

December 29, 2009  
(Correcting prior Holiday  
Schedule Certifications)

Via E-Mail: [submissions@cftc.gov](mailto:submissions@cftc.gov)

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

2009 DEC 31 AM 11 10  
OFFICE OF THE SECRETARIAT  
C.F.T.C.

**RE: Rule Certification: Nadex<sup>®</sup> Amends its Holiday Schedule for 2009 Japan Emperor's Birthday Holiday and the 2009 US Christmas and 2010 US New Year Holidays – Submission pursuant to Commission Regulation §40.6(a)**

Dear Mr. Stawick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended (the Act”), and §40.6(a) of the regulations promulgated by the Commodity Futures Trading Commission (the “Commission”) under the Act, North American Derivatives Exchange, Inc. (“Nadex”) hereby submits to the Commission its intent to amend its trading hours and listing schedule for the 2009 Japan Emperor's Birthday Holiday and the US Christmas and New Year Holidays.

For the Japan Emperor's Birthday Holiday on December 23, 2009, Nadex's Japan 225 contracts will have a modified trading schedule, as follows:

- No daily Japan 225 contracts (binary or variable) will be offered for trade date Wednesday, December 23, 2009.

For the 2009 US Christmas Holiday on December 25, 2009 and 2010 US New Year Holiday on January 1, 2010, Nadex will observe the following business hours:

- On Monday, December 21, 2009 the Exchange will observe regular exchange hours. All Weekly Binary contracts offered on this date will have a settlement date of December 24, 2009 and will close at their regular times, unless otherwise specified

below. Exceptions for Weekly Binary contracts offered on trade date Monday, December 21, 2009 are as follows:

- No Japan 225 Weekly Binary contracts will be listed on this trade date.
  - India 50 Weekly Binary contracts listed on this date will have a settlement date of December 23, 2009.
  - No FTSE 100 or Germany 30 Weekly Binary contracts will be listed on this trade date.
  - All Weekly Binary contracts offered on this date that are based on Nymex or Comex Futures prices will have a last trade date close time that is 1 hour prior to the specified last trade date close time in the Nadex Rules.
  - Wall Street 30, US Tech 100, and US 500 Weekly Binary contracts offered on this date will have a last trade date close time of 1:15pm ET.
  - Corn and Soybean Weekly Binary contracts offered on this date will have a last trade date close time of 1pm ET.
- On Thursday, December 24, 2009 the Exchange will close at 3:00pm ET. Unless otherwise specified below, all daily and intraday contracts offered on this date will open and close at their regular times. Exceptions for contracts offered on trade date Thursday, December 24, 2009 are as follows:
- No Daily Japan 225 or India 50 contracts will be offered on this trade date.
  - No Daily or Intraday FTSE or Germany 30 contracts will be offered on this trade date.
  - All Daily contracts based on Nymex or Comex Futures prices will have a last trade date close time that is 1 hour prior to the specified close time in the Nadex Rules.
  - Wall Street 30, US Tech 100, and US 500 Daily contracts will have a last trade date close time of 1:15pm ET.
  - Corn and Soybean Daily contracts will have a last trade date close time of 1pm ET.
  - Intraday contracts expiring at the following times for the assets below will not be listed:
    - Crude Oil, Natural Gas, RBOB Gas: 2pm Intraday expiry
    - Gold, Silver, Copper: 1pm Intraday expiry
    - Wall Street 30, US Tech 100, US 500: 2pm, 3pm, 4pm Intraday expiry
- On Friday, December 25, 2009, the Exchange will be closed.
- On Monday, December 28, 2009, the Exchange will observe regular exchange hours. All Weekly Binary contracts offered on this date will have a settlement date of December 31, 2009 and will close at their regular times, unless otherwise specified below. Exceptions for Weekly Binary contracts offered on trade date Monday, December 28, 2009 are as follows:

- No India 50 Weekly or Daily contracts will be listed on this trade date.
  - Japan 225 and Korea 200 Weekly Binary contracts listed on this date will have a settlement date of December 30, 2009.
  - No Germany 30 Intraday, Daily, or Weekly Binary contracts will be listed on this trade date.
  - No FTSE 100 Intraday, Daily, or Weekly contracts will be listed on this trade date.
- Wednesday, December 30, 2009: The Exchange will observe regular exchange hours. Unless otherwise specified below, all contracts offered on this date will open and close at their regular times. Exceptions for contracts offered on trade date Wednesday, December 30, 2009 are as follows:
    - No Daily or Intraday Germany 30 contracts will be offered on this trade date.
  - On Thursday, December 31, 2009, the Exchange will close at 4:15 ET. Unless otherwise specified below, all daily and intraday contracts offered on this date will open and close at their regular times. Exceptions for contracts offered on trade date Thursday, December 31, 2009 are as follows:
    - No Daily Japan 225, Korea 200 or India 50 contracts will be offered on this trade date.
    - No Daily or Intraday FTSE or Germany 30 contracts will be offered on this trade date.
  - On Friday, January 1, 2010, the Exchange will be closed.
  - On Monday, January 3, 2010, the Exchange will observe regular exchange hours.

No contracts that have open interest will be affected by these amendments.

Nadex intends to implement these rule amendments provided for herein effective at the start of business on December 21, 2009.

No substantive opposing views were expressed to Nadex with respect to any of these actions.

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

Should you have any questions regarding the above, please do not hesitate to contact me by telephone at (312) 884-0171 or by email at [tim.mcdermott@nadex.com](mailto:tim.mcdermott@nadex.com).

Sincerely,



Timothy G. McDermott  
General Counsel and Chief Regulatory  
Officer

CC: [DMOSubmission@cftc.gov](mailto:DMOSubmission@cftc.gov)  
Jon Hultquist – CFTC (Acting Branch Chief, DMO, Chicago)  
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Yossi Beinart - Nadex