

Added text underlined;
Deleted text in [brackets].

[Rule 60A - NYSE Amex Equities. Vendor Liability Disclaimer

In connection with member or member organization use of any electronic system, service, or facility provided by the Exchange to members for the conduct of their business on the Exchange (i) the Exchange may expressly provide in the contract with any vendor providing all or part of such electronic system, service, or facility to the Exchange, that such vendor and its subcontractors shall not be liable to the member or member organization for any damages sustained by a member or member organization growing out of the use or enjoyment thereof by the member or member organization, and (ii) members and member organizations shall indemnify the Exchange and any vendor and subcontractor covered by subsection (i) above (and their directors, officers, employees and agents) with regard to any and all judgements, damages, costs, or losses of any kind (including reasonable attorneys' fees and expenses), as a result of any claim, action, or preceeding that arises out of or relates to the member or member organization's use of such electronic system, service, or facility.]

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