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Statement from ETF Managers Group on Today’s Ruling of Nasdaq Inc. vs. ETF Managers Group, LLC

SUMMIT, N.J.--(12/20/19)--ETF Managers Group, LLC (“ETFMG”) today issued the following response to today’s court ruling of Nasdaq Inc. vs. ETF Managers Group, LLC:

“We respectfully disagree with Judge Engelmayer’s opinion and will appeal. His findings are not consistent with relevant case law and fail to include numerous important factors. For example, Nasdaq cut off access to our fund indexes during the trading day to disadvantage ETF Managers Group at the risk of hurting the investors in our funds. In its testimony, Nasdaq executives admitted they lied about this deliberate disruption, which goes to the heart of the ETF business and to the integrity of Nasdaq as an index provider. Nasdaq also refused to address the conflict of interest it had as developer and index provider of the First Trust CIBR ETF, HACK’s competitor. In addition to our appeal, we will petition the SEC to investigate this abuse of power by Nasdaq and its abusive behavior toward smaller ETF issuers. We continue to believe the contracts at issue are clear and that Nasdaq’s insistence that the terms be disregarded will be rejected on appeal.”

About ETFMG

ETFMG is a provider of exchange-traded funds (ETFs), founded in 2014 with a vision of developing innovative thematic ETFs that provide investors unique exposure to new markets. Today, the ETFMG fund line up provides access to a diverse collection of global themes and is comprised of 75% first to market products. We turn portfolio management strategies into successful ETFs by partnering with market segment experts to bring long-term growth opportunities to investors. ETFMG funds are proof as to the power of the ETF wrapper and that thematic products can have a place in investors’ portfolios. For more information, please visit www.etfmg.com.

Carefully consider a Fund’s investment objectives, risks, and charges and expenses before investing. This and other information can be found in the Fund’s summary or statutory



prospectuses, available on www.etfmg.com. Please read the prospectus carefully before investing.