NATIONAL FUTURES ASSOCIATION

FIRM APPLICATION

Instructions for Using the Firm Application Template

This document is not an application form. Do not send this document to NFA. It is a template that you may use to assist in filing the electronic application.

You may fill out the template online and save and/or print it when you are finished or you can download the template and/or print it and fill it out later.

Not every section applies to every applicant. Certain sections apply depending on the registration category or categories being applied for. The text above these sections explains who must complete the section. In the electronic application, only the applicable sections will appear.

Defined Terms

Terms that are <u>underlined</u> throughout the template are defined below. If you are completing this online, clicking on the <u>underlined</u> term will open a separate document containing the definitions.

DEFINITION OF TERMS (The following terms are defined solely for the purpose of using NFA's Online Registration System.)

10% OR MORE INTEREST: direct or indirect ownership of 10% or more of an applicant's or registrant's stock; entitlement to vote or empowered to sell 10% or more of an applicant's or registrant's voting securities; contribution of 10% or more of an applicant's or registrant's capital; or entitlement to 10% or more of an applicant's or registrant's net profits.

ADJUDICATION: in a criminal case, a determination by the court that the defendant is guilty or not guilty. ALIAS: another name utilized by an individual or previously used by an entity.

CHARGE: a formal complaint, information, indictment or equivalent instrument containing and accusation of a crime.

DBA: abbreviation for Doing Business As. The firm is doing business under this name.

ENJOINED: subject to an injunction.

ENTITY: any person other than an individual.

FELONY: any crime classified as a felony and for states and countries that do not differentiate between a felony or misdemeanor, an offense punishable by a sentence of at least one year imprisonment and/or a fine of at least \$1,000. The term also includes a general court martial.

FINANCIAL SERVICES INDUSTRY: the commodities, securities, accounting, banking, finance, insurance, law or real estate industries.

FOUND: subject to a determination that conduct or a rule violation has occurred. The term includes consent decrees and settlements in which the findings are neither admitted nor denied or in which the findings are for settlement or record purposes only.

INTERNAL REVENUE CODE:

Section 7203: Willful Failure to File Return, Supply Information or Pay Tax

Section 7204: Fraudulent Statement or Failure to Make Statement

Section 7205: Fraudulent Withholding Exemption Certificate or Failure to Supply Information

Section 7207: Fraudulent Returns, Statements or Other Documents

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INVESTMENT RELATED STATUTES:

- The Commodity Exchange Act
- The Securities Act of 1933
- The Securities Exchange Act of 1934
- The Public Utility Holding Company Act of 1935
- The Trust Indenture Act of 1939
- The Investment Advisers Act of 1940
- The Investment Company Act of 1940
- The Securities Investors Protection Act of 1970
- The Foreign Corrupt Practices Act of 1977
- Chapter 96 of Title 18 of the United States Code
- · Any similar statute of a State or foreign jurisdiction
- · Any rule, regulation or order under any such statutes; and
- The rules of the Municipal Securities Rulemaking Board

MISDEMEANOR: any crime classified as a misdemeanor and for states and countries that do not differentiate between a felony or misdemeanor, an offense punishable by a sentence of less than one year imprisonment and/or a fine of less than \$1,000. The term also includes a special court martial.

PERSON: an individual, association, partnership, corporation, limited liability company, limited liability partnership, trust, or other form of business organization.

PRINCIPAL: an individual who is:

- a sole proprietor of a sole proprietorship;
- · a general partner of a partnership;
- a director, president, chief executive officer, chief operating officer or chief financial officer of a corporation, limited liability company or limited partnership;
- in charge of a business unit, division or function of a corporation, limited liability company or limited partnership if the unit, division or function is subject to regulation by the Commission; or
- a manager, managing member or a member vested with the management authority for a limited liability company or limited liability partnership; or
- an individual who directly or indirectly, through agreement, holding companies, nominees, trusts or otherwise:
 - is the owner of 10% or more of the outstanding shares of any class of a registrant's stock;
 - is entitled to vote 10% or more of any class of a registrant's voting securities;
 - has the power to sell or direct the sale of 10% or more of any class of a registrant's voting securities;
 - has contributed 10% or more of a registrant's capital;
 - is entitled to receive 10% or more of a registrant's net profits; or
 - has the power to exercise a controlling influence over a registrant's activities that are subject to regulation by the Commission; or

an entity that:

- is a general partner of a registrant; or
- is the direct owner of 10% or more of any class of a registrant's securities; or

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- has directly contributed 10% or more of a registrant's capital unless such capital contribution consists of subordinated debt contributed by:
 - an unaffiliated bank insured by the Federal Deposit Insurance Corporation;
 - a United States branch or agency of an unaffiliated foreign bank that is licensed under the laws of the United States and regulated, supervised and examined by United States government authorities having regulatory responsibility for such financial institutions; or
 - an insurance company subject to regulation by any State.

SELF-REGULATORY ORGANIZATION (SRO): a private, non-governmental organization authorized to set and enforce standards or conduct for an industry. NFA, NASDR, and the securities and futures exchanges in the U.S. are examples of domestic SROs.

UNITED STATES CRIMINAL CODE:

Section 152: Concealment of assets, making false claims or bribery in connection with a bankruptcy Section 1341,

1342 or 1343: Mail fraud

Chapter 25: Counterfeiting and forgery

Chapter 47: Fraud or false statements in a matter within the jurisdiction of a United States department or

agency

Chapter 95

or 96: Racketeering and Racketeering Influence

Disciplinary Information Section

This section concerns matters that are required to be disclosed in connection with a registration application. Before completing this section, it is important to carefully read the instructions and the questions.

Criminal Questions

Common mistakes in answering the criminal disclosure questions involve expungements. The Commodity Futures Trading Commission requires a "Yes" answer even if the matter has been expunged, no matter what the individual's lawyer or the judge may have said. Failing to answer these questions correctly can not only delay the registration process; it can also result in the application being denied for failing to disclose material information.

Another common error regarding criminal matters concerns matters that do not involve the futures industry. The fact that a matter is unrelated to the futures industry does not mean that the individual does not need to disclose it.

Regulatory Questions

Regulatory actions taken by the Commodity FuturesTrading Commission, NFA or domestic futures exchanges do not need to be disclosed since NFA is already aware of them because they are entered into NFA's BASIC system. It is not necessary to disclose arbitration or CFTC reparations matters.

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Additional Documents

For any matter that caused a "Yes" answer, a written explanation detailing the events and conduct must be provided. That explanation can be entered on the Matter pages by giving it name, e.g., the docket number of the case, and describing it in the text box. Alternatively, the explanation can be sent in hard copy format to NFA.

In addition to the required explanation, other documents about the matter must be sent to NFA. If court documents are unavailable, a letter from the court verifying that must be sent to NFA. If documents other than court documents are unavailable, the individual must provide written explanation for their unavailability.

Like answering the questions correctly, providing all documents to NFA is important. Failure to do so will delay the registration process and may result in a denial of the application.

Principals

Firm applicants must file electronic applications for each individual who is a principal of the applicant, including the sole proprietor of a sole proprietorship. A firm must have at least one individual principal affiliated with it in order to obtain registration. NFA Members must have at least one individual principal who is also registered as an AP of the firm or a floor broker.

Additional Assistance

Additional information regarding registration requirements and specific topics can be found on the Registration page of NFA's web site at www.nfa.futures.org. NFA's Information Center, (800-621-3570), is also available to provide assistance. It's normal hours are Monday through Friday, from 8:00 AM to 5:00 PM CT.

NATIONAL FUTURES ASSOCIATION FIRM APPLICATION Firm Name* NFA ID#* **Registration Categories and Membership Information** Check category(ies). Registration Categories* **Futures Commission Merchant Commodity Pool Operator NFA Member Introducing Broker Commodity Trading Advisor** Only applicants for NFA Membership that are also applying for more than one CFTC category complete this section. Select one. Membership Information* Indicate the category in which the applicant intends to vote on NFA membership matters. O Futures Commission Merchant Introducing Broker Commodity Trading Advisor Commodity Pool Operator Only applicants for NFA Membership that are applying as FCMs complete this section. Is the applicant a member or has the applicant applied for membership at any United States commodity exchange? Yes ○ No

^{*}Required to file application

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Business Information

Enter Information. A sole proprietor may use a P.O. Box address if the business is located in the sole proprietor's residence and a complete residential address is provided on the individual application. For all others, a P.O. Box address is not acceptable.

| Business Address | | | | |
|----------------------------------------------------------------------------------------------|---------------------------------|--|--|--|
| Street Address1* | | | | |
| Street Address2 | | | | |
| Street Address3 | | | | |
| City** | | | | |
| State* (US Only) | | | | |
| Province | | | | |
| Zip/Postal Code** | | | | |
| Country* | | | | |
| | | | | |
| Phone Number* | | | | |
| Fax Number* | | | | |
| | | | | |
| E-Mail Address | | | | |
| Web Site/URL | | | | |
| Federal EIN | | | | |
| CRD/IARD ID | | | | |
| Applicant's Form of Organization* | | | | |
| Sole Proprietorship (Individual) | O Limited Liability Company | | | |
| Partnership | ○ Limited Liability Partnership | | | |
| Corporation | ○ Trust | | | |
| Where is the entity incorporated, organized or established: (Sole proprietors do not need to | | | | |
| answer this question.* | | | | |
| State | | | | |
| Country | | | | |

^{*}Required to file application

^{**}Required to file application for United States address

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| Enter any other name the applicant does or has done business as. Other Names Name | | 11 1 21071 | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|----------|--------------|
| Name | Othe | r Name | S | | |
| Name | Enter an | y other name | • • | | |
| Name | | | Other Names | | |
| Name | Name | | | O In Use | ONot In Use |
| Name | Name | | | ○ In Use | ONot In Use |
| Control of Business Records Only domestic applicants complete this section. Enter the location of the applicant's business records and those records required to be kept by regulation under the Commodity Exchange Act. If the applicant is applying as a CPO or CTA, this address must be the same as the business address (unless the CFTC has granted an exemption to the applicant). Street Address1* Street Address2 Street Address3 City* State* Zip/Postal Code* Only foreign applicants complete this section. Select one. Enter the location of the firm's business records and those records required to be kept by regulation under the Commodity Exchange Act. If the firm is a CPO or CTA, this address must be the same as the business address (unless the CFTC has granted an exemption to the firm). P.O. Box address is not acceptable. Street Address1* Street Address2 Street Address3 City** State* Province Zip/Postal Code** | Name | | | O In Use | O Not In Use |
| Only domestic applicants complete this section. Enter the location of the applicant's business records and those records required to be kept by regulation under the Commodity Exchange Act. If the applicant is applying as a CPO or CTA, this address must be the same as the business address (unless the CFTC has granted an exemption to the applicant). Street Address1* Street Address3 City* State* Zip/Postal Code* Only foreign applicants complete this section. Select one. Enter the location of the firm's business records and those records required to be kept by regulation under the Commodity Exchange Act. If the firm is a CPO or CTA, this address must be the same as the business address (unless the CFTC has granted an exemption to the firm). P.O. Box address is not acceptable. Street Address1* Street Address2 Street Address3 City** State* Province Zip/Postal Code** | Name | | | O In Use | ONot In Use |
| Enter the location of the applicant's business records and those records required to be kept by regulation under the Commodity Exchange Act. If the applicant is applying as a CPO or CTA, this address must be the same as the business address (unless the CFTC has granted an exemption to the applicant). Street Address1 Street Address3 City* State* Zip/Postal Code* Only foreign applicants complete this section. Select one. Enter the location of the firm's business records and those records required to be kept by regulation under the Commodity Exchange Act. If the firm is a CPO or CTA, this address must be the same as the business address (unless the CFTC has granted an exemption to the firm). P.O. Box address is not acceptable. Street Address1* Street Address2 Street Address3 City** State* Province Zip/Postal Code** | Loca | tion of | Business Records | | |
| Street Address2 Street Address3 City* State* Zip/Postal Code* Only foreign applicants complete this section. Select one. Enter the location of the firm's business records and those records required to be kept by regulation under the Commodity Exchange Act. If the firm is a CPO or CTA, this address must be the same as the business address (unless the CFTC has granted an exemption to the firm). P.O. Box address is not acceptable. Street Address1 Street Address2 Street Address3 City** State* Province Zip/Postal Code** | Enter the | e location of th lity Exchange | ne applicant's business records and those records required Act. If the applicant is applying as a CPO or CTA, this addres | | |
| Street Address3 City* State* Zip/Postal Code* Only foreign applicants complete this section. Select one. Enter the location of the firm's business records and those records required to be kept by regulation under the Commodity Exchange Act. If the firm is a CPO or CTA, this address must be the same as the business address (unless the CFTC has granted an exemption to the firm). P.O. Box address is not acceptable. Street Address1 Street Address2 Street Address3 City** State* Province Zip/Postal Code** | Street | Address1* | | | |
| City* State* Zip/Postal Code* Only foreign applicants complete this section. Select one. Enter the location of the firm's business records and those records required to be kept by regulation under the Commodity Exchange Act. If the firm is a CPO or CTA, this address must be the same as the business address (unless the CFTC has granted an exemption to the firm). P.O. Box address is not acceptable. Street Address1* Street Address2 Street Address3 City** State* Province Zip/Postal Code** | Street | Address2 | | | |
| State* Zip/Postal Code* Only foreign applicants complete this section. Select one. Enter the location of the firm's business records and those records required to be kept by regulation under the Commodity Exchange Act. If the firm is a CPO or CTA, this address must be the same as the business address (unless the CFTC has granted an exemption to the firm). P.O. Box address is not acceptable. Street Address1* Street Address2 Street Address3 City** State* Province Zip/Postal Code** | Street Address3 | | | | |
| Zip/Postal Code* Only foreign applicants complete this section. Select one. Enter the location of the firm's business records and those records required to be kept by regulation under the Commodity Exchange Act. If the firm is a CPO or CTA, this address must be the same as the business address (unless the CFTC has granted an exemption to the firm). P.O. Box address is not acceptable. Street Address1* Street Address2 Street Address3 City** State* Province Zip/Postal Code** | City* | | | | |
| Only foreign applicants complete this section. Select one. Enter the location of the firm's business records and those records required to be kept by regulation under the Commodity Exchange Act. If the firm is a CPO or CTA, this address must be the same as the business address (unless the CFTC has granted an exemption to the firm). P.O. Box address is not acceptable. Street Address1* Street Address2 Street Address3 City** State* Province Zip/Postal Code** | State* | | | | |
| Enter the location of the firm's business records and those records required to be kept by regulation under the Commodity Exchange Act. If the firm is a CPO or CTA, this address must be the same as the business address (unless the CFTC has granted an exemption to the firm). P.O. Box address is not acceptable. Street Address1* Street Address2 Street Address3 City** Province Zip/Postal Code** | Zip/Postal Code* | | | | |
| Street Address2 Street Address3 City** State* Province Zip/Postal Code** | Enter the Commodi | location of the ty Exchange A | e firm's business records and those records required to be k .ct. If the firm is a CPO or CTA, this address must be the same | | |
| Street Address2 Street Address3 City** State* Province Zip/Postal Code** | _ | | P.O. Box address is not acceptable. | | |
| Street Address3 City** State* Province Zip/Postal Code** | | | | | |
| City** State* Province Zip/Postal Code** | | | | | |
| State* Province Zip/Postal Code** | | Address3 | | | |
| Province Zip/Postal Code** | | | | | |
| Zip/Postal Code** | | 20 | | | |
| | | | | | |
| t muniy | Country | | | | |

^{*}Required to file application
**Required to file application for United States address

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State*

Zip/Postal Code*

Location of Business Records

Enter the location in the U.S. where the applicant's books and records will be produced for inspection by the CFTC and NFA. 0 The office of NFA located in New York, NY 0 The office of NFA located in Chicago, IL The following address: Office of* Street Address1* **Street Address2 Street Address3** City*

^{*}Required to file application

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Holding Company's Information

Enter the full name of any holding company. If none, continue on to the next section. It is important that the full name of the holding company is entered. NFA will assign an NFA ID number to the holding company if one has not already been assigned. An incorrect name could cause a delay in the application process.

| Full Name | 10% or More Interest | |
|-----------|----------------------|------|
| | ○ Yes | ○ No |

Branch Office Information

You can enter up to three (3) branch offices in this document. If you have more than three (3) branch offices, please add them in another document such as Microsoft Word and attach it to this document. If none, continue on to the next section.

| Branch ID |
|-------------------|
| Street Address1* |
| Street Address2 |
| Street Address3 |
| City** |
| State* (US Only) |
| Province |
| Zip/Postal Code** |
| Country* |
| |
| Phone Number |
| Fax Number |
| E-Mail Address |

^{*}Required to file application

^{*}Required to file application for United States address

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Branch Office Information (additional spaces, if needed)

| Branch ID | |
|-------------------|--|
| Street Address1* | |
| Street Address2 | |
| Street Address3 | |
| City** | |
| State* (US Only) | |
| Province | |
| Zip/Postal Code** | |
| Country* | |
| Phone Number | |
| Fax Number | |
| T ax II a iii a | |
| E-Mail Address | |
| | |
| Branch ID | |
| | |
| Street Address1* | |
| Street Address2 | |
| Street Address3 | |
| City** | |
| State* (US Only) | |
| Province | |
| Zip/Postal Code** | |
| Country* | |
| Phone Number | |
| | |
| Fax Number | |
| E-Mail Address | |

^{*}Required to file application

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Non-U.S. Regulator Information

Enter the name of each non-U.S. <u>financial services industry</u> regulatory authority or <u>self-regulatory</u> <u>organization</u> that has regulated the applicant during the past five (5) years.

| 5. Regulators | | | |
|---------------|--|--|--|
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Disciplinary Information - Criminal Disclosures

Answer the following questions. The applicant must answer "Yes" to the questions on this page even if:

- adjudication of guilt was withheld or there was no conviction;
- there was a conditional discharge or post-conviction dismissal after successful completion of a sentence;
- a state certificate of relief from disabilities or similar document was issued relieving the holder of forfeitures, disabilities or bars resulting from a conviction;
- 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.

| A .* | Has the applicant ever pled 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 |
| B.* | Has the applicant ever pled 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 on futures, leverage transactions or securities? |
| | ○ Yes ○ No |
| C.* | Is the applicant a party to any action, or is there a <u>charge</u> pending, the resolution of which could result in a "Yes" answer to the above questions? Yes No |
| | applicants that are filing their first application for registration in the futures industry, all nts must answer this question. |
| | ny "Yes" answer to the questions above, has the applicant previously provided NFA or the all supplemental documentation for all matters requiring a "Yes" answer?* Yes No |
| | |

^{*}Required to file application

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Matter Information - Criminal Disclosures

For each matter for which the applicant has not provided all supporting documentation, provide a detailed explanation of the event or conduct. You can enter up to three (3) matters in this document. If you have more than three (3) matters which you must explain, please do so in another document such as Microsoft Word and attach it to this document.

If you must provide a detailed explanation for a matter, the explanation must be in writing and sent to NFA or entered below. The explanation must include:

| Matter Name: (e.g., 1999 Theft Arrest/Charge; 99-CM-105) | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
| (e.g., 1777 Their Arrest/Charge, 77-GW-100) | | | | |
| | | | | |
| When and where the event occurred, parties involved, circumstances, case number and court jurisdiction, allegations/ <u>charges</u> , classification of the <u>charges</u> , plea and sentencing information, and the final disposition. | | | | |
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| | | | | |

AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING: 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.

• the final disposition.

from the court verifying the documents' unavailability.

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Matter Information - Criminal Disclosures (additional matters, if needed)

| Matter Name: (e.g., 1999 Theft Arrest/Charge; 99-CM-105) 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. |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| When and where the event occurred, parties involved, circumstances, case number and court jurisdiction, allegations/charges, classification of the charges, plea and sentencing information, |
| jurisdiction, allegations/ <u>charges</u> , classification of the <u>charges</u> , plea and sentencing information, |
| |
| |
| AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING: Copies of court documentation which show: |
| • the charges; |
| the classification of the offense, (i.e., <u>felony</u> or <u>misdemeanor</u>); the plea, sentencing and probation information, as applicable; and |

If the applicant is unable to obtain the documents for the criminal matter, it must provide a letter

• the final disposition.

from the court verifying the documents' unavailability.

FIRM APPLICATION

Matter Information - Criminal Disclosures (additional matters, if needed)

| Matter Name: | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
| (e.g., 1999 Theft Arrest/Charge; 99-CM-105) | | | | |
| | | | | |
| When and where the event occurred, parties involved, circumstances, case number and court jurisdiction, allegations/ <u>charges</u> , classification of the <u>charges</u> , plea and sentencing information, and the final disposition. | | | | |
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| | | | | |
| AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING: Copies of court documentation which show: | | | | |
| • the <u>charges</u> ; | | | | |
| the classification of the offense, (i.e., <u>felony</u> or <u>misdemeanor</u>); | | | | |
| the plea, sentencing and probation information, as applicable; and | | | | |

If the applicant is unable to obtain the documents for the criminal matter, it must provide a letter

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Disciplinary Information - Regulatory Questions

Answer the following questions.

| D.* | In any case brought by a domestic or foreign governmental body (other than the CFTC), has the applicant ever been permanently or temporarily enjoined , either after a hearing or in a settlement, from engaging in or continuing any activity involving: any transaction in or advice concerning futures, options on futures, leverage transactions 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 |
| E.* | In any case brought by a domestic or foreign governmental body (other than the CFTC), has the applicant ever been <u>found</u> , either after a hearing or in a settlement, to: |
| | have violated any provision of any <u>investment-related statute</u> 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 |
| F.* | Has the applicant ever been debarred by any agency of the United States from contracting with the United States? |
| | ○ Yes ○ No |
| G.* | 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) or <u>self-regulatory organization</u> (other than NFA or a domestic futures exchange) that prevented or restricted the applicant's ability to engage in any business in the <u>financial services industry</u> ? |
| | |
| | |

^{*}Required to file application

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Disciplinary Information - Regulatory Questions

Answer the following questions. H.* Are any of the orders decribed in Question G currently in effect against the applicant? Yes \bigcirc No **I**.* 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 O No Except applicants that are filing their first application for registration in the futures industry, all applicants must answer this question. 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?* O Yes

^{*}Required to file application

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Matter Information - Regulatory Questions

For each matter for which the applicant has not provided all supporting documentation, provide a detailed explanation of the event or conduct. You can enter up to three (3) matters in this document. If you have more than three (3) matters which you must explain, please do so in another document such as Microsoft Word and attach it to this document.

If the applicant must provide a detailed explanation for a matter, the explanation must be in writing and sent to NFA or entered below. The explanation must include:

| Matter Name: (e.g., March 1999 SEC case; NASD Case No. CM10034) | | | | | | |
|---------------------------------------------------------------------------------------------------------|--|--|--|--|--|--|
| When the event occurred, parties involved, case number, allegations/charges, and the final disposition. | | | | | | |
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AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING: Copies of documentation which show:

- the allegations;
- 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.

sheet stating why documents are not obtainable.

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Matter Information - Regulatory Questions (additional matters, if needed)

| Matter Name: |
|---------------------------------------------------------------------------------------------------------|
| (e.g., March 1999 SEC case; NASD Case No. CM10034) |
| (0.94) |
| When the event occurred, parties involved, case number, allegations/charges, and the final disposition. |
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| |
| AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING: |
| Copies of documentation which show: |
| • the allegations; |
| • 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.

FIRM APPLICATION

Matter Information - Regulatory Questions (additional matters, if needed)

| Matter Name: (e.g., March 1999 SEC case; NASD Case No. CM10034) |
|---------------------------------------------------------------------------------------------------------|
| When the event occurred, parties involved, case number, allegations/charges, and the final disposition. |
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| AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING: Copies of documentation which show: |
| • the allegations; • the final disposition. |
| If the applicant is unable to obtain the documents it must provide an explanation on a separate |

FIRM APPLICATION

Disciplinant Information

| DISCI | plinary information - Financial Questions |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Answ | ver the following questions. |
| J.* | Has the applicant ever been the subject of an adversary action brought by, or on behalf of, a bankruptcy trustee? |
| | ○ Yes ○ No |
| • | applicants that are filing their first application for registration in the futures industry, all nts must answer this question. |
| | ny "Yes" answer to the question above, has the applicant previously provided NFA or the all supplemental documentation for all matters requiring a "Yes" answer?* |
| | ○ Yes ○ No |

^{*}Required to file application

NATIONAL FUTURES ASSOCIATION

FIRM APPLICATION

Matter Information - Financial Questions

For each matter for which the applicant has not provided all supporting documentation, provide a detailed explanation of the event or conduct. You can enter up to three (3) matters in this document. If you have more than three (3) matters which you must explain, please do so in another document such as Microsoft Word and attach it to this document.

If the applicant must provide a detailed explanation for a matter, the explanation must be in writing and sent to NFA or entered below. The explanation must include:

| Matter Name: | |
|------------------------------------------------------------------------------------------------------------------------------------|------------|
| (e.g., 00-R100 Unpaid Award; 98-0125476 Bankruptcy Denied) | |
| | |
| When the event occurred, parties involved, circumstances, case number and court jurallegations/charges, and the final disposition. | isdiction, |
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AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING: Copies of documentation which show:

- the allegations;
- 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.

sheet stating why documents are not obtainable.

FIRM APPLICATION

Matter Information - Financial Questions (additional matters, if needed)

If the applicant is unable to obtain the documents it must provide an explanation on a separate

sheet stating why documents are not obtainable.

FIRM APPLICATION

Matter Information - Financial Questions (additional matters, if needed)

If the applicant is unable to obtain the documents it must provide an explanation on a separate

FIRM APPLICATION

Contact Information

All applicants complete this section.

Enter the individual to whom all registration data and inquiries are to be directed.

| | Registration Contact |
|-------------------|----------------------|
| First Name* | |
| Last Name* | |
| Title | |
| Street Address1* | |
| Street Address2 | |
| Street Address3 | |
| City** | |
| State* (US Only) | |
| Province | |
| Zip/Postal Code** | |
| Country* | |
| Phone Number* | |
| | |
| Fax Number | |
| E-Mail Address | |

^{*}Required to file application

^{**}Required to file application for United States address

FIRM APPLICATION

Contact Information

Only applicants for NFA Membership complete this section. Enter the individual to whom all membership communications and inquiries are to be directed.

| | Membership Contact |
|-------------------|--------------------|
| First Name* | |
| Last Name* | |
| Title | |
| Street Address1* | |
| Street Address2 | |
| Street Address3 | |
| City** | |
| State* (US Only) | |
| Province | |
| Zip/Postal Code** | |
| Country* | |
| Phone Number | |
| Fax Number | |
| E-Mail Address | |

^{*}Required to file application

^{**}Required to file application for United States address

FIRM APPLICATION

Contact Information

Only applicants for NFA Membership complete this section.

Enter the individual to whom all accounting inquiries and other miscellaneous inquiries are to be directed.

| | Accounting Contact |
|-------------------|--------------------|
| First Name* | |
| Last Name* | |
| Title | |
| Street Address1* | |
| Street Address2 | |
| Street Address3 | |
| City** | |
| State* (US Only) | |
| Province | |
| Zip/Postal Code** | |
| Country* | |
| Phone Number | |
| Fax Number | |
| E-Mail Address | |

^{*}Required to file application

^{**}Required to file application for United States address

FIRM APPLICATION

Contact Information

Only applicants for NFA Membership that are applying as FCMs complete this section. Enter the individual to whom all assessment fee inquiries are to be directed.

| | Assessment Fee Contact |
|-------------------|------------------------|
| First Name* | |
| Last Name* | |
| Title | |
| Street Address1* | |
| Street Address2 | |
| Street Address3 | |
| City** | |
| State* (US Only) | |
| Province | |
| Zip/Postal Code** | |
| Country* | |
| | |
| Phone Number | |
| Fax Number | |
| | |
| E-Mail Address | |

^{*}Required to file application

^{**}Required to file application for United States address

FIRM APPLICATION

Contact Information

Only applicants for NFA Membership complete this section. Enter the individual to whom all arbitration matters are to be directed.

| Arbitration Contact | | |
|---------------------|--|--|
| First Name* | | |
| Last Name* | | |
| Title | | |
| Street Address1* | | |
| Street Address2 | | |
| Street Address3 | | |
| City** | | |
| State* (US Only) | | |
| Province | | |
| Zip/Postal Code** | | |
| Country* | | |
| Phone Number | | |
| Fax Number | | |
| rax ivuilibei | | |
| E-Mail Address | | |

^{*}Required to file application

^{**}Required to file application for United States address

FIRM APPLICATION

Contact Information

Only applicants for NFA Membership complete this section. Enter the individual to whom all compliance inquiries are to be directed.

| | Compliance Contact |
|---------------------|--------------------|
| First Name* | |
| Last Name* | |
| | |
| Title | |
| Street Address1* | |
| Street Address2 | |
| Street Address3 | |
| City** | |
| State* (US Only) | |
| Province | |
| Zip/Postal Code** | • |
| Country* | |
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| Phone Number | |
| Fax Number | |
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| E-Mail Address | |

^{*}Required to file application

^{**}Required to file application for United States address

NATIONAL FUTURES ASSOCIATION

FIRM APPLICATION

Privacy Act and Paperwork Reduction Act Notice

OMB# 3038-0023

Privacy Act and Paperwork Reduction Act Notice

The information in Forms 7-R, 7-W, 8-R and 8-T and on the fingerprint card is being collected pursuant to authority granted in Sections 4f, 4k, 4n, 8a and 19 of the Commodity Exchange Act [7 U.S.C. §§ 6f, 6k, 6n, 12a and 23]. Under Section 4d of the Commodity Exchange Act [7 U.S.C. §6d], it is unlawful for anyone to act as a futures commission merchant or introducing broker without being registered in that capacity under the Act. Under Section 4m of the Commodity Exchange Act [7 U.S.C. §6m], it is unlawful for a commodity trading advisor or commodity pool operator to make use of the mails or any means or instrumentality of interstate commerce in connection with his business as a commodity trading advisor or commodity pool operator without being registered in the appropriate capacity under the Act, except that a commodity trading advisor who, during the course of the preceding 12 months, has not furnished commodity trading advice to more than 15 persons and does not hold himself out generally to the public as a commodity trading advisor, need not register. Under Section 19 of the Commodity Exchange Act [7 U.S.C. §23] and Section 31.5 of the CFTC's regulations, it is unlawful for anyone to act as a leverage transaction merchant without being registered in that capacity under the Act.

The information requested in Form 7-R is designed to assist NFA and the CFTC, as appropriate, in determining whether the application for registration should be granted or denied and to maintain the accuracy of registration files. The information in Form 7-W is designed to assist NFA and the CFTC in determining whether it would be contrary to the requirements of the Commodity Exchange Act, or any rule, regulation or order thereunder, or the public interest to permit withdrawal from registration.

The information requested in Form 8-R and on the fingerprint card will be used by the CFTC or NFA, as appropriate, as a basis for initiating an inquiry into the individual's fitness to be an associated person, floor broker or floor trader or to be a principal of a futures commission merchant, introducing broker, commodity trading advisor, commodity pool operator or leverage transaction merchant. Portions of the information requested in Form 8-R will be used by the CFTC and, in appropriate cases, by NFA, to confirm the registration of certain associated persons. The information requested in Form 8-T will be used by the CFTC, and, in appropriate cases, by NFA, to record the registration status of the individual and, in appropriate cases, as a basis for further inquiry into the individual's fitness to remain in business subject to the CFTC's jurisdiction.

With the exception of the social security number, all information in Forms 8-R and 8-T must be furnished. Disclosure of the social security number is voluntary. Disclosure of the Federal employer identification number is voluntary. The Social security number and the Federal employer identification number are sought pursuant to the Debt Collection Improvement Act of 1996. Under the Debt Collection Improvement Act, a social security number or a taxpayer identifying number furnished to the CFTC as part of the registration process can be used for purposes of collecting and reporting on any debt owed to the U.S. Government, including civil monetary penalties. The furnishing of a social security number or Federal employer identification number, however, assists the CFTC and NFA in identifying individuals and firms and therefore expedites the processing of those forms.

The failure by an applicant, registrant or principal to timely file a properly completed Form 7-R and all other related required filings may result in the denial of an application for registration or withdrawal thereof or, in the case of an annual records maintenance fee, treating the registrant as having petitioned for withdrawal. Failure by an applicant, registrant or principal to timely file or cause to be filed a properly completed Form 8-R or 8-T, any other required related filings, or a fingerprint card may result in the lapse, denial, suspension or revocation of registration, withdrawal of the application or other enforcement or disciplinary action by the CFTC or NFA.

FIRM APPLICATION

Privacy Act and Paperwork Reduction Act Notice

With the exception of the fingerprint card, any information contained in the Personal Information Section and any information contained in Matter Information pages related to the Disciplinary Information Sections on Form 8-R and on Form 8-T or Item 7 on Form 8-W, the Forms 7-R, 7-W, 8-R and 8-T are considered by the CFTC to be public records and will be available for inspection by any person pursuant to CFTC Rule 145.6(b), 17 CFR 145.6(b). Copies will be maintained by National Futures Association, Registration Department, Suite 1400, 200 W. Madison St., Chicago, IL 60606-3447. Further, the CFTC or NFA may disclose the fingerprint card and any other information described above to third parties pursuant to routine uses which the CFTC has published in the Federal Register or as otherwise authorized under the Privacy Act, [5 U.S.C. §552a], and the Commodity Exchange Act. Disclosure of such information may be made by the CFTC as follows: (1) in connection with administrative proceedings or matters in litigation; (2) in connection with investigations; (3) where the information is furnished to regulatory, self-regulatory and law enforcement or other governmental agencies to assist them in meeting responsibilities assigned to them by law or made available to any member of Congress who is acting in his or her capacity as a member of Congress; (4) where disclosure is required under the Freedom of Information Act [5 U.S.C. §552]; (5) in connection with an employer's hiring or retention of an employee; (6) in connection with the verification of information submitted for sponsorship purposes; (7) in other circumstances in which the withholding of such information appears unwarranted; and (8) in connection with legally required or authorized reports. Disclosure may be made by NFA in accordance with rules approved by the CFTC.

If an individual believes that the placing in the CFTC's or NFA's public files of any of the information contained in the Personal Information Section or in Matter Information pages related to Disciplinary Information on Form 8-R and on Form 8-T or Item 7 on Form 8-W, or on the fingerprint card would constitute a clearly unwarranted invasion of his personal privacy, the individual may petition the CFTC, pursuant to 17 CFR 145.9, to treat such information as confidential in response to requests under the Freedom of Information Act (FOIA) [5 U.S.C. §552]. The CFTC will make no determination as to confidential treatment of information submitted unless and until the information is the subject of an FOIA request. The filing of a petition for confidential treatment, however, does not guarantee that the information will be treated confidentially in response to an FOIA request.

Forms which have not been prepared and executed in compliance with applicable requirements may not be acceptable for filing. Acceptance of this form shall not constitute any finding that the information is true, current or complete. Misstatements or omissions of fact may constitute federal criminal violations [7 U.S.C. §13 and 18 U.S.C. §1001] or grounds for disqualification from registration.

This notice is provided in accordance with the requirements of the Privacy Act, [5 U.S.C. §552a(e)(3)] and summarizes some of an individual's rights under the Privacy Act [5 U.S.C. §552a] and the Freedom of Information Act [5 U.S.C. §552]. Individuals desiring further information should consult the CFTC's regulations under the Privacy Act, 17 CFR Part 146, and under the Freedom of Information Act, 17 CFR Part 145, and the CFTC's annual notice, published in the Federal Register, pursuant to the Privacy Act, of the existence and character of each system of records maintained by the CFTC.

You are not required to provide the information requested on a form subject to the Paperwork Reduction Act unless the form displays a valid OMB Control Number.

The time needed to complete and file Form 7-R, Form 3-R, Form 7-W, Form 8-R and Form 8-T and Form 8-W may vary depending upon individual circumstances. The estimated average times are:

| Form 7-R | | Form 3-R | 3 minutes |
|----------|------------|----------|------------|
| FCM | 30 minutes | Form 7-W | 3 minutes |
| IB | 24 minutes | Form 8-R | 20 minutes |
| СРО | 24 minutes | Form 8-T | 6 minutes |
| CTA | 24 minutes | Form 8-W | 3 minutes |

FIRM APPLICATION

Firm Agreement

BY FILING THIS FORM 7-R, THE APPLICANT AGREES THAT SUCH FILING CONSTITUTES THE

APPLICANT'S certification that the answers and the information provided in the Form 7-R are true, complete and accurate and that in light of the circumstances under which the applicant has given them, the answers and statements in the Form 7-R are not misleading in any material respect; certification that the person who electronically files the Form 7-R on behalf of the applicant is authorized by the applicant to file the Form 7-R and to make the certifications, representations, requests, acknowledgements, authorizations and agreements contained in this Rule; acknowledgement that the applicant is subject to the imposition of criminal penalties under Section 9(a) of the Act and 18 U.S.C. §1001 for any false statements or omissions made in the Form 7-R; acknowledgement that the applicant is responsible at all times for maintaining the information in the Form 7-R in a complete, accurate and current manner by electronically filing updates to the information contained therein; acknowledgement that the applicant may not act as an FCM, IB, CPO or CTA until registration has been granted; in the case of an IB, until registration or a temporary license has been granted; or until confirmation of exemption from registration as an IB, CPO or CTA pursuant to CFTC Regulation 30.5 is granted; authorization that NFA may conduct an investigation to determine the applicant's fitness for registration or for confirmation of exemption from registration as an IB, CPO and CTA pursuant to CFTC Regulation 30.5 and, if applicable, NFA membership and agreement to cooperate promptly and fully, consistent with applicable Federal law, in such investigation, which investigation may include contacting foreign regulatory and law enforcement authorities, including the submission of documents and information to NFA that NFA, in its discretion, may require in connection with the applicant's application for registration, confirmation of exemption from registration as an IB, CPO and CTA pursuant to CFTC Regulation 30.5 or NFA membership; authorization and request that any person, including but not limited to contract markets or DTFs, furnish upon request to NFA or any agent acting on behalf of NFA any information requested by NFA in connection with any investigation conducted by NFA to determine the applicant's fitness for registration or for confirmation of exemption from registration as an IB, CPO and CTA pursuant to CFTC Regulation 30.5; agreement that any person furnishing information to NFA or any agent acting on behalf of NFA in connection with the investigation so authorized is released from any and all liability of whatever nature by reason of furnishing such information to NFA or any agent acting on behalf of NFA; agreement that, if the applicant is a foreign applicant: the applicant's books and records will be available for inspection by the CFTC, the U.S. Department of Justice ("DOJ") and NFA for purposes of determining compliance with the Act, CFTC Regulations and NFA Requirements; such books and records will be produced on 72 hours notice at the location in the United States stated in the Form 7-R or, in the case of an IB, CPO or CTA confirmed as exempt from registration pursuant to CFTC Regulation 30.5, at the location specified by the CFTC or DOJ, provided, however, if the applicant is applying for registration as an FCM, upon specific request, such books and records will be produced on 24 hours notice except for good cause shown; the applicant will immediately notify NFA of any changes to the location in the United States where such books and records will be produced; the applicant is not subject to any blocking, privacy or secrecy laws which would interfere with or create an obstacle to full inspection of the applicant's books and records by the CFTC, DOJ and NFA; the failure to provide the CFTC, DOJ or NFA with access to its books and records in accordance with this agreement may be grounds for enforcement and disciplinary sanctions, denial, suspension or revocation of registration, withdrawal of confirmation of exemption from registration as an IB, CPO or CTA pursuant to CFTC Regulation 30.5, and denial, suspension or termination of NFA membership; and the applicant for registration shall provide to NFA copies of any audit or disciplinary report related to the applicant for registration issued by any non-U.S. regulatory authority or non-U.S. self-regulatory organization and any required notice that the applicant for registration provides to any non-U.S. regulatory authority or non-U.S. self-regulatory organization and shall provide these copies both as part of this application and thereafter immediately upon the applicant for registration's receipt of any such report or provision of any such notice; representation that if the applicant is an applicant for exemption from registration as an IB, CPO or CTA pursuant to CFTC Regulation 30.5: the applicant does not act as an IB, CPO or CTA, respectively, in connection with trading on or subject to the rules of a designated contract market in the United States by, for or on behalf of any U.S. customer, client or pool; the applicant irrevocably agrees to the jurisdiction of the Commission and state and federal courts located in the U.S. with respect to activities and transactions subject to Part 30 of the CFTC's regulations; and the applicant would not be statutorily disqualified from registration under §8a(2) or §8a(3) of the Act and is not disqualified from registration pursuant to the laws or regulations of its home country; an express agreement that, whenever admitted to NFA membership, the applicant and its employees shall become and remain bound by all NFA requirements, including without limitation all applicable NFA Bylaws, Compliance Rules, Financial Requirements, Registration Rules, Code of Arbitration and Member Arbitration Rules, as then and thereafter in effect, and that this agreement shall apply each time the applicant becomes a Member of NFA; and if the applicant is applying for NFA membership, certification that the applicant has authorized the person filing this application for NFA membership to file it on the Applicant's behalf.