

From: Luke Zubrod <lzubrod@chathamfinancial.com>
Sent: Thursday, September 30, 2010 2:33 PM
To: dfadefinitions <dfadefinitions@CFTC.gov>
Subject: De Minimis Exception

CFTC Definitions Team,

Among the topics the CFTC has been delegated authority to further define in the derivatives title of Dodd-Frank is the De Minimis Exception to the Swap Dealer definition. This definition is not only important to companies that do a small quantity of swap dealing, but also has implications for development in third world countries.

Chatham Financial is working with international development agencies (including the World Bank's IFC, the European Investment Bank and the German Development Bank KfW) to improve the ability of the microfinance sector to serve the world's poor by removing currency risk. The entity being constructed to do this may be deemed a swap dealer under Dodd-Frank. We believe this entity – known as "Cygma" – may serve as a useful illustration of the merits of the De Minimis Exception and may be helpful to you in thinking of examples of entities that such an exception should contemplate. Notably, the absence of such an exception for relatively small entities like Cygma could create barriers to economic development in third world countries.

We would welcome the opportunity to visit you at your offices in Washington to provide an overview of Cygma as a basis for further discussion on ways the De Minimis exception might contemplate such entities. If your schedule allows, we will be in Washington this coming Tuesday, Oct 5. Otherwise, we can find a time that is mutually agreeable.

Best regards,
Luke

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