
NORTH AMERICAN DERIVATIVES EXCHANGE, INC.
NOTICE OF DISCIPLINARY ACTION

FILE NO.: INQ_2021_032

MEMBER: Sierra Fenner

NADEX RULES:

NADEX MEMBERSHIP AGREEMENT

Member Acknowledgements and Authorizations, Section (h):

You acknowledge and agree that You will, following a request by Nadex, promptly provide to Nadex financial or other information as Nadex may reasonably request or as may be required for Nadex 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

- (q) No Member shall allow its settlement account balance to become negative by any means. In the event that a Member’s settlement account balance becomes negative, the Member must immediately deposit additional funds to correct the deficiency. Any Member whose settlement account carries a negative balance for 30 days or more is subject to summary termination of Membership.

FINDINGS: On November 14, 2021, Nadex Compliance sent Sierra Fenner (“Fenner”) an email requesting information regarding deposit patterns, sources of funding, and relationship to other Nadex Members. The email also requested that she provide complete banking statements for all accounts used to fund her Nadex account. Despite multiple emails providing her with unilateral extensions, she failed to respond or provide the banking statements as requested by Nadex Compliance.

Accordingly, the Compliance Department has concluded that Fenner violated Nadex Rule 3.3(a) and Member Acknowledgements and Authorizations, Section (h) of the Nadex Membership Agreement when she failed to fully cooperate with the Compliance Department's requests for information. Additionally, by allowing her settlement account balance to become negative, she violated Nadex Rule 5.19(q).

PENALTY: As a result of the aforementioned violations, the Nadex Compliance Department has deemed it appropriate Sierra Fenner's Nadex Membership be been revoked, her account terminated, and she be permanently banned from trading on Nadex Markets, either directly for her own account or through an intermediary, or as an authorized trader on behalf of any other account.

EFFECTIVE DATE: March 3, 2022