



December 30, 2022

**REQUEST FOR CONFIDENTIAL
TREATMENT
BY NADEX, INC.
PURSUANT TO
COMMISSION REGULATION §145.9**

VIA ELECTRONIC MAIL: FOIAsubmissions@cftc.gov

Assistant Secretary of the
Commission for FOI, Privacy and Sunshine
Acts Compliance
Commodity Futures Trading Commission
Three Lafayette Center
1155 21st Street, N.W.
Washington, D.C. 20581

RE: FOIA Confidential Treatment Request – *Petition for Confidential Treatment of Nadex Materials Disclosed to the Commission Pertaining to Nadex’s Market Maker Agreement Appendix A Pursuant to Commission Regulation §145.9*

Dear Assistant Secretary,

I write to inform you that on December 30, 2022, North American Derivatives Exchange Inc. (“Nadex”, or the “Exchange”) d/b/a crypto.com | Derivatives North America submitted to the Commission via the CFTC Designated Contract Market Portal, and via email to Nancy Markowitz, Deputy Director, Division of Market Oversight, a non-redacted version of Nadex’s Market Maker Agreement Appendix A (“Appendix A”). Appendix A is being submitted in pdf format and labeled “20221230(1) Self Certification_MM Appendix A Confidential.pdf”, and is also being sent to the FOIA office. Appendix A contains confidential contract terms, and disclosure would reveal trade secrets and/or confidential commercial or financial information of Nadex and therefore is proprietary to Nadex. As such, we request confidential treatment of Appendix A.

Pursuant to Section 8 and 8(a) of the Commodity Exchange Act, as amended, (“CEA”) and Commission Regulation §145.9, Nadex requests confidential treatment of Appendix A and this cover letter (together, the “Materials”) on the ground that disclosure of such Materials would reveal trade secrets, financial information, or confidential commercial information of Nadex. Furthermore, because the Materials are not reasonably segregable, we request confidentiality for every document included in the Materials. To ensure the confidentiality, all pages have been labeled as confidential. In addition, we respectfully request that we be notified in the event that the Commission for any reason considers disclosing the Materials (in any form) to a third party and be given an opportunity to object

crypto.com | Derivatives North America

200 West Jackson Blvd., Suite 1400

Chicago, IL 60606

Pursuant to Commission Regulation §145.9(d)(5), we request that the confidential treatment of the Materials be permanent.

The submitter of the information is North American Derivatives Exchange, Inc. The submitter's corporate address is 200 West Jackson Blvd., Suite 1400, Chicago, Illinois 60606. The submitter's telephone number is (312) 884-0927. Please send any communications regarding this matter to my attention.

Should you have any questions regarding the above, please do not hesitate to contact me by telephone at (312) 884-0927 or by email at Jaime.walsh@nadex.com.

Sincerely,



Jaime Walsh
Head of Legal