CBOE EXECUTE SUCCESS℠

Regulatory Circular RG13-001

Date: January 2, 2013

To: Trading Permit Holders
From: Department of Market Regulation
RE: FOCUS Report (Form X-17A-5)
2012 Year-End Filing
Due MARCH 1, 2013

Every registered broker-dealer is required by SEC rule[1] to file FOCUS Report X-17A-5 and Schedule I for the calendar year ended December 31, 2012.

Every Trading Permit Holder registered with the SEC as a broker-dealer for whom the Exchange is the Designated Examining Authority, and who does not file FOCUS monthly, must file a FOCUS Report Part IIA (CBOE) **and** Schedule I for calendar year 2012 no later than **MARCH 1, 2013** with the Exchange's Department of Member Firm Regulation.

Please note that if you are a nominee of a broker-dealer and have an individual broker-dealer registration, two FOCUS filings must be made, one for your individual broker-dealer registration, and one for the firm. In addition, **this circular also applies to other individuals and entities who may not necessarily be actively trading but are still registered broker-dealers and for whom the CBOE is the Designated Examining Authority ("DEA").** That is, even if you did not execute any trades on the CBOE during calendar year 2011, if you have a broker-dealer registration with the SEC, you are still required to file FOCUS Report Form X-17A-5 Part IIA (CBOE) and Schedule I.

FOCUS Reports may be filed electronically using Winjammer, a web-based application. Part of the setup of this application involves the DEA (or DSRO for FCMs) adding broker-dealers and an initial security manager for the firm. The security manager will be the individual who will initially access the WinJammer site to add other users should you so desire, and set their access level. CBOE will compile the data and forward a computer file containing the data to the SEC.

If you do not yet have access to wjammer.com you will need to identify the security manager and provide the following information:

- Broker-Dealer Name
- Tax Identification Number
- Security Manager Name
- Phone Number
- Email Address

[1] SEC Rule 17a-10(a)

Once the information is received, CBOE will contact the security manager and provide details on how to add additional users and set their access level, as well as instructions on how to create and submit statements.

FOCUS Reports may no longer be filed using the former PC-based system. Paper filings are still acceptable. For technical questions related to the WinJammer system, please consult the instructions on the WinJammer website (www.wjammer.com).

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Filing Requirements:

Please Note:

In completing FOCUS Report Form X-17A-5 and Schedule I, it is very important that the following points be observed:

1. Your filing must be accurate. You may wish to consult your accountant for assistance in satisfying your filing obligations.

2. All entries should pertain to your business as a broker-dealer. You need not list assets, liabilities or revenue derived outside your broker-dealer activity.

3. Line 12 (Total Assets) on page one (1) must equal line 25 (Total Liabilities and Ownership Equity) on page two (2).

4. The form must be signed (unless filing electronically) and must contain your broker-dealer number (SEC file number).

5. Please be aware that it is your ultimate responsibility to file the FOCUS Report and Schedule I. Although your clearing firm may provide assistance with regard to completing the FOCUS Report, it is your responsibility to make sure your FOCUS Report and Schedule I are accurate and filed with the Department of Member Firm Regulation on or before **MARCH 1, 2013**.

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Fines for Late Filing:

In accordance with CBOE Rule 17.50(g)(2), any Trading Permit Holder who fails to file Form X-17A-5 and Schedule I for calendar year 2012 by **MARCH 1, 2013** will be subject to the following fines:

DAYS LATE	AMOUNT
1-30	$200
31-60	$400
61-90	$800

Filings that are 91+ days late will be referred to the Exchange's Business Conduct Committee and may result in formal disciplinary action.

Additional Information:
If you are unsure as to whether you are required to file or have any questions, please contact the Regulatory Interpretations and Guidance team at RegInterps@cboe.com or (312) 786-8141 for additional information.