EXHIBIT 5

Text of the Proposed Rule Change:1

NYSE MKT LLC Rules

Trading of Option Contracts

Section 1. General Rules Relating to Options

Rule 903.

Series of Options Open for Trading

(a) - (h) No Change

Commentary:

.01 - .14 No Change

.15 Mini-Options Contract Series

- (a) Series of mini-options contracts overlying 10 shares of stocks, Exchange Traded Fund Shares, Trust Issued Receipts, Exchange Traded Notes, and other Index Linked Securities may be listed for all expirations applicable to 100 share options on each underlying security, provided the underlying security has been designated in Rule 901 Commentary .01.
- (b) Strike prices for mini-options contracts overlying 10 shares shall be set at the same level as for regular options. For example, a call series strike price to deliver 10 shares of stock at \$125 per share has a total deliverable value of \$1250, and the strike price will be set at 125.
- (c) No additional mini-options series may be added if the underlying security is trading at \$90 or less. The underlying security must trade above \$90 for five consecutive days prior to listing mini-options contracts in an additional expiration month.

New text is underscored and deleted text is in brackets.

(d) The minimum trading increment for mini-options contracts shall be the same as the minimum trading increment permitted for standard options on the same underlying security. For example, if a security participates in the penny pilot, mini-options on the same underlying security may be quoted and traded in the same minimum increments, e.g., \$0.01 for all quotations in series that are quoted at less than \$3.00 per contract and \$0.05 for all quotations in series that are quoted at \$3.00 per contract or greater, \$0.01 for all SPY option series. Mini-options contracts do not separately need to qualify for the penny pilot.

Rule 928NY.

Risk Limitation Mechanism

(a) –(e) No Change

Commentary:

.01 - .08 No Change

.09 For purposes of Rule 928NY, the terms "class" and "classes" shall include all option series, both puts and calls, overlying the same underlying security. For the purposes of this Rule 928NY only, any series of mini-options contracts shall also be included in the terms "class" and "classes" but only insofar as it relates to the Risk Limitation Mechanism and operation thereof.

Rule 900.3NY.

Orders Defined

- (a) (x) No Change
- (y) Qualified Contingent Cross Order. A Qualified Contingent Cross Order is comprised of an order to buy or sell at least 1,000 contracts, or 10,000 mini-options contracts, that is identified as being part of a qualified contingent trade, as that term is defined in Commentary .01 below, coupled with a contra-side order to buy or sell an equal number of contracts.

Commentary:

.01 No Change

Rule 960NY.

Trading Differentials

(a) – (b) No Change

Commentary:

.01 - **.02** No Change

.03 <u>Notwithstanding any other provision of this Rule 960NY, the minimum trading increment for mini-options contracts shall be determined in accordance with Commentary .15(d) to Rule 903.</u>
