

June 17, 2021

VIA ELECTRONIC PORTAL

Mr. Christopher J. Kirkpatrick
Office of the Secretariat
Commodity Futures Trading Commission
3 Lafayette Center
1155 21st Street NW
Washington, DC 20581

Re: SMFE 2021-008 - CFTC Regulation 40.2(a) Certification: Initial Listing of the Small Cannabis Equity Index Futures Contract

Dear Mr. Kirkpatrick:

Small Exchange, Inc. (“SMFE”, “Exchange” or “Small Exchange”) hereby notifies the Commodity Futures Trading Commission (“CFTC” or “Commission”) that it is self-certifying the initial listing of the Small Cannabis Equity Index Futures Contracts (“Contract” or “Contracts”) as set forth below for trading on the Small Exchange matching engine and for submission for clearing via the Options Clearing Corporation (“OCC”) effective June 18, 2021 for trade date June 21, 2021.

Contract Title	Commodity Code	SMFE Rulebook Chapter
Small Cannabis Equity Index Futures Contract	S420	38

The underlying reference for the Contracts shall be the Small Cannabis Equity Index (“Index”).

Contract Description

The Small Cannabis Equity Index Futures Contracts (“Contract(s)”) are based on the Small Cannabis Equity Index, which is composed of NYSE- or Nasdaq-listed equities. Index components and weights are evaluated quarterly.

As described below, the Index is maintained by an independent Index Calculation Agent (“ICA”) in accordance with the IOSCO Principles for Financial Benchmarking (the “IOSCO Principles”). The Index is calculated by the ICA using a methodology designed by the Small Exchange (the “Index Methodology”) and disseminated to major market data vendors on a one-second frequency using the last trade price of its underlying constituents as traded on their respective primary exchanges.

The Exchange believes the Contracts will appeal to a wide range of Exchange Participants based on the Index Methodology and the notional size of the Contracts.¹ The Contracts are representative of the largest and most actively held equities, and their smaller notional size afford Participants a capital-efficient way to hedge the most active portion of a passive stock portfolio or invest in the most relevant publicly traded companies. In addition to retail Participants, the Exchange expects the Contracts to appeal to financial advisors of Separately Managed Accounts (“SMAs”), pension funds, and institutions looking for particular equity market exposure.

Cash Market Overview

The Small Equity Index Futures Contracts add value to the market by offering Participants asset exposure and risk mitigation not currently available with traditional equity index products. The Index measures the performance of companies involved in the cannabis industry. All equities are NYSE- or Nasdaq-listed.

As of April 28, 2021, the median capitalization of the equities in the Index was \$1.9 billion with the largest stock at \$147 billion (PM) and the smallest at \$186 million (ZYNE).² Additionally, on this date the median notional volume traded was \$33 million with the largest \$565 million (TLRY) and the smallest \$4.2 million (CRBP). Components must meet the following criteria to be eligible for the Index:

- Equities must be listed on the NYSE or Nasdaq
- Each equity must have an average daily notionally-traded volume (“ADTV”) of at least \$1 million. This is the volume traded multiplied by the share value for each day and then averaged over a six month period

¹ Each capitalized term used in this product filing and not defined herein shall have the meaning set forth in the Small Exchange Rulebook (as amended, restated, supplemented, or otherwise modified from time to time in accordance with its provisions).

² While there is a \$1 billion capitalization requirement, a minimum constraint once the equity is included in the Index does not exist.

- Companies must have a capitalization of \$100 million or more for inclusion to the index
- Each equity must be publicly traded for a minimum of three months

Index Administration, Governance, and Maintenance

The Index is calculated and published by dxFeed, an independent Index Calculation Agent. dxFeed provides a state-of-the-art index management platform that supports multiple index families with controlled workflows and a flexible environment for data handling and research. Their platform and templates help ensure that the indices they create and maintain have the desired qualities of a sound index: representativeness, economic significance, continuity and consistency of pricing.

dxFeed carries out the calculation of the Index in accordance with IOSCO Principles including, without limitation, index administration, conflicts of interests, internal oversight, governance, Index compilation, publication and distribution, and data sufficiency.

dxFeed provides a full lifecycle management solution for indices with support for index design, back testing, basket analysis reweighting and rebalancing, version management for index methodologies, and seamless transfer from research and development to production.

Additionally, dxFeed has a highly comprehensive feed handling solution offering a broad range of data services. dxFeed's data is streamed to approximately 200,000 end-users simultaneously, including major data vendors such as ICE Data Services / SFTI, Refinitiv and Options-IT, and they deliver financial information for more than two million financial instruments (e.g., equities, futures, options, indices, FX, etc.) from a variety of exchanges in North America, Europe, and around the world. This availability and depth of product pricing helps ensure Index integrity because data inputs are sourced from a variety of reputable and recognized quality sources.

Exchange Affiliates have previously engaged with dxFeed for services. Based on the level of satisfaction of such Affiliates with dxFeed in the areas of work quality, consistency in service support, and industry expertise, the Exchange undertook vetting dxFeed for index calculation and ultimately identified them as a top choice as an ICA.

The Index Methodology is publicly available on the ICA's website: <https://indexit.dxfed.com>.

Index Evaluation

The Commodity Exchange Act ("CEA" or the "Act") requires that security futures products, defined as those that comprise single stock futures and futures on narrow-based security indices, shall be subject to the joint jurisdiction of the CFTC and the SEC.

Futures products for which the underlying references are broad-based security indices remain subject to the sole jurisdiction of the CFTC.

CEA Section 1a(35)(A)(i)-(iv) defines a “narrow-based index” as an index:

- i. that has 9 or fewer component securities;
- ii. in which a single component security comprises more than 30% of the index’s weighting;
- iii. in which the five highest weighted component securities in the aggregate comprise more than 60% of the index’s weighting; or
- iv. in which the lowest weighted component securities comprising, in the aggregate, 25% of the index’s weighting have an aggregate dollar value of average daily trading volume less than \$50,000,000 (or \$30,000,000 in the case of an index with 15 or more component securities), except that if there are two or more securities with equal weighting that could be included in the calculation of the lowest weighted component securities comprising, in the aggregate, 25% of the index’s weighting, such securities shall be ranked from lowest to highest dollar value of average daily trading volume and shall be included in the calculation based on their ranking starting with the lowest ranked security.

As described more fully below, the Index fails to meet any of the criteria for consideration as a narrow-based index; as such, this Index is considered a broad-based security index subject to the sole jurisdiction of the CFTC.

Each of the above-mentioned narrow-based security criteria, as it applies to the Small Cannabis Equity Index Methodology, is addressed, respectively, below:

- i. As of March 18, 2021, the number of components in the Small Cannabis Equity Index is twenty-one (21). In the case of the Index falling beneath ten (10) components, the Business Development Team reserves the right to add a symbol(s) to fulfill the broad based index requirement. Complex problems may require an additional course of action that is not covered under this document. More information can be found under Appendix E: Small Cannabis Equity Index Methodology and in the Corporate Actions Methodology (<https://indexit.dxfed.com/docs/SMFE%20-%20Corporate%20Actions%20Policy.pdf>).
- ii. The largest weighted components, for the 6-month period of September 10, 2020 to March 10, 2021 fell below the 30% threshold. In no daily instance did the largest component account for more than 9.34% of the Index’s weight. This is demonstrated in the below table, which depicts the percentiles of the weights of the largest components of the Index during the evaluation period.

	Weight of the Largest Components of the Index
Maximum	9.34%

75th Percentile	5.16%
Median	4.42%
25th Percentile	3.54%
Minimum	0.88%

Empirical results of weights of the largest weighted components in the Small Cannabis Equity Index, September 10, 2020 to March 10, 2021

- iii. The five (5) largest weighted constituents, for the 6-month period of September 10, 2020 to March 10, 2021, fall well below the 60% threshold. In no daily instance the sum of the five (5) largest components account for more than 35.11% of the Index's weight. This is demonstrated in the table below, which depicts the percentiles of the weights of the sums of the five (5) largest units in the Index during the evaluation period.

	Weight of the Sum of the Five Largest Components
Maximum	35.11%
75th Percentile	33.27%
Median	28.43%
25th Percentile	27.45%
Minimum	21.74%

Empirical results of weighting of the sum of the five largest weighted components in the Small Cannabis Equity Index, September 10, 2020 to March 10, 2021

- iv. Statistics for trading volumes are included in Table 3. Results were obtained by finding the smallest daily volume equities in the Index that together summed to 25% of the Index. The results of the daily trading volumes for the 6-month period of September 10, 2020 to March 10, 2021 can be seen below. If the representative aggregate daily trading volume of components was less than \$30 million, then the Index would be considered narrow-based. In the case of the Index, the notional value of trading volume of the smallest components exceeds the \$30 million threshold by several factors.

	Trading Volume of Smallest Index Components Aggregating to 25% of Index Weight
Maximum	\$3,059,425,321
75th Percentile	\$1,013,154,117

Median	\$517,928,601
25th Percentile	\$239,582,084
Minimum	\$107,425,118

Empirical results of trading volume of the smallest index components aggregating to 25% of the index weight in the Small Cannabis Equity Index, September 10, 2020 to March 10, 2021

Therefore, as shown above, the Index fails to meet any of the criteria for consideration as a narrow-based index; as such, this Index is considered a broad-based security index subject to the sole jurisdiction of the CFTC.

Compliance with Core Principles

The Exchange has reviewed CFTC Part 38 “Designated Contract Markets”, which sets forth the Core Principles with which every DCM must demonstrate compliance, and it has identified that the Contracts may obligate the Exchange to compliance with the following Core Principles:

Core Principle 2 - Compliance with Rules

Trading in the Contracts will be subject to all the Exchange’s Rules, including prohibitions against fraudulent, noncompetitive, manipulative, abusive, and disruptive practices as outlined in Chapter 6 of the Exchange’s Rulebook, specifically, the Exchange’s Trade Practice Rules.

As with all Contracts listed for trading on the Exchange, trading activity in the Contracts will be subject to monitoring, surveillance, and regulation by the Exchange’s Regulatory Department as outlined in Chapter 5 of the Exchange’s Rulebook. The Regulatory Department has the authority to exercise its investigatory and enforcement jurisdiction where potential rule Violations are identified. The Exchange has processes in place to monitor its markets for compliance with the Rules.

The Exchange has contracted the National Futures Association (“NFA”) to be its Regulatory Service Provider. As such, the NFA will work with the Exchange to provide trade practice surveillance, market surveillance, investigations and disciplinary escalations, regulatory reporting and recordkeeping, arbitration services, and audit trail requirements. These regulatory functions will also be supported by the Exchange’s technology, which will collect and transmit the bid, offer, and trade data to the NFA.

The Exchange has also contracted Eventus Systems (“Eventus”) as a software provider for real-time market surveillance. The Exchange’s regulatory staff uses the technology and services provided by Eventus along with the Exchange’s proprietary software, Administration and Risk Monitor (“ARM”) application to monitor positions and trading in real-time and to detect potential market anomalies, trade practice Violations, and large trader positions. The ARM allows the Exchange staff to monitor trading and the market in real-time with the ability to query orders, trades, and current positions. The ARM also monitors firms’ risk limit usage and prevents new orders if pre-trade limits are breached.

The Exchange is a member of the Joint Compliance Committee (“JCC”). The JCC is a voluntary committee of self-regulatory organizations including DCMs, swap execution facilities, and registered futures associations. The JCC operates through its members to protect market integrity within and across its members’ markets by providing a forum for information sharing related to investigations and disciplinary actions among other regulatory topics and issues that may impact their markets, members, or self-regulatory responsibilities.

Additionally, the Exchange is a member of the Joint Audit Committee (“JAC”). The JAC is a representative committee of the Audit and Financial Surveillance Departments of DCMs and has the responsibility to determine the best policies, practices, and procedures for conducting financial reviews, and to assist its members in the financial surveillance of Futures Commission Merchants (“FCM”).

The Exchange is a member of the Futures Industry Association (“FIA”). The FIA is the leading global trade organization for futures, options, and centrally-cleared derivatives markets. The FIA’s membership includes clearing firms, exchanges, clearinghouses, trading firms, and commodities specialists from more than 48 countries and technology vendors, lawyers, and other professionals serving the industry. The FIA’s mission is to support open, transparent, and competitive markets, protect and enhance the integrity of the financial system, and promote high standards of professional conduct. The Exchange adheres to and supports the mission of the FIA through the enforcement of its Rules.

The Exchange is a member of the Intermarket Surveillance Group (“ISG”). The ISG is an international group of exchanges, market centers, and market regulators that perform market surveillance in their respective jurisdictions. The ISG provides a framework for the sharing of information and the coordination of regulatory efforts among exchanges trading securities and related products to address potential intermarket manipulations and trading abuses.

The Exchange certifies that its surveillance program and systems together with its participation in key industry groups for information sharing and regulatory coordination addresses the DCM requirements of Core Principle 2.

Core Principle 3 - Contracts Not Readily Subject to Manipulation

The Exchange believes that the Contracts are not readily susceptible to manipulation because of their structural attributes, active underlying cash market, and reliance on a well-administered Index. The underlying reference Index of the Contracts is judged to be sufficiently broad to deter attempted cornering, manipulation, crowding, or exertion of undue influence during Exchange hours and the Final Settlement window of expiring Contracts.

The Index is composed of equities that are among the most actively traded in the U.S. equities market. There are numerous global entities that trade equities on a 24-hour basis, which market Participants,

such as liquidity providers, pension funds, asset managers, and individual traders deem as providing sufficient volume and liquidity to be viable cash marketplaces because of the large notional volume traded. Further, the Exchange has commitments from several large, well-known liquidity providers to post two-sided quotes in the Contracts.

The liquidity provider Participants with which the Exchange has commitments, are active in both the cash and derivative markets for each constituent comprising the Index. The Contracts complement these Participants' existing market exposure and can be used to further manage their own risk while creating a deeper pool of liquidity for other Participants. If a Participant takes a limit sized position, equal to 5,000 Contracts within five (5) business days prior to expiration, the depth of the related cash, futures, and option markets allows them to manage this position without causing market disruption.

The arbitrage opportunities that exist between the Contracts and constituents making up the Index will help keep prices consistent with those of the marketplace. Additionally, the Exchange may implement a Liquidity Provider Incentive Program ("LPIP"), or a similar program, to encourage market participation and foster a fair, orderly, and liquid marketplace.

In addition to liquidity provider Participants, the Exchange expects market Participants to be individual traders and investors because the Index Methodology and the Contract's notional size afford these individuals a capital-efficient way to hedge equity market volatility, diversify a portfolio, or invest passively in the most relevant large capitalization equities.

Per the Index Methodology, the Contracts provide distinctive equity market exposure to the most relevant and widely-held equities and an economic benefit to a broad pool of retail Participants. As volume and open-interest increase, the Exchange expects that the size of the Contracts will lend themselves to adoption by Commodity Trading Advisors ("CTA") and Commodity Pool Operators ("CPO") for more efficient account management. The Contracts allow a wide range of Participants, including individual traders and investors, liquidity providers, CTAs, CPOs, pension funds and asset managers, the ability to better manage and mitigate equity market risk.

Consistently tight bid-offer spreads, volume traded, and market capitalizations of the equities comprising the Index depict liquidity. The Index Methodology filters for large and liquid components to mitigate the potential for market manipulation. As of May 5, 2021, the average capitalization of the components was \$13 billion and the median \$2 billion. Additionally, on this date the 3-month average volume for the 22 components was 26 million shares traded with an average daily notional volume of \$188 million. Based on this liquidity, there will be minimal adverse market impact from Participants hedging in the Contracts.

The Final Settlement methodology and depth of constituent pricing makes it difficult for a market Participant to improperly affect the settlement value. The Final Settlement is determined by the ICA in accordance with the Final Settlement methodology using reference data selected in consultation with the Exchange. Prices for the Index's components are taken from the last trade price in the primary

markets, including the Consolidated Tape Association for NYSE-listed and regional exchange-listed equities and the Unlisted Trading Privileges Plan for Nasdaq-listed equities.

The final monthly settlement value is calculated using the closing price for each component of the index, as determined by the rules of the primary market for that component and disseminated by the primary market (the “Official Closing Price”). If the Official Closing Price for an index component is not disseminated or otherwise determined by 15:45:00 CT, the Official Closing Price for such component will be the last sale during regular trading hours on such day of expiration or, if necessary, on the prior trading day(s); in all cases, the sale will be determined by the Exchange’s Index Calculation Agent on a best-effort’s basis and validated by the Exchange. Each component’s Official Closing Price will be multiplied by its weight in the Index. These values are then added together for the Final Settlement of the Contract.

The Final Settlement will be calculated by the ICA and subject to approval by the Exchange and the Derivatives Clearing Organization (“DCO”). The Final Settlement will be published after 15:00:00 CT, made available to the DCO, and made publicly available on the Exchange’s website and through the Exchange’s market data feed in a timely manner. Notice of the Final Settlement for the Contract will be made available to all market Participants.

For more information surrounding the Final Settlement, refer to Appendix A.

The Exchange has in place surveillance tools and procedures to identify potential manipulation during trading hours and the Final Settlement. The Exchange will use Eventus’ software as part of its market surveillance program for potential manipulation. Eventus has exceptionally strong capabilities when it comes to data extraction, transformation, and loading, and their Validus software normalizes and reconciles Exchange data to create a holistic picture of activity for surveillance purposes. Eventus’ software allows the Exchange’s Regulatory Department to analyze Exchange market data during regular trading hours and perform real-time Index surveillance during the Final Settlement.

All activity in the Contracts will be subject to monitoring and surveillance by the Exchange’s Regulatory Department using the ARM and software provided by Eventus. Additionally, the NFA will carry out trade practice and market surveillance pursuant to the provisions of the Regulatory Services Agreement.

The Exchange certifies that its surveillance program and systems together with its participation in key industry groups for information sharing and regulatory coordination addresses the DCM requirements of Core Principle 3.

Core Principle 4 - Prevention of Market Disruption

Trading in the Contracts will be subject to the Rules of the Exchange, which include prohibitions on manipulation, price distortion, and disruption to trading and the cash settlement process. Trading activity will be subject to monitoring and surveillance by the Exchange’s Regulatory Department.

The Exchange utilizes risk controls and has the ability to pause and halt its market to prevent market disruption. The Exchange has three levels of risk controls: Exchange, firm, and Financial Information Exchange (“FIX”) API. Exchange-wide risk controls include order validations, dynamic order protections, and price limits. Dynamic order protection validates incoming orders to prevent erroneously-priced orders from hitting the market while price limits protect the market from significant price moves from prior day’s settlement.

Firm level risk controls include maximum order quantity limits, daily position exposure limits, a kill switch, self-trade match prevention, and execution rate protection. Maximum order limits can be set by Clearing Members on their Participant trading firms to limit the size of orders that can be placed through the Exchange Trading System. Daily position exposure limits are set by Clearing Members on their Participant trading firms to limit positions that can be held by such trading firms.

A kill switch can be enabled by the Exchange, a Clearing Member, or Participant trading firm through Exchange’s Trading System to block new orders or block new orders and cancel working orders. Once enabled, the kill switch will prevent any new orders until it has been disabled. Self-trade match prevention is an optional risk control intended to prevent matching of orders with common beneficial ownership.

Execution rate protection is a form of a risk control placed on a liquidity provider’s grouped orders to limit the number of trades over a specified time range. On the FIX API level, there is an optional “cancel on disconnect” risk control by which all working orders are canceled within a FIX session when disconnected from the gateway.

The Exchange uses intraday and daily price limits to ensure its markets work in an efficient and orderly manner during large, unexpected movements and increased volatility, which are set forth in Rule 38003.D (Daily Price Limits).

Price bands are based on the last-traded price and will prevent erroneously-priced orders from entering the market and significantly skewing prices. The bands validate limit-price orders, and they reject any buy orders above the upper band and any sell orders below the lower band. Band validation works equally well for single futures Contracts and calendar spreads. Price bands are dynamic, set by the Exchange, and can be altered for a Contract intraday.

As its Regulatory Service Provider, the NFA works in conjunction with the Exchange on services including, but not limited to, market and trade surveillance. The Exchange will utilize the Eventus’ Validus software to assist in real-time surveillance along with the Exchange’s ARM. The NFA’s market surveillance department and Validus will use the Exchange’s audit trail as the primary source of data. These systems, along with the Exchange’s ARM, will allow the Exchange’s regulatory staff to monitor large trader positions and to detect potential market anomalies and trade practice Violations in real-time and on a T+1 basis. The Exchange’s ARM, along with NFA and Validus, will alert the Exchange’s

regulatory staff of potential position limit Violations and other potential market irregularities as they develop and before market disruptions occur or become more serious.

Core Principle 5 - Position Limits or Accountability

To prevent price distortions and market disruptions, the Contracts will be subject to accountability levels and position limits. The Exchange has determined position accountability levels to be 10,000 Contracts per tradable month and position limits to be 5,000 Contracts for the five (5) business days prior to expiration.

If a Participant's position exceeds the Contract's accountability level threshold, the Exchange may require the Participant to provide information pertaining to the nature of the position and the trading strategy employed. The Exchange may also require the Participant to liquidate a portion of their position in an orderly manner to a level that is below the accountability threshold.

No person may hold or control positions separately or in combination, net long or net short, in the Contract in excess of the Exchange's set position limit. The Exchange, in conjunction with the NFA, will closely monitor daily volume and open interest to determine if these accountability levels and/or position limits require modification, and it will make such modifications as deemed necessary.

While monitoring trading on the Exchange, the NFA will provide alerts that include, but are not limited to, the following: (a) whenever an account is identified as a large trader for the first time; (b) whenever large trader positions exceed reportable levels; (c) whenever large trader positions exceed speculative position limits, if any; or (d) whenever large trader positions exceed accountability levels.

Index levels and market capitalizations as of April 29, 2021, exemplify the conservatism of these position accountability levels and position limits. On this date, the Index closed at \$11.62, placing the notional value of one (1) Contract at \$1,162. This places a hypothetical 10,000 Contract position (i.e., at the Contract's accountability level) at approximately \$11.6 million. This signifies less than approximately 0.004% of the closing market capitalization of the Index's components and 0.4% of the notional traded volume traded on this day. Telescoping position limits to 5,000 Contracts for the five (5) business days prior to expiration helps further mitigate the potential for manipulation.

Core Principle 7 - Availability of General Information

The Exchange will publish information on its website regarding specifications, terms and conditions, daily trading volume, open interest, and settlement value for the Contracts. Any Exchange Rule amendments and product changes (including terms and conditions of the Contracts) will also be made available through the Exchange website. Notice of new product listings, new rules, and rule amendments will be displayed on the Exchange website concurrent with the filing of such with the Secretary of the CFTC.

Core Principle 8 - Daily Publication of Trading Information

The Exchange will publish information on settlement values, volume, open interest, and opening and closing ranges for Contracts on a daily basis on its website and via market data, as appropriate.

Core Principle 9 - Execution of Transactions

The Contracts will be listed for trading on the Exchange's Trading System and cleared through its DCO the OCC.

Core Principle 10 - Trade Information

All requisite trade information will be included in the audit trail, and it is sufficient for the Regulatory Department and the NFA as the Regulatory Service Provider to monitor for market abuses. The Exchange's Trading System will capture and maintain all information with respect to each order. This will include information on orders that were executed, those that were not executed, and all other information relating to the trade environment that determines the matching and clearing of trades, such as clearing information and number and type of Contracts. An order entered into the Exchange Trading System can be tracked from the time entered until the time that it is matched, canceled, or otherwise removed. All of this information is contained in the Exchange's audit trail.

Core Principle 11 - Financial Integrity of Transactions

The Contracts will be cleared by the OCC, which is registered with the Commission as a DCO and subject to all CFTC regulations related thereto.

Core Principle 12 - Protection of Markets and Market Participants

Chapters 4, 5, and 6 of the Exchange's Rulebook establish Rules to protect the market and market Participants from abusive, disruptive, fraudulent, noncompetitive, and unfair conduct and trade practices. These Rules apply to all Transactions in the Exchange's Contracts, which includes Small Cannabis Equity Index Futures Contracts.

Core Principle 13 - Disciplinary Procedures

The Exchange has set forth Rules in Chapter 7 of the Exchange's Rulebook that provide for the Exchange to discipline, suspend, expel, or otherwise sanction Members, Participants, and Related Parties that violate the Exchange's Rules or the CFTC's Rules and Regulations. The Exchange has engaged the NFA to monitor and provide market surveillance, and they will work together with Exchange staff to identify and pursue potential Violations of applicable Rules. At the conclusion of any of its investigations, the NFA will provide its findings to the Exchange, and the Exchange will determine whether the facts and circumstances warrant the pursuit of appropriate disciplinary action.

Core Principle 14 - Dispute Resolution

Chapter 8 of the Exchange's Rulebook establishes Rules concerning dispute resolution and provides for resolution through the NFA arbitration program.

Market Participant Overview and Due Diligence

The Exchange has consulted with a wide range of market Participants taking into account their respective needs for a broad cannabis index futures product. In doing so, the Exchange has elicited feedback from and the needs of an extensive group of market Participants including individual retail traders and investors, institutional traders, proprietary trading groups, liquidity providers, CTAs and CPOs.

The Exchange has commitments from several well-capitalized liquidity providers to post competitive, two-sided quotes during the trading day in all Exchange products. The depth and liquidity of the underlying components, along with the transparency of the Index Methodology, allow Participants to calculate the value of the Index so they are able to hedge and offset risk exposure.

To best serve its Participants, the Exchange displays and matches all orders through a Central Limit Order Book. Transactions are algorithmically matched on a time-price priority basis using a first-in, first-out ("FIFO") methodology.

The Small Cannabis Equity Index Futures Contract is designed to appeal to the public customer/retail investor that may have less than \$50,000 in capital and who has some experience investing in stocks and ETFs. There are several characteristics of the Small Cannabis Equity Index Futures Contract that we believe will appeal to this type of public customer:

1. Low margin requirement allows the investor to trade the Small Cannabis Equity Index Futures Contract and not use a large percentage of their trading capital. This allows these customers to participate in the benefits of futures trading without having to meet high margin requirements.
2. \$100 contract multiplier and .01 ticks make this future similar to a stock/ETF, and don't require complex conversions to calculate profits and losses.
3. Diversification based on current data to reflect what many individual customers would consider the value of cannabis in the global market.

The Exchange certifies that listing the Contract complies with the Act including all regulations thereunder. The Exchange is not aware of any consequential opposing views to this proposal.

The Exchange certifies that this submission has been concurrently posted on the Exchange's website at www.thesimallexchange.com. Should you have any questions concerning the above, please contact the undersigned at (312) 761-1660.

Sincerely,

/s/ Peter D. Santori
Chief Regulatory Officer

Attachments

Appendix A: Small Exchange Rulebook Chapter 38

Appendix B: Applicable Position Limits and Reportable Position Levels

Appendix C: Applicable Non-Reviewable Trading Ranges

Appendix D: Pertinent Special Price Fluctuation Limits

Appendix E: Small Cannabis Equity Index Methodology

Appendix F: Small Cannabis Equity Index Components and Weights

Appendix G: Settlement Day, Value, and Process

Appendix H: Exchange Fees

Appendix I: Historical Data

Appendix A: Small Exchange Rulebook Chapter 38

Small Cannabis Equity Index Futures Contracts

38001. Scope of Chapter

This chapter is limited in application to Small Cannabis Equity Index Futures Contracts (“Contract” or “Contracts”). The provisions of these rules shall apply to all Contracts bought or sold on the Exchange for cash settlement based on the Floating Price, as defined herein. The procedures for trading, clearing, and cash settlement of Contracts and any other matters not specifically covered herein shall be governed by the Rules of the Exchange.

38002. Contract Specifications

The Floating Price for each Contract is based on the Small Cannabis Equity Index (“Index”) which is composed of NYSE- or Nasdaq-listed equities. Index components and weights are determined using a formula that considers volatility, market capitalization, and notional traded volume. Index components and weights are evaluated quarterly. A breakdown of the equity selection and ranking algorithm can be found in the Small Cannabis Equity Index Methodology document hosted on the Index Calculation Agent’s website, <https://indexit.dxfeed.com>.

38003. Trading Specifications

The number of months open for trading at a given time shall be determined by the Exchange.

38003.A. Trading Schedule

The hours of trading for this Contract shall be determined by the Exchange.

38003.B. Trading Unit

The trading unit is equal to \$100 times the Index.

38003.C. Price Increments

Stated in decimals, to two decimal points in U.S. dollars and cents. Prices will be available during all trading hours. Tick sizes are 0.01 Index points equal to \$1.00 per Contract.

38003.D. Daily Price Limits

The Exchange uses intraday and daily price limits to ensure its markets work in an efficient and orderly manner during large, unexpected movements and increased

volatility. The Exchange employs two intraday limits of 9% and 13% and a daily limit of 20% all using the Contract's previous day's settlement value, as described below:

- Once an intraday price limit is reached, the following actions take place over the next three (3) minutes:
 - The market enters a "paused" state for one (1) minute, with no order matching or trades occurring. Only order cancellations are allowed. New and replace orders are rejected by the Trading System.
 - During the second minute, the market enters the "pre-open" state, where no orders match and no Trades occur, but orders on opposite sides of the market may cross. Limit, Stop and Stop-Limit order types are accepted with a time in force of Good Till Cancelled ("GTC") or Day. Orders can also be canceled or replaced. Market, Fill or Kill ("FOK") and Immediate or Cancel ("IOC") orders are rejected by the Trading System.
 - In the third minute, the market enters a "pre-open no cancel" state, where no orders match and no Trades occur, but orders on opposite sides of the market may cross. Limit, Stop and Stop-Limit order types are accepted with a time in force of GTC or Day. Cancel and replace requests will not be accepted. Market, FOK and IOC orders are rejected by the Trading System.
 - At the end of the third minute, the market enters an "open" state, with regular price-time priority matching in effect, and all supported orders are accepted. Upon reopening, the Exchange does not calculate or disseminate an opening print.
 - Once the market enters an "open" state after an intraday limit of 9% has been reached on the up (down) side, all Contracts that are based on the Index will be subject, for the remainder of the Business Day, only to an intraday limit of 13% and a daily limit of 20% on the up (down) side all using the Contract's previous day's Daily Settlement.
 - Once the market enters an "open" state after an intraday limit of 13% has been reached on the up (down) side, all Contracts that are based on the Index will be subject, for the remainder of the Business Day, only to a daily limit of 20% on the up (down) side all using the Contract's previous day's Daily Settlement.
 - In the event that an intraday price limit is reached within three (3) minutes of the Exchange's market close time, the Exchange shall not reopen. The Exchange will publish a Daily Settlement or a Final Settlement on the Contract's day of expiration, as appropriate, using the process set forth in Exchange Rule 904 and the intraday price limit pause time as the Exchange's market close time for the purposes of such process.

- The market cannot trade at prices 20% above or below the Contract's previous day's settlement value. This is a pre-order validation that prevents the acceptance of orders at such prices in such circumstances.

In addition to the intraday and daily price limits established by the Exchange, all Futures based on the Small Cannabis Equity Index are subject to Market Wide Circuit Breakers ("MWCB") established by the U.S. equity, options, and futures exchanges for coordinated cross-market trading halts in the event of a severe market price decline in the S&P 500 Index (see, e.g., New York Stock Exchange Rule 7.12 "Trading Halts Due to Extraordinary Market Volatility"). These MWCB may halt trading temporarily or, under extreme circumstances, close the markets before the normal close of the trading session, and are set forth below:

- MWCB Level 1 Halt (a 7% decline in the S&P 500 Index). Trading will halt for at least 15 minutes if drop occurs at or after 8:30 AM CT but before 14:25 PM CT. At or after 14:25 PM CT – trading will continue, unless there is a Level 3 halt.
- MWCB Level 2 Halt (a 13% decline in S&P 500 Index). Trading will halt for at least 15 minutes if drop occurs at or after 8:30 AM CT but before 14:25 PM CT. At or after 14:25 PM CT – trading will continue, unless there is a Level 3 halt.
- MWCB Level 3 Halt (a 20% decline in S&P 500 Index). At any time during the trading day – trading will halt for the remainder of the trading day.

The Exchange coordinates with MWCB halts when they occur, irrespective of whether an Exchange intraday limit is in effect at the time of such MWCB.

When a MWCB is triggered, the Exchange will pause the trading of all Small Cannabis Equity Index Futures Contracts based on the Small Cannabis Equity Index Index for the duration of the particular MWCB halt. In the case of a MWCB Level 1 or 2 Halt, trading in such Contracts is paused for at least 15 minutes; or, in the case of a MWCB Level 3 Halt, trading in such Contracts ceases for the remainder of the trading day, and the market for such Contracts will open the next trading day at the Exchange's regular market opening time of 7:00 AM CT. In the case of a MWCB Level 1 or Level 2 Halt, the Exchange will enter a "pre-open" state, and then a "pre-open no cancel" state, for a minute each before reopening. Upon reopening, an opening price will not be disseminated.

In the event that a MWCB Level 3 Halt is in effect, the Exchange shall publish a Daily Settlement or a Final Settlement on the Contract's day of expiration, as appropriate, using the process set forth in Exchange Rule 904 and the MWCB Level 3 Halt time as with the Exchange's market close time for the purposes of such process.

38003.E. Position Limits, Exemptions, Accountability Levels and Reportable Levels

Position limits for the Contracts are 5,000 Contracts five business days prior to expiration.

There are no exemptions.

Position accountability levels for the Contracts are 10,000.

Reportable levels for the Contracts are 200.

Position limits, accountability levels and reportable levels are set forth in Exchange Rule 522, "Position Limits, Accountability Levels and Reportable Levels". Refer to Rule 522 for requirements concerning position limits, accountability levels, and reportable levels.

38003.F. Settlement Timing and Termination of Trading

Contracts are cash settled and trading shall cease on the last business day in the contract month, which is the third Friday of the month at 15:00:00 CT. If that day falls on a holiday, the last trading day is the first Business Day preceding the third Friday. Expiration will occur the same business day as the cash settlement of the Contract. New Contracts will begin trading the trading day following expiration.

38004. Settlement Procedures

Contracts will be cash settled.

38004.A. Final Settlement Value

On the day of expiration, the Final Settlement of the Contract, which is based on an Exchange equity index, will be determined pursuant to the process set forth in Exchange Rule 904(e)(i).

38004.B. Final Settlement

Clearing Members holding open positions in an expiring Contract at its termination of trading shall make payment to or receive payment from the Clearing House in accordance with normal variation margin procedures based on such expiring Contract's Final Settlement.

38005. Disclaimer

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Appendix B: Applicable Position Limits and Reportable Position Levels

Instrument Name	Small Cannabis Equity Index Futures Contracts
Symbol	S420
Rulebook Chapter	38
Contract Size	\$100 x Small Cannabis Equity Index
Type	Future
Settlement	Cash
Large Trader Reporting Level	200
Position Accountability Level	10,000
Expiring Month Position Limit Level Five Business Days Prior to Expiration	5,000

Appendix C: Applicable Non-Reviewable Trading Ranges

Instrument Name	Symbol	Non-Reviewable Range (NRR)	NRR: Ticks
Small Cannabis Equity Index Futures Contracts	S420	0.25 index points	25 from last trade

Appendix D: Pertinent Special Price Fluctuation Limits

Product	Rulebook Chapter	Symbol	Primary/Associated	Associated With	Level 1	Level 2	Level 3
Small Cannabis Equity Index Futures Contracts	38	S420	Primary	Primary	9%	13%	20%

Appendix E: Small Cannabis Equity Index Methodology

Redacted

Appendix F: Small Cannabis Equity Index Components
and Weights

Redacted

Appendix G: Settlement Day, Value, and Process

Redacted

Appendix H: Exchange Fees

Non-Subscriber

Exchange Fee \$0.15 per Contract

Individual Subscription Holders (Initial Lifetime Subscription Offer)

Exchange Fee \$0.07 per Contract (1/2 off rack rate \$0.15)

Market Maker

Exchange Fee \$0.05 per Contract

Appendix I: Historical Data

Redacted