# **GIBSON DUNN**

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## September 27, 2011

#### VIA FACSIMILE AND OVERNIGHT MAIL

Ms. Elizabeth M. Murphy Secretary Securities and Exchange Commission 100 F Street, N.E. Washington, D.C. 20549-1090

RECEIVED
SEP 28 2011
OFFICE OF THE SECRETARY

Re: Notice of Intention to Petition for Review of Order Disapproving NASDAQ's "Platform Pricing" Proposal, Release No. 34-65362, File No. SR-NASDAQ-2011-10

Dear Ms. Murphy:

As counsel for The NASDAQ Stock Market LLC ("NASDAQ"), I submit this letter, pursuant to Rule 430(b)(1) of the Securities and Exchange Commission's Rules of Practice, as written notice of NASDAQ's intention to petition for review of the order disapproving NASDAQ's "platform pricing" proposal (Securities Exchange Act Release No. 34-65362, File No. SR-NASDAQ-2011-10). The action disapproving the proposed rule change was made by the Division of Trading and Markets pursuant to delegated authority (17 CFR 200.30-3(a)(12)) on September 20, 2011 (*see* http://www.sec.gov/rules/sro/nasdaq/2011/34-65362.pdf). NASDAQ intends to file separately a petition for review in accordance with SEC Rule 430(b)(2).

Any questions concerning this matter can be directed to me as counsel of record. My contact information appears above.

Very truly yours,

## **CERTIFICATE OF SERVICE**

I, Eugene Scalia, counsel for The NASDAQ Stock Market LLC, hereby certify that on September 27, 2011, I served copies of the attached Notice of Intention to Petition for Review of Order Disapproving NASDAQ's "Platform Pricing" Proposal (Release No. 34-65362, File No. SR-NASDAQ-2011-10) on Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, by way of facsimile telephone number (202) 772-9324, and by sending the original the same day by UPS Overnight Mail to 100 F Street, N.E., Washington, D.C. 20549-1090.

Dated: September 27, 2011

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Thomas M. Johnson, Jr.