



Regulatory Circular RG11-142

To: Floor Brokers

From: Regulatory Services Division

Date: November 21, 2011

Re: Communication with Solicited Parties

Floor-Brokers should take steps to prevent miscommunication with a solicited party; either verbally or through IM's and/or chats, to ensure the solicited party has a clear understanding of the status of an order. Ambiguous language may give the solicited party the perception that an order has been disclosed to the trading crowd, when in fact it has not.

Examples of ambiguous language include:

- "Going to trade now..."
- "Can get you (x) total contracts..."
- "You'll be on the order, going to trade soon..."

Such language may mislead the solicited party, and unintentionally result in their pre-facilitating and/or front-running of the order, leading to violations of, but not necessarily limited to, Exchange Rules 4.1 and/or 6.9(e).¹

Floor-Brokers are advised to use clear language so that the solicited party understands the current status of an unexecuted order brought to the trading floor.

Examples of clear communications prior to or following execution of an order are:

- "The order has not reached the trading crowd yet, I will inform you when the order is in the trading crowd."
- "The order is in the trading crowd."
- "The order has been disclosed to the crowd."
- "You have been filled on (x) total contracts."

Questions regarding the topics in this circular may be directed to the Regulatory Interpretations and Guidance Line at (312)786-8141.

¹ See Regulatory Circular 00-67