

September 10, 2013

Via E-Mail: FOIAsubmissions@cftc.gov

Assistant Secretary of the Commission for FOIA Matters  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, N.W.  
Washington, D.C. 20581

Re: FOIA Confidential Treatment Request: Petition Pursuant to Regulation 145.9(d)

To Whom It May Concern:

On this date, trueEX LLC ("trueEX") submitted a revised Exhibit Q, including a draft showing the revisions trueEX has made to the original Exhibit Q, and a new Exhibit Q-1, each of which supplement and form a part of the trueEX SEF application submitted to the Commodity Futures Trading Commission (the "Commission") on July 12, 2013. Revised Exhibit Q and new Exhibit Q-1 were submitted to Mr. Jonathan Lave and Mr. Roger Smith of the Commission via the CFTC web portal for SEF application submissions. Revised Exhibit Q, Exhibit Q-1 and all other documents contained in the Submission are referred to herein as "Confidential Materials".

By this petition, trueEX requests confidential treatment pursuant to Section 145.9(d) of the Commission's regulations of the Confidential Materials.

Pursuant to Sections 8(a) of the Act, and Commission Regulation § 145.9(d), trueEX requests confidential treatment of the Confidential Materials on the grounds that disclosure of such material would reveal trade secrets of trueEX and/or reveal confidential commercial information of trueEX. The Confidential Materials are proprietary to trueEX and contain highly sensitive and confidential business and technology information; in addition to violating trueEX's proprietary rights, the disclosure of the Confidential Materials would grant competitors an unfair competitive advantage and/or compromise the competitive advantages possessed by trueEX. Accordingly, trueEX has asked Mr. Jonathan Lave and Mr. Roger Smith to take appropriate steps to keep confidential the Confidential Materials submitted to them and to restrict the re-distribution of the Confidential Materials.

Pursuant to Commission Regulation § 145.9(d)(5), trueEX hereby requests that the Confidential Materials be afforded confidential treatment in perpetuity.

trueEX requests that the Commission notify the undersigned immediately after receiving any FOIA request, any court order, subpoena, or summons seeking to access the

Confidential Materials in whole or in part. trueEX further requests notification (through the undersigned) in the event that the Commission intends to disclose the Confidential Materials in whole or in part to Congress or to any other governmental agency or unit pursuant to Section 8 of the Commodity Exchange Act ("CEA"). trueEX does not waive its notification rights under Section 8(f) of the CEA with respect to any subpoena or summons with respect to the Confidential Materials in whole or in part.

Should you have any questions regarding the above, please do not hesitate to contact me by telephone at (312) 320-8934 or by email at [fran@trueex.com](mailto:fran@trueex.com).

Sincerely,



Fran Kenck  
Chief Regulatory Officer

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cc: Jonathan Lave, Associate Director, DMO  
Roger Smith, Attorney Advisor, DMO  
Nancy Markowitz, Deputy Director, DMO