

Exhibit 5  
Text of the Proposed Rule Change  
Underlining indicates additions; [Brackets] indicate deletion

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**PREFACE**

For purposes of assessing fees, the following references should serve as guidance. Fees and rebates are listed per contract per leg unless otherwise noted.

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“**Singly Listed Symbols**” are options overlying [DMA, FUM, HSX, OOG, BYT, HVY, RUF, JLO, SIN, RND, HHO, PMP, POW, TNY, WMX, IXZ, UKX, NXTQ,] FXO, QQEW, PLTM, SMDD and FIW.

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I. Regular Order Fees and Rebates

Select Symbols						
Market Participant	Maker Rebate/ Fee	Taker Fee	Fee for Crossing Orders <sup>(1)(2)</sup>	Fee for Responses to Crossing Orders	PIM Break-up Rebate <sup>(3)</sup>	Facilitation and Solicitation Break-up Rebate <sup>(4)</sup>
Market Maker Plus <sup>(5)(9)</sup>	(\$0.10)	\$0.32	\$0.20	\$0.40	N/A	N/A
Market Maker <sup>(8)(9)</sup>	\$0.10	\$0.32	\$0.20	\$0.40	N/A	N/A
Non-ISE Market Maker (FarMM)	\$0.10	\$0.36	\$0.20	\$0.40	(\$0.25)	(\$0.15)
Firm Proprietary / Broker-Dealer	\$0.10	\$0.33	\$0.20	\$0.40	(\$0.25)	(\$0.15)
Professional Customer	\$0.10	\$0.33	\$0.20	\$0.40	(\$0.25)	(\$0.15)
Priority Customer	\$0.00	\$0.25	\$0.00	\$0.40	(\$0.25)	(\$0.15)

  

Non-Select Symbols			
Market Participant	Fee	Fee for Crossing Orders <sup>(1)(2)</sup>	Fee for Responses to Crossing Orders
Market Maker <sup>(6)</sup>	\$0.18	\$0.18	\$0.18
Market Maker (for orders sent by Electronic Access Members)	\$0.20	\$0.20	\$0.20
Non-ISE Market Maker (FarMM)	\$0.45	\$0.20	\$0.45
Firm Proprietary / Broker-Dealer	\$0.20	\$0.20	\$0.20
Professional Customer	\$0.20	\$0.20	\$0.20
Priority Customer	\$0.00	\$0.00	\$0.20
Priority Customer (Singly Listed Symbols)	\$0.[18]20	\$0.[18]20	\$0.20

  

Special Non-Select Penny Pilot Symbols							
Market Participant	Maker Rebate/Fee when trading against Non- Priority Customer and Priority Customer <sup>(7)</sup>	Taker Rebate/Fee when trading against Non- Priority Customer	Taker Fee when trading against Priority Customer <sup>(3)(7)</sup>	Fee for Crossing Orders <sup>(1)(2)</sup>	Fee for Responses to Crossing Orders	PIM Break-up Rebate <sup>(3)</sup>	Facilitation and Solicitation Break-up Rebate <sup>(4)</sup>
Market Maker <sup>(8)(9)</sup>	\$0.35	\$0.20	\$0.30	\$0.20	\$0.40	N/A	N/A
Non-ISE Market Maker (FarMM)	\$0.40	\$0.35	\$0.40	\$0.20	\$0.40	(\$0.25)	(\$0.15)
Firm Proprietary / Broker-Dealer	\$0.35	\$0.25	\$0.30	\$0.20	\$0.40	(\$0.25)	(\$0.15)
Professional Customer	\$0.35	\$0.25	\$0.30	\$0.20	\$0.40	(\$0.25)	(\$0.15)
Priority Customer	(\$0.25)	(\$0.32)	\$0.00	\$0.00	\$0.40	(\$0.25)	(\$0.15)

1 – 9. No Change.

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**IV. Other Options Fees and Rebates**

**A. No Change.**

**B. Non-Priority Customer License Surcharge for Index Options**

Symbols	Fee
[NXTQ	\$0.02]
[FUM, HSX, POW, TNY, WMX	\$0.05]
BKX, MFX, MID, MSH, SML[, UKX]	\$0.10
RMN, RUI, RUT, MVR	\$0.15
NDX, MNX	\$0.22

**C. - J. No Change.**

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