

**MEMO# 26806**

December 27, 2012

# **ICI, U.S. Chamber File Appeal in Lawsuit Challenging CFTC's Amendments to Rule 4.5**

[26806]

December 27, 2012

TO: ACCOUNTING/TREASURERS COMMITTEE No. 20-12  
BOARD OF GOVERNORS No. 15-12  
CLOSED-END INVESTMENT COMPANY MEMBERS No. 86-12  
COMPLIANCE MEMBERS No. 30-12  
DERIVATIVES MARKETS ADVISORY COMMITTEE No. 72-12  
ETF (EXCHANGE-TRADED FUNDS) COMMITTEE No. 45-12  
ETF ADVISORY COMMITTEE No. 51-12  
EQUITY MARKETS ADVISORY COMMITTEE No. 38-12  
FIXED-INCOME ADVISORY COMMITTEE No. 32-12  
INVESTMENT ADVISER MEMBERS No. 54-12  
OPERATIONS COMMITTEE No. 51-12  
SEC RULES MEMBERS No. 114-12  
SMALL FUNDS MEMBERS No. 44-12  
TRANSFER AGENT ADVISORY COMMITTEE No. 82-12  
UNIT INVESTMENT TRUST MEMBERS No. 14-12  
VARIABLE INSURANCE PRODUCTS ADVISORY COMMITTEE No. 21-12 RE: ICI, U.S. CHAMBER  
FILE APPEAL IN LAWSUIT CHALLENGING CFTC'S AMENDMENTS TO RULE 4.5

ICI and the U.S. Chamber of Commerce today filed a notice of appeal of the recent ruling by the U.S. District Court for the District of Columbia upholding the Commodity Futures Trading Commission's amendments to Rule 4.5 under the Commodity Exchange Act. [\[1\]](#) The case will be appealed to the U.S. Court of Appeals for the District of Columbia Circuit. The briefing schedule for the appeal has yet to be determined.

Sarah A. Bessin  
Senior Counsel

## [Attachment](#)

### **endnotes**

[1] More information relating to the lawsuit may be found on ICI's website at [http://www.ici.org/cftc\\_challenge](http://www.ici.org/cftc_challenge).

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