

EXHIBIT 5

The text of the proposed rule change is below. Proposed new language is underlined; proposed deletions are in brackets.

NASDAQ OMX BX RULES

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[2240. Disclosure of Control Relationship with Issuer

Exchange Members shall comply with NASD Rule 2240 as if such Rule were part of the Rules of the Exchange.

FINRA is in the process of consolidating certain NASD rules into a new FINRA rulebook. If the provisions of NASD Rule 2240 are transferred into the FINRA rulebook, then Equity Rule 2240 shall be construed to require Exchange members to comply with the FINRA rule corresponding to NASD Rule 2240 (regardless of whether such rule is renumbered or amended) as if such rule were part of the Rules of the Exchange.]

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[2250. Disclosure of Participation or Interest in Primary or Secondary Distribution

Exchange Members shall comply with NASD Rule 2250 as if such Rule were part of the Rules of the Exchange.

FINRA is in the process of consolidating certain NASD rules into a new FINRA rulebook. If the provisions of NASD Rule 2250 are transferred into the FINRA rulebook, then Equity Rule 2250 shall be construed to require Exchange members to comply with the FINRA rule corresponding to NASD Rule 2250 (regardless of whether such rule is renumbered or amended) as if such rule were part of the Rules of the Exchange.]

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2262. Disclosure of Control Relationship with Issuer

Exchange Members shall comply with FINRA Rule 2262 as if such Rule were part of the Rules of the Exchange.

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2269. Disclosure of Participation or Interest in Primary or Secondary Distribution

Exchange Members shall comply with FINRA Rule 2269 as if such Rule were part of the Rules of the Exchange.

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