

SECURITIES AND EXCHANGE COMMISSION
(Release No. 34-99653; File No. SR-MEMX-2023-39)

March 1, 2024

Self-Regulatory Organizations; MEMX LLC; Notice of Withdrawal of a Proposed Rule Change to Amend the Exchange’s Fee Schedule to Adopt Connectivity and Application Session Fees for MEMX Options

On December 21, 2023, MEMX LLC (“MEMX” or the “Exchange”) filed with the Securities and Exchange Commission (the “Commission”), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the “Act”)¹ and Rule 19b-4 thereunder,² a proposed rule change (File No. SR-MEMX-2023-39) to adopt connectivity and application session fees for MEMX Options.³ The proposed rule change was immediately effective upon filing with the Commission pursuant to Section 19(b)(3)(A) of the Act.⁴ The proposed rule change was published for comment in the Federal Register on January 10, 2024.⁵ On February 15, 2024, the Exchange withdrew the proposed rule change (SR-MEMX-2023-39).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁶

J. Matthew DeLesDernier,

Deputy Secretary.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 99275 (January 4, 2024), 89 FR 1606 (January 10, 2024) (“Notice”).

⁴ 15 U.S.C. 78s(b)(3)(A). A proposed rule change may take effect upon filing with the Commission if it is designated by the exchange as “establishing or changing a due, fee, or other charge imposed by the self-regulatory organization on any person, whether or not the person is a member of the self-regulatory organization.” 15 U.S.C. 78s(b)(3)(A)(ii).

⁵ See Notice, supra note **Error! Bookmark not defined..**

⁶ 17 CFR 200.30-3(a)(12).