

that, where permitted by Applicable Law, prior notice of such disclosure shall be provided to the SEF as soon as practicable in order to permit the SEF to seek a protective order or take other appropriate action to safeguard the Confidential Information; or (iv) is permitted to be disclosed pursuant to the Rules.

**Contract** means any Swap listed for trading on the SEF.

**Covered Package Transaction** means a “MAT/Non-MAT Uncleared Package Transaction,” a “MAT/Non-Swap Instruments Package Transaction,” and a “MAT/Non-CFTC Swap Package Transaction,” each as defined in NAL ~~1516-5576~~, expiring November 15, ~~2016~~2017.

**Customer** means any person (including another Trading Privilege Holder), or such person’s agent with the legal ability to direct trading on behalf of such person, that transacts on the SEF through a Participant acting as an Intermediary.

**Customer Type Indicator Codes** shall have the meaning set forth in Rule 208.

**DCO** means, with respect to any Swap, a derivatives clearing organization authorized to clear such Swap.

**Delivery Month** means, with respect to any Contract, the month in which delivery of an Underlying Interest is to be made pursuant to the terms of such Contract.

**Director** means a member of the Board of the SEF.

**DMA** means a Trading Privilege Holder (including an Intermediary) permitting a Customer to transmit orders electronically to the Trading Privilege Holder’s systems for onward transmission to a Trading Platform utilizing the Trading Privilege Holder’s trading identification.

**DTCC** means DTCC Data Respository (U.S.) LLC.

**EBS Order Book** means the Order Book for the EBS Trading Platform.

**Emergency** shall have the meaning set forth in Rule 104.

**Erroneously Cleared Transactions** shall have the meaning set forth in Rule 315(h).

**Error** shall have the meaning set forth in Rule 315(g).

**Expiration Day** means the day on which an Option expires.

**Execution Specialist** means a SEF employee responsible for assisting Participants with entering Bids/Offer in the Order Book, issuing and responding to RFQs, executing and receiving reports of Block Trades and executing Pre-Arranged Crosses.

**Financial Entity** has the meaning set forth in the Act.

**Governmental Authority** means any domestic or foreign government (or political subdivision), governmental or regulatory authority, agency, court, commission or other governmental or regulatory entity (including any self-regulatory association).

**Hearing Date** shall have the meaning set forth in Rule 506.

**Hearing Panel** shall have the meaning set forth in the Operating Agreement.

**Hearing Panel Chairman** shall have the meaning set forth in Rule 506.

(b) Upon execution of a Required Transaction on the SEF, the SEF will report the transaction to the SDR as soon as technologically practicable after execution in accordance with Rule 309.

(c) *Package Transactions.* In accordance with NAL ~~4516-5576~~, expiring November 15, ~~2016~~2017, a Participant may execute a Swap component of a Covered Package Transaction through any method of execution offered by the SEF, notwithstanding that execution of such Swap component would otherwise be a Required Transaction.

#### **Rule 304. Permitted Transactions**

(a) Participants may enter Bids/Offers for Permitted Transactions directly into the SEF's Order Book for that Contract.

(b) Participants may submit to an Execution Specialist for execution Permitted Transactions negotiated and agreed to outside the SEF's Order Book, at prices mutually agreed, with regard to Contracts that have been designated by the SEF for such purpose (each such transaction a "**Pre-Arranged Cross**"). Pre-Arranged Crosses that are submitted to an Execution Specialist for execution must be submitted by the seller, unless otherwise agreed to by the parties; however, in the case of an Intermediated Transaction, the Participant acting as the Intermediary shall have the obligation to submit the Pre-Arranged Cross to the Execution Specialist. The Participant submitting the Pre-Arranged Cross to the Execution Specialist must provide the information required by Rule 208(d).

(c) An Execution Specialist may facilitate the negotiation and execution of a Pre-Arranged Cross by two Participants only as follows: upon request of a Participant, the Execution Specialist may, without using any Trading Platform, Order Book or RFQ procedure, contact one or more other Participants to determine interest in a Pre-Arranged Cross.

(d) Upon execution of the Permitted Transaction on the SEF, the SEF will report the transaction to the SDR as soon as technologically practicable after execution in accordance with Rule 309.

(e) Each Participant that is party to, or Intermediary in, a Pre-Arranged Cross executed pursuant to section (b) of this Rule 304 must record the following details of the transaction: the Contract (including the Delivery Month) to which such transaction relates; the number of Contracts traded; the price of execution or premium; the identity of the counterparty; and, if applicable, details regarding the Customer for which the transaction was executed, as well as, if applicable, the Underlying Interest and whether the transaction involved a put or a call and the strike price. Upon request by the SEF, such Participant must produce satisfactory evidence, including the transaction information referred to in the preceding sentence, that the transaction meets the requirements set forth in this Rule.

#### **Rule 305. Execution Methods for Required Transactions**

(a) *Execution through the SEF's Order Book*

(1) A Participant may enter Bids/Offers to transact in Contracts by electronic transmission over a network or through an Execution Specialist. If a Participant submits a Bid/Offer to the Order Book through an Execution Specialist, the Execution Specialist shall provide the Participant with a confirmation that the Bid/Offer was entered into the Order Book as soon as possible after such entry.

(2) A Participant will enter a Bid/Offer to transact in one or more Contracts by indicating to the SEF in the manner required by a Trading Platform or the Execution Specialist the information required by Rule 208(d).

(3) The Participant will be responsible for any and all Bid/Offer entries it posts on the SEF. Posted Bids/Offers are subject to acceptance by other Participants.