

February 20, 2020

Ansley H Schrimpf

VIA ELECTRONIC SUBMISSION

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

Re: **FOIA Confidential Treatment Request—
Bitnomial, Inc. and Bitnomial Exchange, LLC**

Dear Sir/Madam:

On behalf of Bitnomial, Inc. (the “Company”), we have submitted documents, dated February 20, 2020 (the “Confidential Submission”), to the Commodity Futures Trading Commission (“Commission”) as part of Bitnomial Exchange, LLC’s designated contract market (“DCM”) application. We are requesting confidential treatment of all exhibits listed in DCM Application Exhibit U and all redlines of drafts submitted for review.

We hereby petition the Commission, pursuant to Commission Regulations 145.5 and 145.9, to accept and retain in confidence the aforementioned documents until further notice as against any requestor who files with the Commission a request to inspect such documents pursuant to the Freedom of Information Act.

Confidential treatment is requested, among other things, on the grounds that the Confidential Submission contains data and information which would separately disclose business transactions and trade secrets that may not be disclosed to third parties, as provided in Section 8(a) of the Commodity Exchange Act and Commission Regulation 145.5(c)(1). Confidential treatment also is requested on the grounds that the Confidential Submission is exempt from disclosure under paragraph (b)(4) of the Freedom of Information Act (“FOIA”) and Commission Regulations 145.5(d) and 145.9(d)(1)(ii), because it contains commercial and financial information that is confidential and would be of material assistance to competitors. Further, confidential treatment is requested on the grounds that the Confidential Submission includes personal information of the Company and other persons, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

We understand that if the Commission receives a FOIA request for the Confidential Submission, we will be notified of such request in accordance with the Commission’s regulations

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and be asked to submit, within ten business days, a detailed written justification for confidential treatment of the Confidential Submission. In such event, we request that Commission staff telephone or email the undersigned rather than rely solely upon U.S. mail for such notice.

If the Commission or its staff transmits any of the Confidential Submission to another federal agency, we request that you forward a copy of this letter to any such agency with the Confidential Submission and further request that you advise any such agency of the request that the material be accorded confidential treatment.

The requests set forth in the preceding paragraphs also apply to any memoranda, notes, transcripts or other writings of any sort whatsoever that are made by, or at the request of, any employee of the Commission (or any other federal agency) and which (1) incorporate, include or relate to any aspect of the Confidential Submission; or (2) refer to any conference, meeting, or telephone conversation regarding the Company relating to the Confidential Submission.

Please direct any questions regarding this request for confidential treatment, as well as any notices pursuant to Commission Regulation 145.9(e), to the attention of the undersigned at the telephone number and address set forth herein.

Very truly yours,

/s/

Ansley H. Schrimpf

Enclosure

cc: Alexandros Stamoulis

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EXHIBIT U

Request for Confidential Treatment

Attach as Exhibit U, any information (described with particularity) included in the application that will be subject to a request for confidential treatment pursuant to § 145.9 of the Commission's regulations.

The Applicant requests that the following information be subject to its request for confidential treatment pursuant to § 145.9 of the Commission's regulations:

1. Table of Contents
2. Abbreviations
3. Overview of Bitnomial Exchange
4. Exhibit A (ownership)
5. Exhibit B (officers and directors)
6. Exhibit D (organizational structure)
7. Exhibit E (personnel qualifications)
8. Exhibit F (staffing requirements)
9. Exhibit H (material pending litigations)
10. Exhibit I (financial resources and agreement and estimate of future operations)
11. Exhibit J (affiliate balance sheet and income statement)
12. Exhibit K (fees)
13. Exhibit N (third party contracts)
14. Exhibit O (trade practice, market and financial surveillance)
15. Exhibit P (disciplinary and enforcement)
16. Exhibit Q (trading system algorithms)
17. Exhibit R (trade practice violations)
18. Exhibit S (maintenance of trade data)
19. Exhibit T (clearing)
20. Exhibit U (FOIA request)
21. Exhibit V (Technology Questionnaire)

This includes all attachments to the exhibits unless otherwise noted.