

# Cboe Futures Exchange, LLC

## Pooled Investment Vehicle Appendix to Organization Trading Privilege Holder Application

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To qualify as a Pool as defined in the Cboe Futures Exchange, LLC (“CFE”) [Rule Book](#), an applicant must complete and submit all materials listed on the Application Checklist below via email to [MembershipServices@cboe.com](mailto:MembershipServices@cboe.com) or mail to:

Cboe Futures Exchange, LLC  
Attn: Membership Services  
400 S. LaSalle Street, 6<sup>th</sup> Floor  
Chicago, IL 60605

Applicants are required to answer **every** question and provide the requested information in each field. Applicants may answer not applicable (“N/A”) where appropriate. For all areas requesting a CRD # or NFA #, Applicants are required to provide an ID number or mark N/A. Applicants are required to update any information submitted in this application when and if it becomes inaccurate or incomplete while this application is pending.

### APPLICATION CHECKLIST

#### Items required for application approval:

- Pooled Investment Vehicle Appendix to Organization Trading Privilege Holder Application
  - Information Cover Sheet and Individual Disciplinary Information for Criminal and Regulatory Disclosures (pages 9-13) for each Executive Officer and Account Administrator
  - Organizational Documents: Certificate of Incorporation and Bylaws; Partnership Agreement and Registration Certificate; Limited Liability Company Operating Agreement and Registration Certificate or equivalent documentation – *applicable to applicants not currently approved as a Trading Permit Holder with Cboe Exchange, Inc.*
  - Investment Management Agreement for Pool (or equivalent document) and ownership/organizational chart for Pool and Pool Manager(s)
  - Confirmation of OCC approval – *applicable to clearing members*
  - Supplemental Application Form – *if applicable*
- Approved Foreign Jurisdictions and Supplemental Application Forms are available [here](#).
- Application fee

Please refer to ‘Application Fees’ section of the [CFE Fee Schedule](#) for current pricing information. Applicant is responsible for all wire transfer fees assessed by Applicant’s bank. All application fees are non-refundable.

#### Items required to become effective:

- Clearing Member Give-Up Authorization and Guarantee – *applicable to non-clearing members*
- Clearing Member Guarantee – *applicable to clearing members*
- Confirmation of OCC activation – *applicable to clearing members*
- TPH Activation / Termination Form

Note: All application materials sent to CFE will be reviewed for completeness.

CFE may request applicants to submit documentation in addition to what is listed in the Application Checklist during the application review process. If you have questions on completing the application, you may direct them to Membership Services at [MembershipServices@cboe.com](mailto:MembershipServices@cboe.com) or 312.786.7449. In addition, please refer to CFE’s website at [www.cfe.cboe.com](http://www.cfe.cboe.com) for additional information regarding the approval process.

**Cboe Futures Exchange, LLC**  
**Pooled Investment Vehicle Appendix to**  
**Organization Trading Privilege Holder Application**

GENERAL INFORMATION			
Name of Applicant:			
Tax ID #:	CRD #:	NFA #:	
Address of Principal Office:			
City:	State:	Zip:	
Address of Billing Office:			
City:	State:	Zip:	
BUSINESS CONTACT		BILLING CONTACT	
Name:		Name:	
Title:		Title:	
CRD #:	NFA #:	CRD #:	NFA #:
Email:		Email:	
Phone:		Phone:	
COMPLIANCE CONTACT		REGULATORY CONTACT	
Name:		Name:	
Title:		Title:	
CRD #:	NFA #:	CRD #:	NFA #:
Email:		Email:	
Phone:		Phone:	
TRADING CONTACT		TECHNICAL CONTACT	
Name:		Name:	
Title:		Title:	
CRD #:	NFA #:	CRD #:	NFA #:
Email:		Email:	
Phone:		Phone:	
TYPE OF ORGANIZATION			
<input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Partnership <input type="checkbox"/> Other – Specify: _____			
Organized under the laws of: _____			
TYPE OF BUSINESS ACTIVITIES CONDUCTED BY APPLICANT (check all that apply)			
Will the Applicant execute transactions on CFE for its own account? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, mark Proprietary Trading Firm below.			
Will the Applicant execute transactions on CFE as agent for one or more non-affiliated Person(s)? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, mark Brokerage Firm below.			
<input type="checkbox"/> Proprietary Trading Firm <input type="checkbox"/> Brokerage Firm <input type="checkbox"/> Clearing Firm <input type="checkbox"/> Pooled Investment Vehicle*			

\*An entity that acts as an operator, investment manager, investment advisor or in any other similar managerial or advisory capacity to, and/or that otherwise exercises discretionary authority on behalf of a Pool should complete a CFE Organization Trading Privilege Holder Application (Domestic) or (Foreign) ("TPH Application"). Each Pool should complete this Appendix ("Pool Appendix"). If a Pool has more than one Pool Manager, each Pool Manager should complete a TPH Application. If a Pool Manager has already been approved, each new Pool should complete the Pool Appendix and the Pool Manager does not need to complete a TPH Application.

**NATIONAL SECURITIES EXCHANGE OR ASSOCIATION (check all that apply)**

- |  |   |
|--|---|
| <input type="checkbox"/> BOX Options Exchange, LLC               | <input type="checkbox"/> ISE Mercury, LLC                             |
| <input type="checkbox"/> Cboe BZX Exchange, Inc.                 | <input type="checkbox"/> Investors Exchange, LLC                      |
| <input type="checkbox"/> Cboe BYX Exchange, Inc.                 | <input type="checkbox"/> Miami International Securities Exchange, LLC |
| <input type="checkbox"/> Cboe C2 Exchange, Inc.                  | <input type="checkbox"/> MIAX PEARL, LLC                              |
| <input type="checkbox"/> Cboe EDGA Exchange, Inc.                | <input type="checkbox"/> NASDAQ Stock Market, LLC                     |
| <input type="checkbox"/> Cboe EDGX Exchange, Inc.                | <input type="checkbox"/> NASDAQ OMX BX, Inc.                          |
| <input type="checkbox"/> Cboe Exchange, Inc.                     | <input type="checkbox"/> NASDAQ OMX PHLX, LLC                         |
| <input type="checkbox"/> Chicago Stock Exchange, Inc.            | <input type="checkbox"/> New York Stock Exchange, LLC                 |
| <input type="checkbox"/> Financial Industry Regulatory Authority | <input type="checkbox"/> NYSE American, LLC                           |
| <input type="checkbox"/> International Securities Exchange, LLC  | <input type="checkbox"/> NYSE Arca, Inc.                              |
| <input type="checkbox"/> ISE Gemini, LLC                         | <input type="checkbox"/> NYSE National, Inc.                          |
|  | <input type="checkbox"/> Other _____                                  |

**FUTURES EXCHANGE OR ASSOCIATION (check all that apply)**

- |  |   |
|--|---|
| <input type="checkbox"/> Chicago Board of Trade      | <input type="checkbox"/> NASDAQ Futures Exchange      |
| <input type="checkbox"/> Chicago Mercantile Exchange | <input type="checkbox"/> National Futures Association |
| <input type="checkbox"/> ICE Futures US, Inc.        | <input type="checkbox"/> New York Mercantile Exchange |
| <input type="checkbox"/> Kansas City Board of Trade  | <input type="checkbox"/> Nodal Exchange               |
| <input type="checkbox"/> Minneapolis Grain Exchange  | <input type="checkbox"/> OneChicago                   |
| <input type="checkbox"/> Nadex                       | <input type="checkbox"/> Other _____                  |

**NFA REGISTRATIONS**

- |                             |                                  |                                   |                              |
|-----------------------------|----------------------------------|-----------------------------------|------------------------------|
| Futures Commission Merchant | <input type="checkbox"/> Pending | <input type="checkbox"/> Approved | <input type="checkbox"/> N/A |
| Introducing Broker          | <input type="checkbox"/> Pending | <input type="checkbox"/> Approved | <input type="checkbox"/> N/A |
| Commodity Pool Operator     | <input type="checkbox"/> Pending | <input type="checkbox"/> Approved | <input type="checkbox"/> N/A |
| Commodity Trading Advisor   | <input type="checkbox"/> Pending | <input type="checkbox"/> Approved | <input type="checkbox"/> N/A |

**OTHER DOMESTIC OR FOREIGN REGISTRATIONS OR LISTINGS**

For each registration or listing, please provide the regulatory agency or body, registration capacity and registration number (attach an additional sheet if more space is needed):

Designated Self-Regulatory Organization (DSRO), if applicable: \_\_\_\_\_

**POOL MANAGER(S)**

Identify the Pool Manager(s) - operator(s), investment manager(s) or investment advisor(s) - of the Pool:

**DESIGNATED CLEARING FIRM**

Identify the CFE Clearing Firm issuing the guarantee for the Pool's activity of CFE:

Name: \_\_\_\_\_ OCC #: \_\_\_\_\_

**QUESTIONS**

Does the Pool plan to connect to the CFE system, including any communications hub administered by or on behalf of the exchange, from any country other than the United States?  Yes  No

If yes, identify the country(ies):

If you identified any foreign country in your response above or the Pool is organized under the laws of a foreign jurisdiction, is the Pool availing itself of any exemption(s) from registration with a regulatory agency or body (or other basis for not having such a registration) in that country or jurisdiction?

Yes  No

If yes, please describe:

**REGULATORY REQUESTS AND AUDIT TRAIL INFORMATION**

Identify the entity that will maintain the audit trail records for, and respond to regulatory requests for information and books and records of, the prospective Trading Privilege Holder that collectively includes the Pool and its Pool Manager(s). Also identify the contact person at that entity concerning audit trail records and regulatory requests.

Name of Entity:

Name of Contact Person:

Address:

Email:

Phone:

DISCIPLINARY INFORMATION – CRIMINAL DISCLOSURES

***(applicable to applicants not currently approved as a Trading Permit Holder with Cboe Exchange, Inc.)***

The Applicant must answer “Yes” to the questions on this page even if:

- Adjudication of guilt was withheld or there was no conviction; or
- There was a conditional discharge or post-conviction dismissal after successful completion of a sentence; or
- A state certificate of relief from disabilities or similar document was issued relieving the holder of forfeitures, disabilities or bars resulting from a conviction; or
- The record was expunged or sealed; or
- A pardon was granted.

The Applicant may answer “No” if the case was decided in a juvenile court or under a youth offender law.

Has the Applicant ever plead guilty or nolo contendere (“no contest”) to or been convicted or found guilty of any felony in any domestic, foreign or military court?

Yes  No

Has the Applicant ever plead guilty to or been convicted or found guilty of any misdemeanor in any domestic, foreign or military court which involves:

- embezzlement, theft, extortion, fraud, fraudulent conversion, forgery, counterfeiting, false pretenses, bribery, gambling, racketeering or misappropriation of funds, securities or property; or
- violation of sections 7203, 7204, 7205 or 7207 of the Internal Revenue Code of 1986; or
- violation of sections 152, 1341, 1342 or 1343 or chapters 25, 47, 95 or 96 of the United States Criminal Code; or
- any transaction in or advice concerning futures, options, leverage transactions or securities?

Yes  No

Is the Applicant a party to any action, or is there a charge pending, the resolution of which could result in a “Yes” answer to the above questions?

Yes  No

For any “Yes” answer to the questions above, has the Applicant previously provided NFA or the CFTC all supplemental documentation for all matters requiring a “Yes” answer?

Yes  No

For each matter for which the Applicant has not provided all supporting documentation, provide a detailed explanation of the event or conduct. The explanation must be in writing and sent to CFE or entered below. The explanation must include the matter name, when and where the event occurred, parties involved, circumstances, case number and court jurisdiction, allegations/charges, classification of the charges, plea and sentencing information, and the final disposition.

In addition, the Applicant must provide copies of court documentation which show:

- the charges;
- the classification of the offense, (i.e. felony or misdemeanor);
- the plea, sentencing and probation information, as applicable; and
- the final disposition.

If the Applicant is unable to obtain the documents for the criminal matter, it must provide a letter from the court verifying the documents’ unavailability.

Explanation:

DISCIPLINARY INFORMATION – REGULATORY DISCLOSURES

***(applicable to applicants not currently approved as a Trading Permit Holder with Cboe Exchange, Inc.)***

In any case brought by a domestic or foreign governmental body (other than the CFTC), has the Applicant ever been permanently or temporarily enjoined after a hearing or default or as the result of a settlement, consent decree or other agreement, from engaging in or continuing any activity involving:

- any transaction in or advise concerning futures, options, leverage transaction or securities; or
- embezzlement, theft extortion, fraud, fraudulent conversion, forgery, counterfeiting, false pretenses, bribery, gambling, racketeering or misappropriation of funds, securities or property?

Yes  No

In any case brought by a domestic or foreign governmental body (other than the CFTC), has the Applicant ever been found after a hearing or default or as the result of a settlement, consent decree or other agreement, to:

- have violated any provision of any investment-related statute or regulation; or
- have violated any statute, rule, regulation or order which involves embezzlement, theft, extortion, fraud, fraudulent conversion, forgery, counterfeiting, false pretenses, bribery, gambling, racketeering or misappropriation of funds, securities or property; or
- have willfully aided, abetted, counseled, commanded, induced or procured such violation by any other person?

Yes  No

Has the Applicant ever been debarred by any agency of the United States from contracting with the United States?

Yes  No

Has the Applicant ever been the subject of any order issued by or a party to any agreement with a domestic or foreign regulatory authority (other than the CFTC), including but not limited to a licensing authority, or self-regulatory organization (other than NFA or a domestic futures exchange) that prevented or restricted the Applicant's ability to engage in any business in the financial services industry?

Yes  No

Are any of the orders or other agreements described in the question above currently in effect against the Applicant?

Yes  No

Is the Applicant a party to any action, or is there a charge pending, the resolution of which could result in a "Yes" answer to the above questions?

Yes  No

For any "Yes" answer to the questions above, has the Applicant previously provided NFA or the CFTC all supplemental documentation for all matters requiring a "Yes" answer?

Yes  No

For each matter for which the Applicant has not provided all supporting documentation, provide a detailed explanation of the event or conduct. The explanation must be in writing and sent to CFE or entered below. The explanation must include the matter name, When the event occurred, parties involved, case number, allegations/charges and the final disposition.

In addition, the Applicant must provide copies of documentation which show:

- the allegations; and
- the final disposition.

If the Applicant is unable to obtain the documents, it must provide an explanation on a separate sheet stating why documents are not obtainable.

Explanation:

**EXECUTIVE OFFICERS**

Please indicate below the individuals that the Applicant intends to register with the Exchange as executive officers for its futures business. Each officer must complete pages 9-13 of this application for informational purposes in connection with this application.

**CHIEF EXECUTIVE OFFICER (or equivalent position)**

Name:	CRD #:	NFA #:
Title (if different from Chief Executive Officer):		
Phone:	Email:	

**CHIEF OPERATING OFFICER (or equivalent position)**

Name:	CRD #:	NFA #:
Title (if different from Chief Operating Officer):		
Phone:	Email:	

**CHIEF FINANCIAL OFFICER (or equivalent position)**

Name:	CRD #:	NFA #:
Title (if different from Chief Financial Officer):		
Phone:	Email:	

**CHIEF COMPLIANCE OFFICER (or equivalent position)**

Name:	CRD #:	NFA #:
Title (if different from Chief Compliance Officer):		
Phone:	Email:	

**ACCOUNT ADMINISTRATORS**

A TPH must designate an Account Administrator who will be authorized to grant permission and user access within the Cboe Customer Web Portal. More than one Account Administrator may be designated and there is not a maximum number of Account Administrators allowed per TPH. Account Administrations will be able to grant access to tools within the Customer Web Portal including, but not limited to trade data downloads; order lookup; historical market data subscription; latency statistics; logical port request, modify or delete form; physical connection request form; invoices and billing files. Each initial Account Administrator must complete pages 9-13 of this application for informational purposes in connection with this application.

Name:	CRD #:	NFA #:
Title:		
Phone:	Email:	

Name:	CRD #:	NFA #:
Title:		
Phone:	Email:	

Name:	CRD #:	NFA #:
Title:		
Phone:	Email:	

The undersigned represents that the information and statements in this application or supplements to this application may be verified by investigation and hereby declares that they are true complete and accurate.

By executing this Application, the undersigned agrees on behalf of the Pool and its related parties as follows:

To abide by the rules of Cboe Futures Exchange, LLC ("CFE") as they shall be in effect from time to time.

The Pool authorizes any governmental agency, futures exchange, securities exchange, national securities association, registered futures association or other entity to furnish to CFE, upon its request, any information they may have concerning the Pool and the Pool hereby releases each such entity from any and all liability of whatsoever nature by reason of furnishing such information to CFE.

The Pool authorizes CFE to make available to any governmental agency, futures exchange, securities exchange, national securities association, registered futures association or other entity (upon such entity's showing of proper authority and need) any information CFE may have concerning the Pool and the Pool hereby releases CFE from any and all liability of whatsoever nature by reason of furnishing such information.

The Pool recognizes that the statements in the application materials furnished to CFE may be verified by investigation and hereby declares that they are true, complete and accurate.

Applicant Pool acknowledges its obligation to update any and all information contained in any part of this application while the application is pending.

\_\_\_\_\_  
Signature of Authorized Officer, Partner or Managing Member

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title



## Cboe Futures Exchange, LLC Domestic Information Cover Sheet

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**Applicable to individuals listed on domestic applications and U.S. residents listed on foreign applications:**

Each Executive Officer and Account Administrator identified in this Cboe Futures Exchange, LLC (“CFE”) Pooled Investment Vehicle Appendix to Organization Trading Privilege Holder application must complete this Cover Sheet and the following Criminal Disclosure and Regulatory Disclosure reporting pages.

GENERAL INFORMATION	
Pool Name:	
Individual Name (first, middle and last):	
Title:	
CRD #:	NFA #:

I recognize that the information included in the responses to the attached questions may be verified by investigation, and hereby declare that they are true, complete and accurate. I acknowledge and agree that under the Fair Credit Reporting Act CFE may procure or cause to be prepared an investigative consumer report on me, including, without limitation, information as to my character, general reputation, personal characteristics, employment, clearing firm, finances, financial litigation, mode of living and credit reports, as applicable. If an investigation is required, an investigation fee will apply. Please refer to ‘Application Fees’ section of the [CFE Fee Schedule](#) for current pricing information. Applicant is responsible for all wire transfer fees assessed by Applicant’s bank. All application fees are non-refundable. The Federal Trade Commission’s “Summary of Your Rights under the Fair Credit Reporting Act” is available [here](#).

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Signature

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Date

## Cboe Futures Exchange, LLC Foreign Information Cover Sheet

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**Applicable to non-U.S. residents listed on foreign applications:**

Each Executive Officer and Account Administrator identified in this Cboe Futures Exchange, LLC (“CFE”) Pooled Investment Vehicle Appendix to Organization Trading Privilege Holder application must complete this Cover Sheet and the following Criminal Disclosure and Regulatory Disclosure reporting pages.

GENERAL INFORMATION	
Pool Name:	
Individual Name (first, middle and last):	
Title:	
CRD #:	NFA #:

I hereby declare that the information included in the responses to the attached questions is true, complete and accurate.

---

Signature

---

Date

## Cboe Futures Exchange, LLC

### Individual Disciplinary Information – Criminal Disclosures

---

You must answer “Yes” to the questions on this page even if:

- Adjudication of guilt was withheld or there was no conviction; or
- There was a conditional discharge or post-conviction dismissal after successful completion of a sentence; or
- A state certificate of relief from disabilities or similar document was issued relieving the holder of forfeitures, disabilities or bars resulting from a conviction; or
- The record was expunged or sealed; or
- A pardon was granted.

You may answer “No” if the case was decided in a juvenile court or under a youth offender law.

Have you personally or has any entity of which you were a Principal at the time the activities occurred ever pled guilty or nolo contendere (“no contest”) to or been convicted or found guilty of any felony in any U.S., non-U.S. or military court?

Yes    No

Have you personally or has any entity of which you were a Principal at the time the activities occurred ever pled guilty to or been convicted or found guilty of any misdemeanor in any U.S., non-U.S. or military court which involves:

- embezzlement, theft, extortion, fraud, fraudulent conversion, forgery, counterfeiting, false pretenses, bribery, gambling, racketeering or misappropriation of funds, securities or property; or
- violation of sections 7203, 7204, 7205 or 7207 of the Internal Revenue Code of 1986; or
- violation of sections 152, 1341, 1342 or 1343 or chapters 25, 47, 95 or 96 of the United States Criminal Code; or
- any transaction in or advice concerning futures, options, leverage transactions or securities?

Yes    No

Are you personally or is any entity of which you were a Principal at the time the activities occurred a party to any action, or is there a charge pending, the resolution of which could result in a “Yes” answer to the above questions?

Yes    No

For any “Yes” answer to the questions above, have you previously provided NFA or the CFTC all supporting documentation for all matters requiring a “Yes” answer?

Yes    No

For each matter for which the individual has not provided all supporting documentation, provide a detailed explanation of the event or conduct. The explanation must be in writing and sent to CFE or entered below. The explanation must include who was involved; when it occurred; what the allegations were; what the final determination was, if any; and the date of the determination.

In addition, the individual must provide documents which show:

- the charges;
- the classification of the offense, (i.e. felony or misdemeanor);
- the plea, sentencing and probation information, as applicable;
- the final disposition; and
- a summary of the circumstances surrounding the criminal matter.

Explanation:

## Cboe Futures Exchange, LLC

### Individual Disciplinary Information – Regulatory Disclosures

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In any case brought by a U.S. or non-U.S. governmental body (other than the CFTC), have you personally or has any entity of which you were a Principal at the time the activities occurred ever been permanently or temporarily enjoined after a hearing or default or as the result of a settlement, consent decree or other agreement, from engaging in or continuing any activity involving:

- any transaction in or advise concerning futures, options, leverage transaction or securities; or
- embezzlement, theft extortion, fraud, fraudulent conversion, forgery, counterfeiting, false pretenses, bribery, gambling, racketeering or misappropriation of funds, securities or property?

Yes    No

In any case brought by a U.S. or non-U.S. governmental body (other than the CFTC) have you personally or has any entity of which you were a Principal at the time the activities occurred ever been found after a hearing or default or as the result of a settlement, consent decree or other agreement, to:

- have violated any provision of any investment-related statute or regulation; or
- have violated any statute, rule, regulation or order which involves embezzlement, theft, extortion, fraud, fraudulent conversion, forgery, counterfeiting, false pretenses, bribery, gambling, racketeering or misappropriation of funds, securities or property; or
- have willfully aided, abetted, counseled, commanded, induced or procured such violation by any other person; or
- have failed to supervise another person's activities under any investment-related statute or regulation thereunder?

Yes    No

Have you personally or has any entity of which you were a Principal at the time of the activities occurred ever been debarred by any agency of the U.S. from contracting with the U.S.?

Yes    No

Have you personally or has any entity of which you were a Principal at the time the activities occurred ever been the subject of any order issued by or a party to any agreement with a U.S. or non-U.S. regulatory authority (other than the CFTC), including but not limited to a licensing authority, or self-regulatory organization (other than NFA or a U.S. futures exchange) that prevented or restricted your ability to engage in any business in the financial services industry?

Yes    No

Are any of the orders or other agreements described in the question above currently in effect against you personally?

Yes    No

Are you personally or is any entity of which you were a Principal at the time the activities occurred a party to any action, or is there a charge pending, the resolution of which could result in a "Yes" answer to the above questions?

Yes    No

For any "Yes" answer to the questions above, have you previously provided NFA or the CFTC all supplemental documentation for all matters requiring a "Yes" answer?

Yes    No

For each matter for which the individual has not provided all supporting documentation, provide a detailed explanation of the event or conduct. The explanation must be in writing and sent to CFE or entered below. The explanation must include who was involved; when it occurred; what the allegations were; what the final determination was, if any; the date of the determination and a summary of the circumstances surrounding the regulatory matter.

In addition, the individual must provide documents which show:

- the allegations; and
- the final disposition.

Explanation: