

BEFORE THE BUSINESS CONDUCT COMMITTEE PANEL
OF THE
CBOE FUTURES EXCHANGE, LLC

In the Matter of:)
)
)

Sumo Capital LLC,)
)

Subject.)
)

File No. CFE 16-0006
ICT No. 109107

DECISION ACCEPTING LETTER OF CONSENT

This proceeding was instituted by a Panel of the Business Conduct Committee (“Committee”) of CBOE Futures Exchange (“CFE”) as a result of an investigation by CFE Regulatory staff. In order to resolve this matter, Sumo Capital LLC has submitted a Letter of Consent for purposes of this proceeding without admitting or denying that a violation of Exchange Rules has been committed. With due regard to the stipulated facts and findings and the proposed sanction, contained therein, the Committee believes it is appropriate to accept the Letter of Consent, attached hereto and made a part of this decision.

So Ordered for the Committee

November 30, 2016

Bruce Andrews
Chairman
Business Conduct Committee Panel

BEFORE THE BUSINESS CONDUCT COMMITTEE PANEL
OF THE
CBOE FUTURES EXCHANGE, LLC

In the Matter of:)	
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Sumo Capital LLC,)	File No. CFE 16-0006
)	
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LETTER OF CONSENT

In order to resolve these proceedings pursuant to the CBOE Futures Exchange, LLC (“CFE” or “Exchange”) Rule 703, Expedited Proceeding, Sumo Capital LLC (“Sumo”), hereby submits this Letter of Consent in the above captioned matter. For purposes of this proceeding and without admitting or denying that a violation of Exchange Rules has been committed, Sumo consents to the Stipulation of Facts and Findings and the Sanction set forth below.

Stipulation of Facts and Findings:

1. During all relevant periods herein, Sumo was a CFE Trading Privilege Holder.
2. During all relevant periods herein, CFE Rules 403(c) – Order Entry, 501 – Books and Records and 609 – Inadequate Supervisory Procedures were in full force and effect, as follows:

403(c) – Each Trading Privilege Holder shall maintain front-end audit trail information for all electronic orders entered into the CBOE System...

501 - Each Trading Privilege Holder ... shall prepare and keep current all books, ledgers and other similar records required to be kept by it pursuant to the CEA, Commission Regulations... and the Rules of the Exchange... Such books and records shall be made available to the Exchange upon request...

609 – Each Trading Privilege Holder shall be responsible for establishing, maintaining and administering reasonable, written supervisory procedures...

3. For a CFE audit of the period November 2013 through August 2015, Sumo failed to provide audit trail records to CFE, and further, was unable to substantiate that such records were

retained as required by CFE and by Sumo's own written supervisory procedures.

4. The conduct described above constitutes a violation of CFE Rules 403(c), 501 and 609.

Sanction: \$40,000 fine

Sumo acknowledges that it has read the foregoing Letter of Consent, that no promise or inducement of any kind has been made to it by the Exchange or its staff, and that this Letter of Consent is voluntary on its part.

Sumo understands and acknowledges that the Business Conduct Committee's decision in this matter will become part of its disciplinary record and may be considered in any future Exchange proceeding.

Sumo also acknowledges that the Business Conduct Committee's decision to accept or reject this Letter of Consent is final, and that it may not seek review thereof in accordance with Exchange Rule 703.

16 November 2016
Date

Sumo Capital LLC