

**EXHIBIT A**

<b>Rule</b>	<b>Asset</b>	<b>Duration/Close Time</b>	<b>Action</b>	<b>Effective Date</b>
4.4	Obligations of Market Makers	N/A	Add alternative position limits for Touch Brackets	6/28/21

## **EXHIBIT B**

### Amendments of Rules 4.4

*(The following Rule amendments are underlined and deletions are stricken out)*

#### RULE 4.4 OBLIGATIONS OF MARKET MAKERS

(a) General – Transactions of Market Makers should constitute a course of dealings reasonably calculated to contribute to the maintenance of a fair and orderly market, and Market Makers shall not make bids or offers or enter into transactions that are inconsistent with such a course of dealings. Ordinarily, Market Makers shall be obligated to do the following:

- (i) trade for the proprietary account of the Market Maker only;
- (ii) maintain at least the minimum capital on deposit with Nadex in accordance with the terms of the applicable Market Maker Agreement;
- (iii) comply with all other terms of the applicable Market Maker Agreement; and
- (iv) maintain two-sided displayed quotes, insofar as required by the Market Maker Agreement, of a minimum designated quantity (“Size”) within a predefined spread (“Bid/Ask Spread”) for a Series of Contracts for a certain period of time throughout the trading day, and comply with all other terms of the applicable Market Maker Agreement.

(1) In ordinary market conditions, quotes must be made within a maximum Bid/Ask Spread.

(2) The Market Maker Agreement sets forth specific conditions under which a Market Maker is permitted to refrain from quoting binding bid and offer prices.

(b) A Market Maker has a continuous obligation to engage, to a reasonable degree under the existing circumstances, in dealings for the account of the Market Maker when there exists, or it is reasonably anticipated that there will exist, a lack of price continuity or a temporary disparity between the supply of and demand for quotations in a Series of a Designated Class to which the Market Maker is appointed. Without limiting the foregoing, a Market Maker is expected to perform the following activities in the course of maintaining a fair and orderly market;

- (i) To post bid and ask quotations in all Designated Classes to which the Market Maker is appointed that, absent changed market conditions, will be honored by the Market Maker.

(ii) To update quotations in response to changed market conditions in all Designated Classes to which the Market Maker is appointed.

(iii) All Market Maker quotations shall be submitted as “Post-Only Quotes”. A Market Maker is not permitted to submit Non Post-Only Orders.

(iv) In the event a Market Maker has built a position size equal to or greater than 90% of any applicable position limit in a particular Class or Contract, Market Maker is temporarily relieved of its quoting obligation for such Class or Contract until Market Maker’s position in such Class or Contract has been reduced to 75% of the applicable position limit, at which time quoting obligations as set forth in the Market Maker Agreement will resume.

(c) Like other Members of Nadex, a Market Maker may not attempt to execute a trade unless it has the excess funds in its Nadex account necessary to fully collateralize its obligations of the trade.

(d) Alternative Position Limits for Certain Contracts

(i) Approved market makers who are engaged in bona fide market-making activity shall be exempt from the position limits for those Binary Contracts defined in

(1) Rules 12.55 (Japan 225), 12.57 (China 50), 12.65 (Wall Street 30), 12.63 (US Tech 100), 12.59 (US 500) and 12.61 (US SmallCap 2000). Instead, such market makers shall be subject to Alternative Position Limits of twice the limit identified for such Binary Contract in Chapter 12. In addition, such Alternative Position Limits shall apply not to the entire class of Binary Contracts, but to each Binary Contract in that Class (i.e., per strike).

(2) Rules 12.3 (Copper), 12.5 (Gold), 12.7 (Silver), 12.9 (Crude Oil), 12.11 (Natural Gas), 12.49 (FTSE 100) and 12.51 (Germany 30). Instead, such market makers shall be subject to Alternative Position Limits of the limit identified for such Binary Contract in Chapter 12, which limit shall apply not to the entire class of Binary Contracts, but to each Binary Contract in that Class (i.e., per strike).

(ii) Approved market makers who are engaged in bona fide market-making activity shall be exempt from the position limits for those Touch Bracket Variable Payout Contracts defined in Rules 12.6.2 (Silver), 12.10.2 (Natural Gas), 12.26.2 (AUD/USD), 12.28.2 (EUR/USD), 12.30.2 (GBP/USD), 12.32.2 (USD/CAD), 12.34.2 (USD/CHF), 12.36.2 (USD/JPY), 12.38.2 (EUR/JPY), 12.41.2 (GBP/JPY), 12.43.2 (EUR/GBP), 12.44.2 (AUD/JPY), 12.58.2 (US 500), 12.60.2 (US SmallCap 2000), 12.62.2 (US Tech 100), and 12.64.2 (Wall Street 30). Instead, such market makers shall be subject to Alternative Position Limits of ten times the limit identified for such Touch Bracket Contracts in Chapter 12. In addition, such

Alternative Position Limits shall apply not to the entire class of Touch Bracket Contracts, but to each Touch Bracket Contract in that Class (i.e., per strike).

(iii) A market maker taking advantage of this exemption and an Alternative Position Limit must, within 1 business day following a request by Nadex's Compliance Department, provide the Nadex Compliance Department with a trade register detailing all forex or futures trading activity in any account owned or controlled by the market maker in any relevant Underlying market during the 15 minutes immediately before and after any expiration time identified by Nadex's Compliance Department in the request.

(e) Duly appointed Market Makers may be charged a Wide Spread Surcharge as set forth in the fee schedule.

RULE 12.5 – 12.78 [UNCHANGED]

*End of Rulebook.*