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MAR 26 2009

NASDAQ OMX Futures Exchange, Inc.  
1900 Market Street  
Philadelphia, PA 19103

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**Rule Self-Certification**

March 26, 2009

Office of the Secretary  
Commodity Futures Trading Commission  
Three Lafayette Center  
1155 21<sup>st</sup> St., N.W.  
Washington, D.C. 20581

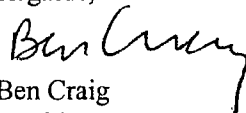
Re: Amendments to NFX Rules (Rule 651)  
Reference File SR-NFX-2009-05

Ladies and Gentlemen:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended ("Act"), and Section 40.6 of the regulations promulgated by the Commodity Futures Trading Commission under the Act, the NASDAQ OMX Futures Exchange, Inc. ("NFX" or "Exchange") hereby submits the attached amendment to its Rules regarding the adoption of a new Rule 651 which requires a member who fails to prevail in a lawsuit or other proceeding against the Exchange or any of its board members, officers, committee members, employees or agents, and related to the business of the Exchange, to repay the Exchange. The amendment will become effective on March 30, 2009.

There were no opposing views among NFX's Board of Directors, members or market participants. NFX hereby certifies that this rule amendment complies with the Commodity Exchange Act and regulations thereunder.

Regards,

  
Ben Craig  
President

cc: Mr. Glenn Spann  
Ms. Jane Croessmann

**Exhibit A**

*New language is underlined.*

\* \* \* \* \*

**Rule 503 – [1112] 651 Reserved**

**Rule 651. Exchange's Costs of Defending Legal Proceedings**

Any member or member organization or person associated with any of the foregoing who fails to prevail in a lawsuit or other legal proceeding instituted by such person or entity against the Exchange or any of its board members, officers, committee members, employees, or agents, and related to the business of the Exchange, shall pay to the Exchange all reasonable expenses, including attorneys' fees, incurred by the Exchange in the defense of such proceeding, but only in the event that such expenses exceed \$50,000.00. This provision shall not apply to disciplinary actions by the Exchange, to administrative appeals of Exchange actions or in any specific instance where the Board has granted a waiver of this provision.

**Rule 652 -1112 Reserved.**

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