

**North American Derivatives Exchange
Emergency Action**

Per North American Derivatives Exchange Rule 2.4, the undersigned two members of the Management Team have authorized the adoption of a temporary emergency rule to address the emergency following emergency:

Indicate the type of emergency being addressed (as listed in Rule 2.4(c)) (check appropriate):

- (i) any activity that manipulates or attempts to manipulate the Market;
- (ii) any actual, attempted, or threatened corner, squeeze, or undue concentration of positions;
- (iii) any circumstance that may materially affect the performance of the Contracts traded on, Nadex;
- (iv) any action taken by the United States, any foreign government, any state or local governmental body, any other contract market or board of trade, or any other exchange, market, facility, or trade association (foreign or domestic) that may have a direct impact on trading on Nadex;
- (v) any circumstances that may have a severe, adverse impact upon the physical functions of Nadex including, for example, natural disasters such as fire or flood, terrorist acts such as bomb threats, physical plant breakdowns such as plumbing, heating, or air conditioning problems, system breakdowns such as power, telephony, cable, trading systems, or computer systems failures or interruptions to communications, the network, or the Internet;
- (vi) the imposition of any injunction or other restraint by any government agency, court, or arbitrator that may affect the ability of a Member to perform on Contracts;
- (vii) any circumstance in which it appears that a Nadex Member or any other person is in such operational condition, or is conducting business in such a manner, that such person cannot be permitted to continue in business without jeopardizing the safety of Nadex Members or Nadex itself; and
- (viii) any other unusual, unforeseeable, and adverse circumstance which, in the opinion of the governing board, requires immediate action and threatens or may threaten such things as the fair and orderly trading in, or the liquidation of or delivery pursuant to Contracts traded on Nadex.

The reason for the emergency action is: Nadex refrained from listing its Daily Bitcoin Binary contracts at the open of business for trade date November 22, 2016. This action was taken as the result of a technical issue the market maker experienced with its underlying Bitcoin data feed, which prevented them from pricing an accurate market. Due to the low liquidity in the Nadex Bitcoin contracts in the absence of the market maker, Nadex decided it was appropriate to refrain from listing the contract until a market maker was available to price the contract. Accordingly, the contract was relisted at approximately 10:00am ET on trade date November 22, 2016. In the event the technical issue experienced by the overnight market maker has not been corrected for the open of business on trade date November 23 or 25, (Nadex is closed on November 24, 2016), Nadex will again refrain from listing this contract until the issue has been corrected, or another market maker joins the market. Nadex will post a notice on its website if the contract will be delayed.

By: Kate Kröhl
Title: Chief Regulatory Officer
Date: November 22, 2016

and

By: [Signature]
Title: CFO