



Memo

TO: MGEX Clearing Members & Market Participants

FROM: Layne G. Carlson, Secretary

SUBJECT: SPIKES® Volatility Index Futures – Contract Months Suspension

DATE: October 31, 2023

Pursuant to the July 28, 2023 United States Court of Appeals for the District of Columbia’s decision to vacate the SEC’s Exemptive Order related to SPIKES® Volatility Index Futures and its September 25, 2023 denial of rehearing, **SPIKES Futures is required to cease trading at close of trading (4:00pm CT) on Friday, December 29, 2023** absent the issuance of a new exemptive order from the SEC. As a result, MGEX has filed to suspend trading and clearing of certain previously listed contract months as follows:

Contract Title	Commodity Code	Rulebook Chapter	Impacted Contract Months
SPIKES Volatility Index Futures	SPK	83	January 2024 and beyond

MGEX continues to seek a new exemptive order from the SEC to ensure the uninterrupted trading of SPIKES™ Volatility Index Futures. The Exchange will provide a further update when there is a material development on this matter.

If you have any questions, please contact Layne Carlson at 612-321-7169 or lcarlson@mgex.com, or the MGEX Clearing House at (612) 321-7146 or clearing@mgex.com.

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