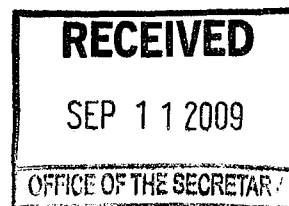


UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION



In the Matter of the Petition of:

**CHICAGO BOARD OPTIONS EXCHANGE,
INCORPORATED.**

File No. SR-ISE-2009-35

**MOTION TO LIFT THE COMMISSION RULE 431(e) AUTOMATIC STAY OF
DELEGATED ACTION TRIGGERED BY CHICAGO BOARD OPTIONS EXCHANGE,
INCORPORATED'S NOTICE OF INTENTION TO PETITION FOR REVIEW**

Pursuant to Commission Rules of Practice 154 and 401, International Securities Exchange, LLC hereby respectfully moves to lift the Commission Rule 431(e), 17 C.F.R. § 201.431(e), automatic stay of delegated action triggered by Chicago Board Options Exchange, Incorporated's September 4, 2009 Notice of Intention to Petition for Review of SR-ISE-2009-35.

A brief of points and authorities relied upon is submitted herewith. As explained in that brief, the automatic stay should be lifted because it is not in the public interest, CBOE will not suffer irreparable harm if the Commission lifts the stay, and CBOE will not have a strong likelihood of success on the merits of its Petition for Review.

DATED: New York, New York
September 11, 2009

Respectfully submitted,

By: 

Michael J. Simon
Secretary and General Counsel
International Securities Exchange, LLC
60 Broad Street
New York, New York 10004
(212) 943-2400

CERTIFICATE OF SERVICE

I, Michael J. Simon, counsel for International Securities Exchange, LLC, do hereby certify that on September 11, 2009 I caused to be served a true and correct copy of our

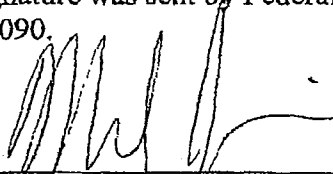
MOTION TO LIFT THE COMMISSION RULE 431(e) AUTOMATIC STAY OF DELEGATED ACTION TRIGGERED BY CHICAGO BOARD OPTIONS EXCHANGE, INCORPORATED'S NOTICE OF INTENTION TO PETITION FOR REVIEW, and

BRIEF IN SUPPORT OF INTERNATIONAL SECURITIES EXCHANGE, LLC'S MOTION TO LIFT THE COMMISSION RULE 431(e) AUTOMATIC STAY OF DELEGATED ACTION TRIGGERED BY CHICAGO BOARD OPTIONS EXCHANGE, INCORPORATED'S NOTICE OF INTENTION TO PETITION FOR REVIEW

to be served on

PAUL E. DENGEL, counsel for Chicago Board Options Exchange, Incorporated, by way of facsimile telephone number (312) 258-5600 and Federal Express to Schiff Hardin LLP, 233 S. Wacker Drive, Suite 6600, Chicago, IL 60606, and

ELIZABETH M. MURPHY, Secretary, Securities and Exchange Commission, by way of facsimile telephone number (202) 772-9324. Contemporaneously, a non-facsimile original with a manual signature was sent by Federal Express to 100 F Street, NE, Washington, DC 20549-1090.



Michael J. Simon
International Securities Exchange, LLC