



September 30, 2020

Via CFTC Portal Submissions

Mr. Christopher Kirkpatrick  
Secretary of the Commission  
Office of the Secretariat  
Commodity Futures Trading Commission  
3 Lafayette Centre  
1155 21<sup>st</sup> Street, N.W.  
Washington D.C. 20581

**RE: Notice of Emergency Action: Nadex Trading Platform Outage - Submission Pursuant to Commission Regulation §40.6(a)**

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended (the “Act”), and §40.6(a) of the regulations promulgated by the Commodity Futures Trading Commission (the “Commission”) under the Act, North American Derivatives Exchange, Inc. (“Nadex”, the “Exchange”) hereby submits to the Commission this notice of emergency action.

On trade date September 29, 2020 at 5:21AM ET, the Nadex trading platform experienced an outage caused by an expired WebLogic certificate. While the Exchange backend was unaffected, as a result of the certificate expiration Members were unable to log into their accounts, and those who were logged in at the time of the outage were unable to enter trades or close positions. While attempting to renew the certificate, the service provider required an update to the encryption level which delayed the reinstatement of service. The necessary changes to the service level were completed and the certificate was renewed, restoring the platform at 9:57am ET.

The Operations and Infrastructure teams undertook an audit of all certificates with the potential to affect the Nadex trading platform to prevent such incidents in the future.

Two individuals who were unable to exit their positions during the outage are being reimbursed for their trades, for a total of approximately \$300.

North American Derivatives Exchange, Inc., 200 West Jackson Blvd., Suite 1400, Chicago, IL 60606

U.S Toll-Free +1 (877) 77 NADEX [info@nadex.com](mailto:info@nadex.com) [www.nadex.com](http://www.nadex.com)

No substantive opposing views were expressed to Nadex with respect to this emergency action.

This emergency action is authorized by the Chief Financial Officer and the Chief Compliance Officer of Nadex per Nadex Rule 2.4.

Nadex hereby certifies that the revisions or amendments contained herein comply with the Act, as amended, and the Commission Regulations adopted thereunder.

Nadex hereby certifies that a copy of this amendment was posted on its website at the time of this filing.

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@ig.com](mailto:jaime.walsh@ig.com).

Sincerely,



Jaime Walsh  
Legal Counsel