

From: Sembach, Debbie [Debbie.Sembach@dbr.com] on behalf of Nash, Jr., Gordon B. [gordon.nash@dbr.com]
Sent: Tuesday, November 17, 2009 10:11 AM
To: Nash, Jr., Gordon B.
Subject: CME Group, Inc., CBOT Holdings, Inc., The Board of Trade of the City of Chicago, Inc., Michael Floodstrand and Thomas J. Ward v. Chicago Board Options Exchange, et al., Case No. 2369-N

To Participating Class Members:

Yesterday we filed an answering brief in the Delaware Supreme Court requesting that Vice Chancellor Noble's decisions approving the Settlement be affirmed. The appellants have fifteen days to file a reply brief.

Today the Delaware Supreme Court scheduled the oral argument for January 20, 2010 at 10:00 a.m. in Dover, Delaware. Following the oral argument, the Delaware Supreme Court will take the case under advisement and eventually render a written opinion. An opinion might be forthcoming by April 2010, but it is not something anyone can guarantee.

Gordon B. Nash

Gordon B. Nash, Jr.
 Drinker Biddle & Reath LLP
 191 N. Wacker Dr., Ste. 3700
 Chicago, IL 60606-1698
 (312) 569-1384 (Direct)
 (312) 569-3384 (Fax)
gordon.nash@dbr.com

Disclaimer Required by IRS Rules of Practice:

Any discussion of tax matters contained herein is not intended or written to be used, and cannot be used, for the purpose of avoiding any penalties that may be imposed under Federal tax laws.

This message contains information which may be confidential and privileged. Unless you are the intended addressee (or authorized to receive for the intended addressee), you may not use, copy or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender at Drinker Biddle & Reath LLP by reply e-mail and delete the message.

Thank you very much.
