



April 11, 2018

**Via CFTC Portal**

Christopher J. Kirkpatrick  
Secretary of the Commission  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, N.W.  
Washington, D.C. 20581

**RE: Weekly Notification of Rule Amendments; Submission Pursuant to Regulation 40.6(d)  
(trueEX LLC submission #2018-02D)**

Dear Mr. Kirkpatrick:

Pursuant to Commodity Futures Trading Commission (“CFTC”) Regulation 40.6(d), trueEX LLC (“trueEX”) submits this weekly notification of the following rule amendments made effective on the date set forth below during the calendar week preceding the date of this notice.

**Summary of Amendments**

| <b>trueEX Rule</b>  | <b>Nature of Amendment</b>   |
|---|--|
| <b>Rule 101</b><br>Added definition of “Immediate or Cancel order”<br><br>Amended the definition of “Order” | Definition added to clarify term used in Rule 539<br><br>Drafting clarification to incorporate RFQ into the definitions  |
| <b>Rule 217</b><br>Amendment regarding maintenance of books and records                                     | CFTC Regulations 1.31, 37.1000, 37.1001, 38.950 and 38.951<br><br>trueEX updated the recordkeeping policy in Rule 217 to incorporate changes referenced in CFTC Regulation 1.31 and to be consistent with trueEX’s recordkeeping policy. |



Exhibit 1 contains the redlined amendments to trueEX's Rulebook (Rule 101, Rule 217). trueEX certifies that these rule amendments comply with the Act and the Commission's regulations thereunder. All changes are non-substantive in nature

If you have questions regarding this notice, please contact me at (312) 320-8934 or by email at [fran@trueex.com](mailto:fran@trueex.com).

Sincerely,

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

Fran Kenck  
Chief Compliance Officer  
Chief Regulatory Officer



## EXHIBIT 1

### **RULE 101. Definitions**

...

“Immediate or Cancel Order” means an Order that requires all or part of the order to be executed immediately at the stated price or better, and any remaining balance of the order is cancelled.

...

“Order” means either a bid or an offer for a Contract, including the solicitation of a bid or offer through a Request for Quote.

### **RULE 217. Maintenance of Books and Records by the Exchange**

(a) The Exchange shall keep, or cause to be kept, complete and accurate books and records of all activities relating to the business of the Platform including a complete audit trail for all swaps executed on or subject to the Rules of the Exchange, investigatory files and disciplinary files, all books and records required to be maintained pursuant to the CEA, and the CFTC Regulations.

~~(b) The Exchange shall retain all such books and records for at least a period of five (5) years, from the date thereof. Electronic records must be produced promptly for the duration. Paper records must be readily accessible during the first two years of the five year period. All such books and records shall be open to inspection by any representative of the CFTC, the United States Department of Justice, or the Securities Exchange Commission, or by any representative of a prudential regulator as authorized by the CFTC. More specifically, for swap transactions, CFTC Regulation imposes the following retention requirements with respect to the two year/five year requirement: and shall make such books and records readily accessible for inspection by the CFTC, the DOJ, the SEC, or by any representative of a prudential regulator as authorized by the CFTC during the first two (2) years of such five year period; provided, however, that all records required to be kept relating to swap transactions must be retained with respect to each swap throughout the life of the swap and for a period of at least five years following the final termination of the swap; provided further that each record related to a swap transaction shall be (i) readily accessible via real time electronic access throughout the life of the swap and for the two years following the final termination of the swap, and (ii) for the remaining three years of the five year period following the final termination of the swap, such record shall be retrievable within three business days.~~



(i.) All records to be kept relating to swap transactions (including records of all timestamps required under Part 43) must be retained with respect to each swap throughout the life of the swap and for a period of at least five years following the termination of the swap.

(ii.) Required records may be kept in electronic form, or kept in paper form if originally created and exclusively maintained in paper form, so long as such records are retrievable and the information in such records is reportable under Part 43.

(iii.) Each record shall be readily accessible via real time electronic access throughout the life of the swap and for the five years following the final termination of the swap. Paper records must be readily accessible.

(c) A copy of any book or record required to be kept by the Act or CFTC regulations shall be provided, at the expense of trueEX to a CFTC representative upon the representative's request. In lieu of furnishing a copy, trueEX may provide the original book or record for reproduction, which the representative may temporarily remove from trueEX's premises for this purpose. All copies or originals shall be provided promptly. Upon request, the CFTC representative shall issue a receipt for any copy or original book or record provided by trueEX. At the request of the CFTC representative, trueEX shall issue a receipt upon its return for any copy or original book or record returned by the representative upon its return.