November 26, 2021

Via CFTC Portal Submissions

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

RE: Rule Certification: Nadex Lists New Event Binary Contracts – Submission Pursuant to Commission Regulation §40.2(a)

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended (the "Act"), and §40.2(a) of the regulations promulgated by the Commodity Futures Trading Commission (the "Commission") under the Act, North American Derivatives Exchange, Inc. ("Nadex" or the "Exchange") hereby submits to the Commission its intent to add several new event binary contracts which will be set forth in the following Nadex Rules, which collectively will be referred to in this submission as the "New Event Contracts":

Rule 12.76 Corn Yields Binary Contracts

Rule 12.77 Soybeans Yields Binary Contracts

Rule 12.78 Crude Oil Inventories Change Binary Contracts

Rule 12.79 Natural Gas Net Change Binary Contracts

Rule 12.80 Consumer Price Index – All Items Less Food and Energy Binary Contracts

Rule 12.81 Consumer Price Index – Food at Home Binary Contracts

Rule 12.82 Consumer Price Index – Food Away From Home Binary Contracts

Rule 12.83 Consumer Price Index Binary Contracts

Rule 12.84 Federal Balance Sheet Total Assets (Millions) Binary Contracts

Rule 12.85 New Home Sales Binary Contracts

Rule 12.86 Retail Sales Change Binary Contracts

All New Event Contracts will be listed according to their respective contract specifications at least two trade days prior to the scheduled release dates of the relevant figures reported by the Source Agency which will serve as the Contracts' Expiration Value. The New Event Contracts will join Nadex's current event product offering, which includes the Nadex Initial Jobless Claims, Nonfarm Payrolls, Gross Domestic Product, and Unemployment Rate Binary Contracts, as part of Nadex's efforts to ignite public interest in contracts based on government-released event figures.

The New Event Contracts will be structured in much the same way as Nadex's currently listed event contracts. Five strike levels will be generated for each of the New Event Contracts with consecutive width levels, with the exception of the Federal Balance Sheet Total Assets (Millions) which will have only one strike level. The Expiration Value for each of the New Event Contracts will be the relevant figures reported by the Source Agency as specified in each Contracts' individual specifications, which will include the United States Department of Agriculture, World Agricultural Outlook Board, United States Department of Labor, Bureau of Labor Statistics, United States Energy Information Administration, United States Federal Reserve Bank, or the United States Census Bureau. The New Event Contracts will be settled based on the Expiration Value. Like all Nadex binary contracts, the New Event Contracts will have a settlement payout of either $100 or $0. All New Event Contracts will be listed at 8:00AM ET on the Start Date day and will cease trading pursuant to each Contracts' individual specifications, 5 minutes prior to the release of the relevant figures reported by the Source Agency on the Last Trading Day. Nadex has at least one dedicated market maker who is committed to providing liquidity for the New Event Contracts.

<u>DCM Core Principles</u>

Nadex has identified the following Designated Contract Market ("DCM") Core Principles as potentially being impacted by the launch of the New Event Contracts: Core Principle 2 (Compliance with Rules), Core Principle 3 (Contracts Not Readily Subject to Manipulation), Core Principle 4 (Prevention of Market Disruption), Core Principle 7 (Availability of General Information), Core Principle 8 (Daily Publication of Trading Information), and Core Principle 18 (Recordkeeping).

Core Principle 2 (Compliance with Rules), implemented by Commission Regulations Subparts 38.156 and 38.157, require a DCM to maintain an automated trade surveillance system capable of detecting and investigating potential trade practice violations, and to conduct real-time market monitoring of all trading activity. Nadex has a dedicated Compliance staff who monitor all activity at the Exchange. Nadex uses the automated SCILA surveillance system to aid in the ongoing monitoring of all trading activity and has the capability of detecting potential trade practice violations based on the parameters set by the DCM. This surveillance system monitors

all trading activity on the Exchange in real-time and will be able to monitor activity in the New Event Contracts in the same manner. The Nadex surveillance system and its staff currently monitor all trading activity, and this will not change with the addition of the New Event Contracts. Therefore, the addition of the New Event Contracts will not negatively impact Nadex's ability to comply with this Core Principle.

Core Principles 3 and 4 (Contracts Not Readily Subject to Manipulation and Prevention of Market Disruption), implemented by Commission Regulations 38.200 and 38.250, require a DCM to list only contracts that are not readily susceptible to manipulation and to prevent market disruption. Nadex has at least one of its existing Market Makers that has committed to providing liquidity in these contracts, which should limit opportunities for markets in the New Event Contracts to be manipulated. As previously stated, Nadex also uses the SCILA surveillance system to assist with market monitoring and has a staff dedicated to market surveillance to detect potential market manipulation. Finally, the Expiration Value for the listed contracts will be the relevant figures released by the applicable Source Agency, all of which are sectors of the United States government. In an effort to prevent an early release of such statistics, the relevant Source Agency publishes the scheduled release dates for the relevant figures well in advance of the release.

Regulation 38.256 requires a DCM to have the ability to comprehensively and accurately reconstruct all trading on its trading facility. Nadex is currently able to reconstruct trading in its markets based on the data stored in the database, the SCILA surveillance system, as well as the Exchange log files. Trade data will continue to be stored in this same manner following the addition of the New Event Contracts. Therefore, the addition of these contracts will not negatively impact Nadex's ability to comply with these Core Principles.

Core Principles 7 and 8, implemented by Regulations 38.400, 38.401, 38.450, and 38.451, require a DCM to make available to the public accurate information regarding the contract terms and conditions, as well as daily information on contracts such as settlement price, volume, open interest, and opening and closing ranges. Nadex makes the Exchange Rulebook available on its website, as well as the Daily Bulletin which contains the preceding required information. The Results page on the website also publishes the Expiration Value and Settlement Value for all Nadex contracts settled during that week. Contract specifications for the New Event Contracts will likewise be set forth in the Rulebook and on the Nadex website. Settlement prices, volume, open interest, and opening and closing ranges for the New Event Contracts will be included on the Daily Bulletin and posted on the Nadex website. Therefore, the addition of the New Event Contracts will not negatively impact Nadex's ability to comply with these Core Principles.

Finally, Core Principle 18, implemented by Regulation 38.951, requires a DCM to maintain records in accordance with part 45, Swap Data Recordkeeping and Reporting Requirements. In early 2013, Nadex and CFTC staff engaged in discussions regarding the classification of its Binary Contracts and Variable Payout Contracts following the Dodd-Frank amendments to the Act. The review resulted in the determination that Nadex Binary Contracts and Variable Payout Contracts were deemed to be "swaps" under Section 1a(47) of the Act. On June 30, 2017, Nadex was granted

relief in CFTC Letter No. 17-31 (the "Letter") from Commission Regulations 38.8(b), 38.10, 38.951 (in part), 39.20(b)(2) and Parts 43 and 45 with respect to its binary and spread contracts. The New Event Contracts are binary options that will be covered by the relief letter, and therefore any trading activity in these contracts will not be reported to a swap data repository. Nadex will continue to meet the requirements for which it has not been granted relief, as well as the conditional requirements set forth in the Letter. Therefore, the amendments discussed herein will negatively impact Nadex's ability to comply with this Core Principle.

DCO Core Principles

Nadex has identified the following Derivatives Clearing Organization ("DCO") Core Principles as potentially being impacted by the addition of the New Event Contracts: Core Principle C (Participant and Product Eligibility), Core Principle E (Settlement Procedures), Core Principle K (Recordkeeping), and Core Principle L (Public Information).

Core Principle C, implemented by Regulation 39.12, requires a DCO to determine the eligibility of contracts for clearing. Nadex has determined the New Event Contracts will be eligible for clearing as trading in these event contracts will be on a fully-collateralized basis, as required by Nadex's Order of Designation, thereby mitigating any credit risk of a particular member to Nadex or any other market participant.

Core Principle E, implemented by Regulation 39.14, includes in the definition of 'settlement', that is, "[a]ll payments due in final settlement of futures, options, and swaps on the final settlement date with respect to such positions". Nadex's New Event Contracts will settle in a timely manner after the Expiration Value is published by the relevant federal government department. Also, in accordance with this Core Principle, Nadex will continue to maintain an accurate record of the flow of funds associated with each settlement of the New Event Contracts. Therefore, the additions discussed herein will not negatively impact Nadex's ability to comply with this Core Principle.

Core Principle K, implemented by Regulation 39.20, requires a DCO that clears swaps maintain swap data in accordance with the requirements of part 45. As indicated above, Nadex has been granted relief from Commission Regulations 38.8(b), 38.10, 38.951 (in part), 39.20(b)(2) and Parts 43 and 45 in CFTC Letter No. 17-31 with respect to its binary option and spread contracts. Nadex will continue to meet the requirements for which it has not been granted relief, as well as the conditional requirements set forth in the Letter.

Core Principle L, implemented by Regulation 39.21, requires a DCO to make available to the public the terms and conditions of each contract, as well as the daily settlement prices, volume, and open interest of the contract. As stated previously, the Rulebook contains the contract specifications for all contracts listed on the Exchange and is made available to the public on the Nadex website. All settlement values are listed on the Nadex website on the 'Results Page', as

well as the Daily Bulletin which also shows volume and open interest. Therefore, the amendments discussed herein will not negatively impact Nadex's ability to comply with this Core Principle.

Pursuant to Commission Regulation §40.2(a)(2) which provides that the Commission receive the submission for the new product listing by the beginning of the business day prior to the listing of the new products, Nadex will begin listing the New Event Contracts on December 2, 2021.

Rule amendments and additions have been outlined in Exhibit A. The amendments to the Rulebook are set forth in Exhibit B. Any deletions have been stricken out while the amendments and/or additions have been underlined.

No substantive opposing views were expressed to Nadex with respect to these amendments.

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

Nadex certifies that a copy of these amendments 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.

Sincerely,

Jaime Walsh
Legal Counsel

EXHIBIT A

Rule	Asset	Duration/Close Time	Action	Effective Date
12.76	Corn Yields Binary Contracts	Weekly; 11:55am ET Close Time on the Last Trading Date	Add Corn Yields Binary Contracts Specifications	December 2, 2021
12.77	Soybeans Yields Binary Contracts	Weekly; 11:55am ET Close Time on the Last Trading Date	Add Soybeans Yields Binary Contracts Specifications	December 2, 2021
12.78	Crude Oil Inventories Change Binary Contracts	Weekly; 10:25am ET Close Time on the Last Trading Date	Add Crude Oil Inventories Binary Change Contracts Specifications	December 2, 2021
12.79	Natural Gas Net Change Binary Contracts	Weekly; 10:25am ET Close Time on the Last Trading Date	Add Natural Gas Net Change Binary Contracts Specifications	December 2, 2021
12.80	Consumer Price Index – All Items Less Food and Energy Binary Contracts	Weekly; 8:25am ET Close Time on the Last Trading Date	Add Consumer Price Index – All Items Less Food and Energy Binary Contracts Specifications	December 2, 2021
12.81	Consumer Price Index – Food at Home Binary Contracts	Weekly; 8:25am ET Close Time on the Last Trading Date	Add Consumer Price Index – Food at Home Binary Contracts Specifications	December 2, 2021
12.82	Consumer Price Index – Food Away From Home Binary Contracts	Weekly; 8:25am ET Close Time on the Last Trading Date	Add Consumer Price Index – Food Away From Home Binary Contracts Specifications	December 2, 2021

12.83	Consumer Price Index Binary Contracts	Weekly; 8:25am ET Close Time on the Last Trading Date	Add Consumer Price Index Binary Contracts Specifications	December 2, 2021
12.84	Federal Balance Sheet Total Assets (Millions) Binary Contracts	Weekly; 4:25pm ET Close Time on the Last Trading Date	Add Federal Balance Sheet Total Assets (Millions) Binary Contracts Specifications	December 2, 2021
12.85	New Home Sales Binary Contracts	Weekly; 9:55am ET Close Time on the Last Trading Date	Add New Home Sales Binary Contracts Specifications	December 2, 2021
12.86	Retail Sales Change Binary Contracts	Weekly; 8:25am ET Close Time on the Last Trading Date	Add Retail Sales Change Binary Contracts Specifications	December 2, 2021

EXHIBIT B

Addition of Rules 12.76-12.86

(The following Rule amendments are underlined and deletions are stricken out)

RULES 1.1 – 12.75 [UNCHANGED]

RULE 12.76 CORN YIELDS BINARY CONTRACTS

(a) SCOPE –These Rules shall apply to the Class of Contracts referred to as the Corn Yields Binary Contract issued by Nadex.

(b) UNDERLYING – The Underlying for this Class of Contracts is the Projected Corn Yields per Harvested Acre (bushels) for the current month and marketing year last reported by the Source Agency in the World Agricultural Supply and Demand Estimates Report. The Start Date for the Corn Yields Binary Contracts will be at least two business days prior to the next Expiration Date. The End Date will be the Last Trading Date.

(c) SOURCE AGENCY – The Source Agency is the United States Department of Agriculture, World Agricultural Outlook Board ("WAOB").

(d) TYPE – The Type of Contract is a Binary Contract.

(e) PAYOUT CRITERION – The Payout Criterion for each Contract will be set by Nadex at the time the Binary Contracts are initially issued. For the Corn Yields Binary Contract, the Payout Criteria for the Contracts will be set as follows:

(i) WEEKLY CORN YIELDS BINARY CONTRACTS

(1) At the commencement of trading in a Corn Yields Binary Contract, Nadex shall list all eligible Payout Criteria in a range of five (5) consecutive increments between 0 and 1,000.1 as determined by Nadex, with contract Payout Criteria of greater than (>) the Expiration Value. For example, Nadex may list the following range of Payout Criteria (using the 0.3 increment): 170.1, 170.4, 170.7, 171.0, 171.3. For the next issuance, Nadex may list the following range of Payout Criteria (using a 1.5 increment): 170.0, 171.5, 173.0, 174.5, 176.0.

(2) In each case above, "X" equals the first Payout Criteria listed. In the first example above, this is 170.1; in the second example above, this is 170.0.

(ii) Nadex may list additional Corn Yields Binary Contracts with different ranges of Payout Criteria on a discretionary basis in accordance with the Department of Agriculture and Commission Regulations.

(f) MINIMUM TICK – The Minimum Tick size for the Corn Yields Binary Contracts shall be $0.25.

(g) POSITION LIMIT – There are currently no Position Limits for the Corn Yields Binary Contract.

(h) LAST TRADING DATE – The Last Trading Date in a Series is the same day as the Expiration Date. The Corn Yields Binary Contracts will stop trading on the Last Trading Date at 11:55 AM ET.

(i) SETTLEMENT DATE – The Settlement Date will be the date the Corn Yields number is released by the Source Agency.

(j) EXPIRATION DATE – The Expiration Date of the Contract will be the date on which the Corn Yields number, as reported in the World Agricultural Supply and Demand Estimates Report, is scheduled to be released.

(k) SETTLEMENT VALUE – The Settlement Value is the amount paid to the holder of the in the money Contract on Settlement Date. The Settlement Value of an in the money Corn Yields Binary Contract is $100.

(l) EXPIRATION VALUE – The Expiration Value is the level of the Corn Yields release number on the Expiration Date. The Expiration Value is released by the Source Agency at 12:00 PM ET on the Expiration Date.

(m) CONTINGENCIES – If no level is actually announced on the Expiration Date due to a delay, postponement or otherwise in such release announcement by the Source Agency, the Settlement Date will be delayed until the Underlying number is released for that Series.

RULE 12.77 SOYBEANS YIELDS BINARY CONTRACTS

(a) SCOPE –These Rules shall apply to the Class of Contracts referred to as the Soybeans Yields Binary Contract issued by Nadex.

(b) UNDERLYING – The Underlying for this Class of Contracts is the Projected Soybeans Yields per Harvested Acre (bushels) for the current month and marketing year last reported by the Source Agency in the World Agricultural Supply and Demand Estimates Report. The Start Date for the Soybeans Yields Binary Contracts will be at least two business days prior to the next Expiration Date. The End Date will be the Last Trading Date.

(c) SOURCE AGENCY – The Source Agency is the United States Department of Agriculture, World Agricultural Outlook Board ("WAOB").

(d) TYPE – The Type of Contract is a Binary Contract.

(e) PAYOUT CRITERION – The Payout Criterion for each Contract will be set by Nadex at the time the Binary Contracts are initially issued. For the Soybeans Yields Binary Contract, the Payout Criteria for the Contracts will be set as follows:

(i) WEEKLY SOYBEANS YIELDS BINARY CONTRACTS

(1) At the commencement of trading in a Soybeans Yields Binary Contract, Nadex shall list all eligible Payout Criteria in a range of five (5) consecutive increments between 0 and 1,000.1 as determined by Nadex, with contract Payout Criteria of greater than (>) the Expiration Value. For example, Nadex may list the following range of Payout Criteria (using the 0.3 increment): 50.1, 50.4, 50.7, 60.0, 60.3. For the next issuance, Nadex may list the following range of Payout Criteria (using a 1.5 increment): 61.0, 62.5, 64.0, 65.5, 67.0.

(2) In each case above, "X" equals the first Payout Criteria listed. In the first example above, this is 50.1; in the second example above, this is 61.0.

(ii) Nadex may list additional Soybeans Yields Binary Contracts with different ranges of Payout Criteria on a discretionary basis in accordance with the Department of Agriculture and Commission Regulations.

(f) MINIMUM TICK – The Minimum Tick size for the Soybeans Yields Binary Contracts shall be $0.25.

(g) POSITION LIMIT – There are currently no Position Limits for the Soybeans Yields Binary Contract.

(h) LAST TRADING DATE – The Last Trading Date in a Series is the same day as the Expiration Date. The Soybeans Yields Binary Contracts will stop trading on the Last Trading Date at 11:55 AM ET.

(i) SETTLEMENT DATE – The Settlement Date will be the date the Soybeans Yields number is released by the Source Agency.

(j) EXPIRATION DATE – The Expiration Date of the Contract will be the date on which the Soybeans Yields number, as reported in the World Agricultural Supply and Demand Estimates Report, is scheduled to be released.

(k) SETTLEMENT VALUE – The Settlement Value is the amount paid to the holder of the in the money Contract on Settlement Date. The Settlement Value of an in the money Soybeans Yields Binary Contract is $100.

(l) EXPIRATION VALUE – The Expiration Value is the level of the Soybeans Yields release number on the Expiration Date. The Expiration Value is released by the Source Agency at 12:00 PM ET on the Expiration Date.

(m) CONTINGENCIES – If no level is actually announced on the Expiration Date due to a delay, postponement or otherwise in such release announcement by the Source Agency, the Settlement Date will be delayed until the Underlying number is released for that Series.

RULE 12.78 CRUDE OIL INVENTORIES CHANGE BINARY CONTRACTS

(a) SCOPE –These Rules shall apply to the Class of Contracts referred to as the Crude Oil Inventories Change Binary Contract issued by Nadex.

(b) UNDERLYING – The Underlying for this Class of Contracts is the weekly increase or decrease in Crude Oil Inventories last reported by the Source Agency. The Start Date for the Crude Oil Inventories Change Binary Contracts will be at least two business days prior to the next Expiration Date. The End Date will be the Last Trading Date.

(c) SOURCE AGENCY – The Source Agency is the United States Energy Information Administration.

(d) TYPE – The Type of Contract is a Binary Contract.

(e) PAYOUT CRITERION – The Payout Criterion for each Contract will be set by Nadex at the time the Binary Contracts are initially issued. For the Crude Oil Inventories Change Binary Contract, the Payout Criteria for the Contracts will be set as follows:

(i) WEEKLY CRUDE OIL INVENTORIES CHANGE BINARY CONTRACTS

(1) At the commencement of trading in a Crude Oil Inventories Change Binary Contract, Nadex shall list all eligible Payout Criteria in a range of five (5) consecutive increments between -10,000,000 and 10,000,000, as determined by Nadex, with contract Payout Criteria of greater than (>) the Expiration Value. For example, Nadex may list the following range of Payout Criteria (using the 1,000,000 increment): 1,000,000, 2,000,000, 3,000,000, 4,000,000, and 5,000,000. For the next issuance, Nadex may list the following range of Payout Criteria (using a 2,000,000 increment): -2,000,000, 0, 2,000,000, 4,000,000, and 6,000,000.

(2) In each case above, "X" equals the first Payout Criteria listed. In the first example above, this is 1,000,000; in the second example above, this is -2,000,000.

(ii) Nadex may list additional Crude Oil Inventories Change Binary Contracts with different ranges of Payout Criteria on a discretionary basis in accordance with the Energy Information Administration and Commission Regulations.

(f) MINIMUM TICK – The Minimum Tick size for the Crude Oil Inventories Change Binary Contracts shall be $0.25.

(g) POSITION LIMIT – There are currently no Position Limits for the Crude Oil Inventories Change Binary Contract.

(h) LAST TRADING DATE – The Last Trading Date in a Series is the same day as the Expiration Date. The Crude Oil Inventories Change Binary Contracts will stop trading on the Last Trading Date at 10:25 AM ET.

(i) SETTLEMENT DATE – The Settlement Date will be the date the Crude Oil Inventories Change number is released by the Source Agency.

(j) EXPIRATION DATE – The Expiration Date of the Contract will be the date on which the Crude Oil Inventories Change number, as reported in the Weekly Petroleum Status Report, is scheduled to be released.

(k) SETTLEMENT VALUE – The Settlement Value is the amount paid to the holder of the in the money Contract on Settlement Date. The Settlement Value of an in the money Crude Oil Inventories Change Binary Contract is $100.

(l) EXPIRATION VALUE – The Expiration Value is the level of the Crude Oil Inventories Change release number on the Expiration Date. The Expiration Value is released by the Source Agency at 10:30 AM ET on the Expiration Date.

(m) CONTINGENCIES – If no level is actually announced on the Expiration Date due to a delay, postponement or otherwise in such release announcement by the Source Agency, the Settlement Date will be delayed until the Underlying number is released for that Series.

RULE 12.79 NATURAL GAS NET CHANGE (BCF) BINARY CONTRACTS

(a) SCOPE –These Rules shall apply to the Class of Contracts referred to as the Natural Gas Net Change (bcf) Binary Contract issued by Nadex.

(b) UNDERLYING – The Underlying for this Class of Contracts is the weekly Natural Gas Net Change (bcf) last reported by the Source Agency. The Start Date for the Natural Gas Net Change (bcf) Binary Contracts will be at least two business days prior to the next Expiration Date. The End Date will be the Last Trading Date.

(c) SOURCE AGENCY – The Source Agency is the United States Energy Information Administration.

(d) TYPE – The Type of Contract is a Binary Contract.

(e) PAYOUT CRITERION – The Payout Criterion for each Contract will be set by Nadex at the time the Binary Contracts are initially issued. For the Natural Gas Net Change Binary Contract, the Payout Criteria for the Contracts will be set as follows:

(i) WEEKLY NATURAL GAS NET CHANGE BINARY CONTRACTS

(1) At the commencement of trading in a Natural Gas Net Change Binary Contract, Nadex shall list all eligible Payout Criteria in a range of five (5) consecutive

increments between -500 and 500, as determined by Nadex, with contract Payout Criteria of greater than (>) the Expiration Value. For example, Nadex may list the following range of Payout Criteria (using the 10 increment): 40, 50, 60, 70, and 80. For the next issuance, Nadex may list the following range of Payout Criteria (using a 20 increment): 65,85,105,125, and 145.

(2) In each case above, "X" equals the first Payout Criteria listed. In the first example above, this is 40; in the second example above, this is 65.

(ii) Nadex may list additional Natural Gas Net Change Binary Contracts with different ranges of Payout Criteria on a discretionary basis in accordance with the Energy Information Administration and Commission Regulations.

(f) MINIMUM TICK – The Minimum Tick size for the Natural Gas Net Change Binary Contracts shall be $0.25.

(g) POSITION LIMIT – There are currently no Position Limits for the Natural Gas Net Change Binary Contract.

(h) LAST TRADING DATE – The Last Trading Date in a Series is the same day as the Expiration Date. The Natural Gas Net Change Binary Contracts will stop trading on the Last Trading Date at 10:25 AM ET.

(i) SETTLEMENT DATE – The Settlement Date will be the date the Natural Gas Net Change number is released by the Source Agency.

(j) EXPIRATION DATE – The Expiration Date of the Contract will be the date on which the Natural Gas Net Change number, as reported in the Weekly Natural Gas Storage Report, is scheduled to be released.

(k) SETTLEMENT VALUE – The Settlement Value is the amount paid to the holder of the in the money Contract on Settlement Date. The Settlement Value of an in the money Natural Gas Net Change Binary Contract is $100.

(l) EXPIRATION VALUE – The Expiration Value is the level of the Natural Gas Net Change release number on the Expiration Date. The Expiration Value is released by the Source Agency at 10:30 AM ET on the Expiration Date.

(m) CONTINGENCIES – If no level is actually announced on the Expiration Date due to a delay, postponement or otherwise in such release announcement by the Source Agency, the Settlement Date will be delayed until the Underlying number is released for that Series.

RULE 12.80 CONSUMER PRICE INDEX – ALL ITEMS LESS FOOD AND ENERGY BINARY CONTRACTS

(a) SCOPE –These Rules shall apply to the Class of Contracts referred to as the Consumer Price Index - All Items less Food and Energy "Core CPI" Binary Contract issued by Nadex.

(b) UNDERLYING – The Underlying for this Class of Contracts is the monthly percentage increase or decrease in the Consumer Price Index – All Items Less Food and Energy last reported by the Source Agency. The Start Date for the CPI Less Food/Energy Binary Contracts will be at least two business days prior to the next Expiration Date. The End Date will be the Last Trading Date.

(c) SOURCE AGENCY – The Source Agency is the United States Department of Labor, Bureau of Labor Statistics ("BLS").

(d) TYPE – The Type of Contract is a Binary Contract.

(e) PAYOUT CRITERION – The Payout Criterion for each Contract will be set by Nadex at the time the Binary Contracts are initially issued. For the CPI Less Food/Energy Binary Contract, the Payout Criteria for the Contracts will be set as follows:

(i) WEEKLY CPI LESS FOOD/ENERGY BINARY CONTRACTS

(1) At the commencement of trading in a CPI Less Food/Energy Binary Contract, Nadex shall list all eligible Payout Criteria in a range of five (5) consecutive increments between -5.0% and 5.0%, as determined by Nadex, with contract Payout Criteria of greater than (>) the Expiration Value. For example, Nadex may list the following range of Payout Criteria (using the 0.1% increment): 2.2%, 2.3%, 2.4%, 2.5%, and 2.6%. For the next issuance, Nadex may list the following range of Payout Criteria (using a 0.5% increment): 1.5%, 2.0%, 2.5%, 3.0%, and 3.5%.

(2) In each case above, "X" equals the first Payout Criteria listed. In the first example above, this is 2.2%; in the second example above, this is 1.5%.

(ii) Nadex may list additional CPI Less Food/Energy Binary Contracts with different ranges of Payout Criteria on a discretionary basis in accordance with the Department of Labor and Commission Regulations.

(f) MINIMUM TICK – The Minimum Tick size for the CPI Less Food/Energy Binary Contracts shall be $0.25.

(g) POSITION LIMIT – There are currently no Position Limits for the CPI Less Food/Energy Binary Contract.

(h)   LAST TRADING DATE – The Last Trading Date in a Series is the same day as the Expiration Date. The CPI Less Food/Energy Binary Contracts will stop trading on the Last Trading Date at 8:25 AM ET.

(i)   SETTLEMENT DATE – The Settlement Date will be the date the CPI Less Food/Energy number is released by the Source Agency.

(j)   EXPIRATION DATE – The Expiration Date of the Contract will be the date on which the CPI Less Food/Energy, as reported in the CPI Report, is scheduled to be released.

(k)   SETTLEMENT VALUE – The Settlement Value is the amount paid to the holder of the in the money Contract on Settlement Date. The Settlement Value of an in the money CPI Less Food/Energy Binary Contract is $100.

(l)   EXPIRATION VALUE – The Expiration Value is the level of the CPI Less Food/Energy release number on the Expiration Date. The Expiration Value is released by the Source Agency at 8:30 AM ET on the Expiration Date.

(m)   CONTINGENCIES – If no level is actually announced on the Expiration Date due to a delay, postponement or otherwise in such release announcement by the Source Agency, the Settlement Date will be delayed until the Underlying number is released for that Series.

RULE 12.81 CONSUMER PRICE INDEX – FOOD AT HOME BINARY CONTRACTS

(a) SCOPE –These Rules shall apply to the Class of Contracts referred to as the Consumer Price Index – Food at Home "CPI Food at Home" Binary Contract issued by Nadex.

(b) UNDERLYING – The Underlying for this Class of Contracts is the monthly percentage increase or decrease in the Consumer Price Index – Food at Home last reported by the Source Agency. The Start Date for the CPI Food at Home Binary Contracts will be at least two business days prior to the next Expiration Date. The End Date will be the Last Trading Date.

(c) SOURCE AGENCY – The Source Agency is the United States Department of Labor, Bureau of Labor Statistics ("BLS").

(d) TYPE – The Type of Contract is a Binary Contract.

(e) PAYOUT CRITERION – The Payout Criterion for each Contract will be set by Nadex at the time the Binary Contracts are initially issued. For the CPI Food at Home Binary Contract, the Payout Criteria for the Contracts will be set as follows:

(i)   WEEKLY CPI FOOD AT HOME BINARY CONTRACTS

(1)   At the commencement of trading in a CPI Food at Home Binary Contract, Nadex shall list all eligible Payout Criteria in a range of five (5) consecutive

increments between -5.0% and 5.0%, as determined by Nadex, with contract Payout Criteria of greater than (>) the Expiration Value. For example, Nadex may list the following range of Payout Criteria (using the 0.1% increment): 2.2%, 2.3%, 2.4%, 2.5%, and 2.6%. For the next issuance, Nadex may list the following range of Payout Criteria (using a 0.5% increment): 1.5%, 2.0%, 2.5%, 3.0%, and 3.5%.

(2)   In each case above, "X" equals the first Payout Criteria listed. In the first example above, this is 2.2%; in the second example above, this is 1.5%.

(ii) Nadex may list additional CPI Food at Home Binary Contracts with different ranges of Payout Criteria on a discretionary basis in accordance with the Department of Labor and Commission Regulations.

(f)   MINIMUM TICK – The Minimum Tick size for the CPI Food at Home Binary Contracts shall be $0.25.

(g)   POSITION LIMIT – There are currently no Position Limits for the CPI Food at Home Binary Contract.

(h)   LAST TRADING DATE – The Last Trading Date in a Series is the same day as the Expiration Date. The CPI Food at Home Binary Contracts will stop trading on the Last Trading Date at 8:25 AM ET.

(i)   SETTLEMENT DATE – The Settlement Date will be the date the CPI Food at Home number is released by the Source Agency.

(j)   EXPIRATION DATE – The Expiration Date of the Contract will be the date on which the CPI Food at Home, as reported in the CPI Report, is scheduled to be released.

(k)   SETTLEMENT VALUE – The Settlement Value is the amount paid to the holder of the in the money Contract on Settlement Date. The Settlement Value of an in the money CPI Food at Home Binary Contract is $100.

(l)   EXPIRATION VALUE – The Expiration Value is the level of the CPI Food at Home release number on the Expiration Date. The Expiration Value is released by the Source Agency at 8:30 AM ET on the Expiration Date.

(m)   CONTINGENCIES – If no level is actually announced on the Expiration Date due to a delay, postponement or otherwise in such release announcement by the Source Agency, the Settlement Date will be delayed until the Underlying number is released for that Series.

RULE 12.82 CONSUMER PRICE INDEX – FOOD AWAY FROM HOME BINARY CONTRACTS

(a) SCOPE –These Rules shall apply to the Class of Contracts referred to as the Consumer Price Index – Food Away From Home "CPI Food Away From Home" Binary Contract issued by Nadex.

(b) UNDERLYING – The Underlying for this Class of Contracts is the monthly percentage increase or decrease in the Consumer Price Index – Food Away From Home last reported by the Source Agency. The Start Date for the CPI Food Away From Home Binary Contracts will be at least two business days prior to the next Expiration Date. The End Date will be the Last Trading Date.

(c) SOURCE AGENCY – The Source Agency is the United States Department of Labor, Bureau of Labor Statistics ("BLS").

(d) TYPE – The Type of Contract is a Binary Contract.

(e) PAYOUT CRITERION – The Payout Criterion for each Contract will be set by Nadex at the time the Binary Contracts are initially issued. For the CPI Food Away From Home Binary Contract, the Payout Criteria for the Contracts will be set as follows:

(i) WEEKLY CPI FOOD AWAY FROM HOME BINARY CONTRACTS

(1) At the commencement of trading in a CPI Food Away From Home Binary Contract, Nadex shall list all eligible Payout Criteria in a range of five (5) consecutive increments between -5.0% and 5.0%, as determined by Nadex, with contract Payout Criteria of greater than (>) the Expiration Value. For example, Nadex may list the following range of Payout Criteria (using the 0.1% increment): 2.2%, 2.3%, 2.4%, 2.5%, and 2.6%. For the next issuance, Nadex may list the following range of Payout Criteria (using a 0.5% increment): 1.5%, 2.0%, 2.5%, 3.0%, and 3.5%

(2) In each case above, "X" equals the first Payout Criteria listed. In the first example above, this is 2.2%; in the second example above, this is 1.5%.

(ii) Nadex may list additional CPI Food Away From Home Binary Contracts with different ranges of Payout Criteria on a discretionary basis in accordance with the Department of Labor and Commission Regulations.

(f) MINIMUM TICK – The Minimum Tick size for the CPI Food Away From Home Binary Contracts shall be $0.25.

(g) POSITION LIMIT – There are currently no Position Limits for the CPI Food Away From Home Binary Contract.

(h) LAST TRADING DATE – The Last Trading Date in a Series is the same day as the Expiration Date. The CPI Food Away From Home Binary Contracts will stop trading on the Last Trading Date at 8:25 AM ET.

(i) SETTLEMENT DATE – The Settlement Date will be the date the CPI Food Away From Home number is released by the Source Agency.

(j) EXPIRATION DATE – The Expiration Date of the Contract will be the date on which the CPI Food Away From Home, as reported in the CPI Report, is scheduled to be released.

(k) SETTLEMENT VALUE – The Settlement Value is the amount paid to the holder of the in the money Contract on Settlement Date. The Settlement Value of an in the money CPI Food Away From Home Binary Contract is $100.

(l) EXPIRATION VALUE – The Expiration Value is the level of the CPI Food Away From Home release number on the Expiration Date. The Expiration Value is released by the Source Agency at 8:30 AM ET on the Expiration Date.

(m) CONTINGENCIES – If no level is actually announced on the Expiration Date due to a delay, postponement or otherwise in such release announcement by the Source Agency, the Settlement Date will be delayed until the Underlying number is released for that Series.

RULE 12.83 CONSUMER PRICE INDEX BINARY CONTRACTS

(a) SCOPE –These Rules shall apply to the Class of Contracts referred to as the Consumer Price Index "Overall CPI" Binary Contract issued by Nadex.

(b) UNDERLYING – The Underlying for this Class of Contracts is the monthly percentage increase or decrease in the Consumer Price Index last reported by the Source Agency. The Start Date for the CPI Binary Contracts will be at least two business days prior to the next Expiration Date. The End Date will be the Last Trading Date.

(c) SOURCE AGENCY – The Source Agency is the United States Department of Labor, Bureau of Labor Statistics ("BLS").

(d) TYPE – The Type of Contract is a Binary Contract.

(e) PAYOUT CRITERION – The Payout Criterion for each Contract will be set by Nadex at the time the Binary Contracts are initially issued. For the CPI Binary Contract, the Payout Criteria for the Contracts will be set as follows:

(i) WEEKLY CPI BINARY CONTRACTS

(1) At the commencement of trading in a CPI Binary Contract, Nadex shall list all eligible Payout Criteria in a range of five (5) consecutive increments between -5.0% and 5.0%, as determined by Nadex, with contract Payout Criteria of greater than

(>) the Expiration Value. For example, Nadex may list the following range of Payout Criteria (using the 0.1% increment): 2.2%, 2.3%, 2.4%, 2.5%, and 2.6%. For the next issuance, Nadex may list the following range of Payout Criteria (using a 0.5% increment): 1.5%, 2.0%, 2.5%, 3.0%, and 3.5%.

(2) In each case above, "X" equals the first Payout Criteria listed. In the first example above, this is 2.2%; in the second example above, this is 1.5%.

(ii) Nadex may list additional CPI Binary Contracts with different ranges of Payout Criteria on a discretionary basis in accordance with the Department of Labor and Commission Regulations.

(f) MINIMUM TICK – The Minimum Tick size for the CPI Binary Contracts shall be $0.25.

(g) POSITION LIMIT – There are currently no Position Limits for the CPI Binary Contract.

(h) LAST TRADING DATE – The Last Trading Date in a Series is the same day as the Expiration Date. The CPI Binary Contracts will stop trading on the Last Trading Date at 8:25 AM ET.

(i) SETTLEMENT DATE – The Settlement Date will be the date the CPI number is released by the Source Agency.

(j) EXPIRATION DATE – The Expiration Date of the Contract will be the date on which the CPI, as reported in the CPI Report, is scheduled to be released.

(k) SETTLEMENT VALUE – The Settlement Value is the amount paid to the holder of the in the money Contract on Settlement Date. The Settlement Value of an in the money CPI Binary Contract is $100.

(l) EXPIRATION VALUE – The Expiration Value is the level of the CPI release number on the Expiration Date. The Expiration Value is released by the Source Agency at 8:30 AM ET on the Expiration Date.

(m) CONTINGENCIES – If no level is actually announced on the Expiration Date due to a delay, postponement or otherwise in such release announcement by the Source Agency, the Settlement Date will be delayed until the Underlying number is released for that Series.

RULE 12.84 FEDERAL BALANCE SHEET TOTAL ASSETS (MILLIONS) BINARY CONTRACTS

(a) SCOPE –These Rules shall apply to the Class of Contracts referred to as the Federal Balance Sheet Total Assets (Millions) "Total Assets" Binary Contract issued by Nadex.

(b) UNDERLYING – The Underlying for this Class of Contracts is the Total Assets (Millions) figure in the Consolidated Statement of Condition of All Federal Reserve Banks last reported by the Source Agency. The Start Date for the Total Assets Binary Contracts will be at least two business days prior to the next Expiration Date. The End Date will be the Last Trading Date.

(c) SOURCE AGENCY – The Source Agency is the United States Federal Reserve Bank.

(d) TYPE – The Type of Contract is a Binary Contract.

(e) PAYOUT CRITERION – The Payout Criterion for each Contract will be set by Nadex at the time the Binary Contracts are initially issued. For the Total Assets Binary Contract, the Payout Criteria for the Contracts will be set as follows:

(i) WEEKLY TOTAL ASSETS BINARY CONTRACTS

(1) At the commencement of trading in a Fed Balance Sheet Total Assets (Millions) Binary Contract, Nadex shall list one (1) eligible Payout Criteria between 1,000,000 and 25,000,000, as determined by Nadex, with contract Payout Criteria of greater than (>) the Expiration Value. For example, Nadex may list the following Payout Criteria: 9,000,000.

(2) In the case above, "X" equals the first Payout Criteria listed. In the example above, this is 9,000,000.

(ii) Nadex may list additional Total Assets Binary Contracts with different ranges of Payout Criteria on a discretionary basis in accordance with the Federal Reserve Bank and Commission Regulations.

(f) MINIMUM TICK – The Minimum Tick size for the Total Assets Binary Contracts shall be $0.25.

(g) POSITION LIMIT – There are currently no Position Limits for the Total Assets Binary Contract.

(h) LAST TRADING DATE – The Last Trading Date in a Series is the same day as the Expiration Date. The Total Assets Binary Contracts will stop trading on the Last Trading Date at 4:25 PM ET.

(i) SETTLEMENT DATE – The Settlement Date will be the date the Total Assets number is released by the Source Agency.

(j) EXPIRATION DATE – The Expiration Date of the Contract will be the date on which the Total Assets (Millions), as reported in the Factors Affecting Reserve Balances Report, is scheduled to be released.

(k) SETTLEMENT VALUE – The Settlement Value is the amount paid to the holder of the in the money Contract on Settlement Date. The Settlement Value of an in the money Total Assets Binary Contract is $100.

(l) EXPIRATION VALUE – The Expiration Value is the level of the Total Assets (Millions) release number on the Expiration Date. The Expiration Value is released by the Source Agency at 4:30 PM ET on the Expiration Date.

(m) CONTINGENCIES – If no level is actually announced on the Expiration Date due to a delay, postponement or otherwise in such release announcement by the Source Agency, the Settlement Date will be delayed until the Underlying number is released for that Series.

RULE 12.85 NEW HOME SALES BINARY CONTRACTS

(a) SCOPE –These Rules shall apply to the Class of Contracts referred to as the New Home Sales Binary Contract issued by Nadex.

(b) UNDERLYING – The Underlying for this Class of Contracts is the New Residential Home Sales figure last reported by the Source Agency. The Start Date for the New Home Sales Binary Contracts will be at least two business days prior to the next Expiration Date. The End Date will be the Last Trading Date.

(c) SOURCE AGENCY – The Source Agency is the United States Census Bureau.

(d) TYPE – The Type of Contract is a Binary Contract.

(e) PAYOUT CRITERION – The Payout Criterion for each Contract will be set by Nadex at the time the Binary Contracts are initially issued. For the New Home Sales Binary Contract, the Payout Criteria for the Contracts will be set as follows:

(i) WEEKLY NEW HOME SALES BINARY CONTRACTS

(1) At the commencement of trading in a New Home Sales Binary Contract, Nadex shall list all eligible Payout Criteria in a range of five (5) consecutive increments between 100,000 and 5,000,000, as determined by Nadex, with contract Payout Criteria of greater than (>) the Expiration Value. For example, Nadex may list the following range of Payout Criteria (using the 50,000 increment): 650,000, 700,000, 750,000, 800,000, 850,000. For the next issuance, Nadex may list the following range of Payout Criteria (using a 100,000 increment): 500,000, 600,000, 700,000, 800,000, 900,000.

(2) In each case above, "X" equals the first Payout Criteria listed. In the first example above, this is 650,000; in the second example above, this is 500,000.

(ii) Nadex may list additional New Home Sales Binary Contracts with different ranges of Payout Criteria on a discretionary basis in accordance with the Census Bureau and Commission Regulations.

(f) <u>MINIMUM TICK</u> – The Minimum Tick size for the New Home Sales Binary Contracts shall be $0.25.

(g) <u>POSITION LIMIT</u> – There are currently no Position Limits for the New Home Sales Binary Contract.

(h) <u>LAST TRADING DATE</u> – The Last Trading Date in a Series is the same day as the Expiration Date. The New Home Sales Binary Contracts will stop trading on the Last Trading Date at 9:55 AM ET.

(i) <u>SETTLEMENT DATE</u> – The Settlement Date will be the date the New Residential Home Sales number is released by the Source Agency.

(j) <u>EXPIRATION DATE</u> – The Expiration Date of the Contract will be the date on which the New Residential Home Sales number, as reported in the Monthly New Residential Sales Report, is scheduled to be released.

(k) <u>SETTLEMENT VALUE</u> – The Settlement Value is the amount paid to the holder of the in the money Contract on Settlement Date. The Settlement Value of an in the money New Home Sales Binary Contract is $100.

(l) <u>EXPIRATION VALUE</u> – The Expiration Value is the level of the New Home Sales release number on the Expiration Date. The Expiration Value is released by the Source Agency at 10:00 AM ET on the Expiration Date.

(m) <u>CONTINGENCIES</u> – If no level is actually announced on the Expiration Date due to a delay, postponement or otherwise in such release announcement by the Source Agency, the Settlement Date will be delayed until the Underlying number is released for that Series.

<u>RULE 12.86 RETAIL SALES CHANGE BINARY CONTRACTS</u>

(a) <u>SCOPE</u> –These Rules shall apply to the Class of Contracts referred to as the Retail Sales Change Binary Contract issued by Nadex.

(b) <u>UNDERLYING</u> – The Underlying for this Class of Contracts is the monthly percentage increase or decrease in Advance Monthly Sales for Retail and Food Services figure last reported by the Source Agency. The Start Date for the Retail Sales Change Binary Contracts will be at least two business days prior to the next Expiration Date. The End Date will be the Last Trading Date.

(c) <u>SOURCE AGENCY</u> – The Source Agency is the United States Census Bureau.

(d) <u>TYPE</u> – The Type of Contract is a Binary Contract.

(e) <u>PAYOUT CRITERION</u> – The Payout Criterion for each Contract will be set by Nadex at the time the Binary Contracts are initially issued. For the Retail Sales Change Binary Contract, the Payout Criteria for the Contracts will be set as follows:

 (i) <u>WEEKLY RETAIL SALES CHANGE BINARY CONTRACTS</u>

  (1) At the commencement of trading in a Retail Sales Change Binary Contract, Nadex shall list all eligible Payout Criteria in a range of five (5) consecutive increments between -5.0% and 5.0%, as determined by Nadex, with contract Payout Criteria of greater than (>) the Expiration Value. For example, Nadex may list the following range of Payout Criteria (using the 0.2% increment): -0.5%, -0.3%, -0.1%, 0.1%, 0.3% For the next issuance, Nadex may list the following range of Payout Criteria (using a 1% increment): 0.0%, 1.0%, 2.0%, 3.0%, 4.0%.

  (2) In each case above, "X" equals the first Payout Criteria listed. In the first example above, this is -0.5%; in the second example above, this is 0.0%.

 (ii) Nadex may list additional Retail Sales Change Binary Contracts with different ranges of Payout Criteria on a discretionary basis in accordance with the Census Bureau and Commission Regulations.

 (f) <u>MINIMUM TICK</u> – The Minimum Tick size for the Retail Sales Change Binary Contracts shall be $0.25.

 (g) <u>POSITION LIMIT</u> – There are currently no Position Limits for the Retail Sales Change Binary Contract.

 (h) <u>LAST TRADING DATE</u> – The Last Trading Date in a Series is the same day as the Expiration Date. The Retail Sales Change Binary Contracts will stop trading on the Last Trading Date at 8:25 AM ET.

 (i) <u>SETTLEMENT DATE</u> – The Settlement Date will be the date the Advance Monthly Sales for Retail and Food Services figure is released by the Source Agency.

 (j) <u>EXPIRATION DATE</u> – The Expiration Date of the Contract will be the date on which the Advance Monthly Sales for Retail and Food Services figure, as reported in the Advance Monthly Sales for Retail and Food Services Report, is scheduled to be released.

 (k) <u>SETTLEMENT VALUE</u> – The Settlement Value is the amount paid to the holder of the in the money Contract on Settlement Date. The Settlement Value of an in the money Retail Sales Change Binary Contract is $100.

 (l) <u>EXPIRATION VALUE</u> – The Expiration Value is the level of the percentage increase or decrease from the Previous Month in Retail Sales Change release number on the Expiration

Date. The Expiration Value is released by the Source Agency at 8:30 AM ET on the Expiration Date.

(m) CONTINGENCIES – If no level is actually announced on the Expiration Date due to a delay, postponement or otherwise in such release announcement by the Source Agency, the Settlement Date will be delayed until the Underlying number is released for that Series.

End of Rulebook.