



NATIONAL FUTURES ASSOCIATION

September 3, 2013

Sent via Electronic Mail

Mr. Jeff Malec
Attain Capital Management, LLC
1 East Wacker Drive
30th Floor
Chicago, IL 60601
jmalec@attaincapital.com

Re: 2013-CINV-635

NFA ID #322102

Dear Mr. Malec:

On April 12, 2013, NFA received a request from Jeff Malec, ("Malec") principal of Attain Capital Management LLC to review a test website along with a three (3) page attachment for "TradingMotions". "Trading Motions" is a Graphical User Interface ("GUI") that operates through CQG. NFA also examined the thirteen (13) page TradingMotions explanation and the Platform Regulatory Review received on July 26, 2013. NFA also reviewed two (2) flow charts depicting customer account creation and some account functions using TradingMotions which were received on August 22 and 26, 2013 respectively.

Based on our review of the material received on April 12, July 26, August 22 and 26, 2013 as well as context of the oral representations you made to NFA on April 26, 2013 and on August 28, 2013, NFA has no further comments at this time. However, be advised that the scope of NFA's review did not involve any testing or examination of any actual or physical operation of TradingMotions. In fact, beyond your representations NFA's review encompassed the text of procedures to be used in the operation of TradingMotions. Therefore, NFA or the CFTC could raise compliance issues with "TradingMotions" in the future.

Furthermore, please keep in mind when promoting TradingMotions that NFA Compliance Rule 2-22 prohibits NFA members and associate members from representing or implying in any manner whatsoever that NFA has sponsored, recommended or approved any aspect of their business.

If you have any questions, comments or concerns, please contact me at 312 781-1452.

Sincerely,

David Croom
Manager Compliance



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