**EXHIBIT 5**

Deleted text is [bracketed].  New text is underlined.

**NASDAQ OMX PHLX Rules**

* * * * *

**Options Rules**

* * * * *

**Rule 1066. Certain Types of Floor-Based (Non-PHLX XL) Orders Defined**
These order types are eligible for entry by a Floor Broker for execution through the Options Floor Broker Management System ("FBMS") and, respecting transactions where there is no Floor Broker involved, for execution by members in the trading crowd.

(a) - (b)   No change.

(c) *Contingency Order.* A contingency order is a limit or market order to buy or sell that is contingent upon a condition being satisfied while the order is at the post.

> (1) - (4)  No change.

> (5) [*Opening-Only-Market Order.* An opening-only-market order is a market order which is to be executed in whole or in part during the opening rotation of an options series or not at all.] Reserved.

> (6) - (8)  No change.

> [(9) Limit on Opening Order. A limit on opening order is a limit order which is to be executed in whole or in part during the opening rotation of an options series or not at all.]

(d)  - (h) No change.

• • • *Commentary:* ------------------

**.01** [For options on foreign currencies, a spread, straddle and combination order may consist of a combination of American style and European style contracts (for example, a straddle may consist of the purchase of 10 American style currency calls and the purchase of 10 European style currency puts). In addition, a spread order in foreign currency options may consist of the purchase of American style calls and sale of European style calls having identical terms. In all other respects, spread, straddle

and combination orders involving both American style and European style foreign currency options must meet the definitions in Rule 1066(f).]  Reserved.

**.02** For options on foreign currencies, a multi-spread transaction consisting of spread, straddle or combination orders may be executed. A multi-spread transaction combines any two spread type orders for the same account as defined in Rule 1066(f). A permissible multi-spread transaction combines any of the following: a two-way transaction with another two-way transaction of the same spread type; a three-way transaction with another three-way transaction of the same spread type; or a two-way transaction with a three-way transaction of the same spread type. In addition, a multi-spread transaction includes the combination of a spread type order with a ratio spread type order. The ratio between the spread type order and the ratio spread type order comprising the multi-spread transaction may range from one-to-one to three-to-one, which will be determined by the Exchange.

* * * * *