

Exhibit 5

Additions are underlined; deletions bracketed

Rule 1015. [Execution Guarantees] Reserved

[(a) *Execution Guarantees*—Customer market or marketable limit orders in any options series on the Exchange are to be filled at the best market, in accordance with Rule 1082, to a minimum of the disseminated size by floor traders (i.e., Specialists and ROTs) in the crowd as follows:

- (i) If only one floor trader is quoting the availed upon best bid (or offer), that floor trader is responsible for providing a fill for the disseminated size.
- (ii) If more than one floor trader is quoting the availed upon best bid (or offer), and their combined quote size is less than the disseminated size, participation for the additional contracts needed to meet the disseminated size requirement shall be decided upon agreement by those floor traders or otherwise divided proportionately among them.
- (iii) If the availed upon best bid (or offer) is established by someone other than a floor trader and is not for at least the disseminated size, participation for the additional contracts needed to meet the disseminated size requirement shall be supplied at that same price by the floor trader with the immediately prior best bid (or offer). If more than one floor trader was on the prior bid (or offer), participation for the additional contracts shall be decided upon agreement by those floor traders or otherwise divided proportionately among them. For example, if a 2.25 bid by an ROT is followed by a 2.50 bid for five contracts by a customer, the ROT who was bidding 2.25 will be responsible for buying the other five contracts at 2.50.
- (iv) The "availed upon best bid (or offer)" for purposes of this Rule shall be the disseminated price (as defined in Rule 1082).
- (v) Orders received by a member from a customer may not be unbundled for the primary purpose of availing upon the execution guarantee requirement, nor may a firm solicit a customer to unbundle an order for the primary purpose of availing upon the execution guarantee.
- (vi) Floor Brokers must make reasonable efforts to ascertain whether each order entrusted to them is for the account of a customer or a broker-dealer. If it is ascertained that the order is for the account of a broker-dealer, the responsible floor broker must advise the crowd of that fact prior to bidding/offering on behalf of the order or executing the order. The Floor Broker or his employees must make the appropriate notation on the Options Floor Broker Management System when it has been determined that the order is for an account of a broker/dealer.

(vii) The disseminated size requirement shall not apply when Exchange quotations are not required to be firm pursuant to paragraph (c) of Rule 1082.

(b) *Trade or Fade*—When paragraph (e) of Rule 1082 is applicable to an order received by a responsible broker or dealer, participation by Specialists or ROTs above their stated size to fill the order completely or meet the disseminated size requirement (for customer orders) or the quotation size requirement (for broker-dealer orders) shall be decided upon agreement by such Specialists or ROTs or otherwise divided proportionately among them.

Where the disseminated market quote of a responsible broker or dealer is revised, as provided for in Rule 1082, it shall be considered conduct inconsistent with just and equitable principles of trade for such responsible broker or dealer to immediately re-display its previously disseminated market quote, unless such action is warranted by a change in market conditions.]

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Rule 1063. Responsibilities of Floor Brokers

(a) – (f) No change.

•• *Commentary:* -----

.01 A Floor Broker who wishes to place a limit order on the limit order book must submit such a limit order electronically through the Options Floor Broker Management System.

.02 Floor Brokers must make reasonable efforts to ascertain whether each order entrusted to them is for the account of a customer or a broker-dealer. If it is ascertained that the order is for the account of a broker-dealer, the responsible Floor Broker must advise the crowd of that fact prior to bidding/offering on behalf of the order or executing the order. The Floor Broker or his employees must make the appropriate notation on the Options Floor Broker Management System when it has been determined that the order is for an account of a broker/dealer.

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OPTION FLOOR PROCEDURE ADVICES AND ORDER & DECORUM REGULATIONS

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A-11 [Responsibility to Fill Customer Orders] Reserved

[(a) Execution Guarantees - Customer market or marketable limit orders in any options series on the Exchange are to be filled at the best market, in accordance with Rule 1082, to a minimum of disseminated size by floor traders (i.e., Specialists and ROTs) in the crowd as follows:

- (i) If only one floor trader is quoting the availed upon best bid (or offer), that floor trader is responsible for providing a fill for the disseminated size.
- (ii) If more than one floor trader is quoting the availed upon best bid (or offer), and their combined quote size is less than the disseminated size, participation for the additional contracts needed to meet the disseminated size requirement shall be decided upon agreement by those floor traders or otherwise divided proportionately among them.
- (iii) If the availed upon best bid (or offer) is established by someone other than a floor trader and is not for at least the disseminated size, participation for the additional contracts needed to meet the disseminated size requirement shall be supplied at that same price by the floor trader with the immediately prior best bid (or offer). If more than one floor trader was on the prior bid (or offer), participation for the additional contracts shall be decided upon agreement by those floor traders or otherwise divided proportionately among them. For example, if a 2.25 bid by an ROT is followed by a 2.50 bid for five contracts by a customer, the ROT who was bidding 2.25 will be responsible for buying the other five contracts at 2.50.
- (iv) The "availed upon best bid (or offer)" for purposes of this Advice shall be the disseminated price (as defined in Rule 1082).
- (v) Orders received by a member from a customer may not be unbundled for the purpose of availing upon the execution guarantee requirement, nor may a Firm solicit a customer to unbundle an order for the purpose of availing upon the execution guarantee.
- (vi) Floor Brokers must make reasonable efforts to ascertain whether each order entrusted to them is for the account of a customer or a broker-dealer. If it is ascertained that the order is for the account of a broker-dealer, the responsible Floor Broker must advise the crowd of that fact prior to bidding/offering on behalf of the order or executing the order. The Floor Broker or his employees must make the appropriate notation on the Options Floor Broker Management System when it has been determined that the order is for an account of a broker/dealer.
- (vii) The disseminated size requirement shall not apply when Exchange quotations are not required to be firm pursuant to paragraph (c) of Rule 1082.
- (b) Trade or Fade - When paragraph (e) of Rule 1082 is applicable to an order received by a responsible broker or dealer, participation by Specialists or ROTs above their stated size to fill the order completely or meet the disseminated size requirement (for customer orders) or the quotation size requirement (for broker-dealer orders) shall be decided upon agreement by such Specialists or ROTs or otherwise divided proportionately among them.

Where the disseminated market quote of a responsible broker or dealer is revised, as provided for in Rule 1082, it shall be considered conduct inconsistent with just and equitable principles of trade for such responsible broker or dealer to immediately re-display its previously disseminated market quote, unless such action is warranted by a change in market conditions.

FINE SCHEDULE

Fine not applicable]

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