

**EXHIBIT 5**

New language  
[deleted language]

**BOX Exchange LLC**

\* \* \* \* \*

**Rule 100 Definitions**

(a) With respect to these Rules, the following terms shall have the meanings specified in this Rule 100. A term defined elsewhere in these Rules shall have the same meaning with respect to this Rule 100 Series, unless otherwise defined below.

(1) through (3) No Change.

(4) The term "associated person" or "person associated with a Participant" means any partner, officer, director, or branch manager of such [Options] Participant (or any person occupying a similar status or performing similar functions), any person directly or indirectly controlling, controlled by, or under common control with such [Options] Participant or any employee of such [Options] Participant, except that any person associated with a Participant whose functions are solely clerical or ministerial shall not be included in the meaning of such term for purposes of these Rules.

(5) through (40) No Change.

(41) The term "Options Participant" or "Participant" means a firm, or organization that is registered with the Exchange pursuant to the Rule 2000 Series for purposes of participating in [options] trading on [BOX as an "Order Flow Provider" or "Market Maker"]a facility of the Exchange.

(42) through (71) No Change.

(b) No Change.

\* \* \* \* \*

**Rule 1060, Exchange’s Cost of Defending Legal Proceedings**

(a) Any [Options] Participant or person associated with a[n Options] Participant who fails to prevail in a lawsuit or other legal proceeding instituted by such person against the Exchange or any of its Directors, officers, committee members, employees or agents, and related to the business of the Exchange, shall pay to the Exchange all reasonable

expenses, including attorneys' fees, incurred by the Exchange in the defense of such proceeding, but only in the event that such expenses exceed fifty thousand dollars (\$50,000).

(b) No Change.

### **Rule 2000, Right, Privileges, and Duties of [Options] Participants**

Unless otherwise provided in these Rules or the By-Laws of the Exchange, each [Options] Participant Member shall have the rights, privileges and duties of any other [Options] Participant.

### **Rule 2010, Obligations of [Options] Participants, BOX and the Exchange**

In addition to all other obligations imposed by BOX, the Exchange in its By-Laws or these Rules, all [Options] Participants, as a condition of effecting approved securities transactions on the Exchange's trading facilities, shall agree to be regulated by the Exchange and shall recognize that the Exchange is obligated to undertake to enforce compliance with the provisions of the Exchange Rules, its By-Laws, its interpretations and policies and with the provisions of the Act and regulations thereunder, and that, subject to orders and rules of the Commission, the Exchange is required to discipline Participants and persons associated with Participants for violations of the provisions of the Exchange Rules, its By-Laws, its interpretations and policies and the Act and regulations thereunder, by expulsion, suspension, limitation of activities, functions, and operations, fines, censure, being suspended or barred from being associated with a Participant, or any other fitting sanction.

### **Rule 2020, Participant Eligibility and Registration**

(a) Except as hereinafter provided, any broker or dealer registered pursuant to Section 15 of the Act, that is and remains a member of another registered national securities exchange or association, or any person associated with such a registered broker or dealer, shall be eligible to be and to remain a[n Options] Participant. Participation may be granted to a sole proprietor, partnership, corporation, limited liability company, or other organization or individual that has been approved by the Exchange.

(b) through (i) no change.

\* \* \* \* \*

### **Rule 2040, Restrictions**

(a) The Exchange may determine not to permit a person to become a[n Options] Participant or continue as a[n Options] Participant in any capacity on the Exchange where:

- (1) such person is other than a natural person and is not a registered broker or dealer;
- (2) such person is a natural person who is not either a registered broker or dealer or associated with a registered broker or dealer;
- (3) such person is subject to a statutory disqualification as defined in Section 3(a)(39) of the Exchange Act,
- (4) such person is not a member of another registered national securities exchange or association.
- (5) such person fails to meet any of the qualification requirements for becoming a Participant or associated with a Participant after approval thereof;
- (6) such person fails to meet any condition placed by the Exchange on such Participant or association with a Participant; or
- (7) such person violates any agreement with the Exchange.

(b) through (d) no change.

(e) No registered broker or dealer shall be admitted as, or be entitled to continue as, a Participant if such broker or dealer:

- (1) fails to comply with either the financial responsibility requirements established by Rule 15c3-1 under the Act, or such other financial responsibility and operational capability requirements as may be established by the Exchange Rules;
- (2) fails to adhere to the Exchange Rules relating to the maintenance of books and records or those rules of other self-regulatory organizations of which such broker or dealer is or was a Participant;
- (3) fails to demonstrate to the Exchange adequate systems capability, capacity, integrity and security necessary to conduct business on [BOX] a facility of the Exchange;
- (4) does not clear transactions executed on BOX through a registered clearing agency using a continuous net settlement system;
- (5) is subject to any unsatisfied liens, judgments or unsubordinated creditor claims of a material nature, which, in the absence of a reasonable explanation therefor, remain outstanding for more than six months;

(6) has been subject to any bankruptcy proceeding, receivership or arrangement for the benefit of creditors within the past three years; or

(7) has engaged in an established pattern of failure to pay just debts or has defaulted, without a reasonable explanation, on an obligation to a self-regulatory organization, or any member of a self-regulatory organization.

(f) No person shall be admitted as a[n Options] Participant or as an associated person of a Participant where it appears that such person has engaged, and there is a reasonable likelihood that such person again may engage, in acts or practices inconsistent with just and equitable principles of trade.

(g) No change.

### **IM-2040-1**

The Exchange requires the successful completion of a written proficiency examination to enable it to examine and verify that prospective [Options] Participants and associated persons of Participants have adequate training, experience and competence to comply with the Exchange Rules and policies of the Exchange.

\* \* \* \* \*

### **Rule 2050, Application Procedures for [Options] Participants or to become an Associated Person of a Participant**

(a) Applications for status as a[n Options] Participant shall be made to the Exchange and shall contain the following:

(1) An agreement to abide by, comply with, and adhere to the provisions of the Exchange LLC Agreement, its By-Laws, the Exchange Rules, the policies, interpretations and guidelines of the Exchange and all orders and decisions of the Exchange's Board and penalties imposed by the Board, and any duly authorized committee; provided, however, that such agreement shall not be construed as a waiver by the applicant of any right to appeal as provided in the Act.

(2) An agreement to pay such dues, assessments, and other charges in the manner and amount as shall from time to time be fixed by the Exchange.

(3) An agreement that the Exchange and its officers, employees and members of its Board and of any committee shall not be liable, except for willful malfeasance, to the applicant or to any other person, for any action taken by such director, officer or member in his official capacity, or by any employee of the Exchange while acting within the scope of his employment, in connection with the administration or enforcement of any of the provisions of the Certificate of Incorporation, By-Laws, Exchange Rules, policies, interpretations or guidelines of

the Exchange or any penalty imposed by the Exchange, its Board or any duly authorized committee.

(4) An agreement that, in cases where the applicant fails to prevail in a lawsuit or administrative adjudicative proceeding instituted by the applicant against the Exchange or any of its officers, directors, committee members, employees or agents, to pay the Exchange or any of its officers, directors, committee members, employees or agents, all reasonable expenses, including attorneys' fees, incurred by the Exchange in the defense of such proceeding, but only in the event that such expenses exceed Fifty Thousand Dollars (\$50,000.00); provided, however, that such payment obligation shall not apply to internal disciplinary actions by the Exchange or administrative appeals.

(5) An agreement to maintain and make available to the Exchange, its authorized employees and its Board or committee members such books and records as may be required to be maintained by the Commission or the Exchange Rules.

(6) Such other reasonable information with respect to the applicant as the Exchange may require.

(b) No Change.

(c) If the Exchange is satisfied that the applicant is qualified to be a[n Options] Participant pursuant to the provisions of this Rule 2000 Series, the Exchange shall promptly notify, in writing, the applicant of such determination, and the applicant shall be a[n Options] Participant.

(d) If the Exchange is not satisfied that the applicant is qualified to be a[n Options] Participant pursuant to the provisions of this Rule 2000 Series, the Exchange shall promptly notify the applicant of the grounds for denying the applicant. The Board on its own motion may reverse the determination that the applicant is not qualified. If a majority of the Board specifically determines to reverse the determination to deny the application, the Board shall promptly notify Exchange staff, who shall promptly notify the applicant of the Board's decision and shall grant the applicant status as a[n Options] Participant. An applicant who has been denied status as a[n Options] Participant may appeal such decision under the Rule 13000 Series of the Exchange Rules governing adverse action.

(e) In considering applications for [Options] Participants, the Exchange shall adhere to the following procedures:

(1) Where an application is granted, the Exchange shall promptly notify the applicant.

(2) The applicant shall be afforded an opportunity to be heard on the denial of the application to be a Participant pursuant to the Rule 13000 Series of the Exchange Rules governing adverse action.

(f) No change.

(g) Each applicant shall file with the Exchange a list and descriptive identification of those persons associated with the applicant who are its executive officers, directors, principal shareholders, and general partners. Such persons shall file with the Exchange a Uniform Application for Securities Industry Registration or Transfer ("Form U4"). Applicants approved as a[n Options] Participant of the Exchange must keep such information current with the Exchange.

#### **Rule 2060, Revocation of [Options] Participant Status or Association with a Participant**

[Options] Participants or associated persons of Participants may effect approved options securities transactions on BOX trading facilities only so long as they possess all the qualifications set forth in the Exchange Rules. Except where, pursuant to Section 17(d) of the Act, the Exchange has been relieved of its responsibility to monitor the continued qualifications of a Participant or an associated person of a Participant, when the Exchange has reason to believe that a Participant or associated person of a Participant fails to meet such qualifications, the Exchange may act to revoke such person's [Options] Participant status or association. Such action shall be instituted under, and governed by, the Exchange Rule 11000 Series and Rule 12000 Series and may be appealed under the Rule 13000 Series of the Exchange Rules governing adverse action. In connection with any revocation of rights as a Participant or voluntary termination of rights as a Participant pursuant to Rule 2070, the [Options] Participant status in the Exchange shall be cancelled.

#### **Rule 2070, Voluntary Termination of Rights as a[n Options] Participant**

A[n Options] Participant may voluntarily terminate its rights as a Participant only by a written resignation addressed to the Exchange's Secretary or another officer designated by the Exchange. Such resignation shall not take effect until 30 days after all of the following conditions have been satisfied: (i) receipt of such written resignation; (ii) all indebtedness due the Exchange shall have been paid in full; (iii) any Exchange investigation or disciplinary action brought against the Participant has reached a final disposition; and (iv) any examination of such Participant in process is completed and all exceptions noted have been reasonably resolved; provided, however, that the Board may declare a resignation effective at any time.

#### **Rule 2080, Dues, Assessments and Other Charges**

The Exchange, or BOX may prescribe such reasonable assessments, dues or other charges as they may, in their discretion, deem appropriate. Such assessments and charges shall be equitably allocated among [Options] Participants, issuers and other persons using the Exchange's facilities.

#### **Rule 2090, Affiliation between Exchange and a[n Options] Participant**

Without prior approval of the Commission, the Exchange, or any facility of the Exchange, or any entity with which the Exchange or any facility of the Exchange is affiliated shall not, directly or indirectly, acquire or maintain an ownership interest in a[n Options] Participant. In addition, without the prior approval of the Commission, a[n Options] Participant shall not be or become an Affiliate of the Exchange, or any facility of the Exchange, or any entity with which the Exchange or any facility of the Exchange is affiliated. In addition, nothing in this Rule shall prohibit any [Options] Participant or its Affiliate from being or becoming an Affiliate of the Exchange, or any facility of the Exchange, or an Affiliate of any Affiliate of the Exchange or any facility of the Exchange solely by reason of any officer, director, manager, managing member, partner or Affiliate of such [Options] Participant: (i) being or becoming an Exchange Director (as defined in the By-Laws) pursuant to the By-Laws; or (ii) acquiring or holding an equity interest in the Exchange that is permitted by the Limited Liability Company Agreement of the Exchange.

\* \* \* \* \*

### **Rule 3000 Just and Equitable Principles of Trade**

(a) No [Options] Participant shall engage in acts or practices inconsistent with just and equitable principles of trade. Persons associated with [Options] Participants shall have the same duties and obligations as [Options] Participants under this Rule 3000 Series.

(b) No change.

#### **IM-3000-1**

It will be a violation of Rule 3000 for a[n Options] Participant to have a relationship with a third party regarding the disclosure of agency orders. Specifically, a[n Options] Participant may not disclose to a third party information regarding agency orders represented by the [Options] Participant prior to submitting such orders to BOX to allow such third party to attempt to execute against the [Options] Participant's agency orders. A[n Options] Participant's disclosing information regarding agency orders prior to the execution of such orders on the Exchange, would provide an inappropriate informational advantage to the third party in violation of Rule 3000. For purposes of this IM-3000-1, a third party includes any other person or entity, including Affiliates of the [Options] Participant. Nothing in this paragraph is intended to prohibit a[n Options] Participant from soliciting interest to execute against an order it represents as agent (a "solicited order"), the execution of which is governed by Rule 7140 and IM-7140-2.

### **Rule 3010 Adherence to Law**

No [Options] Participant shall engage in conduct in violation of the Rules, the Exchange Act or Rules thereunder, or the Rules of the Clearing Corporation insofar as they relate to the reporting or clearance of any Exchange transaction, or any written interpretation thereof. Every [Options] Participant shall supervise persons associated with the Participant to assure compliance therewith.

### **Rule 3020 Sharing Offices and Wire Connections**

No [Options] Participant, without the prior written consent of the Exchange, shall establish or maintain wire connections or office sharing arrangements with other [Options] Participants or with non-member broker-dealers. [Options] Participants shall promptly give notice to the Exchange of the discontinuance of any such prior approved arrangements and the reasons therefore.

\* \* \* \* \*

### **Rule 3040 False Statements**

No [Options] Participant, person associated with a[n Options] Participant or applicant to become a[n Options] Participant shall make any false statements or misrepresentations in any application, report or other communication to the Exchange, and no [Options] Participant or person associated with a[n Options] Participant shall make any false statement or misrepresentation to the Clearing Corporation with respect to the reporting or clearance of any Exchange Transaction, or adjust any position at the Clearing Corporation in any class of options traded on the Exchange except for the purpose of correcting a bona fide error in recording or transferring the position to another account.

### **Rule 3050 Manipulation**

(a) No [Options] Participant shall effect or induce the purchase, sale or exercise of any security for the purpose of creating or inducing a false, misleading, or artificial appearance of activity in such security or in the underlying security, or for the purpose of unduly or improperly influencing the market price of such security or of the underlying security or for the purpose of making a price which does not reflect the true state of the market in such security or in the underlying security.

(b) No [Options] Participant or any other person or organization subject to the jurisdiction of the Exchange shall directly or indirectly participate in or have any interest in the profit of a manipulative operation or knowingly manage or finance a manipulative operation. For the purposes of this paragraph but without limitation:

(1) any pool, syndicate or joint account, whether in corporate form or otherwise, organized or used intentionally for the purposes of unfairly influencing the market price of any security by means of options or otherwise and for the purpose of making a profit thereby, shall be deemed to be a manipulative operation;

(2) the soliciting of subscriptions to any such pool, syndicate or joint account shall be deemed to be managing a manipulative operation; and

(3) the carrying on margin of either a "long" or a "short" position in securities for, or the advancing of credit through loans of money or of securities to, any such

pool syndicate or joint account shall be deemed to be financing a manipulative operation.

### **Rule 3060 Gratuities**

No [Options] Participant shall give any compensation or gratuity in any one year in excess of \$50.00 to any employee of the Exchange or in excess of \$100.00 to any employee of any other [Options] Participant or of any non-member broker, dealer, bank or institution without the prior consent of the employer and of the Exchange.

### **Rule 3070 Conduct and Compliance with the Rules**

(a) Each [Options] Participant shall be responsible for ensuring that all arrangements made and systems used in connection with business conducted on BOX, and the transaction of such business itself, comply with the [Options] Participant's and associated persons' obligations under the Rules, the Rules of the Clearing Corporation and any other relevant laws, rules, interpretations and obligations. In accordance with the Rules and in connection with business conducted on BOX, each [Options] Participant shall:

- (1) have adequate arrangements to ensure that all staff involved in the conduct of business on BOX are suitable, adequately trained and properly supervised;
- (2) be responsible for the acts and conduct of each associated person,
- (3) establish its trading arrangements such that each Participant is able to meet the requirements set out in Rule 3000 and that all other relevant obligations contained in the Rules are complied with;
- (4) implement suitable security measures such that only those individuals explicitly authorized by the [Options] Participant to trade may gain access to passwords and security keys; and
- (5) ensure that any trading access granted to individuals (whether employees of the [Options] Participant or otherwise), for example by way of order routing systems, is adequately controlled and supervised, including appropriate checks before any orders are submitted to the Trading Host.

### **Rule 3080 Rumors**

No [Options] Participant or person associated with a[n Options] Participant shall circulate, in any manner, rumors of a character which might affect market conditions in any security; provided, however, that this Rule shall not prohibit discussion of unsubstantiated information, so long as its source and unverified nature are disclosed. (See Rule 3050).

### **Rule 3090 Prevention of the Misuse of Material Nonpublic Information**

(a) Every [Options] Participant shall establish, maintain and enforce written policies and procedures reasonably designed, taking into consideration the nature of the Participant's business, to prevent the misuse of material nonpublic information by such Participant or persons associated with such Participant in violation of the federal securities laws or the rules thereunder, and these Rules.

(b) no change.

(c) Each [Options] Participant shall establish, maintain and enforce the following policies and procedures as appropriate for the nature of each [Options] Participant's business:

(1) all associated persons must be advised in writing of the prohibition against the misuse of material nonpublic information.

(2) signed attestations from the [Options] Participant and all associated persons affirming their awareness of, and agreement to abide by, the aforementioned prohibitions must be maintained for at least three (3) years, the first two (2) years in an easily accessible place.

(3) records of all brokerage accounts maintained by the [Options] Participant and all associated persons must be acquired and maintained for at least three (3) years, the first two (2) years in an easily accessible place, and such brokerage accounts must be reviewed periodically by the [Options] Participant for the purpose of detecting the possible misuse of material nonpublic information.

(4) any business dealings the [Options] Participant may have with any corporation whose securities are publicly traded, or any other circumstances that may result in the [Options] Participant receiving, in the ordinary course of business, material nonpublic information concerning any such corporation, must be identified and documented.

(d) [Options] Participants that are required, pursuant to Rules 10020 and 10030 (Financial Reports & Audits) to file Form X-17A-5 under the Exchange Act or rules thereunder, with the Exchange on an annual basis only, shall, contemporaneously with those submissions, file attestations signed by such [Options] Participants stating that the procedures mandated by this Rule have been established, enforced and maintained.

(e) Any [Options] Participant or associated person who becomes aware of any possible misuse of material nonpublic information must promptly notify the Exchange.

### **Rule 3100 Disciplinary Action by Other Organizations**

Every [Options] Participant shall promptly notify the Exchange in writing of any disciplinary action, including the basis therefore, taken by any national securities exchange or registered securities association, clearing corporation, commodity futures market or government regulatory body against the [Options] Participant or its associated persons who are directly involved in

derivatives trading, and shall similarly notify the Exchange of any disciplinary action taken by the [Options] Participant itself against any of its associated persons who are directly involved in derivatives trading involving suspension, termination, the withholding of commissions or imposition of fines in excess of \$2,500, or any other significant limitation on activities.

### **Rule 3110 Other Restrictions on Participants**

Whenever the Exchange shall find that a[n Options] Participant has failed to perform on its contracts or is insolvent or is in such financial or operational condition or is otherwise conducting business in such a manner that it cannot safely conduct business with Customers, creditors or the Exchange, the Exchange may summarily suspend the [Options] Participant in accordance with the Rule 11000 Series (Summary Suspension) or may impose such conditions and restrictions upon the [Options] Participant as the Exchange considers reasonably necessary for the protection of the Exchange, BOX, and the Customers of such [Options] Participant.

\* \* \* \* \*

### **Rule 3180 Mandatory Systems Testing**

(a) Each [Options] Participant that the Exchange designates as required to participate in a system test must conduct or participate in the testing of its computer systems to ascertain the compatibility of such systems with the Exchange's systems in the manner and frequency prescribed by the Exchange. The Exchange will designate [Options] Participants as required to participate in a system test based on: (1) the category of the Participant (Market Maker and OFP); (2) the computer system(s) the Participant uses; and (3) the manner in which the Participant connects to the Exchange. The Exchange will give Participants reasonable notice of any mandatory systems test, which notice will specify the nature of the test and Participants' obligations in participating in the test.

(b) Every [Options] Participant required by the Exchange to conduct or participate in testing of computer systems shall provide to the Exchange such reports relating to the testing as the Exchange may prescribe. Participants shall maintain adequate documentation of tests required by this Rule 3180 and results of such testing for examination by the Exchange.

(c) A[n Options] Participant that is subject to this Rule 3180 and that fails to conduct or participate in the tests, fails to file the required reports, or fails to maintain the required documentation, may be subject to a summary suspension or other action taken pursuant to the Rule 11000 Series (Summary Suspensions) and/or a disciplinary action pursuant to the Rule 12000 Series (Discipline).

\* \* \* \* \*

### **Rule 3220 Disruptive Quoting and Trading Activity Prohibited**

(a) No [Options] Participant shall engage in or facilitate disruptive quoting and trading activity on the Exchange, as described in subsections (1) and (2) of this Rule, including acting in concert with other persons to effect such activity.

(1) through (2) No Change.

\* \* \* \* \*

#### **Rule 4070 Statement of Accounts to Public Customers**

(a) through (c) No Change.

(d) Public Customer statements shall bear a legend requesting that the Public Customer promptly advise the [Options] Participant of any material change in the Public Customer's investment objectives or financial situation.

(e) No Change.

\* \* \* \* \*

#### **Rule 4160 Transfer of Accounts**

(a) When a Public Customer whose securities account is carried by an OFP (the "Carrying Participant") wants to transfer the entire account to another OFP (the "Receiving Participant") and gives written notice of that fact to the Receiving Participant, both [Options] Participants must expedite and coordinate activities with respect to the transfer. For purposes of this Rule, the term "securities account" shall be deemed to include any and all of the account's money market fund positions or the redemption value thereof.

(b) through (g) No Change.

(h) The Exchange may exempt from the provisions of this Rule, either unconditionally or on specified terms and conditions:

(1) any [Options] Participant or type of [Options] Participants, or

(2) any type of account, security or financial instrument.

(i) Unless an exemption has been granted pursuant to paragraph (h) of this Rule, the Exchange may impose upon a[n Options] Participant a fee of up to \$100 per securities account for each day such [Options] Participant fails to adhere to the time frames or procedures required by this Rule.

(j) No Change.

\* \* \* \* \*

### **Rule 4190 Public Customer Complaints**

(a) through (b) No Change.

(c) The central file shall be located at the principal place of business of the [Options] Participant or such other principal office as shall be designated by the OFP.

(1) Each options-related complaint received by a branch office of an OFP shall be forwarded to the office in which the separate, central file is located not later than thirty (30) days after receipt by the branch office.

(2) A copy of every options-related complaint shall be maintained at the branch office that is the subject of a complaint.

(d) At a minimum, the central file shall include:

(1) identification of complainant;

(2) date complaint was received;

(3) identification of the representative servicing the account, if applicable;

(4) a general description of the subject of the complaint; and

(5) a record of what action, if any, has been taken by the [Options] Participant with respect to the complaint.

### **Rule 4200 Telephone Solicitation**

(a) through (b) No Change.

(c) The prohibitions of paragraphs (a) and (b) do not apply to telephone calls by an associated person of an OFP (whether acting alone or at the direction of another associated person) who controls or has been assigned to a[n Options] Participant's existing Public Customer account for the purpose of maintaining and servicing that account, provided that the call is to:

(1) an existing Public Customer who, within the preceding twelve (12) months, has made a securities transaction in or has deposited funds or securities into an account, that was under the control of or assigned to that associated person at the time of the transaction or deposit;

(2) an existing Public Customer whose account has earned interest or dividend income during the preceding twelve (12) months, and who previously has made a securities transaction in or has deposited funds or securities into an account, that was under the control of or assigned to the associated person at the time of the transaction or deposit; or

(3) a broker or dealer.

(d) For purposes of paragraph (c) above, the term "existing Public Customer" means a Public Customer for whom the broker or dealer, or a clearing broker or dealer on its behalf, carries on account. The scope of this Rule is limited to the telemarketing calls described herein. The terms of this Rule do not impose, expressly or by implication, any additional requirements on [Options] Participants with respect to the relationship between a[n Options] Participant and a Public Customer or between an associated person and a Public Customer.

(e) through (g) No Change.

\* \* \* \* \*

**Rule 10000 Maintenance, Retention and Furnishing of Books, Records and Other Information**

(a) Each [Options] Participant shall make, keep current and preserve such books and records as the Exchange may prescribe pursuant to the Rules and as may be prescribed by the Exchange Act and the rules and regulations thereunder.

(b) No [Options] Participant shall refuse to make available to the Exchange such books, records or other information as may be called for under the Rules or as may be requested in connection with an investigation by the Exchange.

(c) All [Options] Participants shall prepare and make available all books and records as required by the Rules in English and U.S. dollars.

(See Rule 10100 Series "Margin Requirements," Rule 10200 Series "Net Capital Requirements," Rule 11000 Series "Summary Suspensions," and Rule 12000 Series "Discipline").

\* \* \* \* \*

**Rule 10020 Financial Reports**

Each [Options] Participant shall submit to the Exchange answers to financial questionnaires, reports of income and expenses and additional financial information in the type, form, manner and time prescribed by the Exchange.

### **Rule 10030 Audits**

(a) Each [Options] Participant approved to do business with the public in accordance with Rule 4000 and each registered Market Maker shall file a report of its financial condition as of the date, within each calendar year, prepared in accordance with the requirements of Rule 17a-5 and Form X-17A-5 under the Exchange Act and containing the information called for by that form.

(1) The report of each [Options] Participant approved to do business with the public shall be certified by an independent public accountant, and on or before January 10 of each year, each such [Options] Participant shall notify the Exchange of the name of the independent public accountant appointed for that year and the date as of which the report will be made.

(2) Such report of financial condition, together with answers to an Exchange financial questionnaire based upon the report, shall be filed with the Exchange no later than sixty (60) days after the date as of which the financial condition of the [Options] Participant is reported, or such other period as the Exchange may individually require.

(b) A[n Options] Participant may file, in lieu of the report required in paragraph (a) of this Rule, a copy of any financial statement which it is or has been required to file with any other national securities exchange or national securities association of which he is a member, or with any agency of any State as a condition of doing business in securities therein, and which is acceptable to the Exchange as containing substantially the same information as Form X-17A-5.

(c) In addition to the annual report required of certain [Options] Participants pursuant to paragraph (a) of this Rule, the Exchange may require any [Options] Participant to cause an audit of its financial condition to be made by an independent public accountant in accordance with the audit requirements of Form X-17A-5 as of the date of an answer to a financial questionnaire, and to file a statement to the effect that such audit has been made and whether it is in accord with the answers to the questionnaire.

(1) Such statement shall be signed by two general partners in the case of a[n Options] Participant that is a partnership and by two executive officers in the case of a[n Options] Participant that is a corporation or LLC and it shall be attested to by the independent public accountant who certified the audit.

(2) The original report of the audit signed by the independent public accountant shall be retained as part of the books and records of the [Options] Participant.

### **Rule 10040 Automated Submission of Trade Data**

(a) A[n Options] Participant shall submit requested trade data elements, in such automated format as may be prescribed by the Exchange from time to time, in regard to a transaction(s) that is the subject of the particular request for information.

(b) If the transaction was a proprietary transaction effected or caused to be effected by the [Options] Participant for any account in which such [Options] Participant, or any person associated with the [Options] Participant, is directly or indirectly interested, the [Options] Participant shall submit or cause to be submitted, any or all of the following information as requested by the Exchange:

(1) Clearing house number or alpha symbol as used by the [Options] Participant submitting the data;

(2) Clearing house number(s) or alpha symbol(s) as may be used from time to time, of the [Options] Participant(s) on the opposite side of the transaction;

(3) Identifying symbol assigned to the security and where applicable for the options month and series symbols;

(4) Date transaction was executed;

(5) Number of option contracts for each specific transaction and whether each transaction was an opening or closing purchase or sale, as well as:

(i) the number of shares traded or held by accounts for which options data is submitted;

(ii) where applicable, the number of shares for each specific transaction and whether each transaction was a purchase, sale or short sale;

(6) Transaction price;

(7) Account number; and

(8) Market center where transaction was executed.

(c) If the transaction was effected or caused to be effected by the [Options] Participant for any Customer, such [Options] Participant shall submit or cause to be submitted any or all the following information as requested by the Exchange:

(1) Data elements (1) through (8) of paragraph (b) above;

(2) If the transaction was effected for a Public Customer, customer name, address(es), branch office number, representative number, whether the order was discretionary, solicited or unsolicited, date the account was opened and employer name and tax identification number(s); and

(3) If the transaction was effected for a[n Options] Participant broker-dealer customer, whether the broker-dealer was acting as a principal or agent on the transaction or transactions that are the subject of the Exchange's request.

(d) In addition to the above trade data elements, a[n Options] Participant shall submit such other information in such automated format as may be prescribed by the Exchange, as may from time to time be required.

(e) The Exchange may grant exceptions, in such cases and for such time periods as it deems appropriate, from the requirement that the data elements prescribed in paragraphs (b) and (c) above be submitted to the Exchange in an automated format.

### **Rule 10050 Regulatory Cooperation**

(a) through (b) no change.

(c) No [Options] Participant, partner, officer, director or other person associated with an Options Participant or other person or entity subject to the jurisdiction of the Exchange shall refuse to appear and testify before another exchange or self-regulatory organization in connection with a regulatory investigation, examination or disciplinary proceeding or refuse to furnish documentary materials or other information or otherwise impede or delay such investigation, examination or disciplinary proceeding if the Exchange requests such information or testimony in connection with an inquiry resulting from an agreement entered into by the Exchange pursuant to paragraph (a) of this Rule, including but not limited to [Options] Participants and Affiliates of the Intermarket Surveillance Group. The requirements of this paragraph (b) shall apply regardless whether the Exchange has itself initiated a formal investigation or disciplinary proceeding. (See generally Rule 12000 Series).

(d) Whenever information is requested by the Exchange pursuant to this Rule 10050, the [Options] Participant or person associated with a[n Options] Participant from whom the information is requested shall have the same rights and procedural protections in responding to such request as such [Options] Participant or person would have in the case of any other request for information initiated by the Exchange pursuant to the Exchange's investigative powers. (See generally Rule 12000 Series).

\* \* \* \* \*

### **Rule 10070 Anti-Money Laundering Compliance Program**

(a) Each [Options] Participant shall develop and implement a written anti-money laundering program reasonably designed to achieve and monitor compliance with the requirements of the Bank Secrecy Act (31 U.S.C. 5311, et seq.), and the implementing regulations promulgated thereunder by the Department of the Treasury. Each [Options]

Participant's anti-money laundering program must be approved, in writing, by a member of senior management of the [Options] Participant. The anti-money laundering programs required by this Rule 10070 shall, at a minimum:

- (1) Establish and implement policies and procedures that can be reasonably expected to detect and cause the reporting of transactions required under 31 U.S.C. 5318(g) and the implementing regulations thereunder;
- (2) Establish and implement policies and internal controls reasonably designed to achieve compliance with the Bank Secrecy Act and the implementing regulations thereunder;
- (3) Provide for independent testing for compliance to be conducted by [Options] Participant personnel or by a qualified outside party;
- (4) Designate and identify to the Exchange (by name, title, mailing address, e-mail address, telephone number, and facsimile number) a person or persons responsible for implementing and monitoring the day-to-day operations and internal controls of the program and provide prompt notification to the Exchange regarding any change in such designation(s); and
- (5) Provide ongoing training for appropriate persons.

(b) In the event that any of the provisions of this Rule 10070 conflict with any of the provisions of another, applicable self-regulatory organization's rule requiring the development and implementation of an anti-money laundering compliance program, the provisions of the rule of the [Options] Participant's DEA shall apply.

\* \* \* \* \*

### **Rule 10200 Minimum Requirements**

Each [Options] Participant subject to Rule 15c3-1 under the Exchange Act shall comply with the capital requirements prescribed therein and with the additional requirements of this Rule 10200 Series. Market Makers must also comply with the minimum financial requirements contained in Rule 8010.

### **Rule 10210 "Early Warning" Notification Requirements**

Every [Options] Participant subject to the reporting or notification requirements of Rule 17a-11 under the Exchange Act or the "early warning" reporting, business restriction or business reduction requirements of another national securities exchange, registered securities association or registered securities clearing organization shall promptly notify the Exchange in writing and shall thereafter file with the Exchange such reports and financial statements as may be required by the Exchange.

### **Rule 10220 Power of CRO to Impose Restrictions**

Whenever it shall appear to the Chief Regulatory Officer of the Exchange that a[n Options] Participant obligated to give notice to the Exchange under Rule 10210 is unable within a reasonable period to reduce the ratio of its aggregate indebtedness to net capital, or to increase its net capital, to a point where it is no longer subject to such notification obligations, or that such [Options] Participant is engaging in any activity which casts doubt upon its continued compliance with the net capital requirements, the Chief Regulatory Officer may impose such conditions and restrictions upon the operations, business and expansion of such [Options] Participant and may require the submission of, and adherence to, such plan or program for the correction of such situation as he determines to be necessary or appropriate for the protection of investors, other [Option] Participants and the Exchange.

\* \* \* \* \*

### **Rule 11000 Imposition of Suspension**

(a) A[n Options] Participant or person associated with a[n Options] Participant that has been expelled or suspended from any SRO or barred or suspended from being associated with a participant or member of any SRO, or a[n Options] Participant that is in such financial or operating difficulty that the Exchange determines and so notifies the Commission that the [Options] Participant cannot be permitted to continue to do business as a[n Options] Participant with safety to investors, creditors, other [Options] Participants, or BOX, may be summarily suspended.

(b) The Exchange may limit or prohibit any person with respect to access to services offered by BOX if any of the criteria of the foregoing paragraph is applicable to such person or, in the case of a person who is not a[n Options] Participant, if the Exchange determines that such person does not meet the qualification requirements or other prerequisites for such access and such person cannot be permitted to continue to have such access with safety to investors, creditors, [Options] Participants or the Exchange.

(c) through (e) no change.

### **Rule 11010 Investigation Following Suspension**

(a) Every [Options] Participant or person associated with a[n Options] Participant against which action has been taken in accordance with the Summary Suspension procedures of this Rule 11000 Series shall immediately afford every facility required by the Exchange for the investigation of his or its affairs and shall forthwith file with the Secretary a written statement covering all information requested, including a complete list of creditors and the amount owing to each and a complete list of each open long and short position in BOX options contracts maintained by the [Options] Participant and each of his or its Customers.

(b) Paragraph (a) includes, without limitation, the furnishing of such books and records of the [Options] Participant or person associated with a[n Options] Participant and the giving of such sworn testimony as may be requested by the Exchange.

### **Rule 11020 Reinstatement**

(a) *General.*

(1) A[n Options] Participant, person associated with a[n Options] Participant or other person suspended or limited or prohibited with respect to access to services offered by BOX under the Summary Suspension procedures of this Rule 11000 Series may apply for reinstatement within the time period set forth below.

(2) Notice of an application for reinstatement shall be given to the Exchange by the [Options] Participant and shall be posted by the Exchange at least five (5) business days prior to the consideration by the Exchange of said application.

(3) The Exchange may approve an application for reinstatement if it finds that the applicant is operationally and financially able to conduct his business with safety to investors, creditors, [Options] Participants, and BOX.

(b) no change.

(c) *Suspension Due to Financial Difficulty.*

(1) An applicant who, by reason of financial difficulty, has been suspended or limited or prohibited with respect to BOX services, must file any application for reinstatement within thirty (30) days of such action.

(2) Such application must include a list of all creditors of the applicant a statement of the amount originally owing and the nature of the settlement in each case, and such other information as may be requested by the Exchange.

(3) The Participant status of a[n Options] Participant summarily suspended by reason of financial difficulty may not be revoked by the Exchange until that [Options] Participant has been afforded an opportunity for a hearing respecting such summary suspension pursuant to the provisions of Rule 13000 Series.

\* \* \* \* \*

### **Rule 11040 Termination of Rights by Suspension**

A[n Options] Participant suspended under the provisions of this Rule 11000 Series shall be deprived during the term of his or its suspension of all rights and privileges of Participation.

### **Rule 12000 Disciplinary Jurisdiction**

(a) A[n Options] Participant or a person associated with a[n Options] Participant who is alleged to have violated or aided and abetted a violation of any provision of the Exchange Act, the rules and regulations promulgated thereunder, or any provision of the Rules or any interpretation thereof or resolution of the Board of the Exchange regulating the conduct of business on the Exchange, shall be subject to the disciplinary jurisdiction of the Exchange under this Rule 12000 Series, and after notice and opportunity for a hearing may be appropriately disciplined by expulsion, suspension, limitation, or termination of activities, functions, or operations, or by fine, censure, or being suspended or barred from being associated with a[n Options] Participant or any other fitting sanction, in accordance with provisions of this Rule 12000 Series.

(b) Persons associated with a[n Options] Participant may be charged with any violation committed by employees under his supervision or by the [Options] Participant as though such violation were his own. A[n Options] Participant may be charged with any violation committed by its employees or other person who is associated with such [Options] Participant, as though such violation were its own.

(c) Any [Options] Participant or person associated with a[n Options] Participant shall continue to be subject to the disciplinary jurisdiction of the Exchange following such [Options] Participant's termination or the person's termination of association with a[n Options] Participant with respect to matters that occurred prior to such termination; provided that written notice of the commencement of an inquiry into such matters is given by the Exchange to such former [Options] Participant or former associated person within one (1) year of receipt by the Exchange, or such other exchanges or association recognized for purposes of Rule 4020, of the latest written notice of the termination of such person's status as a[n Options] Participant or person associated with a[n Options] Participant. The foregoing notice requirement does not apply to a person who at any time after a termination again subjects himself to the disciplinary jurisdiction of the Exchange by becoming a[n Options] Participant or a person associated with a[n Options] Participant.

#### **Rule 12010 Requirement to Furnish Information**

(a) Each [Options] Participant and person associated with a[n Options] Participant shall be obligated upon request by the Exchange (including by another SRO acting on behalf of the Exchange pursuant to Rule 12150) to appear and testify, and to respond in writing to interrogatories and furnish documentary materials and other information requested in connection with (i) an investigation initiated pursuant to Rule 12020, (ii) a hearing or appeal conducted pursuant to this Rule 12000 Series or preparation by the Exchange in anticipation of such a hearing or appeal, or (iii) an Exchange inquiry resulting from an agreement entered into by the Exchange pursuant to Rule 10050.

(1) A[n Options] Participant or person associated with a[n Options] Participant is entitled to be represented by counsel during any such Exchange investigation, proceeding or inquiry.

(2) No [Options] Participant or person associated with a[n Options] Participant shall impede or delay an Exchange investigation or proceeding conducted pursuant to this Rule 12000 Series or an Exchange inquiry pursuant to Rule 10050, nor refuse to comply with a request made by the Exchange pursuant to this paragraph.

(3) Failure to furnish testimony, documentary evidence or other information requested by the Exchange in the course of an Exchange inquiry, investigation, hearing or appeal conducted pursuant to this Rule 12000 Series, or in the course of preparation by the Exchange in anticipation of such a hearing or appeal, on the date or within the time period the Exchange specifies shall be deemed to be a violation of this Rule.

### **Rule 12020 Investigation**

The Exchange's regulatory staff (including regulatory staff of another SRO acting on the Exchange's behalf pursuant to Rule 12150), which is obligated to act independently from the economic interests of the [Options] Participants regulated by the Exchange, has sole discretion to investigate possible violations within the disciplinary jurisdiction of the Exchange on its own initiative or based upon a complaint alleging possible violations submitted by any person, Exchange committee or the Board. All complaints shall be in writing signed by the complainant and shall specify in reasonable detail the facts constituting the violation, including the specific statutes, by-laws, rules, interpretations or resolutions allegedly violated.

### **Rule 12030 Letters of Consent**

(a) In lieu of the procedures set forth in Rules 12040 through 12060 (Charges, Answer and Hearing), a matter may be disposed of through a letter of consent.

(1) A matter can only be disposed of through a letter of consent if regulatory staff, including regulatory staff of another SRO acting on the Exchange's behalf pursuant to Rule 12150 (collectively, "SRO Staff") and the Options Participant or person(s) who is the subject of the investigation (the "Subject") are able to agree upon terms of a letter of consent. Such letter must be signed by the Subject and must set forth a stipulation of facts and findings concerning the [Options] Participant's conduct, the violation(s) committed by the [Options] Participant and the sanction(s) therefor.

(2) In the event that the Subject and the regulatory staff are able to agree upon a letter of consent, the staff shall submit the letter to the Chief Regulatory Officer. If the letter of consent is acceptable to the Chief Regulatory Officer, it shall be submitted to the Hearing Committee. In the event that the [Options] Participant and the regulatory staff are unable to agree upon a letter of consent or if a proposed letter is not acceptable to the Chief Regulatory Officer, the SRO Staff may institute an action according to the procedures contained in Rule 12040. The

Chief Regulatory Officer's decision to reject a letter of consent shall be final, and a Subject may not seek review thereof.

(3) If a letter of consent is submitted to and accepted by the Hearing Committee, the Exchange shall take no further action against the Subject respecting the matters that are the subject of the letter. If the letter of consent is rejected by the Hearing Committee, the matter shall proceed as though the letter had not been submitted. The Hearing Committee's decision to accept or reject a letter of consent shall be final, and a Subject may not seek review thereof.

### **Rule 12040 Charges**

(a) *Initiation of Charges.*

Whenever it shall appear that there is probable cause for finding a violation within the disciplinary jurisdiction of the Exchange and that further proceedings are warranted, the regulatory staff shall prepare a statement of charges against the [Options] Participant or associated person alleged to have committed a violation (the "Respondent") specifying the acts in which the Respondent is charged to have engaged and setting forth the specific provisions of the Exchange Act, rules and regulations promulgated thereunder, provisions of the Rules, or interpretations or resolutions of which such acts are in violation. If the statement of charges is approved by the Chief Regulatory Officer, a copy of the charges shall be served upon the Respondent in accordance with Rule 12120. The complainant, if any, shall be notified if further proceedings are warranted.

(b) no change.

\* \* \* \* \*

### **Rule 12060 Hearing**

(a) no change.

(b) *Parties.*

The Exchange and the Respondent shall be the parties to the hearing. Where a[n Options] Participant is a party, it shall be represented at the hearing by an associated person.

(c) through (d) no change.

(e) *Conduct of Hearing.*

The Panel Chairman shall determine the time and place of all meetings, and shall make all determinations with regard to procedural or evidentiary matters, as well as prescribe the time

within which all documents, exhibits, briefs, stipulations, notices or other written materials must be filed where such is not specified in this Rule 12000 Series. The Panel Chairman shall generally regulate the course of the hearing, and shall have the authority to, among other things, order the parties to present oral arguments, reopen a hearing prior to the issuance of a decision by the Panel, create and maintain the official record of proceeding, and draft a decision that represents the views of the majority of the Panel. Formal rules of evidence shall not apply to hearings conducted by the Panel. The charges shall be presented by a representative of the Exchange who, along with Respondent and any other party, may present evidence and produce witnesses who shall testify under oath and are subject to being questioned by the Panel and the other parties. The Panel may request the production of documentary evidence and witnesses. No [Options] Participant or person associated with a[n Options] Participant shall refuse to furnish relevant testimony, documentary materials or other information requested by the Panel during the course of the hearing. The Respondent and intervening parties are entitled to be represented by counsel who may participate fully in the hearing. A transcript of the hearing shall be made and shall become part of the record. Interlocutory Board review of any decision made by the Panel prior to completion of the hearing is generally prohibited. Such interlocutory review shall be permitted only if the Panel agrees to such review after determining that the issue is a controlling issue of rule or policy and that immediate Board review would materially advance the ultimate resolution of the case.

(f) *Ex Parte Communication.*

No [Options] Participant or person associated with a[n Options] Participant shall make or knowingly cause to be made an ex parte communication with any member of the Panel, Hearing Committee or Board concerning the merits of any matter pending under this Rule 12000 Series. No member of the Panel, Hearing Committee or Board shall make or knowingly cause to be made an ex parte communication with any [Options] Participant or any person associated with a[n Options] Participant concerning the merits of any matter pending under this Rule 12000 Series.

(1) "Ex parte communication" means an oral or written communication made without notice to all parties, that is, regulatory staff and Subjects of investigations or Respondents in proceedings.

(2) A written communication is ex parte unless a copy has been previously or simultaneously delivered to all interested parties. An oral communication is ex parte unless it is made in the presence of all parties except those who, on adequate prior notice, declined to be present.

\* \* \* \* \*

**Rule 12110 Judgment and Sanction**

(a) *Sanctions.*

[Options] Participants and persons associated with [Options] Participants shall (subject to any rule or order of the SEC) be appropriately disciplined for violations under these Rules by expulsion, suspension, limitation of activities, functions and operations, fine, censure, being suspended or barred from being associated with a[n Options] Participant, or any other fitting sanction.

(b) no change.

(c) *Payment of Fines, Other Monetary Sanctions, or Costs; Summary Action for Failure to Pay.*

(1) *Payment to Finance Department.*

All fines and other monetary sanctions shall be paid to the Finance Department of the Exchange.

(2) *Summary Suspension or Expulsion.*

After seven (7) calendar days following written notice of failure to pay, the Exchange may summarily suspend a[n Options] Participant that fails to: (i) pay promptly a fine, other monetary sanction or cost imposed pursuant to this Rule 12000 Series when such fine, monetary sanction or cost becomes finally due and payable; or (ii) terminate immediately the association of a person who fails to pay promptly a fine, other monetary sanction or cost imposed pursuant to this Rule 12000 Series when such fine, monetary sanction or cost becomes finally due and payable.

(d) *Costs of Proceedings.*

A[n Options] Participant or person associated with a[n Options] Participant disciplined pursuant to this Rule 12000 Series shall bear such costs of the proceeding as the adjudicator deems fair and appropriate under the circumstances.

### **Rule 12120 Procedural Matters**

(a) *Service of Notice.*

Any charges, notices or other documents may be served upon a[n Options] Participant or associated person either personally or by leaving the same at his place of business, by registered or certified mail or overnight commercial carrier addressed to the [Options] Participant or associated person at the [Options] Participant's address as it appears on the books and records of the Exchange.

(b) no change.

\* \* \* \* \*

### **Rule 12160 Expedited Suspension Provision**

#### *(a) Initiation of Proceeding*

- (1) *Scope of Authority.* With the prior written authorization of the Chief Regulatory Officer (“CRO”) or such other senior officers as the CRO may designate, the Exchange may initiate an expedited suspension proceeding with respect to alleged violations of Rule 3220 (Disruptive Quoting and Trading Activity Prohibited).
- (2) *Service of Notice.* The Exchange shall initiate the proceeding by serving a notice on a[n Options] Participant or associated person of a[n Options] Participant (hereinafter “Respondent”). The Exchange shall serve the notice by personal service or overnight commercial courier. The notice shall be effective upon service.
- (3) *Content of Notice.* The notice shall state whether the Exchange is requesting the Respondent to be required to take action or to refrain from taking action. The notice shall be accompanied by:
  - (i) a declaration of facts, signed by a person with knowledge of the facts contained therein, that specifies the acts that constitute the alleged violation; and
  - (ii) a proposed order that contains the required elements of a suspension order (except the date and hour of the order’s issuance), which are set forth in sub-paragraph (d)(2) of this Rule.

(b) through (f) no change.

### **Rule 13000 Scope of Series**

This Rule 13000 Series provides the procedure for persons economically aggrieved by any of the following Exchange actions to apply for an opportunity to be heard and to have the action reviewed. These actions include, but are not limited to:

- (a) denial of an application to become a[n Options] Participant;
- (b) prohibiting a person from becoming associated with a[n Options] Participant;
- (c) limiting, suspending, or prohibiting a[n Options] Participant's activities, functions or operations on the Exchange; or
- (d) limiting or denial of access to services provided to a[n Options] Participant pursuant to these Rules.

\* \* \* \* \*

**Rule 14000 Arbitration**

(a) no change.

(b) *Jurisdiction.*

Any dispute, claim, or controversy arising out of or in connection with the Exchange business of any Options Participant or associated person of a[n Options] Participant, including claims arising out of the employment or termination of employment of associated person(s) with any [Options] Participant may be arbitrated under this Rule except that except that (1) a dispute, claim, or controversy alleging employment discrimination (including a sexual harassment claim) in violation of a statute may only be arbitrated if the parties have agreed to arbitrate it after the dispute arose; and (2) any type of dispute, claim, or controversy that is not permitted to be arbitrated under the FINRA Code of Arbitration Procedure, such as class action claims, shall not be eligible for arbitration under this Rule.

(c) *Predispute Arbitration Agreements.*

The requirements of FINRA Rule 2268 shall apply to predispute arbitration agreements between [Options] Participants and their customers.

(d) no change.

(e) *Payment of Awards.*

Any [Options] Participant, or person associated with a[n Options] Participant, who fails to honor an award of arbitrators appointed in accordance with the FINRA Code of Arbitration Procedure or fails to comply with a written and executed settlement agreement obtained in connection with an arbitration submitted for disposition pursuant to the FINRA Code of Arbitration Procedure shall be subject to disciplinary proceedings in accordance with the Rule 12000 Series.

(f) no change.

\* \* \* \* \*