

**THE NASDAQ OPTIONS MARKET LLC
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2019.02.0023**

TO: The Nasdaq Options Market LLC
Nasdaq Enforcement Department

RE: Dash Financial Technologies LLC
Member Firm
CRD No. 104031

Pursuant to Rule 9216 of The Nasdaq Stock Market LLC (“Nasdaq”) Code of Procedure, Dash Financial Technologies LLC (the “Firm,” “Dash,” or “Respondent”) submits this Letter of Acceptance, Waiver and Consent (“AWC”) for the purpose of proposing a settlement of the alleged rule violations described below. This AWC is submitted on the condition that, if accepted, Nasdaq will not bring any future actions against the Respondent alleging violations based on the same factual findings described herein.

I.

ACCEPTANCE AND CONSENT

- A. The Firm hereby accepts and consents, without admitting or denying the findings, and solely for the purposes of this proceeding and any other proceeding brought by or on behalf of Nasdaq, or to which Nasdaq is a party, prior to a hearing and without an adjudication of any issue of law or fact, to the entry of the following findings by Nasdaq:

BACKGROUND AND RELEVANT DISCIPLINARY HISTORY

The Firm became a member of The Nasdaq Options Market LLC (“NOM”) on March 12, 2008, and its registration remains in effect. The Firm has no relevant disciplinary history.

SUMMARY

During the period March 1, 2017 through November 8, 2017 (the “Review Period”), the Firm violated Chapter III, Section 1,¹ Chapter III, Section 2,² Chapter V, Section 7(a),³ Chapter IX, Section 1,⁴ and Rule 2010A⁵ of the NOM rules as set forth below. These violations concern compliance with NOM rules and policies governing the use of origin codes.

¹ This rule is now set forth in Options 9, Section 2 (Adherence to Law and Compliance with NOM Rules).

² This rule is now set forth in Options 9, Section 2 (Adherence to Law and Compliance with NOM Rules).

³ This rule is now set forth in Options 6E, Section 9 (Audit Trail).

⁴ This rule is now set forth in Options 6E, Section 1 (Maintenance, Retention and Furnishing of Books, Records and Other information).

⁵ This rule is now set forth in Rule General 9, Section 1(a) (Standards of Commercial Honor and Principles of Trade).

FACTS AND VIOLATIVE CONDUCT

1. Chapter III, Section 1 of the NOM rules prohibited an Options Participant from violating the Exchange Act or rules thereunder, NOM rules or Options Clearing Corporation (“OCC”) rules as they relate to reporting or clearing any NOM transactions.
 2. Chapter III, Section 2 required an Options Participant to ensure transactions comply with the Options Participant’s obligations under NOM, and OCC rules and any other relevant laws or rules. It further required an Options Participant to ensure that accurate information is input into NOM’s trading system, including the Options Participant’s capacity.
 3. Chapter V, Section 7(a) required that when entering orders on NOM, each Options Participant submitted order information in such form as may be prescribed by Nasdaq in order to allow NOM to properly prioritize and match orders and report resulting transactions to OCC.
 4. Chapter IX, Section 1 required each Options Participant to make and keep records as prescribed by NOM, and by the Exchange Act and rules thereunder.
 5. Nasdaq Rule 2010A required that a member, in the conduct of its business, observe high standards of commercial honor and just and equitable principles of trade.
 6. During the Review Period, the Firm submitted on NOM approximately 7,034 options orders for one broker-dealer client, with incorrect origin codes of “Customer” instead of “Broker-Dealer,” resulting in the execution of approximately 27,090 contracts with erroneous origin codes in violation of various recordkeeping rules.
 7. By virtue of the above conduct, the Firm violated Chapter III, Section 1, Chapter III, Section 2, Chapter V, Section 7(a), Chapter IX, Section 1, and Rule 2010A of the NOM rules.
 8. The Firm identified the configuration issue that resulted in the violations and completed remediation efforts on November 8, 2017.
- B. The Firm also consents to the imposition of the following sanctions:
1. A censure and a fine in the amount of \$16,500.

Respondent agrees to pay the monetary sanction(s) in accordance with its executed Election of Payment Form.

Respondent specifically and voluntarily waives any right to claim that it is unable to pay, now or at any time hereafter, the monetary sanction(s) imposed in this matter.

The sanctions imposed herein shall be effective on a date set by Nasdaq Enforcement Department staff.

II.

WAIVER OF PROCEDURAL RIGHTS

Respondent specifically and voluntarily waives the following rights granted under Nasdaq’s Code of Procedure:

- A. To have a Formal Complaint issued specifying the allegations against the Firm;
- B. To be notified of the Formal Complaint and have the opportunity to answer the allegations in writing;
- C. To defend against the allegations in a disciplinary hearing before a hearing panel, to have a written record of the hearing made and to have a written decision issued; and
- D. To appeal any such decision to the Nasdaq Review Council and then to the U.S. Securities and Exchange Commission and a U.S. Court of Appeals.

Further, Respondent specifically and voluntarily waives any right to claim bias or prejudgment of the Chief Regulatory Officer, the Nasdaq Review Council, or any member of the Nasdaq Review Council, in connection with such person's or body's participation in discussions regarding the terms and conditions of this AWC, or other consideration of this AWC, including acceptance or rejection of this AWC.

Respondent further specifically and voluntarily waives any right to claim that a person violated the ex parte prohibitions of Rule 9143 or the separation of functions prohibitions of Rule 9144, in connection with such person's or body's participation in discussions regarding the terms and conditions of this AWC, or other consideration of this AWC, including its acceptance or rejection.

III. OTHER MATTERS

Respondent understands that:


- A. Submission of this AWC is voluntary and will not resolve this matter unless and until it has been reviewed and accepted by the Nasdaq Enforcement Department and the Nasdaq Review Council, the Review Subcommittee, or the Office of Disciplinary Affairs ("ODA"), pursuant to Nasdaq Rule 9216;
- B. If this AWC is not accepted, its submission will not be used as evidence to prove any of the allegations against the Respondent; and
- C. If accepted:
 - 1. This AWC will become part of the Respondent's permanent disciplinary record and may be considered in any future actions brought by Nasdaq or any other regulator against the Respondent;
 - 2. Nasdaq may release this AWC or make a public announcement concerning this agreement and the subject matter thereof in accordance with Nasdaq Rule 8310 and IM-8310-3; and
 - 3. Respondent may not take any action or make or permit to be made any public statement, including in regulatory filings or otherwise, denying, directly or indirectly, any finding in this AWC or create the impression

that the AWC is without factual basis. Respondent may not take any position in any proceeding brought by or on behalf of Nasdaq, or to which Nasdaq is a party, that is inconsistent with any part of this AWC. Nothing in this provision affects the Respondent's right to take legal or factual positions in litigation or other legal proceedings in which Nasdaq is not a party.

- D. Respondent may attach a Corrective Action Statement to this AWC that is a statement of demonstrable corrective steps taken to prevent future misconduct. Respondent understands that it may not deny the charges or make any statement that is inconsistent with the AWC in this Statement. This Statement does not constitute factual or legal findings by Nasdaq, nor does it reflect the views of Nasdaq or its staff.

The undersigned, on behalf of the Firm, certifies that a person duly authorized to act on its behalf has read and understands all of the provisions of this AWC and has been given a full opportunity to ask questions about it; that the Firm has agreed to the AWC's provisions voluntarily; and that no offer, threat, inducement, or promise of any kind, other than the terms set forth herein and the prospect of avoiding the issuance of a Complaint, has been made to induce the Firm to submit it.

Dash Financial Technologies LLC
Respondent

By:  _____

Print Name: Venu Palaparthi

Title: CCO

2/25/2021
Date

Accepted by Nasdaq:

3/12/2021
Date

Signed on behalf of the
Director of ODA, by delegated authority



Muiyiwa Odeniyide
Enforcement Counsel
Nasdaq Enforcement Department