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April 27, 2009

Mr. David Stawick  
Office of the Secretariat  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, N.W.  
Washington, DC 20581

**RE: CME/CBOT/NYMEX Rule 619 ("Appeal")  
CME Submission No. 09-081**

Dear Mr. Stawick:

Chicago Mercantile Exchange Inc., The Board of Trade of the City of Chicago, Inc. and New York Mercantile Exchange, Inc. (collectively, "the Exchanges") hereby notify the Commission that they have adopted amendments to Rule 619 ("Appeal") to eliminate the requirement that appeals of decisions rendered by Arbitration Committee Panels be heard within 60 days. The amendment has been made to provide additional flexibility to the parties, their counsel and the hearing panel with respect to appeal hearings.

The text of the amendment appears below, with deletions overstruck.

**619. APPEAL**

[The first three paragraphs are unchanged.]

The appeal shall be heard by a hearing committee of the Board, and the matter shall be heard within 60 days of the end of the appellee's filing period, unless the Market Regulation Department or the chairman of the hearing committee determines that good cause for an extension has been shown. The hearing committee shall consist of three directors appointed by the Chairman of the Board, one of whom the Chairman of the Board shall designate as chairman of the hearing committee. No director may serve on a hearing committee if he has a personal or financial interest in the matter under consideration. A party may strike any member of the hearing committee for good cause shown as determined by the Chief Regulatory Officer, in which event that director shall be excused from hearing the matter. The Chairman of the Board shall then select an alternate participant from the Board. Any meeting of the hearing committee shall require the presence of each director appointed to the committee and shall be conducted by the chairman of the hearing committee. The parties may, upon unanimous consent, waive the right to hearing, and the hearing committee may consider the matter based solely on the parties' written submissions.

The Exchanges certify that the amendment complies with the Act and regulations thereunder.

If you have any questions regarding this matter, please contact Robert Sniagowski, Associate Director, Market Regulation Department, at (312) 341-5991 or contact me at (312) 648-5422. Please reference CME/CBOT/NYMEX Submission No. 09-081 in any related correspondence.

Sincerely,

/s/ Stephen M. Szarmack  
Director and Associate General Counsel