

## 2.5 Confidentiality: Treatment and Use of Non-Public Information

2.5.1 All information received by the Clearing House regarding past or current positions carried by the Clearing House or any other clearing organization for a Clearing Member or an Affiliate of such Clearing Member, margin payments between the Clearing House or any other clearing organization and a Clearing Member or an Affiliate of such Clearing Member, and financial statements filed with the Clearing House by any Clearing Member, shall be treated as confidential and will not be disclosed to any other Person except as follows:

- (a) upon written consent of the Clearing Member involved;
- (b) to the Exchange and Affiliates of the Exchange, as deemed appropriate by the Clearing House;
- (c) to the CFTC or the United States Department of Justice upon request pursuant to the requirements of Applicable Law;
- (d) pursuant to subpoena or order of a court, Governmental Authority or Self-Regulatory Organization of competent jurisdiction;
- (e) to any contract market or trading facility for audit, compliance, or market surveillance purposes, subject to terms and conditions as the Clearing House may deem appropriate; or
- (f) pursuant to Rule 2.6.