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April 22, 2009

Mr. David Stawick  
Office of the Secretariat  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21<sup>st</sup> Street, NW  
Washington DC 20581

**RE: Section 5c(c)(1) and Regulation Section 40.6. Certification of Amendments to Hurricane Futures, Options, and Binary Contracts. Amendments to CME Rules 42300, 42301, 42302.D., 42302.G., 42303.A., Interpretations and Special Notices Relating to Chapter 423, 423A00, Interpretations and Special Notices Relating to Chapter 423A, 423B00, 423B01, 423B02.I., 423B03.C., Interpretations and Special Notices Relating to Chapter 423B, 42700, 42701, 42702.D., 42703.A., Interpretations and Special Notices Relating to Chapter 427, 427A00, Interpretations and Special Notices Relating to Chapter 427A, 427B00, 427B01, 427B03.C., Interpretations and Special Notices Relating to Chapter 427B, 42800, 42801, 42802.D., 42803.A., Interpretations and Special Notices Relating to Chapter 428, 428A00, Interpretations and Special Notices Relating to Chapter 428A, 428B00, 428B01, 428B03.C., Interpretations and Special Notices Relating to Chapter 428B, 428C00, 428C01, 428C03.C., Interpretations and Special Notices Relating to Chapter 428C, 43000, 43001, 43002.D., 43003.A., Interpretations and Special Notices Relating to Chapter 430, 430A00, Interpretations and Special Notices Relating to Chapter 430A, 430B00, 430B01, 430B02.I., 430B03.C., Interpretations and Special Notices Relating to Chapter 430B, 43100, 43101, 43102.D., 43103.A., Interpretations and Special Notices Relating to Chapter 431, 431A00, Interpretations and Special Notices Relating to Chapter 431A, 431B00, 431B01, 431B03.C., Interpretations and Special Notices Relating to Chapter 431B, 43200, 43201, 43202.D., 43203.A., Interpretations and Special Notices Relating to Chapter 432, 432A00, Interpretations and Special Notices Relating to Chapter 432A, 432B00, 432B01, 432B03.C., Interpretations and Special Notices Relating to Chapter 432B, 432C00, 432C01, 432C03.C., and Interpretations and Special Notices Relating to Chapter 432C.**

**CME Submission No. 09-077**

Dear Mr. Stawick:

Chicago Mercantile Exchange Inc. ("CME" or "Exchange") hereby notifies the Commodity Futures Trading Commission that it has purchased all rights and other assets relating to the Carvill Hurricane Index™ (CHI™). Efforts are underway to rename CHI as the "CME Hurricane Index" and secure the necessary trademark registrations. In addition, EQECAT, Inc. was selected as the calculation agent for the index. Market participants were notified about these developments in a press release dated April 6, 2009; a copy of this press release is attached.

As a result of these name changes, a number of amendments are required to the rules for the hurricane futures, options and binary contracts that use the CHI. These amendments – none of which affect the operation or pricing of the contracts – are presented on the following pages, with additions underlined and deletions bracketed and overstruck. All amendments will be effective at the start of trading on Monday, April 27, 2009.

CME certifies that these actions comply with the Commodity Exchange Act and regulations thereunder.

If you have any questions regarding this matter, please contact Paul Peterson at (312) 930-4587 or via e-mail at [paul.peterson@cmegroup.com](mailto:paul.peterson@cmegroup.com), or Charles Piszczor at (312) 930-4536 or via e-mail at [charles.piszczor@cmegroup.com](mailto:charles.piszczor@cmegroup.com), or me at (312) 648-4522. Please reference CME Submission No. 09-077 in any related correspondence.

Sincerely,

/s/ Stephen M. Szarmack  
Director and Associate General Counsel

## Chapter 423 CME[-Carvill] Hurricane Index Futures

### 42300. SCOPE OF CHAPTER

This chapter is limited in application to futures trading on the CME[-Carvill] Hurricane Index™ (CHI™). The procedures for trading, clearing and settlement, and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

### 42301. COMMODITY SPECIFICATIONS

CHI values will be calculated by [Carvill-America] EQECAT, Inc. (EQECAT), using the methods described in the "[Carvill] CME Hurricane Index: Scope and Definitions" document, for hurricanes making landfall in the following locations:

- Eastern US (Brownsville, TX to Eastport, ME)

Separate futures contracts will be listed for trading on named hurricanes that make landfall in a specific location (e.g., Eastern US between January 1 and December 31 inclusive of a calendar year. At the beginning of each season storm names are used from a list, starting with A and ending with Z, maintained by the World Meteorological Organization. In the event that more than 21 named storms occur in a season, additional storms will take names from the Greek alphabet: Alpha, Beta, Gamma, Delta, and so on.

### 42302. FUTURES CALL

#### 42302.D. Position Accountability

A person owning or controlling more than 10,000 contracts net long or net short in any contract month shall provide, in a timely fashion, upon request by the Exchange, information regarding the nature of the position, trading strategy, and hedging information if applicable. For positions involving options on the respective CME[-Carvill] Hurricane Index futures, this rule is superseded

#### 42302.G. Termination of Trading

Futures trading shall terminate at 9:00 A.M. on the first Exchange business day that is at least two calendar days following the last forecast/advisory issued by the National Hurricane Center (NHC) for the named storm, but in no event shall trading terminate prior to the first Exchange business day that is at least two calendar days following January 1, or later than the first business day that is at least two calendar days following December 31. If a particular named storm is unused (i.e. that storm has not formed), trading shall terminate at 9:00 A.M. on the first Exchange business day that is at least two calendar days following December 31.

### 42303. SETTLEMENT PROCEDURES

#### 42303.A. Final Settlement Price

All futures contracts remaining open at the termination of trading shall be settled using the respective CHI final value reported by [Carvill-America] EQECAT for that named storm, using the methodology in effect on that date and the NHC data from the Public Advisories issued through the life of the named storm.

For example, on August 30, 2005, the last NHC Advisory on Hurricane Katrina was issued; therefore on September 2, 2005, the Eastern US contract for Hurricane Katrina would have been settled at 20.4 CHI index points, using data from the NHC's Hurricane Katrina Advisories Number 9 (Florida landfall, CHI = 1.4) and Number 26A (Louisiana landfall, CHI = 19.0).

## INTERPRETATIONS AND SPECIAL NOTICES RELATING TO CHAPTER 423

### LIMITATION OF LIABILITY AND DISCLAIMER

~~[Carvill-America grants the Exchange the rights to use the Carvill Hurricane Index (CHI) in connection with the trading of futures contracts and options on futures contracts based upon such CHI. Carvill America] EQECAT makes no warranty, express or implied, as to the results to be obtained by any person or any entity from the use of the Data in connection with the trading of futures contracts, options~~

on futures contracts or any other use. [Carvill America] EQECAT makes no express or implied warranties, and expressly disclaims all warranties of merchantability or fitness for a particular purpose or use with respect to the CHI. Without limiting any of the foregoing, in no event shall [Carvill America] EQECAT have any liability for any special, punitive, indirect, or consequential damages (including lost profits), even if notified of the possibility of such damages.

## Chapter 423A Options on CME[-Carvill] Hurricane Index Futures

### 423A00. SCOPE OF CHAPTER

This chapter is limited in application to trading in put and call options on CME[-Carvill] Hurricane Index™ (CHI™) futures contracts. The procedures for trading, clearing and settlement and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

### INTERPRETATIONS AND SPECIAL NOTICES RELATING TO CHAPTER 423A

#### LIMITATION OF LIABILITY AND DISCLAIMER

~~[Carvill America grants the Exchange the rights to use the Carvill Hurricane Index (CHI) in connection with the trading of futures contracts and options on futures contracts based upon such CHI. [Carvill America] EQECAT, Inc. (EQECAT), makes no warranty, express or implied, as to the results to be obtained by any person or any entity from the use of the Data in connection with the trading of futures contracts, options on futures contracts or any other use. [Carvill America] EQECAT makes no express or implied warranties, and expressly disclaims all warranties of merchantability or fitness for a particular purpose or use with respect to the CHI. Without limiting any of the foregoing, in no event shall [Carvill America] EQECAT have any liability for any special, punitive, indirect, or consequential damages (including lost profits), even if notified of the possibility of such damages.~~

## Chapter 423B CME[-Carvill] Hurricane Index™ Binary Contract

### 423B00. SCOPE OF CHAPTER

This chapter is limited in application to trading of binary contracts on the CME[-Carvill] Hurricane Index™ (CHI™). The procedures for trading, clearing and settlement, and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

### 423B01. COMMODITY SPECIFICATIONS

CHI values will be calculated by [Carvill America] EQECAT, Inc. (EQECAT), using the methods described in the "[Carvill] CME Hurricane Index: Scope and Definitions" document, for hurricanes making landfall in the locations specified in Chapter 423.

Separate binary contracts will be listed for trading on named hurricanes that make landfall in a specific location (e.g., Eastern US) between January 1 and December 31 inclusive of a calendar year. At the beginning of each season storm names are used from a list, starting with A and ending with Z, maintained by the World Meteorological Organization. In the event that more than 21 named storms occur in a season, additional storms will take names from the Greek alphabet: Alpha, Beta, Gamma, Delta, and so on.

### 423B02. CONTRACT CALL

#### 423B02.I. Termination of Trading

Trading shall terminate at 9:00 A.M. on the first Exchange business day that is at least two calendar days following the last forecast/advisory issued by the National Hurricane Center (NHC) for the named

storm, but in no event shall trading terminate prior to the first Exchange business day that is at least two calendar days following January 1, or later than the first business day that is at least two calendar days following December 31. If a particular named storm is unused (i.e. that storm has not formed), trading shall terminate at 9:00 A.M. on the first Exchange business day that is at least two calendar days following December 31.

**423B03. EXERCISE**

**423B03.C. Final Settlement**

All binary contracts remaining open at the termination of trading shall be settled using the respective CHI final value reported by [Carvill America] EQECAT, using the methodology in effect on that date. Clearing members holding open positions in a CHI binary contract that is in the money at the termination of trading in that contract shall make payment to or receive payment from the Clearing House in accordance with normal variation performance bond procedures. All such positions shall be settled at a price of 100 points, equal to \$10,000, and shall be marked to market in accordance with Rule 814 on the trading day of acceptance by the Clearing House of the exercise notice.

**INTERPRETATIONS AND SPECIAL NOTICES  
RELATING TO CHAPTER 423B**

**LIMITATION OF LIABILITY AND DISCLAIMER**

~~[Carvill America grants the Exchange the rights to use the Carvill Hurricane Index (CHI) in connection with the trading of futures contracts and options on futures contracts, including binary contracts, based upon such CHI. Carvill America] EQECAT makes no warranty, express or implied, as to the results to be obtained by any person or any entity from the use of the Data in connection with the trading of futures contracts, options on futures contracts or any other use. [Carvill America] EQECAT makes no express or implied warranties, and expressly disclaims all warranties of merchantability or fitness for a particular purpose or use with respect to the CHI. Without limiting any of the foregoing, in no event shall [Carvill America] EQECAT have any liability for any special, punitive, indirect, or consequential damages (including lost profits), even if notified of the possibility of such damages.~~

**Chapter 427  
CME[Carvill] Hurricane Index<sup>™</sup> Seasonal Futures**

**42700. SCOPE OF CHAPTER**

This chapter is limited in application to futures trading on the seasonal total of the CME[Carvill] Hurricane Index<sup>™</sup> (CHI<sup>™</sup>). The procedures for trading, clearing and settlement, and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

**42701. COMMODITY SPECIFICATIONS**

CHI Seasonal values will be calculated by [Carvill America] EQECAT, Inc. (EQECAT), using the methods described in the "[Carvill] CME Hurricane Index: Scope and Definitions" document, for hurricanes making landfall in the following locations:

- Gulf Coast (Brownsville, TX to AL/FL Border)
- Florida (AL/FL Border to Fernandina Beach, FL)
- Southern Atlantic Coast (Fernandina Beach, FL to NC/VA Border)
- Northern Atlantic Coast (NC/VA Border to Eastport, ME)
- Eastern US (Brownsville, TX to Eastport, ME)

Separate futures contracts will be listed for trading on the accumulated CHI final settlement values for all hurricanes that make landfall in a specific location (e.g., Gulf Coast) between January 1 and December 31 inclusive of a calendar year.

**42702. FUTURES CALL**

**42702.D. Position Accountability**

A person owning or controlling more than 10,000 contracts net long or net short in any contract month shall provide, in a timely fashion, upon request by the Exchange, information regarding the nature of the position, trading strategy, and hedging information if applicable. For positions involving options on the respective CME[~~Carvill~~] Hurricane Index Seasonal futures, this rule is superseded by the option position accountability rule.

**42703. SETTLEMENT PROCEDURES****42703.A. Final Settlement Price**

All futures contracts remaining open at the termination of trading shall be settled using the respective CHI Seasonal final value reported by [Carvill America] EQECAT, using the methodology in effect on that date. For example, on January 3, 2006, the 2005 Gulf Coast Seasonal contract would have been settled at 28.9 CHI index points.

**INTERPRETATIONS AND SPECIAL NOTICES  
RELATING TO CHAPTER 427****LIMITATION OF LIABILITY AND DISCLAIMER**

~~[Carvill America grants the Exchange the rights to use the Carvill Hurricane Index (CHI) in connection with the trading of futures contracts and options on futures contracts based upon such CHI. Carvill America] EQECAT makes no warranty, express or implied, as to the results to be obtained by any person or any entity from the use of the Data in connection with the trading of futures contracts, options on futures contracts or any other use. [Carvill America] EQECAT makes no express or implied warranties, and expressly disclaims all warranties of merchantability or fitness for a particular purpose or use with respect to the CHI. Without limiting any of the foregoing, in no event shall [Carvill America] EQECAT have any liability for any special, punitive, indirect, or consequential damages (including lost profits), even if notified of the possibility of such damages.~~

**Chapter 427A****Options on CME[~~Carvill~~] Hurricane Index[<sup>TM</sup>] Seasonal Futures****427A00. SCOPE OF CHAPTER**

This chapter is limited in application to trading in put and call options on CME[~~Carvill~~] Hurricane Index<sup>TM</sup> (CHI<sup>TM</sup>) Seasonal futures contracts. The procedures for trading, clearing and settlement and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

**INTERPRETATIONS AND SPECIAL NOTICES  
RELATING TO CHAPTER 427A****LIMITATION OF LIABILITY AND DISCLAIMER**

~~[Carvill America grants the Exchange the rights to use the Carvill Hurricane Index (CHI) in connection with the trading of futures contracts and options on futures contracts based upon such CHI. Carvill America] EQECAT, Inc. (EQECAT) makes no warranty, express or implied, as to the results to be obtained by any person or any entity from the use of the Data in connection with the trading of futures contracts, options on futures contracts or any other use. [Carvill America] EQECAT makes no express or implied warranties, and expressly disclaims all warranties of merchantability or fitness for a particular purpose or use with respect to the CHI. Without limiting any of the foregoing, in no event shall [Carvill America] EQECAT have any liability for any special, punitive, indirect, or consequential damages (including lost profits), even if notified of the possibility of such damages.~~

**Chapter 427B**  
**CME[-Carvill] Hurricane Index<sup>TM</sup> Seasonal Binary Contract**

**427B00. SCOPE OF CHAPTER**

This chapter is limited in application to trading of binary contracts on the seasonal total of the respective CME[-Carvill] Hurricane Index<sup>TM</sup> (CHI<sup>TM</sup>). The procedures for trading, clearing and settlement, and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

**427B01. COMMODITY SPECIFICATIONS**

CHI Seasonal values will be calculated by [Carvill-America] EQECAT, Inc. (EQECAT), using the methods described in the "[Carvill] CME Hurricane Index: Scope and Definitions" document, for hurricanes making landfall in the locations specified in Chapter 427.

Separate binary contracts will be listed for trading on the accumulated CHI final settlement values for all hurricanes that make landfall (e.g., Gulf Coast) between January 1 and December 31 inclusive of a calendar year.

**427B03. EXERCISE**

**427B03.C. Final Settlement**

All binary contracts remaining open at the termination of trading shall be settled using the respective CHI seasonal final value reported by [Carvill-America] EQECAT, using the methodology in effect on that date.

Clearing members holding open positions in a CHI seasonal binary contract that is in the money at the termination of trading in that contract shall make payment to or receive payment from the Clearing House in accordance with normal variation performance bond procedures. All such positions shall be settled at a price of 100 points, equal to \$10,000, and shall be marked to market in accordance with Rule 814 on the trading day of acceptance by the Clearing House of the exercise notice.

**INTERPRETATIONS AND SPECIAL NOTICES  
RELATING TO CHAPTER 427B**

**LIMITATION OF LIABILITY AND DISCLAIMER**

~~[Carvill-America grants the Exchange the rights to use the Carvill Hurricane Index (CHI) in connection with the trading of futures contracts and options on futures contracts, including binary contracts, based upon such CHI. [Carvill-America] EQECAT makes no warranty, express or implied, as to the results to be obtained by any person or any entity from the use of the Data in connection with the trading of futures contracts, options on futures contracts or any other use. [Carvill-America] EQECAT makes no express or implied warranties, and expressly disclaims all warranties of merchantability or fitness for a particular purpose or use with respect to the CHI. Without limiting any of the foregoing, in no event shall [Carvill-America] EQECAT have any liability for any special, punitive, indirect, or consequential damages (including lost profits), even if notified of the possibility of such damages.~~

**Chapter 428**  
**CME[-Carvill] Hurricane Index<sup>TM</sup> Seasonal Maximum Futures**

**42800. SCOPE OF CHAPTER**

This chapter is limited in application to futures trading on the seasonal maximum value of the CME[-Carvill] Hurricane Index<sup>TM</sup> (CHI<sup>TM</sup>). The procedures for trading, clearing and settlement, and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

**42801. COMMODITY SPECIFICATIONS**

CHI Seasonal Maximum values will be calculated by [Carvill-America] EQECAT, Inc. (EQECAT), using the methods described in the "[Carvill] CME Hurricane Index: Scope and Definitions" document, for

hurricanes making landfall in the following locations:

- Gulf Coast (Brownsville, TX to AL/FL Border)
- Florida (AL/FL Border to Fernandina Beach, FL)
- Southern Atlantic Coast (Fernandina Beach, FL to NC/VA Border)
- Northern Atlantic Coast (NC/VA Border to Eastport, ME)
- Eastern US (Brownsville, TX to Eastport, ME)
- Gulf + Florida (Brownsville, TX to Fernandina Beach, FL)

Separate futures contracts will be listed for trading on the maximum CHI final settlement value for hurricanes that make landfall in a specific location (e.g., Gulf Coast) between January 1 and December 31 inclusive of a calendar year.

**42802. FUTURES CALL**

**42802.D. Position Accountability**

A person owning or controlling more than 10,000 contracts net long or net short in any contract month shall provide, in a timely fashion, upon request by the Exchange, information regarding the nature of the position, trading strategy, and hedging information if applicable. For positions involving options on the respective CME[-Carvill] Hurricane Index Seasonal maximum futures, this rule is superseded by the option position accountability rule.

**42803. SETTLEMENT PROCEDURES**

**42803.A. Final Settlement Price**

All futures contracts remaining open at the termination of trading shall be settled using the respective CHI Seasonal Maximum final value reported by [Carvill America] EQECAT, using the methodology in effect on that date. For example, on January 3, 2006, the 2005 Gulf Coast Seasonal Maximum contract would have been settled at 19.0 CHI index points.

**INTERPRETATIONS AND SPECIAL NOTICES  
RELATING TO CHAPTER 428**

**LIMITATION OF LIABILITY AND DISCLAIMER**

~~[Carvill America grants the Exchange the rights to use the Carvill Hurricane Index (CHI) in connection with the trading of futures contracts and options on futures contracts based upon such CHI. Carvill America] EQECAT makes no warranty, express or implied, as to the results to be obtained by any person or any entity from the use of the Data in connection with the trading of futures contracts, options on futures contracts or any other use. [Carvill America] EQECAT makes no express or implied warranties, and expressly disclaims all warranties of merchantability or fitness for a particular purpose or use with respect to the CHI. Without limiting any of the foregoing, in no event shall [Carvill America] EQECAT have any liability for any special, punitive, indirect, or consequential damages (including lost profits), even if notified of the possibility of such damages.~~

**Chapter 428A  
Options on CME[-Carvill] Hurricane Index<sup>™</sup>  
Seasonal Maximum Futures**

**428A00. SCOPE OF CHAPTER**

This chapter is limited in application to trading in put and call options on CME[-Carvill] Hurricane Index<sup>™</sup> (CHI<sup>™</sup>) Seasonal Maximum futures contracts. The procedures for trading, clearing and settlement and any other matters not specifically covered herein shall be governed by the rules of the Exchange.



**INTERPRETATIONS AND SPECIAL NOTICES  
RELATING TO CHAPTER 428A**

**LIMITATION OF LIABILITY AND DISCLAIMER**

~~[Carvill America grants the Exchange the rights to use the Carvill Hurricane Index (CHI) in connection with the trading of futures contracts and options on futures contracts based upon such CHI. Carvill America] EQECAT, Inc. (EQECAT) makes no warranty, express or implied, as to the results to be obtained by any person or any entity from the use of the Data in connection with the trading of futures contracts, options on futures contracts or any other use. [Carvill America] EQECAT makes no express or implied warranties, and expressly disclaims all warranties of merchantability or fitness for a particular purpose or use with respect to the CHI. Without limiting any of the foregoing, in no event shall [Carvill America] EQECAT have any liability for any special, punitive, indirect, or consequential damages (including lost profits), even if notified of the possibility of such damages.~~

**Chapter 428B  
CME[-Carvill] Hurricane Index<sup>TM</sup>  
Seasonal Maximum Binary Contract**

**428B00. SCOPE OF CHAPTER**

This chapter is limited in application to trading of binary contracts on the seasonal maximum value of the respective CME[-Carvill] Hurricane Index<sup>TM</sup> (CHI<sup>TM</sup>). The procedures for trading, clearing and settlement, and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

**428B01. COMMODITY SPECIFICATIONS**

CHI Seasonal Maximum values will be calculated by [Carvill America] EQECAT, Inc. (EQECAT), using the methods described in the "[Carvill] CME Hurricane Index: Scope and Definitions" document, for hurricanes making landfall in the locations specified in Chapter 428.

Separate binary contracts will be listed for trading on the maximum CHI final settlement value for hurricanes that make landfall in a specific location (e.g., Gulf Coast) between January 1 and December 31 inclusive of a calendar year.

**428B03. EXERCISE**

**428B03.C. Final Settlement**

All binary contracts remaining open at the termination of trading shall be settled using the respective CHI seasonal maximum final value reported by [Carvill America] EQECAT, using the methodology in effect on that date.

Clearing members holding open positions in a CHI seasonal maximum binary contract that is in the money at the termination of trading in that contract shall make payment to or receive payment from the Clearing House in accordance with normal variation performance bond procedures. All such positions shall be settled at a price of 100 points, equal to \$10,000, and shall be marked to market in accordance with Rule 814 on the trading day of acceptance by the Clearing House of the exercise notice.

**INTERPRETATIONS AND SPECIAL NOTICES  
RELATING TO CHAPTER 428B**

**LIMITATION OF LIABILITY AND DISCLAIMER**

~~[Carvill America grants the Exchange the rights to use the Carvill Hurricane Index (CHI) in connection with the trading of futures contracts and options on futures contracts, including binary contracts, based upon such CHI. Carvill America] EQECAT makes no warranty, express or implied, as to the results to be obtained by any person or any entity from the use of the Data in connection with the trading of futures contracts, options on futures contracts or any other use. [Carvill America] EQECAT makes no~~

express or implied warranties, and expressly disclaims all warranties of merchantability or fitness for a particular purpose or use with respect to the CHI. Without limiting any of the foregoing, in no event shall [Carvill-America] EQECAT have any liability for any special, punitive, indirect, or consequential damages (including lost profits), even if notified of the possibility of such damages.

**Chapter 428C**  
**CME[-Carvill] Hurricane Index<sup>TM</sup>**  
**Second Event Seasonal Maximum Binary Contract**

**428C00. SCOPE OF CHAPTER**

This chapter is limited in application to trading of binary contracts on the second event seasonal maximum value of the respective CME[-Carvill] Hurricane Index<sup>TM</sup> (CHI<sup>TM</sup>). The procedures for trading, clearing and settlement, and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

**428C01. COMMODITY SPECIFICATIONS**

CHI Second Event Seasonal Maximum values will be calculated by [Carvill-America] EQECAT, Inc. (EQECAT), using the methods described in the "[Carvill] CME Hurricane Index: Scope and Definitions" document, for hurricanes making landfall in the locations specified in Chapter 428.

Separate binary contracts will be listed for trading on the second hurricane to make landfall in a specific location (e.g., Gulf Coast) between January 1 and December 31 inclusive of a calendar year with a particular maximum CHI value.

**428C03. EXERCISE**

**428C03.C. Final Settlement**

All binary contracts remaining open at the termination of trading shall be settled using the respective CHI second event seasonal maximum final value reported by [Carvill-America] EQECAT, using the methodology in effect on that date.

Clearing members holding open positions in a CHI second event seasonal maximum binary contract that is in the money at the termination of trading in that contract shall make payment to or receive payment from the Clearing House in accordance with normal variation performance bond procedures. All such positions shall be settled at a price of 100 points, equal to \$10,000, and shall be marked to market in accordance with Rule 814 on the trading day of acceptance by the Clearing House of the exercise notice.

**INTERPRETATIONS AND SPECIAL NOTICES**  
**RELATING TO CHAPTER 428C**

**LIMITATION OF LIABILITY AND DISCLAIMER**

~~[Carvill-America grants the Exchange the rights to use the Carvill Hurricane Index (CHI) in connection with the trading of futures contracts and options on futures contracts, including binary contracts, based upon such CHI. [Carvill-America] EQECAT makes no warranty, express or implied, as to the results to be obtained by any person or any entity from the use of the Data in connection with the trading of futures contracts, options on futures contracts or any other use. [Carvill-America] EQECAT makes no express or implied warranties, and expressly disclaims all warranties of merchantability or fitness for a particular purpose or use with respect to the CHI. Without limiting any of the foregoing, in no event shall [Carvill-America] EQECAT have any liability for any special, punitive, indirect, or consequential damages (including lost profits), even if notified of the possibility of such damages.~~

**Chapter 430**  
**CME[-Carvill] Hurricane Index<sup>TM</sup>**

## Cat-In-A-Box Futures

### 43000. SCOPE OF CHAPTER

This chapter is limited in application to futures trading on the CME-[Carvill] Hurricane Index™ (CHI™) Cat-In-A-Box. The procedures for trading, clearing and settlement, and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

### 43001. COMMODITY SPECIFICATIONS

CHI Cat-In-A-Box values will be calculated by [Carvill America] EQECAT, Inc. (EQECAT), using the methods described in the "[Carvill] CME Hurricane Index: Scope and Definitions" document, for hurricanes entering the following geographic areas:

- Galveston-Mobile (area bounded by 95°30'0"W on the west, 87°30'0"W on the east, 27°30'0"N on the south, and the corresponding segment of the US coastline on the north)

Separate futures contracts will be listed for trading on named hurricanes that enter a specific geographic area (e.g., Galveston-Mobile) between January 1 and December 31 inclusive of a calendar year. At the beginning of each season storm names are used from a list, starting with A and ending with Z, maintained by the World Meteorological Organization. In the event that more than 21 named storms occur in a season, additional storms will take names from the Greek alphabet: Alpha, Beta, Gamma, Delta, and so on.

### 43002. FUTURES CALL

#### 43002.D. Position Accountability

A person owning or controlling more than 10,000 contracts net long or net short in any contract month shall provide, in a timely fashion, upon request by the Exchange, information regarding the nature of the position, trading strategy, and hedging information if applicable. For positions involving options on the respective CME-[Carvill] Hurricane Index Cat-In-A-Box futures, this rule is superseded by the option position accountability rule.

### 43003. SETTLEMENT PROCEDURES

#### 43003.A. Final Settlement Price

All futures contracts remaining open at the termination of trading shall be settled using the respective CHI Cat-In-A-Box final value reported by [Carvill America] EQECAT for that named storm, using the methodology in effect on that date and the National Hurricane Center (NHC) data from the Public Advisory that results in the maximum calculated CHI Cat-In-A-Box value while the hurricane is within the designated area.

For example, on August 28, 2005, Hurricane Katrina had a maximum CHI value in the Galveston-Mobile area of 22.4 using data from NHC's Hurricane Katrina Advisory Number 25; therefore the Galveston-Mobile Cat-In-A-Box contract for Hurricane Katrina would have been settled at 22.4 CHI index points with the final settlement value reported by [Carvill America] EQECAT after the final Public Advisory for Katrina had been issued by the NHC.

## INTERPRETATIONS AND SPECIAL NOTICES RELATING TO CHAPTER 430

### LIMITATION OF LIABILITY AND DISCLAIMER

~~[Carvill America grants the Exchange the rights to use the Carvill Hurricane Index (CHI) in connection with the trading of futures contracts and options on futures contracts based upon such CHI. Carvill America] EQECAT~~ makes no warranty, express or implied, as to the results to be obtained by any person or any entity from the use of the Data in connection with the trading of futures contracts, options on futures contracts or any other use. [Carvill America] EQECAT makes no express or implied warranties, and expressly disclaims all warranties of merchantability or fitness for a particular purpose or use with respect to the CHI. Without limiting any of the foregoing, in no event shall [Carvill America] EQECAT have any liability for any special, punitive, indirect, or consequential damages (including lost profits), even if notified of the possibility of such damages.

**Chapter 430A**  
**Options on CME[Carvill] Hurricane Index<sup>TM</sup>**  
**Cat-In-A-Box Futures**

**430A00. SCOPE OF CHAPTER**

This chapter is limited in application to trading in put and call options on CME[Carvill] Hurricane Index<sup>TM</sup> (CHI<sup>TM</sup>) Cat-In-A-Box futures contracts. The procedures for trading, clearing and settlement and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

**INTERPRETATIONS AND SPECIAL NOTICES**  
**RELATING TO CHAPTER 430A**

**LIMITATION OF LIABILITY AND DISCLAIMER**

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**Chapter 430B**  
**CME[Carvill] Hurricane Index<sup>TM</sup> Cat-In-A-Box Binary Contract**

**430B00. SCOPE OF CHAPTER**

This chapter is limited in application to trading of binary contracts on the CME[Carvill] Hurricane Index<sup>TM</sup> (CHI<sup>TM</sup>) Cat-In-A-Box. The procedures for trading, clearing and settlement, and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

**430B01. COMMODITY SPECIFICATIONS**

CHI Cat-In-A-Box values will be calculated by [Carvill America] EQECAT, Inc. (EQECAT), using the methods described in the "[Carvill] CME Hurricane Index: Scope and Definitions" document, for hurricanes entering the geographic areas specified in Chapter 430.

Separate binary contracts will be listed for trading on named hurricanes that enter a specific geographic area (e.g., Galveston-Mobile) between January 1 and December 31 inclusive of a calendar year. At the beginning of each season storm names are used from a list, starting with A and ending with Z, maintained by the World Meteorological Organization. In the event that more than 21 named storms occur in a season, additional storms will take names from the Greek alphabet: Alpha, Beta, Gamma, Delta, and so on.

**430B02. CONTRACT CALL**

**430B02.I. Termination of Trading**

Trading shall terminate at 9:00 A.M. on the first Exchange business day that is at least two calendar days following the last forecast/advisory issued by the National Hurricane Center (NHC) for the named storm, but in no event shall trading terminate prior to the first Exchange business day that is at least two calendar days following January 1, or later than the first business day that is at least two calendar days following December 31. If a particular named storm is unused (i.e. that storm has not formed), trading

shall terminate at 9:00 A.M. on the first Exchange business day that is at least two calendar days following December 31.

#### 430B03. EXERCISE

##### 430B03.C. Final Settlement

All binary contracts remaining open at the termination of trading shall be settled using the respective CHI Cat-In-A-Box final value reported by [Carvill-America] EQECAT, using the methodology in effect on that date.

Clearing members holding open positions in a CHI Cat-In-A-Box binary contract that is in the money at the termination of trading in that contract shall make payment to or receive payment from the Clearing House in accordance with normal variation performance bond procedures. All such positions shall be settled at a price of 100 points, equal to \$10,000, and shall be marked to market in accordance with Rule 814 on the trading day of acceptance by the Clearing House of the exercise notice.

### INTERPRETATIONS AND SPECIAL NOTICES RELATING TO CHAPTER 430B

#### LIMITATION OF LIABILITY AND DISCLAIMER

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### Chapter 431 CME[-Carvill] Hurricane Index<sup>™</sup> Seasonal Cat-In-A-Box Futures

#### 43100. SCOPE OF CHAPTER

This chapter is limited in application to futures trading on the seasonal total of the CME[-Carvill] Hurricane Index<sup>™</sup> (CHI<sup>™</sup>) Cat-In-A-Box. The procedures for trading, clearing and settlement, and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

#### 43101. COMMODITY SPECIFICATIONS

CHI Seasonal Cat-In-A-Box values will be calculated by [Carvill-America] EQECAT, Inc. (EQECAT), using the methods described in the "[Carvill] CME Hurricane Index: Scope and Definitions" document, for hurricanes entering the following geographic areas:

- Galveston-Mobile (area bounded by 95°30'0"W on the west, 87°30'0"W on the east, 27°30'0"N on the south, and the corresponding segment of the US coastline on the north)

Separate futures contracts will be listed for trading on the accumulated CHI Cat-In-A-Box final settlement values for all hurricanes that enter a specific geographic area (e.g., Galveston-Mobile) between January 1 and December 31 inclusive of a calendar year.

#### 43102. FUTURES CALL

##### 43102.D. Position Accountability

A person owning or controlling more than 10,000 contracts net long or net short in any contract month shall provide, in a timely fashion, upon request by the Exchange, information regarding the nature of the position, trading strategy, and hedging information if applicable. For positions involving options on the

respective CME[-Carvill] Hurricane Index Seasonal Cat-In-A-Box futures, this rule is superseded by the option position accountability rule.

**43103. SETTLEMENT PROCEDURES**

**43103.A. Final Settlement Price**

All futures contracts remaining open at the termination of trading shall be settled using the respective CHI Seasonal Cat-In-A-Box final value reported by [Carvill America] EQECAT, using the methodology in effect on that date. For example, on January 3, 2006, the 2005 Galveston-Mobile Seasonal Cat-In-A-Box contract would have been settled at 33.3 CHI index points.

**INTERPRETATIONS AND SPECIAL NOTICES  
RELATING TO CHAPTER 431**

**LIMITATION OF LIABILITY AND DISCLAIMER**

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**Chapter 431A  
Options on CME[-Carvill] Hurricane Index<sup>TM</sup>  
Seasonal Cat-In-A-Box Futures**

**431A00. SCOPE OF CHAPTER**

This chapter is limited in application to trading in put and call options on CME[-Carvill] Hurricane Index<sup>TM</sup> (CHI<sup>TM</sup>) Seasonal Cat-In-A-Box futures contracts. The procedures for trading, clearing and settlement and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

**INTERPRETATIONS AND SPECIAL NOTICES  
RELATING TO CHAPTER 431A**

**LIMITATION OF LIABILITY AND DISCLAIMER**

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**Chapter 431B  
CME[-Carvill] Hurricane Index<sup>TM</sup> Seasonal**

## Cat-In-A-Box Binary Contract

### 431B00. SCOPE OF CHAPTER

This chapter is limited in application to trading of binary contracts on the seasonal total of the respective CME[-Carvill] Hurricane Index™ (CHI™) for Cat-In-A-Box. The procedures for trading, clearing and settlement, and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

### 431B01. COMMODITY SPECIFICATIONS

CHI Seasonal Cat-In-A-Box values will be calculated by [Carvill-America] EQECAT, Inc. (EQECAT), using the methods described in the "[Carvill] CME Hurricane Index: Scope and Definitions" document, for hurricanes entering the geographic areas specified in Chapter 431.

Separate binary contracts will be listed for trading on the accumulated CHI Cat-in-a-Box final settlement values for all hurricanes that enter a specific geographic area (e.g., Galveston-Mobile) between January 1 and December 31 inclusive of a calendar year.

### 431B03. EXERCISE

#### 431B03.C. Final Settlement

All binary contracts remaining open at the termination of trading shall be settled using the respective CHI seasonal Cat-In-A-Box final value reported by [Carvill-America] EQECAT, using the methodology in effect on that date.

Clearing members holding open positions in a CHI seasonal Cat-In-A-Box binary contract that is in the money at the termination of trading in that contract shall make payment to or receive payment from the Clearing House in accordance with normal variation performance bond procedures. All such positions shall be settled at a price of 100 points, equal to \$10,000, and shall be marked to market in accordance with Rule 814 on the trading day of acceptance by the Clearing House of the exercise notice.

## INTERPRETATIONS AND SPECIAL NOTICES RELATING TO CHAPTER 431B

### LIMITATION OF LIABILITY AND DISCLAIMER

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## Chapter 432 CME[-Carvill] Hurricane Index™ Seasonal Maximum Cat-In-A-Box Futures

### 43200. SCOPE OF CHAPTER

This chapter is limited in application to futures trading on the seasonal maximum value of the CME[-Carvill] Hurricane Index™ (CHI™) Cat-In-A-Box. The procedures for trading, clearing and settlement, and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

### 43201. COMMODITY SPECIFICATIONS

CHI Seasonal Maximum Cat-In-A-Box values will be calculated by [Carvill-America] EQECAT, Inc.

(EQECAT), using the methods described in the "[Carvill] CME Hurricane Index: Scope and Definitions" document, for hurricanes entering the following geographic areas:

- Galveston-Mobile (area bounded by 95°30'0"W on the west, 87°30'0"W on the east, 27°30'0"N on the south, and the corresponding segment of the US coastline on the north)

Separate futures contracts will be listed for trading on the maximum CHI Cat-in-a-Box final settlement value for hurricanes that enter a specific geographic area (e.g., Galveston-Mobile) between January 1 and December 31 inclusive of a calendar year.

**43202. FUTURES CALL**

**43202.D. Position Accountability**

A person owning or controlling more than 10,000 contracts net long or net short in any contract month shall provide, in a timely fashion, upon request by the Exchange, information regarding the nature of the position, trading strategy, and hedging information if applicable. For positions involving options on the respective CME[Carvill] Hurricane Index Seasonal maximum futures, this rule is superseded by the option position accountability rule.

**43203. SETTLEMENT PROCEDURES**

**43203.A. Final Settlement Price**

All futures contracts remaining open at the termination of trading shall be settled using the respective CHI Seasonal Maximum Cat-In-A-Box final value reported by [Carvill-America] EQECAT, using the methodology in effect on that date. For example, on January 3, 2006, the 2005 Galveston-Mobile Seasonal Maximum Cat-In-A-Box contract would have been settled at 22.4 CHI index points.

**INTERPRETATIONS AND SPECIAL NOTICES  
RELATING TO CHAPTER 432**

**LIMITATION OF LIABILITY AND DISCLAIMER**

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**Chapter 432A  
Options on CME[Carvill] Hurricane Index<sup>TM</sup>  
Seasonal Maximum Cat-In-A-Box Futures**

**432A00. SCOPE OF CHAPTER**

This chapter is limited in application to trading in put and call options on CME[Carvill] Hurricane Index<sup>TM</sup> (CHI<sup>TM</sup>) Seasonal Maximum Cat-In-A-Box futures contracts. The procedures for trading, clearing and settlement and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

**INTERPRETATIONS AND SPECIAL NOTICES  
RELATING TO CHAPTER 432A**

**LIMITATION OF LIABILITY AND DISCLAIMER**

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~~with the trading of futures contracts and options on futures contracts based upon such CHI. Carvill America] EQECAT, Inc. (EQECAT) makes no warranty, express or implied, as to the results to be obtained by any person or any entity from the use of the Data in connection with the trading of futures contracts, options on futures contracts or any other use. [Carvill America] EQECAT makes no express or implied warranties, and expressly disclaims all warranties of merchantability or fitness for a particular purpose or use with respect to the CHI. Without limiting any of the foregoing, in no event shall [Carvill America] EQECAT have any liability for any special, punitive, indirect, or consequential damages (including lost profits), even if notified of the possibility of such damages.~~

## Chapter 432B CME[~~Carvill~~] Hurricane Index[<sup>TM</sup>] Seasonal Maximum Cat-In-A-Box Binary Contract

### 432B00. SCOPE OF CHAPTER

This chapter is limited in application to trading of binary contracts on the seasonal maximum value of the respective CME[~~Carvill~~] Hurricane Index<sup>TM</sup> (CHI<sup>TM</sup>) for Cat-In-A-Box. The procedures for trading, clearing and settlement, and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

### 432B01. COMMODITY SPECIFICATIONS

CHI Seasonal Maximum Cat-In-A-Box values will be calculated by [Carvill America] EQECAT, Inc. (EQECAT), using the methods described in the "[Carvill] CME Hurricane Index: Scope and Definitions" document, for hurricanes entering the geographic areas specified in Chapter 432.

Separate binary contracts will be listed for trading on the maximum CHI Cat-in-a-Box final settlement value for hurricanes that enter a specific geographic area (e.g., Galveston-Mobile) between January 1 and December 31 inclusive of a calendar year.

### 432B03. EXERCISE

#### 432B03.C. Final Settlement

All binary contracts remaining open at the termination of trading shall be settled using the respective CHI seasonal maximum Cat-In-A-Box final value reported by [Carvill America] EQECAT, using the methodology in effect on that date.

Clearing members holding open positions in a CHI seasonal maximum Cat-In-A-Box binary contract that is in the money at the termination of trading in that contract shall make payment to or receive payment from the Clearing House in accordance with normal variation performance bond procedures. All such positions shall be settled at a price of 100 points, equal to \$10,000, and shall be marked to market in accordance with Rule 814 on the trading day of acceptance by the Clearing House of the exercise notice.

## INTERPRETATIONS AND SPECIAL NOTICES RELATING TO CHAPTER 432B

### LIMITATION OF LIABILITY AND DISCLAIMER

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**Chapter 432C**  
**CME[-Carvill] Hurricane Index[™] Second Event**  
**Seasonal Maximum Cat-In-A-Box Binary Contract**

**432C00. SCOPE OF CHAPTER**

This chapter is limited in application to trading of binary contracts on the second event seasonal maximum value of the respective CME[-Carvill] Hurricane Index™ (CHI™) for Cat-In-A-Box. The procedures for trading, clearing and settlement, and any other matters not specifically covered herein shall be governed by the rules of the Exchange.

**432C01. COMMODITY SPECIFICATIONS**

CHI Second Event Seasonal Maximum Cat-In-A-Box values will be calculated by [Carvill-America] EQECAT, Inc. (EQECAT), using the methods described in the "[Carvill] CME Hurricane Index: Scope and Definitions" document, for hurricanes entering the geographic areas specified in Chapter 432.

Separate binary contracts will be listed for trading on the second hurricane to enter a specific geographic area (e.g., Galveston-Mobile) between January 1 and December 31 inclusive of a calendar year with a particular maximum CHI value.

**432C03. EXERCISE**

**432C03.C. Final Settlement**

All binary contracts remaining open at the termination of trading shall be settled using the respective CHI second event seasonal maximum Cat-In-A-Box final value reported by [Carvill-America] EQECAT, using the methodology in effect on that date.

Clearing members holding open positions in a CHI second event seasonal maximum Cat-In-A-Box binary contract that is in the money at the termination of trading in that contract shall make payment to or receive payment from the Clearing House in accordance with normal variation performance bond procedures. All such positions shall be settled at a price of 100 points, equal to \$10,000, and shall be marked to market in accordance with Rule 814 on the trading day of acceptance by the Clearing House of the exercise notice.

**INTERPRETATIONS AND SPECIAL NOTICES**  
**RELATING TO CHAPTER 432C**

**LIMITATION OF LIABILITY AND DISCLAIMER**

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# CME Group

A CME/Chicago Board of Trade/NYMEX Company

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### FOR IMMEDIATE RELEASE

## CME Group Acquires & Renames Hurricane Index; Selects New Calculation Agent

CHICAGO, April 6, 2009 – CME Group, the world's largest and most diverse derivatives exchange, announced today that it has acquired the Carvill Hurricane Index from Carvill America Inc. and renamed it the CME Hurricane Index. In addition, CME Group signed a Memorandum of Understanding with EQECAT, the leading authority on extreme-risk modeling, to be the new calculation agent for the index. The hurricane futures and options contracts are listed with, and subject to, the rules and regulations of CME.

"We continue to be encouraged by the growth of the weather derivatives market, especially hurricane futures and options, which already have traded 4,000 contracts before the start of this year's hurricane season," said Felix Carabello, Director of Alternative Investment Products at CME Group. "As the new calculation agent for the hurricane index, EQECAT will help CME Group continue to provide innovative ways for businesses to manage their risk associated with weather events."

"EQECAT is very excited about supporting the CME as calculation agent for its Hurricane Index," said Dennis Kuzak, Senior Vice President of EQECAT. "And with the integration of EQECAT's risk modeling technology, we hope to increase the attractiveness of the CHI by providing superior risk metrics which would assist market participants in pricing and hedging property insurance risk."

CME's hurricane futures and options will be settled to the CME Hurricane Index (CHI), which provides a numerical measure of the destructive potential of a hurricane. The CHI is based on EQECAT's calculation of the maximum wind velocity and size (radius) of each official storm to calculate the potential for physical and financial damage. The higher the CHI number, the more potentially damaging the hurricane.

In addition to its hurricane products, CME Group offers weather contracts based on aggregate temperatures for 45 cities, including 24 throughout the U.S., 10 in Europe, six in Canada, three in Australia and two in Japan. CME Group also lists products used to hedge risk associated with snowfall and frost. For more information on CME Group weather contracts, please go to: <http://www.cmegroup.com/weather>.

EQECAT (<http://www.egecat.com>) is a leading provider of state-of-the-art products and services for managing natural and manmade risks. The company meets the needs of its customers by providing innovative catastrophe management solutions for property and casualty insurance underwriting, accumulation management and transfer of natural hazard and terrorism risk.

CME Group ([www.cmegroup.com](http://www.cmegroup.com)) is the world's largest and most diverse derivatives exchange. Building on the heritage of CME, CBOT and NYMEX, CME Group serves the risk management needs of customers around the globe. As an international marketplace, CME Group brings buyers and sellers together on the CME Globex electronic trading platform and on trading floors in Chicago and New York. By acting as the buyer to every seller and the seller to every buyer, CME Clearing virtually eliminates counterparty credit risk. CME Clearing also offers financial safeguards to help mitigate systemic risk, providing the security and confidence market participants need to operate, invest and grow. CME Group offers the widest range of benchmark products available across all major asset classes, including futures and options based on interest rates, equity indexes, foreign exchange, energy, agricultural commodities, metals, and alternative investment products such as weather and real estate. CME Group is listed on NASDAQ under the symbol "CME."

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