

Additions underlined
 Deletions [bracketed]

NYSE MKT Company Guide

Sec. 1206. DISCRETIONARY REVIEW BY BOARD OF DIRECTORS

(d) If the Exchange Board of Directors conducts a discretionary review, the issuer will be provided with a written decision describing the specific grounds for its decision, and identifying any quantitative standard or qualitative consideration set forth in Part 10 that the issuer has failed to satisfy, including, if applicable, the basis for its determination that the issuer's securities should continue to be listed as permitted by Section 1009 or that the Committee for Review Decision was in error. The Board may affirm, modify or reverse the Committee for Review Decision and may remand the matter to the Committee for Review [Council,]Panel[,] or Staff with appropriate instructions. The decision represents the final action of the Exchange and will take immediate effect unless it specifies to the contrary. If the Board Decision provides that the issuer's security or securities should be delisted, the Exchange will suspend trading in such security or securities as soon as practicable, if it has not already done so pursuant to Section 1204(d), and the Exchange staff will file an application with the Securities and Exchange Commission on Form 25 to strike the class of securities from listing and registration in accordance with Section 12 of the Securities Exchange Act of 1934 and the rules promulgated thereunder and in accordance with Section 1010.

Sec. 1212T. TEMPORARY PROVISIONS REGARDING LEGACY APPLICATIONS FOR INITIAL LISTING

- (h) *Discretionary Review by Exchange Board.* (i) The Exchange Board may authorize the approval of the applicant's securities for listing or continued listing if it determines that the issuer's securities should be approved for listing pursuant to paragraph (e)(ii) of this Section or the Committee for Review Decision was in error.
- (ii) If the Exchange Board conducts a discretionary review, the issuer will be provided with a written decision describing the specific grounds for its decision, and identifying any quantitative standard or qualitative consideration set forth in Part 1 that the issuer has failed to satisfy, including, if applicable, the basis for its determination that the issuer's securities should be approved for listing pursuant to

paragraph (e)(ii) of this Section or that the Committee for Review Decision was in error. The Exchange Board may affirm, modify or reverse the Committee for Review Decision and may remand the matter to the Committee for Review [Council,]Panel[,] or Staff with appropriate instructions. The decision represents the final action of the Exchange and will take immediate effect unless it specifies to the contrary.
