



August 21, 2024

**VIA COMMISSION PORTAL**

Christopher J. Kirkpatrick  
Secretary, Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, N.W.  
Washington, D.C. 20581

**Re: Request for Transfer of Open Interest from MIAx dx to Kalshi Klear  
LedgerX LLC Submission 24-15**

Dear Mr. Kirkpatrick,

LedgerX LLC d/b/a MIAx Derivatives Exchange (“**MIAx dx**”), a derivatives clearing organization (“**DCO**”) registered with the Commodity Futures Trading Commission (“**CFTC**” or “**Commission**”), currently clears all listed contracts on behalf of KalshiEX LLC (“**Kalshi Exchange**”), a designated contract market (“**DCM**”), and has done so since its launch in 2021. We understand that Kalshi Klear LLC (“**Kalshi Klear**”), an affiliate of Kalshi Exchange, is applying for registration as a DCO, and that upon registration approval by the Commission, Kalshi Exchange intends to clear its contracts exclusively through Kalshi Klear. Upon approval of Kalshi Klear’s DCO registration by the Commission, MIAx dx intends to transfer all positions comprising open interest on the Kalshi Exchange (“**Kalshi Open Interest**”) to Kalshi Klear for clearing and settlement. Accordingly, MIAx dx is submitting this filing regarding the transfer of Kalshi Open Interest pursuant to Commission regulation 39.3(g).

MIAx dx and Kalshi Klear intend to transfer Kalshi Open Interest, in accordance with their Rulebooks, and in accordance with the Clearing Services Agreement between MIAx dx and Kalshi Exchange, as amended, as follows:

1. The date of transfer will be mutually agreed among MIAx dx, Kalshi Exchange, and Kalshi Klear.
2. Prior to the date of the transfer of all Kalshi Open Interest, MIAx dx and Kalshi Exchange will notify Kalshi Exchange members (“**Kalshi Participants**”) of the transfer, pending regulatory approval (which approval may occur after the registration of Kalshi Klear with the CFTC as a DCO, and at the earlier of either (a) such time as the Commission takes action in accordance with CFTC regulations 39.3 and 40.5, or (b) upon the expiration of the 45-day period described in CFTC regulation 40.5, or such extended period as described

**MIAx Derivatives Exchange**

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[miaxdx.com](http://miaxdx.com)



- therein). Kalshi Participants will also be notified that, if they do not wish to transfer their positions to Kalshi Klear, their positions will be closed prior to the transfer, and their collateral must be withdrawn from MIAXdx.
3. On that day, all Kalshi Exchange trading hours will be shortened and a maintenance period will be entered into at the close of trading. After daily settlement determination, MIAXdx and Kalshi Exchange will perform a reconciliation of all open positions. MIAXdx will then transfer all Kalshi Open Interest to Kalshi Klear, and will transmit the Kalshi Participants' member property to Kalshi Klear's account. Kalshi Klear will begin clearing for the Kalshi Exchange.
  4. MIAXdx and Kalshi Klear will continue to communicate and coordinate for at least one month after the transfer to ensure that all Kalshi Open Interest is properly recorded on Kalshi Klear.

The transfer of Kalshi Open Interest will include all the Kalshi Open Interest on MIAXdx. The transfer will not impact the rights and obligations of Kalshi Participants holding open positions at the time of the transfer (provided that, after the transfer, Kalshi Participants will be subject to the Kalshi Klear rulebook and such other agreements as may be in effect at that time), and Kalshi Participants will not be charged any fees or costs for the transfer by MIAXdx (and we are informed that neither Kalshi Exchange nor Kalshi Klear will charge any such fees or costs). MIAXdx is informed that Kalshi Participants will continue to be able to close their open positions via the Kalshi Exchange after the transfer to Kalshi Klear.

The transfer of Kalshi Open Interest will only occur following the Commission's approval of Kalshi Klear's DCO application. Kalshi Klear's representations regarding its ability to comply with Commodity Exchange Act ("Act"), core principles, and Commission regulations are set forth in its application, and we are informed that Kalshi Klear represents that no change is required to its rulebook to accommodate the transfer.

We are informed that Kalshi Klear represents to the Commission that upon registration it will be in, and will maintain, compliance with any applicable provisions of the Act, including the core principles applicable to DCOs, and the Commission's regulations governing the transfer of the open interest. Please see the attached Appendix for a letter from Kalshi Exchange and Kalshi Klear to MIAXdx containing all relevant representations.

MIAXdx respectfully requests that the Commission approve this filing pursuant to Commission regulations 39.3(g) and 40.5(c) on an expedited basis.

MIAXdx certifies that it has concurrently posted a copy of this submission letter on its website at <https://ledgerx.com/reg-notices>. MIAXdx is not aware of any substantive opposing views to this submission.



MIAXdx would be happy to discuss this filing with the Commission in greater detail at its convenience. Please feel free to contact me at [gc@ledgerx.com](mailto:gc@ledgerx.com) to discuss any questions.

Sincerely,

A handwritten signature in black ink that reads "Brian G. Mulherin". The signature is written in a cursive, flowing style.

Brian G. Mulherin  
General Counsel  
LedgerX LLC d/b/a MIAX Derivatives Exchange



# APPENDIX

**MIAX Derivatives Exchange**

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Office of the Secretariat  
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Three Lafayette Centre  
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Washington, D.C. 20581

**Re: Request for Transfer of Open Interest from MIAXdX to Kalshi Klear**

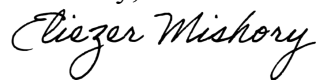
Dear Sir or Madam,

In connection with LedgerX LLC's d/b/a MIA X Derivatives Exchange ("**MIAXdX**") filing pursuant to Commodity Futures Trading Commission ("**CFTC**" or "**Commission**") regulation 39.3(g), Kalshi Klear LLC ("**Kalshi Klear**") and KalshiEX LLC ("**Kalshi Exchange**") make the following representations:

1. Kalshi Klear represents that upon the transfer of open interest to MIAXdX, which will occur only after Kalshi Klear's registration application as a derivatives clearing organization ("**DCO**") has been approved by the CFTC, it will be in, and will maintain, compliance with any applicable provisions of the Commodity Exchange Act, including the core principles applicable to DCOs, and the Commission's regulations.
2. Kalshi Klear represents that no changes to its rulebook are required to accommodate the transfer of open interest from MIAXdX to Kalshi Klear.
3. Kalshi Klear and Kalshi Exchange represent that the transfer will not impact the rights and obligations of members of Kalshi Exchange ("**Kalshi Participants**") holding open positions at the time of the transfer (provided that, after the transfer, Kalshi Participants will be subject to the Kalshi Klear rulebook and such other agreements as may be in effect at that time), and that they will not charge any fees or costs to Kalshi Participants for the transfer of open interest from MIAXdX to Kalshi Klear.
4. Kalshi Klear and Kalshi Exchange represent that Kalshi Participants will be able to close their open positions via the Kalshi Exchange after the transfer to Kalshi Klear.
5. Kalshi Klear and Kalshi Exchange represent that they intend to cooperate in the transfer of Kalshi Participant open interest from MIAXdX to Kalshi Klear, as described in the MIAXdX letter of today's date.

Kalshi Klear and Kalshi Exchange respectfully request that the Commission approve this filing pursuant to Commission regulations 39.3(g) and 40.5(c) on an expedited basis.

Sincerely,



Elie Mishory  
Chief Compliance Officer  
KalshiEX LLC and Kalshi Klear LLC