

September 14, 2023

Media Contact:

Andy Nybo, SVP, Chief Communications Officer

(609) 955-2091

anybo@miaxglobal.com

Miami International Holdings Announces that MGEX has Filed a Petition for Rehearing Following Court’s Decision to Vacate SEC’s Exemptive Order Related to SPIKES Volatility Index Futures

PRINCETON, N.J. — September 14, 2023 — Miami International Holdings, Inc. (MIH), owner of Miami International Securities Exchange, LLC (MIAX[®]), MIAX PEARL, LLC (MIAX Pearl[®]), MIAX Emerald, LLC (MIAX Emerald[®]), Minneapolis Grain Exchange, LLC (MGEX[™]), LedgerX LLC (LedgerX), The Bermuda Stock Exchange (BSX), and Dorman Trading LLC today announced that MGEX has filed a petition for panel rehearing and rehearing en banc of the U.S. Court of Appeals for the District of Columbia’s July 28, 2023 decision to vacate the U.S. Security and Exchange Commission’s Exemptive Order related to SPIKES[®] Volatility Index Futures (the “Order”). The Order permits the listing of SPIKES Futures as a futures contract on MGEX, which serves as the exclusive market for this contract.

As a result of MGEX’s petition, the original date on which the Court’s vacatur was to go into effect – November 1, 2023 – no longer applies. If the petition is denied, then the new date for the vacatur is three months after the end of the month in which such denial is issued. If the petition is granted, then the Order would remain in effect until the Court hears the matter again and/or issues a new opinion. Accordingly, the earliest date on which SPIKES Futures will be required to cease trading on MGEX is January 1, 2024.

“We have worked closely with our market makers and liquidity providers to create a volatility trading ecosystem that offers members competitive alternatives to existing products,” said Thomas P. Gallagher, Chairman and CEO of MIH. “We have strong support from a broad range of market participants seeking greater choice when trading volatility and believe SPIKES Futures meets their needs for an innovative product that can help lower trading costs and enhance their volatility trading strategies. We and our customers are acutely aware that Cboe’s monopoly on volatility products allows it to charge much higher transaction fees for its proprietary products, thereby allowing Cboe to subsidize transaction fees for its multi-list option products.”

Mr. Gallagher added, “The January 2021 lawsuit by Cboe against the SEC’s issuance of the Exemptive Order created market uncertainty and has discouraged the competition expected by the SEC since the launch of SPIKES Futures. Despite the uncertainty, SPIKES Futures trading volume has grown faster in its first two and one-half years than VIX futures volume did in its comparable initial period and we are very proud of this growth.”

“Despite the Order establishing how the product worked and why a limited exemption for it was appropriate, the Court disregarded the SEC’s reasoning and instead became a tool to perpetuate a government sanctioned monopoly. Worse, in doing so, the Court has now created a potential for significant market disruption and investor harm,” said Tyler Gellasch, President and CEO of the Healthy Markets Association.

In discussing the Court’s decision, Mr. Gellasch went on to cite an excerpt from the SEC’s November 24, 2020 Exemptive Order that stated in part the following:

“The Commission believes that permitting the Product to trade as a futures contract, as opposed to as a security future, should foster competition as it could serve as an alternative to the only comparable incumbent volatility product in the market. Facilitating greater competition among these types of products should provide market participants with access to a wider range of financial instruments to trade on and hedge against volatility in the markets, particularly the S&P 500. In addition, the introduction of an additional volatility product in the market should lower transaction costs for market participants. Further, because SPY options are traded on 16 different national securities exchanges, the Commission would expect there to be a large number of market participants able to act as market makers in the Product. Moreover, the fact that SPY options are multi-listed should provide resiliency by reducing the likelihood that a disruption on one or more options exchanges could lead to a disruption in trading in the Product.”

Mr. Gellasch continued, “The team from MIA X and MGEX should be applauded for filing this Petition, but the ball is now also in the SEC’s court. Many investors – including those who aren’t actively trading SPIKES Futures – are depending upon the SEC to move quickly and carefully to consider a new Order to keep these markets functioning properly. The SEC has the information it needs to promote competition and protect investors, and now is the time for it to act.”

About MIA X

MIA X’s parent holding company, Miami International Holdings, Inc., owns Miami International Securities Exchange, LLC (MIA X[®]), MIA X PEARL, LLC (MIA X Pearl[®]), MIA X Emerald, LLC (MIA X Emerald[®]), Minneapolis Grain Exchange, LLC (MGEX[™]), LedgerX LLC (LedgerX), The Bermuda Stock Exchange (BSX) and Dorman Trading, LLC (Dorman Trading).

MIA X, MIA X Pearl and MIA X Emerald are national securities exchanges registered with the Securities and Exchange Commission (SEC) that are enabled by MIA X’s in-house built, proprietary technology. MIA X offers trading of options on all three exchanges as well as cash equities through MIA X Pearl Equities[™]. The MIA X trading platform was built to meet the high-performance quoting demands of the U.S. options trading industry and is differentiated by throughput, latency, reliability and wire-order determinism. MIA X also serves as the exclusive exchange venue for cash-settled options on the SPIKES[®] Volatility Index (Ticker: SPIKE), a measure of the expected 30-day volatility in the SPDR[®] S&P 500[®] ETF (SPY).

MGEX is a registered exchange with the Commodity Futures Trading Commission (CFTC) and offers trading in a variety of products including Hard Red Spring Wheat Futures and also serves as the exclusive market for SPIKES Futures. MGEX is a Designated Contract Market (DCM) and Derivatives Clearing Organization (DCO) under the CFTC, providing DCM and DCO services in an array of asset classes.

LedgerX is a CFTC regulated exchange and clearinghouse and is registered as a Designated Contract Market (DCM), Derivatives Clearing Organization (DCO) and Swap Execution Facility (SEF) with the CFTC.

BSX is a fully electronic, vertically integrated international securities market headquartered in Bermuda and organized in 1971. BSX specializes in the listing and trading of capital market instruments such as equities, debt issues, funds, hedge funds, derivative warrants, and insurance linked securities.

Dorman Trading is a full-service Futures Commission Merchant registered with the CFTC.

MIAX's executive offices and National Operations Center are located in Princeton, N.J., with additional U.S. offices located in Miami, FL. MGEX offices are located in Minneapolis, MN. LedgerX offices are located in Princeton, N.J. BSX offices are located in Hamilton, Bermuda. Dorman Trading offices are located in Chicago, IL.

To learn more about MIAX visit www.miaxglobal.com.

To learn more about MGEX visit www.mgex.com.

To learn more about LedgerX visit www.ledgerx.com.

To learn more about BSX visit www.bsx.com.

To learn more about Dorman Trading visit www.dormantrading.com.

Disclaimer and Cautionary Note Regarding Forward-Looking Statements

The press release shall not constitute an offer to sell or a solicitation of an offer to purchase any securities of Miami International Holdings, Inc. (together with its subsidiaries, the Company), and shall not constitute an offer, solicitation or sale in any state or jurisdiction in which such offer; solicitation or sale would be unlawful. This press release may contain forward-looking statements, including forward-looking statements within the meaning of the Private Securities Litigation Reform Act of 1995. Forward-looking statements describe future expectations, plans, results, or strategies and are generally preceded by words such as "may," "future," "plan" or "planned," "will" or "should," "expected," "anticipates," "draft," "eventually" or "projected." You are cautioned that such statements are subject to a multitude of risks and uncertainties that could cause future circumstances, events, or results to differ materially from those projected in the forward-looking statements, including the risks that actual results may differ materially from those projected in the forward-looking statements.

All third-party trademarks (including logos and icons) referenced by the Company remain the property of their respective owners. Unless specifically identified as such, the Company's use of third-party trademarks does not indicate any relationship, sponsorship, or endorsement between the owners of these trademarks and the Company. Any references by the Company to third-party trademarks is to identify the corresponding third-party goods and/or services and shall be considered nominative fair use under the trademark law.