ii) above; each termination or expiration of a delegation agreement, each termination of the nomination of an individual to exercise the rights and privileges of a membership that is owned by a member firm, and each termination of registration of a membership on behalf of a member firm, whether individually-owned or firm-owned, that occurred during the period beginning on the preceding notice day and ending on the business day preceding the current notice day.
  - (ii) A member or member firm, to establish his or its claim and to become entitled to his or its rights under Rule 252.00 to share in the proceeds of a membership, must file a statement of claim by no later than the business day immediately preceding the notice day that follows the notice day on which the Exchange provides notice of the relevant claims event to the membership. The Exchange shall hold the proceeds from the sale of a membership until such time as the relevant claims period has run and/or any disputed claims have been resolved.