

# Kalshi

**FOIA CONFIDENTIAL TREATMENT REQUESTED by KalshiEX LLC – Pursuant to 17 C.F.R. §§ 40.8 and 145.9**

Via E-mail  
Assistant Secretary of the Commission  
for FOI, Privacy and Sunshine Acts Compliance  
U.S. Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, NW  
Washington, DC 20581  
FOIAsubmissions@cftc.gov

Re: FOIA Confidential Treatment Request

Dear Sir or Madam:

July 14, 2021

KalshiEX LLC (“Submitter”) hereby respectfully requests that the Commodity Futures Trading Commission (the “CFTC”) accord confidential treatment under 17 C.F.R. §§ 40.8 and 145.9 to the confidential appendices transmitted today with this letter that are marked confidential, and all information derived therefrom (collectively, the “Confidential Information”). Pursuant to Commission Regulation 145.9(d)(4), please consider that this cover sheet has been clearly marked “FOIA Confidential Treatment Requested by KalshiEX LLC” and is securely attached to the group of records submitted for which confidential treatment is requested.

This request for confidential treatment is made pursuant to 17 C.F.R. §145.9(d)(1) because Submitter believes that the Confidential Information is covered by one or more exemptions in the Freedom of Information Act (the “FOIA”) (5 U.S.C. §552(b)) and is therefore exempt from the CFTC’s public disclosure requirements pursuant to 17 C.F.R. §145.5. In particular, 5 U.S.C. §552(b)(4) and 17 C.F.R. §145.9(d)(1)(ii) exempts disclosure that would reveal the Submitter’s trade secrets or confidential commercial or financial information. Submitter believes that the Confidential Information contains confidential commercial and financial information as well as proprietary information regarding business procedures and systems that should be protected from public disclosure pursuant to this exemption. Confidential treatment is requested for a period of five years.

If the Commission or its staff transmits any of the Confidential Submission to another federal agency, Submitter requests that you forward a copy of this letter to any such agency with the

Submission and further requests that you advise any such agency that Submitter has requested that this material be accorded confidential treatment.

The requests set forth in the preceding paragraphs also apply to any memoranda, notes, transcripts or other writings of any sort whatsoever that are made by, or at the request of, any employee of the Commission (or any other federal agency) and which (1) incorporate, include or relate to any aspect of the Confidential Submission; or (2) refer to any conference, meeting, or telephone conversation between Submitter, its current or former employees, representatives, agents, auditors or counsel on the one hand and employees of the Commission (or any other government agency) on the other, relating to the Confidential Submission.

This request is not to be construed as a waiver of any other protection from disclosure or confidential treatment accorded by law, and Submitter will rely on and invoke any such confidentiality protection. Submitter requests that the CFTC advise the undersigned, pursuant to 17 C.F.R. §145.9(e)(1), in advance of any disclosure of the Confidential Information pursuant to the FOIA, so that this request for confidential treatment may be substantiated.

If you should have any questions or comments or require further information, please do not hesitate to contact the undersigned at [emishory@kalshi.com](mailto:emishory@kalshi.com) or (443) 839-3192.

Yours,

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