

## **Additional Information Regarding Filling Out of MFGI Commodity Customer Claim Form**

James W. Giddens (“Trustee”), the Trustee for the liquidation of MF Global Inc. (“MFGI”), has established separate, parallel customer claims processes: one for MFGI’s commodity futures customers, and the other for its securities customers. Additionally, the Trustee has established a separate process for MFGI’s general creditors.

After the Bankruptcy Court approved the claims process on November 22, 2011, the Trustee and his professionals have been receiving inquiries about how to fill out specific sections of the claims forms or address specific issues when completing the forms. Through this process, common issues have emerged regarding the Commodity Futures Customer Claim Form and the below paragraphs provide answers to these frequently raised issues.

### **COMMODITY FUTURES CUSTOMERS:**

#### Master/Sub-Accounts and Related Accounts

As a general rule, the claimant should file a separate claim form for each commodity futures account that the claimant had at MFGI. However, if the claimant’s account is a “master account” containing sub-accounts, claimant should submit a single claim form for the master account and the sub-accounts together (and not separate claims forms for each sub-account). On the claim form, the claimant should note the existence of the sub-accounts in the information regarding “related accounts” in Item III.F.

If claimant has other related accounts (other than a master account consisting of sub-accounts), the claimant should file multiple claim forms. Examples of related accounts are multiple accounts with one or more of the same account holders.

#### Change of Address

When filling out the Commodity Futures Customer Claim Form, if the claimant’s current address is different than the address associated with the claimant’s account, the claimant should include both addresses, labeling the current address, “PRIMARY,” and the old address associated with the account as “SUPPLEMENTAL.”

#### Taxpayer I.D. Number (Social Security No.)

Claimants without a taxpayer I.D. number or social security number should provide a detailed description of their business interactions with MFGI and any other identification information associated with their account.

#### Bounced Checks/Failed Wire Instructions

Claimants with accounts that were issued checks or wire instructions which have been dishonored as a result of the liquidation of MFGI’s business should file a claim as though their corresponding account balance was not reduced when the check was issued as part of Item I of the claims form, but also identify the fact that the claim is based (in whole or in part) on the amount of the dishonored check or wire instructions.

As part of the proposed third bulk transfer that was filed by the Trustee on November 29, 2011 (available on the Trustee's website) and is awaiting Bankruptcy Court approval, the account balances in these accounts will be restored as if the check was not issued and the restored balance will be used to determine the transfer amount.

#### Liquidation of Open Commodity Contracts

Claimant must indicate in Item II.B on the Commodity Futures Customer Claim Form whether claimant liquidated any open commodity contracts on or after October 31, 2011. This only pertains to liquidations that occurred while the positions were maintained at MF Global. If positions were transferred to another Futures Commission Merchant, once there, there is no obligation to identify it on the claim and/or no ongoing obligation to revise/update the claim.

#### Post-Filing Profit/Loss

Item II on the Commodity Futures Customer Claim Form seeks details about any activity, initiated by the claimant or otherwise, affecting the claimant's commodity futures account on or after October 31, 2011. Any post-filing profit or loss must be accounted for in Item II.

#### Transfers

Claimants may have received open commodity positions and/or cash or cash equivalents through the court-authorized bulk transfers.

Regardless of any transfer of any portion of claimant's account, the claimant must still timely submit a claim in order to claim property that the claimant believes MFGI still owes claimant. Claimants do not have an ongoing duty to report transfers or liquidations that occur after the claim was filed.

#### Individual Retirement Accounts (IRAs)

Claimants with a MFGI account as part of an Individual Retirement Account (IRA) should contact their account manager before filing a claim to ensure that the appropriate account holder of record files the claim.

#### Estimated Claims

If claimant cannot compute the amount of claim (either in whole or in part), the claimant may file an estimated claim. In that case, the claimant must indicate that the claim is an estimated claim. Items I and II on the Commodity Futures Customer Claim Form asks whether the amount stated there is an estimated amount.

#### Additional Documentation

Claimants should include copies (not originals) of any documentation or correspondence that claimant believes will be of assistance in processing the claim, including, but not limited to, customer confirmations, account statements, and statements of purchase or sale.

#### Signature(s) on Claim Form

All individuals who have signatory authority to the account must sign the claim form. If there is more than one name on the account, each individual must sign the claim form. For example, if

claimant is a part owner of a joint account (see Item III.B.7), both account owners must sign the claim form. If other than a personal account, e.g., corporate, trustee, agent, custodian, etc., the signatory must also state his/her capacity and authority. Please supply the trust agreement or other proof of authority.