

EXHIBIT 5

The text of the proposed rule change is set forth below. Proposed additions are underlined; proposed deletions are in brackets.

7018. NASDAQ OMX BX Equities System Order Execution

The following charges and credits shall apply to the use of the order execution services of the NASDAQ OMX BX Equities System by members for all securities that it trades.

Charge or credit to member entering order that executes in the NASDAQ OMX BX Equities System:

Credit of \$0.0001 per share executed for securities priced at \$1 or more per share

Charge of [~~0.1%~~] 0.3% of the total transaction cost for executions in the NASDAQ OMX BX Equities System of securities priced at less than \$1 per share

Charge to member providing liquidity through the NASDAQ OMX BX Equities System:

\$0.0003 per share executed for quotes/orders at \$1 or more per share

~~[\$0]~~ Credit of 0.25% for quotes/orders at less than \$1.00 per share