

**North American Derivatives Exchange  
Emergency Action**


Per North American Derivatives Exchange Rule 2.4, the undersigned two members of the Management Team have authorized the adoption of a temporary emergency rule to address the emergency following emergency:

Indicate the type of emergency being addressed (as listed in Rule 2.4(c)) (check appropriate):

- (i)  any activity that manipulates or attempts to manipulate the Market;
- (ii)  any actual, attempted, or threatened corner, squeeze, or undue concentration of positions;
- (iii)  any circumstance that may materially affect the performance of the Contracts traded on, Nadex;
- (iv)  any action taken by the United States, any foreign government, any state or local governmental body, any other contract market or board of trade, or any other exchange, market, facility, or trade association (foreign or domestic) that may have a direct impact on trading on Nadex;
- (v)  any circumstances that may have a severe, adverse impact upon the physical functions of Nadex including, for example, natural disasters such as fire or flood, terrorist acts such as bomb threats, physical plant breakdowns such as plumbing, heating, or air conditioning problems, system breakdowns such as power, telephony, cable, trading systems, or computer systems failures or interruptions to communications, the network, or the Internet;
- (vi)  the imposition of any injunction or other restraint by any government agency, court, or arbitrator that may affect the ability of a Member to perform on Contracts;
- (vii)  any circumstance in which it appears that a Nadex Member or any other person is in such operational condition, or is conducting business in such a manner, that such person cannot be permitted to continue in business without jeopardizing the safety of Nadex Members or Nadex itself; and
- (viii)  any other unusual, unforeseeable, and adverse circumstance which, in the opinion of the governing board, requires immediate action and threatens or may threaten such things as the fair and orderly trading in, or the liquidation of or delivery pursuant to Contracts traded on Nadex.

The reason for the emergency action is: Nadex intends to implement an Emergency Rule pursuant to Nadex Rule 2.4 to close its Initial Jobless Claims and Nonfarm Payrolls Binary Contracts at approximately 10:30am EDT on October 1, 2013 and for the remainder of the week as a result of the federal government shutdown. The Nadex Initial Jobless Claims and Nonfarm Payrolls Binary contracts are based upon the underlying Jobless Claims and Nonfarm Payrolls figures released by the U.S. Department of Labor. The next scheduled release dates for the Jobless Claims and Nonfarm Payrolls are October 3, 2013 and October 4, 2013, respectively. This action is being taken as the government shutdown has the potential to affect the release of those figures, thereby rendering the Nadex Initial Jobless Claims and Nonfarm Payrolls Binary contracts potentially unable to be settled, and thus materially affecting the performance of those

contracts. Nadex plans to return its regular listing schedule for these contracts on Monday, October 7, 2013, unless the federal government has not resumed its regular operations as of that date. At the time the Nadex Jobless Claims and Nonfarm Payrolls Binary contracts were closed on October 1, 2013 no open interest existed for those contracts, nor had any working orders been submitted.

By:   
Title: CEO  
Date: 1 Oct 2013

and By:   
Title: COO