

## Rule 106.K. Transfer to a Trust Assignment and Assumption Agreement

CME

CBOT

NYMEX

COMEX

Division	Membership Number

**Transferor (Member)****Trustee (Nominee)****Transferee (Trust)**

Pursuant to Rule 106.K , as Transferor, being a duly registered member of the Division, I hereby transfer the aforementioned membership to the (Trustee/Nominee),as Trustee of the Trust (Transferee).

Transferee accepts the aforementioned membership and assumes and agrees to be bound by all of the liabilities, obligations, terms and conditions of the rules of the Chicago Mercantile Exchange Inc., Board of Trade of the City of Chicago, Inc., New York Mercantile Exchange, Inc. and Commodity Exchange, Inc. (collectively, the "Exchange").

This agreement shall inure to the benefit of and be binding upon Transferor and Transferee and their respective legal representatives, heirs, successors and assigns.

Transferor shall execute, acknowledge and deliver, upon the written request of Transferee or the Exchange staff, any and all such further agreements or instruments as may be reasonably required for carrying out the purpose and intent of this agreement and to transfer to Transferee all of Transferor's rights, title and interests in and to the aforementioned membership, subject to the rules of the Exchange.

Pursuant to the rules of the Exchange, it is understood that no collateral arrangement between Transferor and Transferee shall be recognized nor affect the rights of the Exchange or its members.

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**Signature** (Grantor/Personal Representative)

Name (printed)

Date

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**Signature** (Trustee)

Name (printed)

Date

## Rule 106.K. Transfer to a Trust Grantor's Certificate and Acknowledgment

### EXCHANGE:

Division	Membership Number

Grantor

Trust

In connection with the transfer of a membership interest in Chicago Mercantile Exchange Inc. ("CME"), Board of Trade of the City of Chicago, Inc. ("CBOT"), New York Mercantile Exchange, Inc. ("NYMEX") or Commodity Exchange, Inc. ("COMEX") (CME, CBOT, NYMEX and COMEX, collectively, the "Exchange") by the undersigned, to the Trustee of Trust pursuant to Exchange Rule 106.K., the undersigned hereby certifies and agrees as follows:

1. He/She is the \_\_\_\_\_ of the Trust.
2. The Grantor has read and understands the applicable Exchange Rulebook, including Rule 106.K (Transfer to a Trust).
3. The Trust is in compliance with Exchange Rules, including Rule 106.K (Transfer to a Trust).
4. The Trust takes the membership interest subject to all of the Exchange Rules, as may be amended, including, but not limited to, Rule 110, assignment rules as set forth in Rule 106, and, if the membership interest is assigned to a clearing member for clearing qualification, Rule 902.C.
5. The interests in the membership interest that inure to the beneficiaries of the Trust shall be subject to all of the Exchange Rules, as may be amended.
6. The Exchange's rights with respect to the membership interest are superior to those of the beneficiaries of the Trust.
7. The Exchange shall have no liability to the beneficiaries of the Trust in the event of the mishandling of the Trust assets by the Trustee.
8. Under the terms of the Trust Documents, Grantor \_\_\_\_\_ have the authority to revoke the Trust.
9. Under the terms of the Trust Documents, Grantor the \_\_\_\_\_ have the right to transfer ownership of membership interest from the Trust back to the Grant.
10. The Trustee will promptly notify Exchange staff if any of the following events: a) changes in Trustee; b) the death of the Grantor; or c) the Trust no longer complies with the requirements of Exchange Rule 106.K.
11. Making a material misstatement to Exchange staff constitutes an offense under the applicable Exchange Rule 432.J. and may result in disciplinary action.
12. Exchange staff shall have the right to act pursuant to the directions of the Trustee (or his/her successor) with respect to the sale or transfer of the membership interest and the disposition of the proceeds thereof unless paragraph 9 above indicates that the trust is revocable and written notice of revocation is received by the Membership Services Department prior to its receipt of an Offer to Sell from the Trustee (or his/her successor).

**Signature** (Grantor/Personal Representative)

Name (Printed)

Date

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## Rule 106.K. Transfer to a Trust Trustee's Certificate and Acknowledgment

### EXCHANGE

Division	Membership Number

### Grantor

### Trustee

In connection with the transfer of a membership interest in Chicago Mercantile Exchange Inc. ("CME"), Board of Trade of the City of Chicago, Inc. ("CBOT"), New York Mercantile Exchange, Inc. ("NYMEX") or Commodity Exchange, Inc. ("COMEX") (CME, CBOT, NYMEX and COMEX, collectively, the "Exchange") by the Grantor of the Trust, to the undersigned as the Trustee) of the Trust pursuant to Exchange Rule 106.K., the undersigned hereby certifies and agrees as follows:

- Notwithstanding anything contained in the documents establishing and controlling the operation of the Trust (the "Trust Documents") or any amendments thereto to the contrary: (a) he/she/it is a duly appointed  
with full power and authority to legally bind and act for and on  
behalf of the Trust in all its dealings with the Exchange with respect to the membership interest; and (b) if more than one trustee is serving, consent to the execution and delivery of this Certificate and Acknowledgment by the undersigned has been obtained from the other trustee(s) of the Trust.
- The Trustee has read and understands the applicable Exchange Rulebook, including Rule 106.K (Transfer to a Trust).
- The Trust is in compliance with the relevant Exchange Rules, including Rule 106.K (Transfer to a Trust).
- The Trust takes the membership interest subject to all of the Exchange Rules, as may be amended, including, but not limited to, Rule 110, assignment rules as set forth in Rule 106, and, if the membership interest is assigned to a clearing member for clearing qualification, Rule 902.C.
- The interests in the membership interest that inure to the beneficiaries of the Trust shall be subject to all of the Exchange Rules, as may be amended.
- The Exchange's rights with respect to the membership interest are superior to those of the beneficiaries of the Trust.
- The Exchange shall have no liability to the beneficiaries of the Trust in the event of the mishandling of the Trust assets by the Trustee.
- Under the terms of the Trust Documents, have the authority to revoke the Trust.

9. Under the terms of the Trust Documents, membership interest, \_\_\_\_\_ have the right to transfer ownership of the from the Trust back to Grantor.

10. The Trustee will promptly notify Exchange staff if any of the following events: a) changes in Trustee; b) the death of Grantor; or c) the Trust no longer complies with the requirements of Exchange Rule 106.K.

11. Making a material misstatement to Exchange staff constitutes an offense under the applicable Exchange Rule 432.J. and may result in disciplinary action.

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**Signature** (Trustee)

Name (Printed)

Date