

Additions: Underlined  
 Deletions: [Bracketed]

## Rules of NYSE MKT LLC

### Equities Rules

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#### **Rule 15 - Equities. Pre-Opening Indications and Opening Order Imbalance Information**

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##### *(b) Conditions for publishing a pre-opening indication:*

- (1) A DMM will publish a pre-opening indication, as described in paragraph (e), (i) before a security opens if the opening transaction on the Exchange is anticipated to be at a price that represents a change of more than the "Applicable Price Range," as specified in paragraph (d) of this Rule, from a specified "Reference Price," as specified in paragraph (c) of this Rule[, before the security opens]; or (ii) if a security has not opened by 10:00 a.m. Eastern Time.

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##### *(d) Applicable Price Range:*

- (1) Except under the conditions set forth in paragraph (d)(2) of this Rule, the Applicable Price Range for determining whether to publish a pre-opening indication will be 5% for securities with a Reference Price over \$3.00 and \$0.15 for securities with a Reference Price equal to or lower than \$3.00.
- (2) If as of 9:00 a.m. Eastern Time, the E-mini S&P 500 Futures are +/- 2% from the prior day's closing price of the E-mini S&P 500 Futures, when reopening trading following a market-wide trading halt under Rule 80B, or if the Exchange determines that it is necessary or appropriate for the maintenance of a fair and orderly market, the Applicable Price Range for determining whether to publish a pre-opening indication will be 10% for securities with a Reference Price over \$3.00 and \$0.30 for securities with a Reference Price equal to or lower than \$3.00.

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