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RESPONSE OF MONEX TO CFTC LAW SUIT

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Today the Commodity Futures Trading Commission (“CFTC”) filed an action in federal court against Monex Deposit Company, Monex Credit Company (collectively “Monex”), et al., alleging that Monex' leveraged Atlas account trades are illegal retail precious metals transactions under the recent Dodd-Frank legislation. Monex vehemently denies the CFTC's assertion of jurisdiction and its allegations of customer fraud.

Throughout its 30-year history, both before and after Dodd-Frank was implemented, Monex has lawfully offered physical precious metals transactions exempt from CFTC jurisdiction.

Prior to Dodd-Frank, Monex' exemption was recognized by the CFTC and its administrative law judges. Since Dodd-Frank, Monex has complied with the CFTC's interpretive guidance for exempt precious metals dealers involved in financed transactions.

Monex makes delivery of precious metals to every customer on every sale, including financed transactions where the precious metals are held in an independent depository in the customer's name. The terms and conditions of the Monex Atlas program are fully disclosed to its customers before and transactions are made, and the disclosures satisfy all regulatory requirements. All bid and ask prices and spreads are disclosed on the internet live and can be compared to prices and spreads offered by other precious metal dealers. The average bid/ask spread on a financed Atlas transaction is one of the most competitive in the physical precious metals market with average spreads less than 2% and commissions averaging less than one quarter of a percent during the last 5 years.

The company will vigorously defend the CFTC's unwarranted action.