

Exhibit 5

Text of the Proposed Rule Change

Underlining indicates additions; [brackets] indicate deletions.

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Rule 1614. Imposition of Fines for Minor Rule Violations

(a) – (c) No change.

(d)(1) – (9) No change.

(10) Failure to Accurately Report Position and Account Information (Rule 415)

A fine shall be imposed upon a member who violates Rule 415. Such fines shall be imposed on the basis of the following schedule:

<u>Number of Violations Within Any Twenty-four Month Rolling Period*</u>	<u>Sanction(Imposed on Exchange Members or violations occurring in all other accounts)</u>
<u>First Offense</u>	<u>\$500</u>
<u>Second Offense</u>	<u>\$1,000</u>
<u>Third Offense</u>	<u>\$2,500</u>
<u>Fourth and Each Subsequent Offense</u>	<u>\$5,000</u>

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