

Exhibit 5 - Text of the Proposed Rule Change  
Underlining indicates additions; [Brackets] indicate deletion

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I. Regular Order Fees and Rebates

Select Symbols							
Market Participant	Maker Rebate / Fee	Taker Fee	Fee for Crossing Orders <sup>(1)(2)</sup>	Fee for PIM Orders of 100 or Fewer Contracts <sup>(1)(2)(12)(13)</sup>	Fee for Responses to Crossing Orders	PIM Break-up Rebate <sup>(3)</sup>	Facilitation and Solicitation Break-up Rebate <sup>(4)</sup>
Tier 1 Market Maker Plus <sup>(5)</sup>	[( <u>\$0.20</u> )] ( <u>\$0.10</u> ) <sup>(10)(11)</sup>	\$0.44	\$0.20	\$0.05	\$0.47	N/A	N/A
Tier 2 Market Maker Plus <sup>(5)</sup>	( <u>\$0.18</u> ) <sup>(10)</sup>	<u>\$0.44</u>	<u>\$0.20</u>	<u>\$0.05</u>	<u>\$0.47</u>	<u>N/A</u>	<u>N/A</u>
Tier 3 Market Maker Plus <sup>(5)</sup>	( <u>\$0.22</u> ) <sup>(10)</sup>	<u>\$0.44</u>	<u>\$0.20</u>	<u>\$0.05</u>	<u>\$0.47</u>	<u>N/A</u>	<u>N/A</u>
Market Maker <sup>(8)</sup>	\$0.10	\$0.44	\$0.20	\$0.05	\$0.47	N/A	N/A
Non-ISE Market Maker (FarMM)	\$0.10	\$0.45	\$0.20	\$0.05	\$0.47	(\$0.35)	(\$0.15)
Firm Proprietary / Broker-Dealer	\$0.10	\$0.45	\$0.20	\$0.05	\$0.47	(\$0.35)	(\$0.15)
Professional Customer	\$0.10	\$0.45	\$0.20	\$0.05	\$0.47	(\$0.35)	(\$0.15)
Priority Customer	\$0.00	\$0.30 <sup>(7)</sup>	\$0.00	\$0.00	\$0.47	(\$0.35)	(\$0.15)

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5. A Market Maker Plus is a Market Maker who is on the National Best Bid or National Best Offer [at least 80%] a specified percentage of the time for series trading between \$0.03 and \$3.00 (for options whose underlying stock's previous trading day's last sale price was less than or equal to \$100) and between \$0.10 and \$3.00 (for options whose underlying stock's previous trading day's last sale price was greater than \$100) in premium in each of the front two expiration months. The specified percentage is at least 80% but lower than 85% of the time for Tier 1, at least 85% but lower than 95% of the time for Tier 2, and at least 95% of the time for Tier 3. A Market Maker's single best and single worst quoting days each month based on the front two expiration months, on a per symbol basis, will be excluded in calculating whether a Market Maker qualifies for this rebate, if doing so will qualify a Market Maker for the rebate.

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11. [This rebate is \$0.22 for Market Maker Plus with a total affiliated Priority Customer ADV that equals or exceeds 200,000 contracts. See footnote 9 above.] Reserved.

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