
**NORTH AMERICAN DERIVATIVES EXCHANGE, INC.
NOTICE OF DISCIPLINARY ACTION**

FILE NO.: INQ_2023_014

MEMBER: How Chee Weng

NADEX RULES:

NADEX MEMBERSHIP AGREEMENT

Member Representations, Section (d):

You and, if relevant, Your employees and agents will not trade or otherwise act on behalf of any other person or entity (whether or not a Member) in placing orders on the crypto.com | Derivatives North America System, including by allowing any person not disclosed on the Membership Application to have an economic interest in the trades placed by the Member;

Member Acknowledgements and Authorizations, Section (h):

You acknowledge and agree that You will, following a request by crypto.com | Derivatives North America, promptly provide to crypto.com | Derivatives North America financial or other information as crypto.com | Derivatives North America may reasonably request or as may be required for crypto.com | Derivatives North America to respond to a request for information from the Commodity Futures Trading Commission ("CFTC") or other regulatory or judicial bodies.

RULE 3.3 MEMBER OBLIGATIONS

- (a) Each Member and any Authorized Trader(s) thereof, must comply with these Rules, applicable provisions of the Commodity Exchange Act, and relevant Commission regulations. Each Member and any Authorized Trader(s) thereof must also cooperate promptly and fully with Nadex, its agents, and/or the Commission in any investigation, call for information, inquiry, audit, examination, or proceeding. Such cooperation shall include providing Nadex with access to information on the activities of such Member and/or Authorized Trader in any referenced market that provides the underlying prices for any Nadex market. [. . .]

RULE 5.19 PROHIBITED TRANSACTIONS AND ACTIVITIES

- (k) No Person shall intentionally provide misleading, erroneous, or fraudulent information to Nadex on a membership application or otherwise.

FINDINGS: On September 22, 2023, the Nadex Compliance Department sent How Chee Weng an Account Inquiry letter requesting, among other things, general background information, source of funds information, banking statements and details regarding order and trading activity. How Chee Weng failed to fully comply when they failed to produce additional information and was notified that an Investigation had been opened on November 6, 2023. Additionally, the Compliance Department found How Chee Weng allowed a third party to access and have a direct economic interest in the activity and trading in their Nadex account and provided misleading, erroneous, or fraudulent information to Nadex on a membership application.

Based on Nadex's investigation, the Compliance Department determined that How Chee Weng violated Rule 3.3(a) and Member Acknowledgements and Authorizations, Section (h) of the Nadex Membership Agreement when they failed to fully cooperate with the Compliance Department's inquiry regarding these matters. Further, How Chee Weng violated Rule 5.19(k) when they provided misleading, erroneous, or fraudulent information to Nadex on a membership application and Member Representations Section (d), when they allowed a third party to access and have a direct economic interest in the activity and trading in their Nadex account.

PENALTY: By settlement agreement, in which How Chee Weng neither admitted nor denied the findings or conclusions of the investigation, How Chee Weng has been assessed a \$2,500.00 fine. Additionally, How Chee Weng's Nadex Membership has been revoked, their account terminated, and they have been permanently banned from trading on Nadex Markets, either directly for their own account or through an intermediary, or as an authorized trader on behalf of any other account.

EFFECTIVE DATE: November 14, 2024