

September 15, 2026

SUBMITTED VIA CFTC PORTAL

Secretary of the Commission
Office of the Secretariat
U.S. Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20581

Re: KalshiEX LLC – CFTC Regulation 40.2(a) Notification Regarding the Initial Listing of the “Will Shohei Ohtani receive <above/below/exactly/between/at least> <count> nominations at the 2027 ESPY Awards?” Contract

Dear Sir or Madam,

Pursuant to Section 5c(c) of the Commodity Exchange Act and Section 40.2(a) of the regulations of the Commodity Futures Trading Commission, KalshiEX LLC (Kalshi), a registered DCM, hereby notifies the Commission that it is self-certifying the “Will Shohei Ohtani receive <above/below/exactly/between/at least> <count> nominations at the 2027 ESPY Awards?” contract (Contract). The Contract will initially be listed after close-of-business on September 15, 2026; it is listed as the day after because of limitations of the Commission's online submission portal. The Exchange intends to list the contract on a custom basis. The Contract’s terms and conditions (Appendix A) includes the following strike conditions:

- <above/below/exactly/between/at least>
- <count>

Along with this letter, Kalshi submits the following documents:

- A concise explanation and analysis of the Contract;
- Certification;
- Appendix A with the Contract’s Terms and Conditions;
- Confidential Appendices with further information; and
- A request for FOIA confidential treatment.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Xavier Sottile
Head of Markets
KalshiEX LLC
xsottile@kalshi.com

KalshiEX LLC

Official Product Name: “Will Shohei Ohtani receive <above/below/exactly/between/at least> <count> nominations at the 2027 ESPY Awards?”

Rulebook: ESPYNOMS

Summary: ESPY Awards nomination counts

Kalshi Contract Category: Sports

Kalshi Internal Category: Sports

September 15, 2026

CONCISE EXPLANATION AND ANALYSIS OF THE PRODUCT AND ITS COMPLIANCE WITH APPLICABLE PROVISIONS OF THE ACT, INCLUDING CORE PRINCIPLES AND THE COMMISSION'S REGULATIONS THEREUNDER

Pursuant to Commission Rule 40.2(a)(3)(v), the following is a concise explanation and analysis of the product and its compliance with the Act, including the relevant Core Principles (discussed in Appendix E), and the Commission's regulations thereunder.

I. Introduction

The “Will Shohei Ohtani receive <above/below/exactly/between/at least> <count> nominations at the 2027 ESPY Awards?” Contract is a contract relating to Sports.

Further information about the Contract, including an analysis of its risk mitigation and price basing utility, as well as additional considerations related to the Contract, is included in Confidential Appendices C, D, and E.

Pursuant to Section 5c(c) of the Act and CFTC Regulations 40.2(a), the Exchange hereby certifies that the listing of the Contract complies with the Act and Commission regulations under the Act.

General Contract Terms and Conditions: The Contract operates similar to other event contracts that the Exchange lists for trading. The minimum price fluctuation is \$0.01 (one cent). Price bands will apply so that Contracts may only be listed at values of at least \$0.01 and at most \$0.99. Further, the Contract is sized with a one-dollar notional value and has a minimum price fluctuation of \$0.01 to enable Members to match the size of the contracts purchased to their economic risks. As outlined in Rule 5.16 of the Rulebook, trading shall be available at all times outside of any maintenance windows, which will be announced in advance by the Exchange. Members will be charged fees in accordance with Rule 3.13 of the Rulebook. Fees, if they are charged, are charged in such amounts as may be revised from time to time to be reflected on the Exchange’s Website. A new Source Agency can be added via a Part 40 amendment. All instructions on how to access

the Underlying are non-binding and are provided for convenience only and are not part of the binding Terms and Conditions of the Contract. They may be clarified at any time. Furthermore, the Contract's payout structure is characterized by the payment of an absolute amount to the holder of one side of the option and no payment to the counterparty. During the time that trading on the Contract is open, Members are able to adjust their positions and trade freely. The Expiration Value and Market Outcome are determined at or after Market Close. The market is then settled by the Exchange, and the long position holders and short position holders are paid according to the Market Outcome. In this case, "long position holders" refers to Members who purchased the "Yes" side of the Contract and "short position holders" refers to Members who purchased the "No" side of the Contract. If the Market Outcome is "Yes," meaning that an event occurs that is encompassed within the Payout Criterion, then the long position holders are paid an absolute amount proportional to the size of their position and the short position holders receive no payment. If the Market Outcome is "No," then the short position holders are paid an absolute amount proportional to the size of their position and the long position holders receive no payment. Specification of the circumstances that would trigger a Market Outcome of "Yes" are included below in the section titled "Payout Criterion" in Appendix A.

**CERTIFICATIONS PURSUANT TO SECTION 5c OF THE COMMODITY EXCHANGE
ACT, 7 U.S.C. § 7A-2 AND COMMODITY FUTURES TRADING COMMISSION RULE
40.2, 17 C.F.R. § 40.2**

Based on the above analysis, the Exchange certifies that:

- ☐ The Contract complies with the Act and Commission regulations thereunder.
- ☐ This submission (other than those appendices for which confidential treatment has been requested) has been concurrently posted on the Exchange's website at <https://kalshi.com/regulatory/filings>.

Should you have any questions concerning the above, please contact the exchange at ProductFilings@kalshi.com.



By: Xavier Sottile
Title: Head of Markets
Date: September 15, 2026

Attachments:

Appendix A - Contract Terms and Conditions

Appendix B - Trading Prohibitions

Appendix C (Confidential) - Further Considerations

Appendix D (Confidential) - Source Agency

Appendix E (Confidential) - Compliance with Core Principles

APPENDIX A – CONTRACT TERMS AND CONDITIONS

**Official Product Name: “Will Shohei Ohtani receive <above/below/exactly/between/at
least> <count> nominations at the 2027 ESPY Awards?”**

Rulebook: ESPYNOMS

ESPYNOMS

Scope: These rules shall apply to this contract.

Underlying: The Underlying for this Contract is the number of nominations received by Shohei Ohtani at the 2027 ESPY Awards, as announced by ESPN. Revisions to the Underlying made after Expiration will not be accounted for in determining the Expiration Value.

Source Agency: The Source Agencies are, in hierarchical order, ESPN (including the official list of nominees published by ESPN at espn.com/espys and through ESPN's press office, and ESPN's official nominations announcement), Fox Sports, The Athletic, CBS Sports, and NBC Sports.

Type: The type of Contract is an Event Contract.

Issuance: After the initial Contract, Contract iterations will be listed on an as-needed basis at the discretion of the Exchange. Each iteration constitutes a separate Contract that resolves independently of any other iteration.

<above/below/exactly/between/at least>: <above/below/exactly/between/at least> refers to comparison operators specified by the Exchange. "Above X" means strictly greater than X ($>X$). "Below X" means strictly less than X ($<X$). "Exactly X" means equal to X ($=X$), measured to the precision specified elsewhere in the Contract. "At least X" means greater than or equal to X ($\geq X$). "Between X and Y" means greater than or equal to X and less than or equal to Y ($\geq X$ and $\leq Y$), i.e., inclusive of both endpoints, unless otherwise specified. The Exchange may list iterations of the Contract corresponding to variations of <above/below/exactly/between/at least>.

<count>: <count> refers to a whole number of nominations specified by the Exchange. The Exchange may list iterations of the Contract with <count> levels that fall within an inclusive range beginning at zero (0) at consecutive increments of one (1). Due to the potential for variability in the Underlying, the Exchange may modify <count> levels in response to suggestions by Members.

Payout Criterion: The Payout Criterion for the Contract encompasses the Expiration Values that the number of nominations received by Shohei Ohtani at the 2027 ESPY Awards is <above/below/exactly/between/at least> <count>

Additional Clarifications:

Definition of Nomination:

- A "nomination" is a nominated achievement, in any competitive award category included in the official list of nominees for the 2027 ESPY Awards, that is included in that official list, and for which Shohei Ohtani is named as a nominee.
- Where a nomination names a team of which Shohei Ohtani is a member, and Shohei Ohtani is an individual, that nomination counts as a nomination received by Shohei Ohtani only if ESPN names Shohei Ohtani individually in the official list of nominees for that nominated achievement. Conversely, where Shohei Ohtani is a team, a nomination in which an individual member of Shohei Ohtani is the named nominee is not a nomination

received by Shohei Ohtani, whether or not Shohei Ohtani is identified in that nomination as the individual's team.

- An entry submitted for consideration, or a place on any eligibility list, shortlist, or similar list that is not the official list of nominees, is not a nomination.
- The Arthur Ashe Courage Award, the Jimmy V Award for Perseverance, the Pat Tillman Award for Service, and any other honorary, special, or non-competitive award or honor presented in connection with the ESPY Awards are not nominations. Nominations, awards, or honors conferred by any body other than ESPN are not nominations.

Counting of Nominations:

- Each nomination in each award category counts as one (1) nomination, regardless of the number of individuals or entities named in that nomination.
- Where two or more separate nominated achievements naming Shohei Ohtani are included in the same award category, each counts separately as one (1) nomination.
- The number of nominations received by Shohei Ohtani is determined by applying the rules above to the official list of nominees announced by ESPN.
- If Shohei Ohtani is not named in the official list of nominees for the 2027 ESPY Awards, Shohei Ohtani receives zero (0) nominations.

Announcement, Corrections, and Rescissions:

- The nominations are received at the time ESPN first announces its official list of nominees for the 2027 ESPY Awards, whether by press release, official social media announcement, or publication on ESPN's website, whichever occurs first. All times are interpreted in Eastern Time (ET).
- If ESPN announces nominees for the 2027 ESPY Awards in more than one tranche, or announces certain award categories separately from others, all nominated achievements so announced for that ceremony on or before the Expiration Date count, and the Underlying is the aggregate of all such nominated achievements naming Shohei Ohtani.
- If ESPN publishes a correction to its official list of nominees prior to Expiration (for example, to add an omitted nominated achievement, to remove a nominated achievement included in error, or to correct a misidentified nominee), the corrected list governs. Corrections published after Expiration will not be accounted for in determining the Expiration Value.
- A nomination that is included in the official list of nominees as announced by ESPN and is subsequently rescinded, revoked, withdrawn, declared ineligible, disqualified, or otherwise removed by ESPN, whether before or after Expiration, continues to count as a nomination received by Shohei Ohtani. A rescission, revocation, withdrawal, disqualification, or declaration of ineligibility is not a correction for purposes of the preceding bullet.

Source and Silence:

- If the official records published by two or more Source Agencies conflict as to the nominated achievements included in the official list of nominees for the 2027 ESPY Awards, the record of the Source Agency highest in the hierarchical order stated above

governs. Continuing ambiguity or dispute will be resolved by Kalshi pursuant to Rule 7.1.

- If ESPN is renamed, reorganized, merged, or succeeded by another organization prior to Expiration, the organization that in fact administers the annual ESPY Awards and publishes the official list of nominees for the 2027 ESPY Awards is treated as ESPN for all purposes under these rules.
- If there is no reported data or answer for the Underlying by the Expiration Date — including because ESPN has not announced an official list of nominees for the 2027 ESPY Awards, has cancelled the 2027 ESPY Awards, or has not conducted a nominations process for the 2027 ESPY Awards — the Contract for the number of nominations received by Shohei Ohtani at the 2027 ESPY Awards being <above/below/exactly/between/at least> <count> will resolve to last fair price, as determined by the Exchange in its sole discretion.

If a natural person who is the primary subject of a Contract's Underlying or Payout Criterion dies prior to Expiration, or if an act or attempted act of violence, assassination, or terrorism directly prevents, interrupts, or causes the event that is the primary subject of a Contract's Underlying or Payout Criterion, Kalshi may, in its sole discretion, settle the Contract at the last traded price prior to the death or act. If Kalshi determines that trading activity was materially affected by the circumstances giving rise to the death or act, Kalshi may instead use the last traded price prior to such circumstances becoming known or reasonably anticipated by market participants. For purposes of this Rule, Kalshi may rely on an approximate time where the precise time is unknown or cannot be reasonably determined. If Kalshi determines that no last traded price represents a fair settlement, the Outcome Review Committee shall determine the fair settlement price. Kalshi may halt or pause trading in any such Contract (with public notice on Kalshi's website or the Platform) if it reasonably believes that a death or act of terrorism subject to this Rule has occurred, is imminent, or that circumstances giving rise to such an occurrence may be happening. Determinations of Kalshi and the Outcome Review Committee under this Rule are final and not subject to review.

Minimum Tick: The Minimum Tick size for the Contract shall be \$0.01.

Position Accountability Level: The Position Accountability Level for the Contract shall be \$25,000 per strike, per Member.

Last Trading Date: The Last Trading Date of the Contract will be the Expiration Date. The Last Trading Time will be Expiration time.

Settlement Date: The Settlement Date of the Contract shall be no later than the day after the Expiration Date, unless the Market Outcome is under review pursuant to Rule 7.1.

Expiration Date: The latest Expiration Date of the Contract shall be one week after the date on which the 2027 ESPY Awards is scheduled to be held, as published by ESPN as of Issuance. If an event described in the Payout Criterion occurs, expiration will be moved to an earlier date and time in accordance with Rule 7.2.

Expiration time: The Expiration time of the Contract shall be 10:00 AM ET.

Settlement Value: The Settlement Value for this Contract is \$1.00.

Expiration Value: The Expiration Value is the value of the Underlying as documented by the Source Agency on the Expiration Date at the Expiration time.

Contingencies: Before Settlement, Kalshi may, at its sole discretion, initiate the Market Outcome Review Process pursuant to Rule 7.1 of the Rulebook. If an Expiration Value cannot be determined on the Expiration Date, Kalshi has the right to determine payouts pursuant to Rule 7.1 in the Rulebook.

APPENDIX B – TRADING PROHIBITIONS

In addition to the general prohibition against trading on material nonpublic information, the Exchange will institute additional prohibitions for trading the contract. Persons under 18 years of age are not permitted to create Kalshi accounts. The following individuals will be prohibited from trading:

- Any employee, officer, director, contractor, or agent of ESPN, including any person involved in administering, screening, reviewing, or certifying the official list of nominees for the 2027 ESPY Awards.
- Any member of the ESPY Select Nominating Committee, or of any related selection panel of ESPN, who has access to material nonpublic information regarding the content or timing of the official list of nominees for the 2027 ESPY Awards.
- Any employee, officer, contractor, or agent of any vendor engaged to build, test, host, or administer the nominating or voting systems used for the 2027 ESPY Awards.
- Any employee, officer, contractor, or agent of a Source Agency listed in Appendix A with access to material nonpublic information relating to the Underlying.
- Any person who otherwise has the ability to influence, or has advance knowledge of, the content or timing of the official list of nominees for the 2027 ESPY Awards, including whether and in how many categories Shohei Ohtani is named as a nominee.
- The immediate family members and members of the same household of any person described above