

**Austin, Margaret**

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**From:** Sembach, Debbie [Debbie.Sembach@dbr.com] on behalf of Nash, Jr., Gordon B. [gordon.nash@dbr.com]  
**Sent:** Wednesday, June 03, 2009 4:56 PM  
**To:** Nash, Jr., Gordon B.  
**Subject:** CBOT Holdings, Inc., et al. v. CBOE, et al. - Case No. 2369-N  
**Attachments:** Memorandum Opinion i.pdf

To CBOT Full Members:

I have great news. Vice Chancellor Noble of the Delaware Court of Chancery approved the Stipulation of Settlement (the "Settlement"). In a twenty-nine page Memorandum Opinion he overruled all of the objections to the terms of the settlement and he found the class as proposed "will be certified" and "the settlement will be approved."

Attached is a copy of the Judge's opinion. We are also arranging for the Judge's full opinion to be posted on the CME website. The opinion is subject to his ruling on some individual objections and his entering an implementing order.

As soon as I have an implementing order, I will send you another e-mail explaining it and the timing going forward.

I want to thank everyone for your patience. I also want to thank Tom Ward and Mike Floodstrand and the lawyers for the CBOT and CME, all of whom provided invaluable assistance in achieving this result.

Gordon B. Nash

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Thank you very much.

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