

Exhibit 5

Text of the Proposed Rule Change

Underlining indicates additions; [Brackets] indicate deletion.

Schedule of Fees

	Amount	Billable Unit	Frequency	Notes
Electronic Market Place				
Execution Fees				
	*	*	*	
• Surcharge for options on NDX and MNX.	<u>\$0.22</u> [\$0.16]	contract/side	Transaction	Excludes Public Customer Orders. Applies to P Orders and P/A Orders in these options for a pilot period expiring on July 31, 2010.
	*	*	*	