

**Product Submission by ForecastEx LLC – Pursuant to 17 C.F.R. §§ 40.2**

July 26, 2024

**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: ForecastEx LLC – CFTC Regulation 40.2(a) Notification Regarding the Initial Listing of “US Retail Sales Event Market”**

Dear Mr. Kirkpatrick,

Pursuant to Section 5c(c) of the Commodity Exchange Act and Section 40.2(a) of the regulations of the Commodity Futures Trading Commission, ForecastEx LLC (“ForecastEx” or the “Exchange”) hereby notifies the Commission that it is self-certifying the “US Retail Sales Event Market”. ForecastEx will list an Event Market corresponding to each monthly release of the US Monthly Retail Trade Report by the U.S Census Bureau.

The submission includes:

A concise explanation, analysis and background of the Contract;

- Certification;
- Appendix A with the Contract’s Terms and Conditions;
- Confidential Appendices with further information; and
- A request for FOIA confidential treatment.

The Exchange certifies that this submission (other than those appendices for which confidential treatment has been requested) has been concurrently posted on the Exchange’s website.

Any questions regarding this filing, as well as any notices pursuant to Commission Regulation 40.2, should be directed to the attention of the undersigned at [gdeese@forecastex.com](mailto:gdeese@forecastex.com) or 630-743-9013.

Respectfully submitted,

A handwritten signature in black ink that reads "Graham Deese". The signature is written in a cursive, flowing style.

Graham Deese  
ForecastEx Chief Regulatory Officer

Encl. (Appendix A)

cc: David Downey, ForecastEx Chief Executive Officer  
Andrew Naughton, ForecastEx Chief Financial Officer

**Attachments:**

Appendix A - Contract Terms and Conditions

Appendix B (Confidential) – Explanation and Analysis of the Product

Appendix C (Confidential) – Certification that Contracts are not Readily Susceptible to Manipulation

## Appendix A – Contract Terms and Conditions

**Event Question:** Will the US Retail Sales growth rate be greater than [#.#%] in [month][year] ?

**Product Code:** RSM

**Instructions:** US Retail Sales are published by the Census Bureau around the 15<sup>th</sup> of every month as part of the Advance Monthly Retail Trade Report. A schedule of release dates is available on the Census website [here](#) and the data is released at 7:30 AM CT.

**Underlying:** The Underlying can be accessed: [here](#). Each month's report is available at the following stable URL, which automatically displays the latest available report: [here](#). The Underlying is typically listed in the first sentence of the first page of the monthly report under the heading "Advance Estimates of U.S. Retail and Food Services". ForecastEx uses the Census's report of retail sales in month-over-month percentage change to settle its contracts. Links are provided for informational purposes only and the source agency may decide to publish the data at a different location at any time.

**Source Agency:** US Census Bureau

**Minimum Tick:** The Minimum Tick size for the referred Contract shall be \$0.01.

**Listing Cycle:** ForecastEx will list eight expirations of US Retail Sales at any given time which will go out to a maximum of 24 months. ForecastEx will list the next three calendar month releases. After the third monthly contract, ForecastEx will list the three monthly releases corresponding to the end of each quarter (The March, June, September, and December US Retail Sales data releases). Finally, ForecastEx will list the two monthly contracts corresponding with the next June and December releases that follow the third quarterly release.

**Thresholds:** For each contract expiration, one threshold will initially be listed and additional thresholds will be listed at ForecastEx's discretion.

**Position Accountability:** The position accountability level is 250,000 Event Positions in any one Event Market.

**Last Trading Time:** 11:59:59 PM CT on the trading day preceding the Resolution Time.

**Payout Criteria:** The Settlement Value of each US Retail Sales Contract is \$1.00 or \$0 depending on the Outcome of the Event Question. If the Outcome of the Event Question is "Yes", then holders of the "Yes" Position will be entitled to receive the Settlement Value of \$1.00 per contract and holders of the "No" Position will receive \$0.00. If the Outcome of the Event Question is "No", then holders of the "No" Position will be entitled to receive the Settlement Value of \$1.00 per contract and holders of the "Yes" Position will receive \$0.00.

**Resolution Time:** 7:30 AM CT when US Census Bureau publishes the US Retail Sales.

**Changes in Resolution Time:** The Resolution Time of a Contract is dependent on the time that US Census Bureau releases US Retail Sales data. There are circumstances where ForecastEx may change the Resolution Time of a Contract.

1. **Delay by Source Agency:** In the event that the release of the US Retail Sales is delayed by the US Census Bureau, for instance in a government shutdown, ForecastEx will delay the Resolution Time of the Contract until such time as the US Census Bureau releases the US Retail Sales data. In this case, ForecastEx would release a public notice to its website informing Market Participants that the Resolution of the Contract has been delayed and release a second notice to its website informing Market Participants when the contract ultimately resolves.
2. **Contracts with no currently scheduled release date:** The US Census Bureau generally publishes the release dates for US Retail Sales data up through the end of the current calendar year. ForecastEx will list multiple US Retail Sales contracts that have Resolution dates beyond the currently published schedule of releases. For these contracts, ForecastEx will approximate the Resolution Time based on the anticipated release schedule from the US Census Bureau. Once the US Census Bureau has published the release schedule, ForecastEx will update the Resolution Times of the contract if necessary and publish a public notice to its website informing Market Participants of the revised Resolution Time.

**Expiration Time:** Same as Resolution Time.

**Settlement Time:** Settlement for Resolved US Retail Sales Contracts will occur after Resolution Time at 13:00 PM CT that same Business Day in accordance with ForecastEx Rule 603(b)(3).