

Exhibit 5

Added text underlined;  
Deleted text in [brackets]

## New York Stock Exchange Price List 2010

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## Transaction Fees

Regular Session Trading<sup>6</sup>

## Transactions in stocks with a per share stock price of \$1.00 or more

Equity per Share Credit - per transaction - when adding liquidity to the NYSE (displayed and non-displayed).....	\$[0.0010]0.0013
Agency cross trades (i.e., a trade where a Member Organization has customer orders to buy and sell an equivalent amount of the same security) .....	No Charge
Non-electronic agency transactions between floor brokers in the crowd .....	No Charge
At the opening or at the opening only orders – per share <sup>7</sup> .....	\$0.0005
Executions at the close (except market at-the-close and limit at-the-close orders).....	No Charge
Equity per Share Charge <sup>8</sup> - per transaction (charged to both sides) – for all market at-the-close (“MOC”) and limit at-the-close orders (“LOC”) .....	\$0.0007
[Equity per share charge <sup>3</sup> – for all MOC and LOC orders from any Member Organization executing an average daily trading volume (“ADV”) <sup>9</sup> on the NYSE in that month of at least 130 million shares, including (i) adding liquidity in an ADV of at least 30 million shares and (ii) an ADV of at least 15 million shares total in MOC and LOC orders.....	\$0.0006]
Equity per Share Charge <sup>3</sup> - per transaction (charged to both sides) – for all odd lot transactions (including the odd lot portions of partial round lots).....	\$[0.0018]0.0021
Equity per Share Charge <sup>3</sup> for all other transactions (i.e., when taking liquidity from the NYSE) - per transaction.....	\$[0.0018]0.0021
[Equity per share charge <sup>3</sup> – for all other transactions (i.e., when taking liquidity from the NYSE) - per transaction for any Member Organization executing an average daily trading volume ADV on the NYSE in that month <sup>4</sup> of at least 130 million shares, including (i) adding liquidity in an ADV of at least 30 million shares and (ii) an ADV of at least 15 million shares total in MOC and LOC orders.....	\$0.0017]

<sup>6</sup> Does not apply to transactions by members acting as a Designated Market Maker for own account.

<sup>7</sup> \$10,000 cap per month per member organization.

<sup>8</sup> Includes shares, rights and warrants.

<sup>9</sup> For purposes of transaction fees and Supplemental Liquidity Provider liquidity credits, ADV calculations exclude early closing days.

Routing Fee – per share (except floor brokers) <sup>10</sup> .....	\$0.0030
Routing Fee – per share (floor brokers) <sup>5</sup> .....	\$0.0029
Credit per Share - for executions of orders sent to the floor broker for representation on the NYSE when adding liquidity to the NYSE Display Book system .....	\$[0.0012]0.0015
Floor Broker executions swept into the close.....	No Charge
Closing Offset ("CO") Orders.....	No Charge

## Transactions in stocks with a per share stock price less than \$1.00

Equity per Share Charge - per transaction - when adding liquidity to the NYSE in any stock with a per share stock price below \$1.00 (displayed and non-displayed).....	No Charge
At the opening or at the opening only orders – per share <sup>2</sup> .....	The lesser of (i) 0.3% of the total dollar value of the transaction and (ii) \$0.0005 per share
Executions at the close (except market at-the-close and limit at-the-close orders).....	No Charge
[Equity per share charge <sup>3</sup> – in any stock with a per share stock price below \$1.00 for all MOC and LOC orders from any Member Organization executing an average daily trading volume ("ADV") on the NYSE in that month <sup>4</sup> of at least 130 million shares, including (i) adding liquidity in an ADV of at least 30 million shares and (ii) an ADV of at least 15 million shares total in MOC and LOC orders.....	The lesser of (i) 0.3% of the total dollar value of the transaction and (ii) \$0.0006]
Credit per Share - for executions of orders in any stock with a per share stock price below \$1.00 sent to the floor broker for representation on the NYSE when adding liquidity to the NYSE Display Book system.....	\$0.0004
Routing Fee – per share in any stock with a per share stock price below \$1.00 .....	The lesser of (i) 0.3% of the total dollar value of the transaction and (ii) the Routing Fee that would be applicable if the stock did not have a price below \$1.00
Equity per Share Charge <sup>3</sup> - per transaction (charged to both sides) – for all market at-the-close and limit at-the-close, in each case in any stock with a per share stock price below \$1.00.....	The lesser of (i) 0.3% of the total dollar value of the transaction and (ii) \$0.0007 per share
Equity per Share Charge <sup>3</sup> - per transaction (charged to both sides) – for all odd lot transactions (including the odd lot portions of partial round lots).....	The lesser of (i) 0.3% of the total dollar value of

<sup>10</sup> Applies to all orders routed from the New York Stock Exchange and executed in another market. The Routing Fee will be billed monthly.

	the transaction and (ii) \$[0.0018] <u>0.0021</u>
Equity per Share Charge for all other transactions (i.e., when taking liquidity from the NYSE) - per transaction in any stock with a per share stock price below \$1.00 [when taking liquidity from the NYSE].....	The lesser of (i) 0.3% of the total dollar value of the transaction and (ii) \$[0.0018] <u>0.0021</u> per share
[Equity per share charge <sup>3</sup> – for all other transactions (i.e., when taking liquidity from the NYSE) - per transaction in any stock with a per share stock price below \$1.00 for any Member Organization with an ADV on the NYSE in that month <sup>4</sup> of 130 million shares, including (i) adding liquidity in an ADV of at least 30 million shares and (ii) an ADV of 15 million shares total in MOC and LOC orders.....	The lesser of (i) 0.3% of the total dollar value of the transaction and (ii) \$0.0017]
Closing Offset (“CO”) Orders.....	No Charge

## Fees and Credits applicable to Designated Market Makers

Equity Per Share Charge when taking liquidity from the Exchange .....	\$[0.0010] <u>0.0013</u>
At the opening or at the opening only orders.....	No Charge
Routing Fee – per share.....	\$0.0030
Routing Fee – per share in any stock with a per share stock price below \$1.00.....	The lesser of (i) 0.3% of the total dollar value of the transaction and (ii) \$0.0030 per share
Rebate Per Share <sup>11</sup> when adding liquidity in round lots of active securities (i.e., securities with an average daily consolidated volume (“ADV”) in the previous month equal to or greater than 1,000,000 (shares per month) (“More Active Securities”) if the More Active Security has a stock price of \$1.00 or more and the DMM quotes at the National Best Bid or Offer (“NBBO”) in the applicable security at least 10% of the time in the applicable month (“More Active Securities Quoting Requirement”).....	\$0.0025
Rebate Per Share <sup>6</sup> when adding liquidity in round lots of More Active Securities if the More Active Security has a stock price of \$1.00 or more and the DMM meets both (i) the More Active Securities Quoting Requirement and (ii) the More Active Securities Quoted Size Ratio Requirement <sup>12</sup> .....	\$0.0030
Rebate Per Share <sup>6</sup> when adding liquidity in round lots of More Active Securities if the More Active Security has a stock price of \$1.00 or more and the DMM does not meet the More Active Securities	

<sup>11</sup> Rebates will be applied when (i) posting displayed and non-displayed orders on Display Book, including s-quote and s-quote reserve orders; (ii) when providing liquidity on non-displayed interest using the Capital Commitment Schedule; or, prior to the implementation of the Capital Commitment Schedule, using the following message activities: price improvement, size improvement (PRIN FILL), matching away market quotes; and (iii) when executing trades in the crowd and at Liquidity Replenishment Points. Rebates will not apply to executions at the open.

<sup>12</sup> A DMM meets the “More Active Securities Quoted Size Ratio Requirement” when the DMM Quoted Size for an applicable month is 15% of the NYSE Quoted Size. The “NYSE Quoted Size” is calculated by multiplying the average number of shares quoted on the NYSE at the NBBO by the percentage of time the NYSE had a quote posted at the NBBO. The “DMM Quoted Size” is calculated by multiplying the average number of shares of the applicable security quoted at the NBBO by the DMM by the percentage of time during which the DMM quoted at the NBBO.

Quoting Requirement in the applicable security in the applicable month.....	\$0.0015
Rebate per Share <sup>6</sup> when adding liquidity in round lots of securities that have an ADV of less than 1,000,000 shares per month in the previous month ("Less Active Securities") if the Less Active Security has a stock price of \$1.00 or more and the DMM quotes at the NBBO in the applicable security at least 15% of the time in the applicable month (the "Less Active Securities Quoting Requirement") (Each DMM will also receive all of the market data quote revenue (the "Quoting Share") received by the Exchange from the Consolidated Tape Association under the Revenue Allocation Formula of Regulation NMS with respect to any Less Active Security (regardless of whether the stock price exceeds \$1.00) in any month in which the DMM meets the Less Active Securities Quoting Requirement.....	\$0.0035
Rebate Per Share <sup>6</sup> when adding liquidity in round lots of Less Active Securities if the Less Active Security has a stock price of \$1.00 or more and the DMM does not meet the Less Active Securities Quoting Requirement in the applicable security in the applicable month.....	\$0.0015
Rebate per share when adding liquidity in round lots of More Active Securities if the More Active Security has a stock price of less than \$1.00 <sup>6</sup> .....	\$0.0004
Rebate per share when adding liquidity in round lots of Less Active Securities if the Less Active Security has a stock price of less than \$1.00 <sup>6</sup> .....	\$0.0004
Rebate per share for executions at the close.....	\$0.0005
Rebate per share when adding liquidity in odd lots, including odd lot portions of partial round lots.....	\$0.0011

## Credit Applicable to Supplemental Liquidity Providers

Credit per Share - per transaction - for Supplemental Liquidity Providers ("SLPs") - when adding liquidity to the NYSE in securities with a per share price of \$1.00 or more, if the SLP does not qualify for [any of] the higher credit[s] set forth below..... \$[0.0010]0.0013

Credit per Share - per transaction - for SLPs - when adding liquidity to the NYSE in securities with a per share price of \$1.00 or more, if the SLP (i) meets the 3% average or more quoting requirement in an assigned security pursuant to Rule 107B and (ii) adds liquidity of an average daily volume ("ADV")<sup>4</sup> of more than 10 million shares [and less than or equal to 100 million share]s in the applicable month<sup>13</sup>..... \$[0.0015]0.0020

[Credit per Share - per transaction - for SLPs - when adding liquidity to the NYSE in securities with a per share price of \$1.00 or more, if the SLP (i) meets the 3% average or more quoting requirement in an assigned security pursuant to Rule 107B and (ii) adds liquidity of an ADV of more than 100 million shares and less than or equal to 250 million shares in the applicable month..... \$0.0016

Credit per Share - per transaction - for SLPs - when adding liquidity to the NYSE in securities with a per share price of \$1.00 or more, if the SLP (i)

<sup>13</sup> In its first calendar month as an SLP, an SLP qualifies for this credit regardless of whether it meets the requirement to provide liquidity with an ADV of more than 10 million shares.

meets the 3% average or more quoting requirement in an assigned security pursuant to Rule 107B and (ii) adds liquidity of an ADV of more than 250 million shares in the applicable month.....	\$0.0017]
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Credit per Share for SLPs for executions of securities with a per share price of \$1.00 ore more at the close.....	[\$0.0005] <u>None</u>
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Credit per Share – per transaction – for SLPs – when adding liquidity to the NYSE in securities with a per share price of less than \$1.00, if the SLP meets the 3% average or more quoting requirement in an assigned security pursuant to Rule 107B.....	\$0.0005
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## Crossing Session II

<u>Equity per Share (both sides.....</u>	<u>\$0.0001 (\$50,000 cap per month per member organization)</u>
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