

SUGGESTED AGREEMENT TO BE OBTAINED FOR THE INVESTMENT  
OF CUSTOMER FUNDS IN MONEY MARKET MUTUAL FUNDS

**(TYPE ON LETTERHEAD OF ABC COMMODITIES COMPANY)**

( DATE )

(Name and address of fund sponsor / organizer)

Re: Account No: \_\_\_\_\_

Dear Sir or Madam:

We propose to invest funds held by us on behalf of our commodity futures and options customers in shares of XYZ MONEY MARKET FUND under an account titled (or shares issued to) ABC COMMODITIES COMPANY, COMMODITY CUSTOMERS SEGREGATED FUNDS ACCOUNT. We are holding these funds for the benefit of our commodity futures and options customers pursuant to the requirements of section 4d(2) of the Commodity Exchange Act ("Act") and the rules of the Commodity Futures Trading Commission ("Commission") promulgated under that Act. The Act and the Commission's rules require that we separately account for and segregate these funds, including any shares issued, from any other funds held by us.

By signing below you agree that these shares and amounts accruing in connection therewith will be treated and dealt with by XYZ MONEY MARKET FUND as belonging to our commodity customers. You further agree that these shares or related funds will be segregated in your records from any other shares or amounts accruing in connection therewith belonging to ourselves (i.e., not related to our customers) or any other persons. You hereby acknowledge that you understand the nature of the funds and you agree not to exercise any lien or offset against these shares or amounts accruing in connection therewith.

We are permitted to invest our commodity customers' funds in money market mutual funds pursuant to Commission Rule 1.25. That rule sets forth the following conditions with respect to any investment in a money market mutual fund:

- The net asset value of the fund must be computed by 9:00 AM of the business day following each business day and be made available to us by that time;

- The fund must be able to redeem an interest in the fund by the close of the business day following the day on which we make a redemption request (or sooner redemption, if required by the FCM or clearing organization). However, it is acknowledged that the fund may postpone the date of payment of redemption requests upon the occurrence of any of the following conditions: (1) non-routine closure of the Fedwire (or applicable Federal Reserve banks); (2) non-routine closure of the NYSE or general market conditions leading to a broad restriction of trading on the NYSE, i.e., a restriction of trading due to market-wide events; or (3) declaration of a market emergency by the SEC; and,
- The agreement under which we invest our customers' funds does not contain any provision that would prevent us from pledging or transferring fund shares to a third party permitted to receive the shares under the rules of the Securities and Exchange Commission.

Please acknowledge that you understand the nature of the funds we are investing in this money market fund and that you agree to abide by the requirements and conditions set forth above by signing and returning the enclosed copy of this letter.

Sincerely yours,

By \_\_\_\_\_  
Title

Accepted

Name of Fund Sponsor \_\_\_\_\_

By \_\_\_\_\_  
Title

Dated \_\_\_\_\_