

Exhibit 5 – Text of Proposed Rule Change

Proposed new language is underlined; proposed deletions are in brackets.

Rule 9.218. Violations Appropriate for Disposition Under Plan Pursuant to Exchange Act Rule 19d-1(c)(2)

- (a) Rule 2.160(p) – Continuing Education Requirements.
- (b) Rule 4.511 – General Requirements related to books and records requirements.
- (c) Rule 4.540 – Furnishing of records.
- (d) Rule 5.110 – Supervision.
- (e) Rule 8.220 – Automated submission of trading data requested.
- (f) Rule 11.151(a)(1) – Market Maker two-sided quotation requirement.
- (g) Rule 11.290 – Short sales.
- (h) Rule 11.310 – Locking or crossing quotations in NMS stocks.
- (i) Rule 11.420 – Order audit trail system requirements.
- (j) Rule Series 11.600 – Failure to comply with the Consolidated Audit Trail Compliance Rule requirements

Recommended Fine Schedule – Rule 9.218(a) – (i)

Occurrence*	Individual	Member
First time fined	\$100	\$500
Second time fined	\$300	\$1,000
Third time fined	\$500	\$2,500

For failures to comply with the Consolidated Audit Trail Compliance Rule requirements of the Rule Series 11.600, pursuant to Rule 9.218(j), the Exchange may impose a minor rule violation fine of up to \$2,500.

* Within a “rolling” 12-month period.