

July 9, 2009
ELXNTP-REG-09004

BLOCK TRADE RULE AMENDMENTS

Please be advised that ELX Futures has amended Rule IV-16 to expand the time within which Clearing Privilege Holders are required to report Block Trades to the Exchange's Clearing Service Provider, the Options Clearing Corporation (OCC) from 5 minutes to 15 minutes under certain conditions. The expanded window for reporting will apply in cases of Block Trades that are:

- (1) for 10,000 contracts or more and are executed during any time of day; and
- (2) executed between the hours of 6:00 p.m. ET and 8:00 a.m. ET.

All other provisions of this rule remain unchanged. A copy of the new rule with revisions highlighted is provided as Attachment A.

Please contact ELX Support at 877-359-6610/212-294-7771 or via e-mail at support@elxfutures.com with any questions.

ATTACHMENT A

IV-16 Block Trades

The Exchange may designate any Contract as eligible for privately negotiated transactions, or “Block Trades”, under this Rule and shall determine the minimum size thresholds for the Contracts in which Block Trades are permitted. In determining the minimum size threshold, the Exchange shall take into consideration (to the extent available) the size distribution of transactions in the Contract, the size distribution of transactions in the related cash or over-the-counter markets, and all other information relevant to transaction size in the relevant Contract. The hours of operation of the Block Trade facility shall be determined by the Exchange.

Participants, Authorized Traders and Authorized Customers may enter into Block Trades outside of the ELX System, at prices mutually agreed, with respect to Contracts that have been designated by the Exchange for such purpose, provided that the following conditions are satisfied:

(a) Each buy or sell Order underlying a Block Trade must (i) state explicitly that it is to be, or may be, executed by means of a Block Trade and (ii) be at least for the minimum transaction size as determined by the Exchange. Orders may not be aggregated in order to achieve the minimum transaction size; provided that a commodity trading advisor registered (or exempt from registration) under the CEA, including any investment advisor registered (or exempt from registration) under the Investment Advisors Act of 1940, or a foreign person performing a similar role or function subject as such to foreign regulation, with total assets under management exceeding \$25 million, may aggregate Customer Orders in order to achieve the minimum transaction size.

(b) The price at which a Block Trade is executed must be fair and reasonable in light of (i) the size of such Block Trade; (ii) the price and size of other trades in the same Contract at the relevant time; and (iii) the price and size of trades in other relevant markets, including the underlying cash market or other related futures markets, at the relevant time. The price at which a Block Trade is executed shall not affect conditional Orders such as Limit Orders or Stop Orders.

(c) Each party to a Block Trade must qualify as an “eligible contract participant”, as that term is defined in Section 1a(12) of the CEA, provided that, if any Block Trade is entered into on behalf of Customers by a commodity trading advisor registered (or exempt from registration) under the CEA, including any investment advisor registered (or exempt from

registration) under the Investment Advisors Act of 1940, or a foreign person performing a similar role or function subject as such to foreign regulation, with total assets under management exceeding \$25 million, the individual Customers need not so qualify.

(d) Each Block Trade executed pursuant to this Rule must be cleared through Clearing Privilege Holders. Information identifying the relevant Contract, Contract month, price, quantity, time of execution, counterparty Clearing Privilege Holder, and for Options on Futures, strike price, put or call and expiration month, for each Block Trade must be reported by the seller to the Exchange within 5 minutes immediately following execution of such Block Trade; provided however, that either (i) a block trade executed between the hours of 6 p.m. and 8 a.m. or (ii) a block trade for 10,000 contracts or more may be reported by the seller to the Exchange within 15 minutes immediately following execution of such Block Trade. The Exchange will publicize information identifying the trade as a Block Trade and identifying the relevant Contract, Contract month, price or premium, quantity and, if applicable, the underlying commodity, whether the transaction involved a put or a call and the strike price, for each Block Trade immediately after such information has been reported to the Exchange.

(e) Each Clearing Privilege Holder and each party to a Block Trade shall record the following details on its order ticket: the Contract (including the delivery or expiry month) to which such Block Trade relates; that the trade is a Block Trade; the number of Contracts traded; the price of execution or premium; the time of execution; the identity of the counterparty; for Options on Futures, strike price, and put or call and, if applicable, details regarding the Customer for which the Block Trade was executed, whether the transaction involved a put or a call and the strike price. Upon request by the Exchange, such Clearing Privilege Holder or party shall produce satisfactory evidence, including the order ticket referred to in the preceding sentence, that the Block Trade meets the requirements set forth in this Rule.

