

November 30, 2023

**SUBMITTED VIA CFTC PORTAL**

Secretary of the Commission  
Office of the Secretariat  
U.S. Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, N.W.  
Washington, D.C. 20581

**Re: KalshiEX LLC – Petition for Modification of Order of Designation**

Dear Sir or Madam,

KalshiEX LLC (“Kalshi” and “Exchange”) hereby submits the attached documents in support of its petition for modification of its Order of Designation to permit intermediated futures trading. Included in this submission in addition to this transmittal letter is the Petition and selected Exhibits to Form DCM (certain of which are confidential) in support of the Petition. A request for confidential treatment is being submitted under separate cover to the Assistant Secretary for the Freedom of Information Act. The attached documents are as follows:

Petition for Modification of Kalshi’s Order of Designation  
Confidential Exhibit A  
Confidential Exhibit B  
Confidential Exhibit C  
Confidential Exhibit D  
Confidential Exhibit F  
Confidential Exhibit I  
Confidential Exhibit J  
Confidential Exhibit K  
Exhibit L  
Exhibit M  
Confidential Exhibit N  
Confidential Exhibit O

Confidential Exhibit P  
Confidential Exhibit Q  
Confidential Exhibit R  
Confidential Exhibit S  
Confidential Exhibit T  
Exhibit U  
Confidential Exhibit V

If you have any questions or comments or require further information, please do not hesitate to contact me.

Sincerely,

Elie Mishory  
Chief Regulatory Officer  
KalshiEX LLC  
emishory@kalshi.com

## COMMODITY FUTURES TRADING COMMISSION

### Petition for Modification of Order of Designation

On November 3, 2020, the Commodity Futures Trading Commission issued an Order of Designation (“Designation Order”) to KalshiEx LLC (the “Exchange”) as a Designated Contract Market (“DCM”).

#### The Requested Modification

The Designation Order limited the Exchange to operating solely using a non-intermediated trading model (“direct trading model”). The Exchange now requests that the Designation Order be amended to permit futures commission merchants to carry customer accounts.

The Exchange’s business plan following designation as a contract market was to concentrate on offering Event Contracts that it would offer directly to Exchange Members utilizing a direct membership model. As the market in general and the Exchange have evolved, the Exchange’s business plan is now to increase access to these products in a manner that will result in a more liquid market that will benefit all market participants.

Accordingly, the Exchange is petitioning the Commission to modify its Designation Order to remove the clause prohibiting Kalshi from permitting intermediation so that the Designation Order will read as follows (underscored text indicates additions, and overstruck text indicates deletions):

IT IS HEREBY ORDERED, pursuant to Sections 5 and 6(a) of the Act, that the application of Kalshi for designation as a contract market is approved, subject to the terms and conditions specified herein:

(1) Kalshi shall comply with all representations and submissions made by Kalshi in support of its application for designation as a contract market, as shown in the application record; and

(2) Kalshi shall comply with all provisions of the Act and all requirements set forth in the Commission's regulations, as may be amended or adopted from time to time, that are applicable to designated contract markets; ~~and~~

~~(3) Kalshi may not permit any futures commission merchant to intermediate any transactions or carry accounts for customers executing trades on, or pursuant to the rules of, the contract market unless the Kalshi Order of Designation has been amended to permit futures commission merchants to carry customer accounts.~~

#### The Requested Modification is Appropriate and in the Public Interest

The modification of the Designation Order being requested will permit Kalshi to allow futures commission merchants (“FCMs”) to carry customer accounts. This will provide a significant convenience to potential members who are familiar with a particular interface,

or have established relationships with an FCM.

Further, removing the prohibition on FCMs will allow the Exchange to compete with other exchanges who allow FCMs, further enhancing the competitive nature of trading which will both benefit market participants and also advance the CEA's goal of promoting fair competition.

### **Conclusion**

Based upon above facts and analysis and the supporting documents incorporated herein, KalshiEx LLC Petitions the Commodity Futures Trading Commission to modify the Order of Designation of KalshiEx LLC, issued November 3, 2020, by amending the language as discussed above.

Respectfully submitted,

Elie Mishory  
Chief Regulatory Officer  
KalshiEX LLC  
[emishory@kalshi.com](mailto:emishory@kalshi.com)

**COMMODITY FUTURES TRADING COMMISSION**

**FORM DCM**

**CONTRACT MARKET  
APPLICATION OR AMENDMENT TO APPLICATION FOR DESIGNATION**

**COVER SHEET**

**KalshiEX LLC**

Exact name of Applicant as specified in charter

**594 Broadway, Suite 407, New York, New York 10012**

Address of principal executive offices

[ ] If this is an **APPLICATION** for designation, complete in full and check here.

[x ] If this is an **AMENDMENT** to an application, or to an existing designation, list all items that are amended and check here.

The following exhibits are amended:

- |             |              |              |
|-------------|--------------|--------------|
| 1. <u>A</u> | 7. <u>J</u>  | 13. <u>P</u> |
| 2. <u>B</u> | 8. <u>K</u>  | 14. <u>Q</u> |
| 3. <u>C</u> | 9. <u>L</u>  | 15. <u>R</u> |
| 4. <u>D</u> | 10. <u>M</u> | 16. <u>S</u> |
| 5. <u>F</u> | 11. <u>N</u> | 17. <u>I</u> |
| 6. <u>I</u> | 12. <u>O</u> | 18. <u>U</u> |
|             |              | 19. <u>V</u> |

**GENERAL INFORMATION**

1. Name under which the business of the designated contract market is or will be conducted, if different than name specified above (include acronyms, if any):

**Kalshi**

2. If name of designated contract market is being amended, state previous designated contract market name:

**N/A**

3. Contact information, including mailing address if different than address specified above:

**N/A**

Number and Street

City State Country Zip Code

Main Phone number Fax  
N/A N/A

Website URL E-mail Address  
**Kalshi.com tarek@kalshi.com**

4. List of principal office(s) and address(es) where designated contract market activities are/will be conducted:

**Office Address**

**Remote**

**Office 594 Broadway, Suite 407, New York, New York 10012**

5. If Applicant is a successor to a previously designated contract market, please complete the following: **N/A**

a. Date of succession:

b. Full name and address of predecessor designee

Name

City State Country Zip Code

Main Phone Number Website URL

**BUSINESS ORGANIZATION**

6. Applicant

is a: [ ]

Corporation

Partnership

Limited Liability Company

Other form of organization (specify) \_\_\_\_\_

7. Date of incorporation or formation: **December 10, 2019**

8. State of incorporation or jurisdiction of organization: **Delaware**

9. Applicant agrees and consents that the notice of any proceeding before the Commission in connection with this application may be given by sending such notice by certified mail to the person named below at the address given.

**Tarek Mansour, Chief Executive Officer**

\_\_\_\_\_  
Print Name and Title

**KalshiEX LLC**

\_\_\_\_\_  
Name of Applicant

**594 Broadway, Suite 407**

\_\_\_\_\_  
Number and Street

**New York**

\_\_\_\_\_  
City

**New York**

\_\_\_\_\_  
State

**10012**

\_\_\_\_\_  
Zip Code

## **SIGNATURES**

10. The Applicant has duly caused this application or amendment to be signed on its behalf by the undersigned, hereunto duly authorized, this **17th** day of, **2023**. The Applicant and the undersigned represent hereby that all information contained herein is true, current, and complete. It is understood that all required items and Exhibits are considered integral parts of this Form DCM and that the submission of any amendment represents that all un-amended items and Exhibits remain true, current, and complete as previously filed.

**KalshiEX LLC**

\_\_\_\_\_  
Name of Applicant

*/s/ Tarek Mansour*

\_\_\_\_\_  
Signature of Duly Authorized Person

**Tarek Mansour, Chief Executive Officer**

\_\_\_\_\_  
Print Name and Title of Signatory