

PARTIAL AMENDMENT

Cboe EDGX Exchange, Inc. (“EDGX Options” or the “Exchange”) submits this Amendment, constituting Amendment No. 1, to rule filing SR-CboeEDGX-2019-009 (the “Rule Filing”) in which the Exchange proposes to adopt Rule 21.21. The purpose of this Amendment No. 1 is to make certain updates and corrections to portions of the Form 19b-4 and Exhibit 1.

First, the Exchange proposes to change the term “AIM Auction” to “SAM Auction” in the second sentence of the first full paragraph on page 7 of the Form 19b-4 and the second sentence of the carryover paragraph on pages 74 to 75 of Exhibit 1. This reference to AIM Auction was inadvertent and was intended to be a reference to SAM Auction.

Second, the Exchange proposes to delete the word “nonmarketable” from the phrase in the third bullet in the carryover paragraph on pages 14 – 15 of the Form 19b-4 and the first paragraph on page 82 of Exhibit 1. The word nonmarketable is not included in the proposed rule text being described in this bullet, but was inadvertently included in the Rule Filing.

Third, the Exchange proposes to delete in its entirety the second and third sentences of footnote 37 on pages 20 to 21 of the Form 19b-4 and footnote 39 on page 88 of Exhibit 1. The Rule Filing does not propose to amend Rule 22.12.

Fourth, the Exchange proposes to delete last full paragraph on page 40 of the Form 19b-4 and the carryover paragraph on page 107 to 108 of Exhibit 1 and replace it with the following:

The second condition of Rule 11a2-2(T) requires that neither a member nor an associated person participate in the execution of its order once the order is transmitted to the floor for execution. The Exchange represents that, upon submission to the SAM Auction, an order or SAM response will be executed automatically pursuant to the rules set forth for SAM. In particular, execution of an order (including the Agency and the Solicited Order) or a SAM response sent to the mechanism depends not on the Options Member entering the order or response, but rather on what other orders and responses are present and the priority of those orders and responses. Thus, at no time following the submission of an order or response is a Member able to acquire control or influence over the result or timing of order or response execution.<sup>1</sup> Once the Agency Order and Solicited Order have been transmitted, the Initiating Member that transmitted the orders will not participate in the execution of the Agency Order or

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<sup>1</sup> An Initiating Member may not cancel or modify an Agency Order or Solicited Order after it has been submitted into SAM. See proposed Rule 21.21(c)(4). Options Members may modify or cancel their responses after being submitted to into a SAM. See proposed Rule 21.21(c)(5)(G). The Exchange notes that the Commission has stated that the non-participation requirement does not preclude members from cancelling or modifying orders, or from modifying instructions for executing orders, after they have been transmitted so long as such modifications or cancellations are also transmitted from off the floor. See Securities Exchange Act Release No. 14563 (March 14, 1978), 43 FR 11542, 11547 (the “1978 Release”).

Solicited Order. Initiating Members submitting Agency Orders and Solicited Orders will relinquish control to modify or cancel their Agency Orders and Solicited Orders upon transmission to the System. Further, no Member, including the Initiating Member, will see a SAM response submitted into SAM, and therefore and will not be able to influence or guide the execution of their Agency Orders, Solicited Orders, or SAM responses, as applicable.

Fifth, the Exchange proposes to change the reference to “BAM Auction” to “SAM Auction” in the second sentence of the first paragraph on page 41 of the Form 19b-4 and the first full paragraph on page 108 of Exhibit 1. This reference to BAM Auction was inadvertent and was intended to be a reference to SAM Auction.

Finally, the Exchange proposes to delete in its entirety the final sentence of footnote 68 on page 42 of the Form 19b-4 and footnote 70 on page 109 of Exhibit 1 and replace it with the following:

See also 1978 Release, at 11548 (stating “[t]he contractual and disclosure requirements are designed to assure that accounts electing to permit transaction-related compensation do so only after deciding that such arrangements are suitable to their interests”).

Amendment No. 1 makes no substantial changes to the Rule Filing and does not propose any new functionality that was not proposed in the Rule Filing.

Amendment No. 1 merely makes updates and corrections to certain portions of the Form 19b-4 and Exhibit 1, which are consistent with the changes as proposed in the

Rule Filing. Therefore, the Exchange does not believe a full notice and comment period is necessary, and thus requests accelerated approval of Amendment No. 1.