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June 25, 2009

Via E-Mail: [submissions@cftc.gov](mailto:submissions@cftc.gov)

Mr. David Stawick  
Secretary of the Commission  
Office of the Secretariat  
Commodity Futures Trading Commission  
3 Lafayette Centre  
1155 21<sup>st</sup> Street, N.W.  
Washington D.C. 20581

C.F.T.C.  
OFFICE OF THE SECRETARIAT  
2009 JUN 25 PM 5 19

**RE: Rule Certification: Nadex<sup>®</sup> Amends its Holiday Schedule for the Independence Day 2009 Holiday – Submission pursuant to Commission Regulation §40.6(a)**

Dear Mr. Stawick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended (the Act”), and §40.6(a) of the regulations promulgated by the Commodity Futures Trading Commission (the “Commission”) under the Act, Nadex, Inc. (“Nadex”) hereby submits to the Commission its intent to amend its trading hours and listing schedule for the Independence Day Holiday, June 29-July 5, 2009. The effective date of the amendments will be June 25, 2009.

Nadex will observe the following business hours:

- On Monday, June 29, 2009, the Exchange will observe regular exchange hours. All Weekly Binary contracts and Monthly Nonfarm Payroll and Unemployment Rate Binary contracts offered on this date will have a Last Trading Day and Settlement Date of Thursday, July 2, 2009 and will expire at the regular times on the Last Trading Day.
- On Thursday, July 2, 2009, the Exchange will close at 5:00pm ET. The regular 6:00 pm to 2:05am ET evening session will not be held on July 2, 2009. In addition to the Weekly and Monthly Binary Contracts discussed above, Contract specific trading hours on July 2, 2009 will be as follows:
  - All Intraday and Daily Binary contracts will be available for trading and will close at their regular times.
  - All Daily Spreads contracts will be available for trading and will close at their regular times.

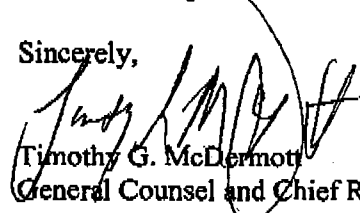
- All Weekly Jobless Claims Binary contracts will be available for trading and will close at their regular times.
- On Friday, July 3, 2009, the Exchange will be closed.
- On Sunday, July 5, 2009, the Exchange will observe regular exchange hours.

No substantive opposing views were expressed to Nadex with respect to any of these actions.

Nadex hereby certifies that the revisions contained herein comply with the Act and the Commission Regulations adopted thereunder.

Should you have any questions regarding the above, please do not hesitate to contact me by telephone at (312) 884-0171 or by email at [tim.mcdermott@nadex.com](mailto:tim.mcdermott@nadex.com).

Sincerely,

  
Timothy G. McDermott  
General Counsel and Chief Regulatory Officer

cc: [DMOSubmission@cftc.gov](mailto:DMOSubmission@cftc.gov)  
Jon Hultquist – CFTC (Acting Branch Chief, DMO, Chicago)  
Tom Leahy - CFTC  
Riva Adriance – CFTC  
Nancy Markowitz – CFTC

Yossi Beinart - HedgeStreet, Inc.