

BEFORE THE BUSINESS CONDUCT COMMITTEE
OF THE
CHICAGO BOARD OPTIONS EXCHANGE, INCORPORATED

_____)
In the Matter of:)
)
Hybrid Trading & Resources, LLC)
111 W. Jackson Blvd.) File No. 12-0057
Suite 1146)
Chicago, IL 60604)
)
Respondent)
_____)

DECISION ACCEPTING OFFER OF SETTLEMENT

This proceeding was instituted by the Business Conduct Committee (the “Committee”) of the Chicago Board Options Exchange, Incorporated (the “Exchange”) as a result of an investigation by the staff of the Exchange, which indicated that there was probable cause for finding a violation within the disciplinary jurisdiction of the Exchange. In accordance with that determination, the Committee directed the issuance of a Statement of Charges (“Statement of Charges”). Pursuant to Exchange Rule 17.8, the respondent (“Respondent”), Hybrid Trading & Resources, LLC (“Hybrid”), submitted an offer of settlement (“Offer of Settlement”).

In submitting the Offer of Settlement, the Respondent neither admitted nor denied the violations alleged in the Statement of Charges.

The Respondent has agreed that the determination of the Committee to accept the Offer of Settlement shall constitute a final Decision, and, as provided in Exchange Rule 17.8, the Respondent may not seek review thereof.

The Respondent understands and acknowledges that the Committee’s decision in this matter will become part of its disciplinary record and may be considered in any future Exchange proceeding.

With due regard to the particulars of this matter, the Committee believes it is appropriate to accept the Respondent’s Offer of Settlement based on the following stipulated facts and findings and thereby to impose the sanction specified below.

FACTS

1. During all relevant periods herein, the Respondent, Hybrid, was a Trading Permit Holder organization registered with the Exchange as an organization associated with a floor broker and an organization approved to conduct a non-member customer business.

2. During all relevant periods herein, Exchange Rule 4.2 - Adherence to Law and Section 15(c) of the Securities Exchange Act of 1934, as amended (the "Act") and Rule 15c3-1(e) – Limitation on Withdrawal of Equity Capital thereunder was in full force and effect.
3. During all relevant periods herein, Section 15c3-1(e) of the Act, provides in part, that no equity capital of the broker or dealer may be withdrawn without two business days prior written notice to the Securities and Exchange Commission ("SEC") and its Designated Examining Authority ("DEA") where withdrawals exceed in the aggregate in any 30 calendar day period, 30 percent of the broker or dealer's excess net capital.
4. During the approximate period from on or about March 8, 2011 through on or about October 25, 2011, Hybrid failed to notify the SEC and the Exchange as its DEA, of 9 separate capitals withdrawals as required pursuant to Rule 15c3-1(e) of the Act.

FINDINGS

The acts, practices and conduct described in Paragraph 4 above constitutes violations of Exchange Rule 4.2 and Section 15(c) of the Act and Rule 15c3-1(e) thereunder by Hybrid, in that Hybrid failed to notify the SEC and the Exchange as its DEA, of 9 separate capitals withdrawals as required pursuant to Rule 15c3-1(e) of the Act.

SANCTION

The sanction to be imposed shall consist of a \$10,000 fine and a censure.

ORDER

ACCORDINGLY IT IS ORDERED THAT, the Respondent, Hybrid Trading & Resources, LLC shall be and hereby is censured and fined in the amount of ten thousand dollars (\$10,000).

**SO ORDERED
FOR THE COMMITTEE**

Dated: January 28, 2013

**By: /s/ Bruce Andrews
Bruce Andrews
Chairman
Business Conduct Committee**