



**Regulatory Circular RG11- 155**

**DATE:** December 2, 2011  
**TO:** Trading Permit Holders  
**FROM:** Market Operations Department  
**RE:** Restrictions on Transactions in  
Evergreen Energy Inc. (“EEE”)

Effective December 2, 2011, the NYSE Arca will suspend Evergreen Energy Inc (“EEE”). Trading in Evergreen Energy Inc will commence on the Other OTC market under the symbol EVEI.

Trading on the CBOE in existing series of EVEI options will be subject to the following restrictions. Only closing transactions may be affected in any series of EVEI options except for (i) opening transactions by Market-Makers executed to accommodate closing transactions of other market participants and (ii) opening transactions by CBOE TPH organizations to facilitate the closing transactions of public customers executed as crosses pursuant to and in accordance with CBOE Rule 6.74(b) or (d).

The execution of opening transactions in EVEI options, except as permitted above, and/or the misrepresentation as to whether an order is opening or closing, will constitute a violation of CBOE rules, and may result in disciplinary action. TPH organizations should ensure that they have appropriate procedures in place to prevent their customers from entering opening orders in this restricted option class. In addition, transactions in contravention of this restriction may be subject to nullification pursuant to Exchange Rule 6.25.

There are no restrictions in place with respect to the exercise of EVEI options. The provisions of this circular apply to any options on EVEI traded on CBOE.

Any questions regarding this circular may be directed to Kerry Winters at (312) 786-7312 or Regulatory Services Division at (312) 786-7730 or (312) 786-8460.

CBOE restricted class memos can be accessed from CBOE.org at the following web address:

<http://www.cboe.org/Restrictions>