



June 1, 2023

Via Electronic Mail: [FOIAsubmissions@cftc.gov](mailto:FOIAsubmissions@cftc.gov)

Assistant Secretary of the Commission for FOI,  
Privacy, and Sunshine Acts Compliance  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, NW  
Washington, DC 20581

**RE: FOIA Confidential Treatment Request – Petition for Confidential Treatment of North American Derivatives Exchange Inc. d/b/a crypto.com | Derivatives North America (“Nadex”) Materials Disclosed to the Commission Pertaining to further amending certain contract specifications for its Bitcoin and Ether Cryptocurrency Touch Bracket Variable Payout Contracts and Bitcoin and Ether Cryptocurrency Event Contracts pursuant to Commission Regulation §40.6(a)**

Dear Assistant Secretary,

I write to inform you that on June 1, 2023, North American Derivatives Exchange, Inc. d/b/a Crypto.com | Derivatives North America (“Nadex, or the “Exchange”) submitted to the Division of Market Oversight via the CFTC Portal, a request to the Division of Market Oversight (“DMO” or the “Division”) a self-certification notification amending certain contract specifications for its Bitcoin and Ether Cryptocurrency Touch Bracket Variable Payout Contracts and Bitcoin and Ether Cryptocurrency Event Contracts. The submission consisted of a single pdf file outlining this self-certification. This documentation is proprietary to Nadex. As such, we request confidential treatment of all submitted documents.

Pursuant to Section 8 and 8(a) of the Commodity Exchange Act, as amended, (“CEA”) and Commission Regulation §145.9, Nadex requests confidential treatment of the submission and this cover letter (together, the “Materials”) on the grounds that disclosure of such Materials would reveal trade secrets, financial information, or confidential commercial information of Nadex. Furthermore, because the Materials are not reasonably segregable, we request confidentiality for every document included in the Materials. To ensure the confidentiality, all relevant pages have been labeled as confidential. In addition, we respectfully request that we be notified if the Commission, for any reason, considers disclosing the Materials, in any form, to a third party, and be given opportunity to object.

Crypto.com | Derivatives North America  
200 West Jackson Blvd., Suite 1400  
Chicago, IL 60606



Pursuant to Commission Regulation §145.9(d)(5), we request that the confidential treatment of the Materials be permanent.

The submitter of the information is North American Derivatives Exchange, Inc. The submitter's corporate address is 200 W. Jackson Blvd., Suite 1400, Chicago, IL, 60606. The submitter's telephone is (312) 884-0161. Please send any communications regarding this matter to my attention.

Should you have any questions regarding the above, please do not hesitate to contact me by telephone at (312) 884-0161 or by email at kevin.dan@nadex.com.

Sincerely,

*Kevin J. Dan*

Kevin J. Dan  
Chief Compliance Officer  
Chief Regulatory Officer

Crypto.com | Derivatives North America  
200 West Jackson Blvd., Suite 1400  
Chicago, IL 60606