

CFTC FORM 1-FR-IB (Part B)

Guarantee Agreement

In consideration for the introduction of commodity customer, option customer, foreign futures customer and foreign options customer accounts by _____, an introducing broker, to _____, a futures commission merchant registered with the Commission as such, and in satisfaction of the adjusted net capital requirements with which the introducing broker otherwise would have to comply pursuant to Commission Regulation §1.17, 17 C.F.R. §1.17, the futures commission merchant guarantees performance by the introducing broker of, and shall be jointly and severally liable for, all obligations of the introducing broker under the Commodity Exchange Act, as it may be amended from time to time, and the rules, regulations and orders which have been or may be promulgated thereunder with respect to the solicitation of and transactions involving all commodity customer, option customer, foreign futures customer and foreign options customer accounts of the introducing broker entered into on or after the effective date of this agreement.

This guarantee agreement shall be enforceable regardless of the subsequent incorporation, merger or consolidation of either the futures commission merchant or the introducing broker, or any change in the composition, nature, personnel or location of the futures commission merchant or the introducing broker.

For purposes of this agreement only, the futures commission merchant shall be deemed to be the agent of the introducing broker upon whom process may be served in any action or proceeding against the introducing broker under the Commodity Exchange Act and the rules, regulations and orders promulgated thereunder.

The futures commission merchant acknowledges that at the time of execution of this guarantee agreement there are not any conditions precedent, concurrent or subsequent affecting, impairing or modifying in any manner the obligations of the futures commission merchant hereunder, or the immediate taking effect of this agreement as the entire agreement of the futures commission merchant with respect to guaranteeing the introducing broker's obligations as set forth herein to the Commission and to the introducing broker's commodity customers, option customers, foreign futures customers and foreign options customers under the Commodity Exchange Act.

If this guarantee agreement is filed in connection with an application for initial registration as an introducing broker, this agreement shall be effective as of the date registration is granted to the introducing broker. If this guarantee agreement is filed other than in connection with an application for initial registration as an introducing broker, it shall be effective as of the date agreed to by the futures commission merchant and the introducing broker as set forth below.

This guarantee agreement is binding and is and shall remain in full force and effect unless terminated in accordance with the rules, regulations or orders promulgated by the Commission with respect to such terminations. Termination of this agreement will not affect the liability of the futures commission merchant with respect to obligations of the introducing broker incurred on or before the date this agreement is terminated.

Dated:

Futures Commission Merchant

Dated:

Introducing Broker

Address:

Address:

By: _____

_____ Sole Proprietor

_____ General Partner

_____ Chief Financial Officer

_____ Chief Executive Officer

By: _____

_____ Sole Proprietor

_____ General Partner

_____ Chief Financial Officer

_____ Chief Executive Officer

Effective Date: _____

FREEDOM OF INFORMATION ACT NOTICE – GUARANTEE AGREEMENT

The guarantee agreement generally is considered by the Commission to be a public record, copies of which may be obtained upon written request to the Commission's FOI, Privacy and Sunshine Acts compliance staff in Washington, D.C. If a person files a petition for confidential treatment of this information, Section 145.9 of the Commission's regulations affords the person with the right to notice and a right to appeal any Commission staff decision to disclose this information pursuant to a request for information under the Freedom of Information Act.