

EXHIBIT 5

New text is underlined; deleted text is in brackets.

**NASDAQ OMX PHLX LLC
FEE SCHEDULE**

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VI. ACCESS SERVICE, CANCELLATION, MEMBERSHIP, REGULATORY AND OTHER FEES

Permit and Registration Fees

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| | |
|---|-----------------|
| [Trading Floor Personnel Registration] <u>Clerk</u> Fee | \$100 per month |
|---|-----------------|

• This [Trading Floor Personnel]Clerk Fee is imposed on any registered on-floor person employed by or associated with a member or member organization[s] pursuant to Rule 1090, including Inactive Nominees pursuant to Rule 925.[for individuals who are employed by such member organizations and who work on the Exchange’s trading floor, such as clerks (for purposes of this fee a clerk includes an Inactive Nominee), interns and stock execution clerks that handle equity orders that are part of an options contingency order and other associated persons.] This fee is not imposed on permit holders.

| | |
|---|-------------------|
| [Fees for Certain Stock Execution Clerks] | [\$500 per month] |
|---|-------------------|

[• This Fee for Certain Stock Execution Clerks is imposed on member organizations for individuals who are employed by such member organization, who are not registered as members, and who work on the Exchange’s options trading floor handling stand-alone stock execution orders, such as to hedge traders’ options positions. The monthly Trading Floor Personnel Registration Fee is included in the monthly Fee for Certain Stock Execution Clerks.]

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