

Exhibit 5

Underlining indicates new text

X. Proprietary Data Feed Fees

Top of PHLX Options (“TOPO”)

Account Type	Monthly Charge
Internal Distributor	\$2,000
External Distributor	\$2,500

A “distributor” of NASDAQ OMX PHLX data is any entity that receives a feed or data file of data directly from NASDAQ OMX PHLX or indirectly through another entity and then distributes it either internally (within that entity) or externally (outside that entity). All distributors shall execute a NASDAQ OMX PHLX distributor agreement.

TOPO Plus Orders¹

<u>Account Type</u>	<u>Monthly Charge</u>
<u>Internal Distributor²</u>	<u>\$4,000</u>
<u>External Distributor</u>	<u>\$5,000</u>

¹ The Monthly Charge and Subscriber Fees applicable to TOPO Plus Orders users are effective beginning June 1, 2010.

² The Monthly Charge applicable to Internal Distributors of TOPO Plus Orders will apply to Specialized Order Feed users that have not migrated to TOPO Plus Orders on or before June 1, 2010.

Monthly Per Subscriber Fee (applies to External Distributors of TOPO Plus Orders or Specialized Order Feed only)

<u>Non-Professional Subscriber</u> ³	<u>\$ 1</u>
<u>Professional Subscriber</u> ⁴	<u>\$20</u>

³ A Non-Professional Subscriber is a natural person who is neither: (i) registered or qualified in any capacity with the Commission, the Commodities Futures Trading Commission, any state securities agency, any securities exchange or association, or any commodities or futures contract market or association; (ii) engaged as an "investment adviser" as that term is defined in Section 201(11) of the Investment Advisors Act of 1940 (whether or not registered or qualified under that Act); nor (iii) employed by a bank or other organization exempt from registration under federal or state securities laws to perform functions that would require registration or qualification if such functions were performed for an organization not so exempt. A Non-Professional Subscriber may only use the data provided for personal purposes and not for any commercial purpose.

⁴ A Professional Subscriber is any subscriber that is not a Non-Professional Subscriber. If the NASDAQ OMX PHLX distributor agreement is signed in the name of a business or commercial entity, such entity would be considered a Professional Subscriber.