

Exhibit 5

Text of the Proposed Rule Change

Underlining indicates additions; [Brackets] indicate deletion.

Schedule of Fees

	Amount	Billable Unit	Frequency	Notes
Electronic Market Place				
Inactive CMM Fee	\$25,000	* * * Membership	Monthly	Inactive CMM Memberships are subject to an “inactive” fee of \$25,000 per month. This fee shall apply to the owner of the CMM Trading Rights associated with the Membership. This fee shall not apply to any CMM Membership that is owned by or leased to a Member during any time in which that Member also is leasing a PMM Membership assigned to the same options group as the CMM Membership. If a CMM Member is actively trading with respect to one or more CMM Memberships, an Exchange official designated by the Board may grant the CMM Member an exemption from this fee for one or more additional inactive CMM Memberships with respect to which the CMM Member has been approved if the CMM Member presents a business plan that an Exchange official designated by the Board determines will lead to active trading with respect to such inactive Membership(s) within a reasonable period of time. This fee does not apply to Inactive FXCMMs. <u>An Exchange official designated by the Board may waive this fee for up to three calendar months for a CMM Member who acquires one or more CMM Trading Rights and who is not currently a market maker on the Exchange.</u>
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