

## EXHIBIT 5

(additions are underlined; deletions are [bracketed])

\* \* \* \* \*

Rules of Cboe Exchange, Inc.

\* \* \* \* \*

**Rule 5.31. Opening Auction Process**

\* \* \* \* \*

(e) Opening Rotation. After the System initiates the opening rotation for a series pursuant to paragraph (d) above, the System conducts the opening rotation as follows.

\* \* \* \* \*

(4) *Forced Opening*. If a series [in an equity or ETP option class] is unable to open because it does not satisfy the Maximum Composite Width Check in subparagraph (1) above within a time period (which the Exchange determines for all classes, but may determine one time period for all equity or ETP option classes and one time period for all exclusively listed index options, which may not be the same time period) after occurrence of the opening rotation trigger for the class pursuant to paragraph (d)[, and] the System forces the series to open after that time period if:

(A) for equity and ETP option classes, (i) the Composite Market is not crossed and no non-M Capacity order crosses the Composite Market midpoint, and (ii) upon the System's observation of an ABBO (with a non-zero offer) for the series; or

(B) for exclusively listed options, (i) the Composite Market is not crossed and no non-M Capacity order crosses the Composite Market midpoint or (ii) there is no Composite Market and there are no non-M Capacity orders that are crossed[, the System forces the series to open after that time period upon the System's observation of an ABBO (with a non-zero offer) for the series].

This forced opening process shall not apply to the opening of SPX constituent option series on exercise settlement value determination days.

([A]C) The opening trade price determination and series opening set forth in subparagraphs (2) and (3) above do not occur; instead, the System opens the series without a trade.

([B]D) However, if a series satisfies the Maximum Composite Width Check prior to the end of the time period and, with respect to equity and ETP option classes, prior to the System's observation of an ABBO for the series, the series opens pursuant to subparagraphs (2) and (3) above.

\* \* \* \* \*

(j) *Modified Opening Auction Process*. All provisions set forth above in this Rule 5.31 apply to the opening of SPX constituent option series for Regular Trading Hours on exercise settlement value determination days, except as otherwise provided in this paragraph (j) and paragraph (e)(4) (“modified opening auction process”). The Exchange uses the opening trade prices of SPX series that comprise the settlement strip (or the average of a series’ opening bid and ask (which ask price equals \$0.05 if the series opens with unexecuted sell market orders) if there is no opening trade in that series) established by the modified opening auction process to calculate the exercise or final settlement value, as applicable, of expiring VIX derivatives.

\* \* \* \* \*