

**Exhibit 5**

Proposed new language is underlined; Proposed deletions are in [brackets].

**MEMX Options Fee Schedule**  
**(EFFECTIVE SEPTEMBER [20]27, 2023)**

\* \* \* \* \*

**Options Regulatory Fee (ORF)**

[Reserved.]

The per-contract Options Regulatory Fee (“ORF”) set forth below is assessed by MEMX Options to each Member for options transactions cleared by The Options Clearing Corporation (OCC) in the “customer” range where:

- (1) the execution occurs on MEMX Options, or
- (2) the execution occurs on another options exchange and is cleared or ultimately cleared by a MEMX Options Member.

<u>Options Regulatory Fee (ORF)</u>	<u>Fee Per Executed Contract Side</u>
<u>All Classes</u>	<u>\$0.0015</u>

Additional Notes:

- The Exchange uses reports from OCC when assessing and collecting the ORF.
- The ORF is collected by OCC on behalf of MEMX Options from either: (1) a Member that was the ultimate clearing firm for the transaction, or (2) a non-Member that was the ultimate clearing firm where a Member was the executing clearing firm for the transaction.
- The Exchange may only increase or decrease the ORF semi-annually.
- The Exchange will notify participants of any change in the amount of the fee at least 30 calendar days prior to the effective date of the change.
- The ORF will automatically sunset on September 30, 2024.

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