



September 2, 2020

**Via Federal Express**

Ms. Jeanette Marshall  
Securities and Exchange Commission  
Division of Trading and Markets  
100 F Street, N.E.  
Mail Stop 6628  
Washington, DC 20549-0001

Re: ***Cboe Exchange, Inc.  
Form 1 Amendment***

Dear Ms. Marshall:

On behalf of Cboe Exchange, Inc. (the "Exchange"), and in connection with the Cboe Form 1 that is on file with the Securities and Exchange Commission ("Commission"), enclosed please find one original and two copies of the Execution Page to Form 1 as well as the following exhibit<sup>1</sup>:

- Exhibit F (updated to include the most recent, final versions of agreements circulated to Members and other Users of the Exchange)

This amendment is filed in accordance with SEC Rule 6a-2 and is intended to replace Exhibit C currently on file with the Commission. Please do not hesitate to contact me if you have any questions or require anything further.

Sincerely,

A handwritten signature in black ink that reads "Kyle Murray".

Kyle Murray  
VP, Associate General Counsel  
913-815-7121  
Signature executed at 9:00am on 09/02/20

Enclosures

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<sup>1</sup> This submission serves as the required annual submission of Exhibit F. See Attachement for a comprehensive list of updates to these Exhibits.

## **Attachment**

*Summary of changes made to Exhibit F:*

- New form added

***\*Based upon relief from the Commission staff and difficulties arising from COVID-19, we are making this filing without notarization. This document has been signed electronically.***

Form 1 Page 1 Execution Page	<b>U.S. SECURITIES AND EXCHANGE COMMISSION WASHINGTON, D.C. 20549</b>  <b>APPLICATION FOR, AND AMENDMENTS TO APPLICATION FOR, REGISTRATION AS A NATIONAL SECURITIES EXCHANGE OR EXEMPTION FROM REGISTRATION PURSUANT TO SECTION 5 OF THE EXCHANGE ACT</b>	Date filed (MM/DD/YY)  <b>09/02/20</b>	OFFICIAL USE ONLY
WARNING: Failure to keep this form current and to file accurate supplementary information on a timely basis, or the failure to keep accurate books and records or otherwise to comply with the provisions of law applying to the conduct of the applicant would violate the federal securities laws and may result in disciplinary, administrative or criminal action.			
INTENTIONAL MISSTATEMENTS OR OMISSIONS OF FACTS MAY CONSTITUTE CRIMINAL VIOLATIONS			
<input type="checkbox"/> APPLICATION <span style="margin-left: 200px;"><input checked="" type="checkbox"/> AMENDMENT</span>			
1. State the name of the applicant: <u>Cboe Exchange, Inc.</u>			
2. Provide the applicant's primary street address (Do not use a P.O. Box): <u>400 South LaSalle Street</u> <u>Chicago, Illinois 60605</u>			
			
3. Provide the applicant's mailing address (if different): _____ _____ <span style="float: right;">20012463</span>			
4. Provide the business telephone and facsimile number: <u>(913) 815-7000</u> <span style="margin-left: 150px;"><u>(913) 815-7119</u></span> (Telephone) <span style="margin-left: 150px;">(Facsimile)</span>			
5. Provide the name, title and telephone number of a contact employee: <u>Kyle Murray</u> <span style="margin-left: 20px;">VP, Associate General Counsel,</span> <u>Cboe Exchange, Inc.</u> <span style="margin-left: 20px;"><u>(913) 815-7121</u></span> (Name) <span style="margin-left: 100px;">(Title)</span> <span style="margin-left: 100px;">(Telephone Number)</span>			
6. Provide the name and address of counsel for the applicant: <u>Pat Sexton</u> <u>400 S. LaSalle Street</u> <u>Chicago, IL 60605</u>			
7. Provide the date that applicant's fiscal year ends: <u>December 31</u>			
8. Indicate legal status of the applicant: <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Sole Partnership <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Other (specify): _____			
If other than a sole proprietor, indicate the date and place where applicant obtained its legal status (e.g. state where incorporated, place where partnership agreement was filed or where applicant entity was formed): (a) Date (MM/DD/YY): <u>11/01/07</u> (b) State/Country of formation: <u>Delaware/United States of America</u> (c) Statute under which applicant was organized: <u>General Corporation Law of the State of Delaware</u>			
<b>EXECUTION:</b> The applicant consents that service of any civil action brought by, or notice of any proceeding before, the Securities and Exchange Commission in connection with the applicant's activities may be given by registered or certified mail or confirmed telegram to the applicant's contact employee at the main address, or mailing address if different, given in Items 2 and 3. The undersigned, being first duly sworn, deposes and says that he/she has executed this form on behalf of, and with the authority of, said applicant. The undersigned and applicant represent that the information and statement contained herein, including exhibits, schedules, or other documents attached hereto, and other information filed herewith, all of which are made a part hereof, are current, true and complete.			
Date: <u>09/02/20</u> <span style="margin-left: 150px;"><u>Cboe Exchange, Inc.</u></span> (MM/DD/YY) <span style="margin-left: 150px;">(Name of Applicant)</span>			
By: <u>Kyle Murray</u> [signature executed at 9:00am on 09/02/20] <span style="margin-left: 50px;"><u>Kyle Murray, VP, Associate General Counsel</u></span> (Signature) <span style="margin-left: 100px;">(Printed Name and Title)</span>			
Subscribed and sworn before me this <u>see header</u> day of <u>see header</u> , <u>see header</u> by <u>see header</u> <span style="margin-left: 100px;">(Month)</span> <span style="margin-left: 50px;">(Year)</span> <span style="margin-left: 50px;">(Notary Public)</span>			
My Commission expires <u>see header</u> County of <u>see header</u> State of <u>see header</u>			
<b>This page must always be completed in full with original, manual signature and notarization.</b> <b>Affix notary stamp or seal where applicable.</b>			

**Exhibit F**

**Exhibit Request:**

A complete set of all forms pertaining to:

1. Application for membership, participation or subscription to the entity,
2. Application for approval as a person associated with a member, participant or subscriber of the entity, and
3. Any other similar materials.

**Response:**

Attached please find the following documents which have recently been added or updated:

1. Individual Sole Proprietor Application – ADD

# Cboe Exchange, Inc.

## Individual Sole Proprietor Application

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In order to become a Trading Permit Holder (“TPH”) of Cboe Exchange, inc. (“Cboe Options”) an applicant must complete and submit all materials listed on the Application Checklist below via email to [MembershipServices@cboe.com](mailto:MembershipServices@cboe.com).

Applicants are required to answer **every** question and provide the requested information in each field. Applicants may answer not applicable (“N/A”) where appropriate. For all areas requesting a CRD # or NFA #, Applicants are required to provide an ID number or mark N/A. Applicants are required to update any information submitted in this application when and if it becomes inaccurate or incomplete while this application is pending.

APPLICATION CHECKLIST
<p><b>Items required for application approval:</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Individual TPH Application</li><li><input type="checkbox"/> Full <a href="#">Form U-4</a>, if not available on WebCRD</li><li><input type="checkbox"/> Fingerprints</li><li><input type="checkbox"/> Current Financial Statement or Focus Report</li><li><input type="checkbox"/> SEC Broker/Dealer Application (Form BD)</li><li><input type="checkbox"/> Appropriate qualification examination(s) and registration(s) on WebCRD</li><li><input type="checkbox"/> Application Fee</li></ul> <p style="margin-left: 20px;">Please refer to ‘Application-Related Fees’ section of the <a href="#">Cboe Fee Schedule</a> for current pricing information. Application fees will be billed electronically through the firms OCC account and are non-refundable.</p> <p><b>Items required to become effective:</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Individual TPH Letter of Guarantee</li><li><input type="checkbox"/> TPH Activation / Termination Form</li><li><input type="checkbox"/> Trading Permit Request Form</li></ul>

Note: All application materials sent to Cboe Options will be reviewed for completeness.

Cboe Options may request applicants to submit documentation in addition to what is listed in the Application Checklist during the application review process. If you have questions on completing the application, you may direct them to Membership Services at [MembershipServices@cboe.com](mailto:MembershipServices@cboe.com) or 312.786.7449. In addition, please refer to Cboe’s website at [www.markets.cboe.com](http://www.markets.cboe.com) for additional information regarding the approval process.

## Cboe Exchange, Inc Individual Sole Proprietor Application

GENERAL INFORMATION		
Applicant Name:	CRD #:	NFA #:
Business Phone:	Alternate Phone:	
Email*: <i>*Email addresses from a public domain (e.g. @gmail.com, @hotmail.com, @yahoo.com) will not be accepted.</i>		
Mailing Address:		
City:	State/Province:	Zip/Mail Code:
Country:		
TYPE OF BUSINESS ACTIVITIES CONDUCTED BY APPLICANT		
<input type="checkbox"/> Market Maker <input type="checkbox"/> Proprietary TPH		
DESIGNATED CLEARING FIRM		
Identify the Clearing Firm issuing the guarantee for the Applicant's activity of Cboe Options:		
Name:	OCC #:	
QUESTIONS		
<p>Are you currently, or have you ever been, the subject of a legal proceeding? Please identify and describe all such legal proceedings whether or not they are or were related to your activities in the securities industry. For the purposes of this question, the term "legal proceeding" is intended to be construed broadly and would be deemed to include, but not be limited to, if you are or have been a party in a lawsuit or arbitration proceeding, if you are or have been the subject of a proceeding initiated by a government agency or as a result of a customer complaint, if you are or have been the subject of a criminal proceeding (including, but not limited to, any proceeding in which you were charged with, convicted of, or pled guilty or no contest to any misdemeanor, felony or other crime).   <input type="checkbox"/> Yes   <input type="checkbox"/> No</p> <p>If yes, describe:</p>		
<p>Are you currently, or have you ever been, the subject of an investigation conducted by, or on behalf of, any securities exchange, self-regulatory organization ("SRO") under the Securities Exchange Act of 1934, any futures contract market, exchange or self-regulatory organization (hereinafter collectively referred to as "securities or futures SRO"), or any federal or state securities or futures regulatory agency or commission regarding your activities?   <input type="checkbox"/> Yes   <input type="checkbox"/> No</p> <p>If yes, describe:</p>		

Are you currently, or have you been, a party in a disciplinary proceeding conducted by, or on behalf of, any securities or futures SRO, or any federal or state securities or futures regulatory agency or commission regarding your activity?  Yes  No

If yes, describe:

Have you ever been sanctioned by any securities or futures SRO or any federal or state securities or futures regulatory agency or commission, including, but not limited to the following?  Yes  No

If yes, please check the appropriate box and describe:  Bar  Censure  Fine  Suspension

Are you a member of any national securities exchange, national securities association, or commodities exchange?

Yes  No

If yes, identify:

## FINANCIAL INFORMATION

### I. Debts to Exchange(s) or Exchange Participant(s) - verbal and written

Do you owe any monies to Cboe Options, another national securities exchange, a national securities association, a national futures association or a commodities exchange **that are overdue** (including, but not limited to, any overdue fees, charges, dues, assessments, fines or other amounts)?  Yes  No

If yes, please identify:

To Whom: \_\_\_\_\_ Amount: \$\_\_\_\_\_

If yes, have satisfactory arrangements been made to repay this debt?  Yes  No

Please describe:

Do you owe any monies to any Cboe Options permit holder or to any participant of another national securities exchange, a national securities association, a national futures association, or a commodities exchange?  Yes  No

If yes, please identify:

To Whom: \_\_\_\_\_ Amount: \$\_\_\_\_\_

If yes, have satisfactory arrangements been made to repay this debt?  Yes  No

Please describe:

## II. Financing Arrangements

Cboe Options Rule 11.6 governs the financing of Market Makers by non-broker-dealers. Each Market Maker who makes an arrangement with a non broker-dealer to finance the Market Maker's transaction as a Market Maker is required by Rule 11.6 to identify to the Department of Regulatory Services (i) the source(s) of any such financing, (ii) the terms of any such financing and (iii) the termination of, or any changes to, any such financing arrangement. The form to be used to report any such financing arrangement is available from the Department of Regulatory Services.

If you are applying to be approved as a Market Maker, have you received any financing from, or made any financing arrangement with, any non-broker-dealer to finance your transactions as a Market Maker?  Yes  No

If yes, please describe:

If yes, have you filed with the Department of Regulatory Services a completed form to report this financing along with a copy of the loan agreement?  Yes  No

If no, please contact Regulatory Interpretations at 312.786.8141 for questions on how to obtain the forms.

Securities and Exchange Commission ("SEC") Rule 15c3-1d governs the financing of a Cboe Options permit holder broker-dealer by another broker-dealer. Any Cboe Options broker-dealer that borrows funds from another broker-dealer that are to be used for trading or other business purposes is required by SEC Rule 15c3-1d to do so pursuant to a subordinated loan agreement that has been filed with an approved by the Department of Regulatory Services. Subordinated Loan Agreement forms are available from the Department of Regulatory Services.

If you are applying to be approved as a broker-dealer, have you borrowed funds from any broker-dealer that are to be used for trading or other business purposes?  Yes  No

If yes, please describe:

If yes, have you filed a subordinated loan agreement with the Department of Regulatory Services with respect to this loan and obtained approval of the loan from that department?  Yes  No

If no, please contact Regulatory Interpretations at 312.786.8141 for questions on how to obtain the forms.

I hereby state that I have read and understand the contents of this financial information and attest that such statement represents a true reflection of my financial condition as of the date of this submission. **Please note that it may be considered a rule violation for an applicant for any type of Trading Permit to make a misstatement on any documents submitted to the Cboe Options.**

## Consent to Jurisdiction and Certifications

By executing this Application, the undersigned individual hereby agrees on behalf of himself/herself and his/her related parties as follows:

To abide by the bylaws and rules of Cboe Exchange, Inc. (“Cboe Options”) as they shall be in effect from time to time.

I authorize any governmental agency, national securities exchange, national securities association, commodities exchange and all my former employers and other persons to furnish to Cboe Options, upon its request, any information they may have concerning my character, ability, business activities, reputation and employment history, and I hereby release each such person from any and all liability of whatsoever nature by reason of furnishing such information to Cboe Options.

I authorize Cboe Options to make available to any governmental agency, national securities exchange, national securities association, commodities exchange or other entity (upon such entity’s showing of proper authority and need) any information it may have concerning me, and I hereby release Cboe Options from any and all liability of whatsoever nature by reason of furnishing such information.

I agree to promptly update my application materials if any of the information provided in these materials becomes inaccurate or incomplete after the date of submission of my application to Cboe Options and prior to any approval of the application.

I acknowledge and agree that under the Fair Credit Reporting Act, Cboe Options may procure or cause to be prepared an investigative consumer report on me, including, without limitation, information as to my character, general reputation, personal characteristics, employment, clearing firm, finances, financial litigation, mode of living, and credit reports, as applicable. The Federal Trade Commission’s “A Summary of Your Rights Under the Fair Credit Reporting Act” is available [here](#).

I agree to be subject to the jurisdiction of the U.S. federal courts and Illinois state courts.

I recognize that the statements in the application materials furnished to Cboe Options may be verified by investigation, and hereby declare that they are true, complete and accurate.

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Signature of Applicant

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Printed Name

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Date