

quotations are traded through are Participant Exchanges, unless one or more of the provisions of paragraph (b) above are applicable. In applying this provision:

(1) The Exchange will consider there to have been a Trade-Through if an ATP Holder executes a trade at a price inferior to the NBBO even if the Exchange does not receive a Satisfaction Order from an Aggrieved Party pursuant to subparagraph (a)(1);

(2) The Exchange will not consider there to have been a Trade-Through if an ATP Holder executes a Block Trade at a price inferior to the NBBO if such ATP Holder satisfied all Aggrieved Parties pursuant to subsection (a)(2) following the execution of the Block Trade; and

(3) The Exchange will not consider there to have been a Trade-Through if an ATP Holder executes a trade at a price inferior to the quotation being disseminated by an exchange that is not a Participant Exchange if the ATP Holder made a good faith effort to trade against the superior quotation of the non-Participant Exchange prior to trading through that quotation. A "good faith effort" to reach a non-Participant Exchange's quotation requires that an ATP Holder at least had sent an order that day to the non-Participant Exchange in the class of options in which there is a Trade-Through, at a time at which such non-Participant Exchange was not relieved of its obligation to be firm for its quotations pursuant to Rule 602 under the Exchange Act, and that the non-Participant Exchange neither executed that order nor moved its quotation to a price inferior to the price of the ATP Holder's order within 5 seconds of receipt of that order.

(e) *Declaring Away Markets Unreliable.* When the Exchange determines that quotes from one or more particular markets in one or more options series are not reliable, the Exchange may direct the senior person in charge of the Exchange's Control Room to exclude the unreliable quotes from the determination of the NBBO in the particular options series.

(A) *Determining Unreliability.* The Exchange may determine that quotes in one or more particular options classes in a market are not reliable only under the following circumstances:

(i) A market's quotes in a particular options class are not firm based upon direct communication to the Exchange from the market or the dissemination through OPRA of a message indicating that disseminated quotes are not firm;

(ii) A market has directly communicated to the Exchange or otherwise confirmed that the market is experiencing systems or other problems affecting the reliability of its disseminated quotes; or

(iii) A market has been disconnected from Linkage.

(B) Procedures to Follow. If either of the factors set forth in subsection (A)(i) or (ii) above occurs, then the procedures in (i) - (vi) below must be followed. If the factor set forth in subsection (A)(iii) above occurs, then the procedure in (vii) below must be followed.

(i) First, a Specialist contacts a Trading Official and requests that the away market be declared unreliable.

(ii) Second, the Trading Official contacts the Control Room and requests that the Control Room confirm with the away market that it is unreliable pursuant to subsection (A).

(iii) Third, if the Control Room has confirmed that an away market is unreliable, then the Trading Official will contact the Exchange and request a declaration that the away market is unreliable.

(iv) Fourth, the Exchange reviews and verifies the circumstances and determines whether the away market should be declared unreliable. The Trading Official notifies the Control Room that the away market is unreliable and should be removed from the NBBO calculation.

(v) Fifth, the Floor Surveillance Unit ("FSU") contacts the away market, and notifies the away market that one or more of its quotes have been removed from the NBBO calculation.

(vi) Sixth, the Exchange will continue to monitor the away market that has been declared unreliable and notify the Control Room to return to firm mode when appropriate.

(vii) Seventh, the senior person in charge of the Control Room will direct that the unavailable away market be declared unreliable and removed from the NBBO calculation until the sooner of the end of the trading day, or at the time that the quotes are confirmed by the Exchange to be reliable again.

(C) Documentation Required. The following documentation is required when an away market is declared unreliable. If either of the factors set forth in subsection (A)(i) or (ii) above occurs, then the procedures in (i) - (iv) below must be followed. If the factor set forth in subsection (A)(iii) above occurs, then the procedure in (v) below must be followed.

(i) The Trading Official must log the issue(s) and time of the Specialist's request for a declaration that the away market was unreliable. This provision does not apply if an away market is declared unreliable because a market has been disconnected from Linkage.

(ii) The Trading Official must prepare an Unusual Activity Report ("UAR") documenting the facts giving rise to the Specialist's request, the date, time, and duration of the exclusion and the reasons for placing the away market back into the NBBO calculation. This provision does not apply if an away market is declared unreliable because a market has been disconnected from Linkage.

(iii) An Exchange officer or member of the Floor Surveillance Unit must sign the UAR.

(iv) The Control Room will maintain a log of the time the away market was taken out of the NBBO calculation and the time that the away market was placed back into the NBBO calculation.

(v) When an away market is declared unreliable because it has been disconnected from Linkage, the Control Room will document a UAR and the UAR must be signed by a Trading Official.

(D) Duration of the Declaration. Any determination to exclude a market or any of its quotes from the determination of the NBBO pursuant to subsections (A)(i), (ii) or (iii) will expire at the sooner of the end of the trading day, or at the time that the quotes are confirmed by the Exchange to be reliable again. Exclusion of a market or its quotes from the determination of the NBBO will be reported to Exchange ATP Holders.

992NY - Locked and Crossed Markets

(a) Eligible Market Maker Locking or Crossing a Market. An Eligible Market Maker that creates a Locked Market or a Crossed Market will unlock (uncross) that market or will direct a Principal Order through the Linkage to trade against the bid or offer that the Eligible Market Maker locked (crossed).

(b) ATP Holders other than an Eligible Market Maker Locking or Crossing a Market. An ATP Holder other than an Eligible Market Maker that creates a Locked Market or a Crossed Market will unlock (uncross) the market.

(c) The provisions of paragraphs (a) and (b) above do not apply to situations where an ATP Holder or Eligible Market Maker books an order that would lock a market and contemporaneously sends through the Linkage a P/A Order or Principal Order for the full size of the bid or offer that was locked.

993NY - Limitation on Principal Order Access

A Market Maker will not be permitted to send Principal Orders in an Eligible Option Class through the Linkage for a given calendar quarter if the Market Maker effected less than 80 percent of its volume in that Eligible Option Class on the Exchange in the

previous calendar quarter (that is, the Market Maker effected 20 percent or more of its volume by sending Principal Orders through the Linkage). This provision only applies to Market Makers for each Eligible Option Class in which a Market Maker has total contract volume of at least 1000 contracts in the previous calendar quarter. This "80/20" is represented as follows:

X

X+Y

"X" equals the total contract volume the Market Maker effects in an Eligible Option Class against orders of Customers on the Exchange during a calendar quarter (a) including contract volume effected by executing P/A Orders sent to the Exchange through the linkage, but (b) excluding contract volume effected by sending P/A Orders through the Linkage for execution on another Participant Exchange. "Y" equals the total contract volume the Market Maker effects in such Eligible Option Class by sending Principal Orders through the Linkage during that calendar quarter.

995NY – Prohibited Conduct

(a) It is conduct inconsistent with just and equitable principles of trade for any ATP Holder or associated person of an ATP Holder to engage, directly or indirectly, in any conduct that threatens, harasses, intimidates, constitutes a "refusal to deal" or retaliates against any ATP Holder or associated person of an ATP Holder because such ATP Holder or associated person of an ATP Holder:

- (1) has made a proposal to any exchange or other market to list or trade any option issue;
- (2) has advocated or made proposals concerning the listing or trading of an option issue on any exchange or other market;
- (3) has commenced making a market in or trading any option issue on any exchange or other market;
- (4) seeks to increase the capacity of any options exchange or the options industry to disseminate quote or trade data;
- (5) seeks to introduce new option products or;
- (6) seeks to act competitively.

(b) Limit Orders- ATP Holders shall not enter Customer orders into the NYSE Amex system, as agent, limit orders in the same option series, for the account or accounts of the same or related beneficial owner, in such a manner that the Customer or beneficial owner(s) effectively is operating as a market maker by holding itself out as willing to buy

and sell such option contract on a regular or continuous basis. In determining whether a Customer or beneficial owner effectively is operating as a market maker, the Exchange will consider, among other things, the simultaneous or near-simultaneous entry of limit orders to buy and sell the same option contract; or, the multiple acquisition and liquidation of positions in the same option series during the same day.

(c) Anticipatory Hedging and Front Running - It will be considered conduct inconsistent with just and equitable principles of trade for any ATP Holder or person associated with an ATP Holder, who has knowledge of all material terms and conditions of an originating order, a solicited order, or a facilitation order, the execution of which are imminent, to enter, based on such knowledge, an order to buy or sell an option on the underlying securities of any option that is the subject of the order, or an order to buy or sell the security underlying any option that is the subject of the order, or any order to buy or sell any related instrument until either:

(1) All the terms and conditions of the originating order and any changes in the terms or conditions of the order of which the ATP Holder or person associated with the ATP Holder has knowledge are disclosed to the trading crowd, or

(2) The trade can no longer reasonably be considered imminent in view of the passage of time since the order was received.

For the purposes of this rule, an order to buy or sell a "related instrument" means, in reference to an index option, an order to buy or sell securities comprising 10% or more of the component securities in the index or an order to buy or sell a futures contract on an economically equivalent index.

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Rule 476A. Imposition of Fines for Minor Violation(s) of Rules

(a) – (e) No Change

••• *Supplementary Material:* -----

Part 1A: List of Exchange Rule Violations and Fines Applicable Thereto

No Change

Part 1B: List of Exchange Legacy Rule Violations and Fines Applicable Thereto

No Change

Part 1C List of Options Rule Violations and Fines Applicable Thereto

The violations and fines listed in Part 1C shall apply on and after February 9, 2009 with the implementation of the NYSE Amex System and the relocation of the Trading Floor to 11 Wall Street, New York, New York.

(i) Minor Rule Plan: Options Floor Decorum and Minor Trading Rule Violations¹

(1) Floor Broker failed to use due diligence in the handling or execution of an order. (Rule 933NY)

(2) Failure to comply with the order format and system entry requirements of Rule 955NY or proper documentation of time stamps (Rule 955NY)

(3) Floor Broker improperly executed a cross transaction. (Rule 934NY-934.3NY)

(4) Market Maker or Floor Broker violated procedures concerning the Market Maker's use of a Floor Broker to effect transactions. (Rule 936NY and 925.3NY)

(5) Market Maker failed to respond to a call for Market Makers by a Trading Official. (Rule 940NY)

(6) Market Maker failed to respond to demands for bids and/or offers. (Rule 925NY)

(7) ATP Holder failed to give up the name of the clearing member by open outcry when requesting a quote and size of the market or after effecting a trade. (Rule 954NY)

(8) ATP Holder failed to remain accessible for a specified amount of time after trade processing. (NYSE Alternext US LLC Rule 964)

(9) ATP Holder failed to honor a guaranteed market. (Rules 927NY and 970NY)

(10) ATP Holder failed to identify broker-dealer order. (Rules 954NY(c) and 970NY)

(11) Improper communication on the floor. (Rule 902NY, Commentary .02,)

(12) ATP Holder established or maintained a telephonic or electronic communication between the Floor and another location, or between

locations on the Floor, without the prior approval of the Exchange (Rule 220).

(13) Improper vocalization of a trade. (Rules 959NY and 961NY)

(14) Violation of rules related to floor decorum. (Rule 902NY)

(15) Disruptive action involving physical contact while on the Trading Floor. (Rule 902NY)

(16) ATP Holder used abusive language on the Trading Floor. (Rule 902NY)

(17) Position Limit or Exercise Limit Violation. (Rule 904, 904C, 905, 905C, 1107, 1108)

(18) Failure to meet 75% Primary Appointment Requirement. (Rule 923NY)

(19) Failure to comply with Authorized Trader rules. (Rule 921.1NY).

(20) Violation of rules on visitors to the Options Floor. (Rule 902NY)

(21) Misuse of ATP Holder badge or identification. (Rule 902NY)

(22) Violation of rules pertaining to Exercise of Option Contracts (Rule 980 and 980C)

(23) Failure to satisfy the Order Exposure Requirements set forth in Rule 935NY and its Commentary.

(24) Failure to unlock or uncross a market as required by Rule 992NY.

(25) Abusing Exchange Property. (Rule 902NY)

(26) Market Maker failed to apply for an Appointment in one or more option classes. (Rule 923NY)

(27) Failure to comply with the reporting duties of Rule 957NY

(28) Failure by a Specialist or Market Maker to comply with the Quotation Requirements of Rule 925NY or 964.1NY.

(29) ATP Holder failed to honor the priority of bids and offers. (Rule 963NY)

(30) Market Maker failed to quote markets within the maximum quote spread differentials or failed to disseminate quotes accurately. (Rules 925NY and 927NY)

(31) ATP Holder traded either before the opening or after the close of market. (Rule 901NY)

(32) ATP Holder failed to maintain an accurate record of orders. (Rule 956NY)

(33) Failure to maintain adequate procedures and controls to monitor and supervise the entry of electronic orders by Users to prevent the prohibited practices set forth in Rule 995NY.

(34) Failure to adhere to the principles of good business practice in the conduct of business affairs, as required by Rule 16.

(35) ATP Holder failed to follow the provisions of the Options Linkage program relating to Principal Acting as Agent Orders and Principal Orders (Rule 990NY(a), (b), (c)(1), (d) and (e)) or limitations on Principal Order Access (80/20) (Rule 993NY).

(36) Removal of handheld wireless trading device from the Options Trading Floor or have possession of an NYSE Floor Broker Hand Held Terminal while on the Options Trading Floor. (Rule 902NY(g) and (h)).

(ii) Minor Rule Plan: Record Keeping and Other Minor Rule Violations

(1) Failure to submit trade data to the Exchange in a timely manner. (Section 9A)

(2) Failure to furnish in a timely manner books, records or other requested information or testimony in connection with an examination of financial responsibility and/or operational conditions. (Rule 31)

(3) Failure to notify the Exchange of any change of address where notices may be served. (Rule 311)

(4) Failure to file a financial report or financial information in the type, form, manner and time prescribed by the Exchange (Rule 441). Failure to comply with the notification requirements of (Rule 440)

(5) Delaying, impeding or failing to cooperate in an Exchange investigation. (Rule Section 9A)

(6) Failure to comply with the requirements for preventing the Misuse of Material Nonpublic Information as set forth in Rule 3(j) and 3(l).

(7) Failure to comply with the Supervision requirements set forth in Rule 320, including but not limited to, an ATP Holder's failure to:

(a) supervise persons associated with it to assure their compliance with the federal securities laws and the Constitution and Rules of the Exchange (Rule 320(e)); or

(b) establish and maintain a system to supervise the activities of its associated persons and the operations of its business that is reasonably designed to ensure compliance with applicable federal securities laws and regulations and NYSE Arca Rules (Rule 320(e)); or

(c) establish, maintain, and enforce written procedures to supervise the business in which it engages and the activities of its associated persons that are reasonably designed to achieve compliance with applicable federal securities laws and regulations and with the NYSE Amex Rules (Rule 320(e)).

(8) (a) Failure to exercise due diligence as to accounts as required by Section 7.

(b) Failure to diligently supervise all accounts and licensed personnel as required by Section 7.

(c) Failure to keep current and preserve records concerning all Customer accounts as required by Section 7.

(9) Failure to comply with the books and records requirements of Rule 324.

(10) Failure to comply with the Employee Registration or other requirements of Rule 341.

(11) Failure to satisfy the anti-money laundering compliance program requirements set forth in Rule 432.

(iii) Minor Rule Plan: Recommended Fine Schedule

The following fine schedule sets forth the amount of the fine(s) to be imposed. Except as noted below, the amount of the fine(s) shall be imposed at the First Level pursuant to the chart below. If another Minor Rule Plan Fine has been issued to the same ATP Holder, or associated person for the same or similar

conduct violating the same rule (regardless of when paid) within 24 months from the date of occurrence of the violation(s) set forth in the current Notice of Minor Rule Plan Fine, then the fine(s) shall be imposed at the Second Level. If two or more separate Notices of Minor Rule Plan Fine have previously been issued to the same ATP Holder or associated person for the same or similar conduct violating the same rule within 24 months from the date of occurrence of the violation(s) set forth in the current Notice of Minor Rule Plan Fine, then the fine(s) shall be imposed at the Third Level.

These fines are intended to apply to minor violations. For more serious violations, other disciplinary action may be sought.

<u>(i) Options Floor Decorum and Minor Trading Rule Violations</u>	<u>Fine Levels</u>		
	<u>1st Level</u>	<u>2nd Level</u>	<u>3rd Level</u>
<u>1. Floor Broker failed to use due diligence in the handling or execution of an order. (Rule 933NY)</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$3,500.00</u>
<u>2. Failure to comply with the order format and system entry requirements of Rule 955NY or proper documentation of time stamps (Rule 955NY)</u>	<u>\$1,500.00</u>	<u>\$3,000.00</u>	<u>\$5,000.00</u>
<u>3. Floor Broker improperly executed a cross transaction. (Rule 934NY-934.3NY)</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$3,500.00</u>
<u>4. Market Maker or Floor Broker violated procedures concerning the Market Maker's use of a Floor Broker to effect transactions. (Rule 936NY and 925.3NY)</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$3,500.00</u>
<u>5. Market Maker failed to respond to a call for Market Makers by a Trading Official. (Rule 940NY)</u>	<u>\$2,000.00</u>	<u>\$2,500.00</u>	<u>\$3,500.00</u>
<u>6. Market Maker failed to respond to demands for bids and/or offers. (Rule 925NY)</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$3,500.00</u>
<u>7. ATP Holder failed to give up the name of the clearing member by open outcry when requesting a quote and size of the market or after effecting a trade. (Rule 954NY)</u>	<u>\$500.00</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>
<u>8. ATP Holder failed to remain</u>	<u>\$500.00</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>

	<u>accessible for a specified amount of time after trade processing. (Rule 964)</u>			
9.	<u>ATP Holder failed to honor a guaranteed market. (Rules 927NY and 970NY)</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$3,500.00</u>
10.	<u>ATP Holder failed to identify broker-dealer order. (Rules 954NY(c) and 970NY)</u>	<u>\$500.00</u>	<u>\$1,500.00</u>	<u>\$3,000.00</u>
11.	<u>Improper communication on the floor. (Rule 902NY, Commentary .02)</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$3,500.00</u>
12.	<u>ATP Holder or ATP Firm established or maintained a telephonic or electronic communication between the Floor and another location, or between locations on the Floor, without the prior approval of the Exchange (Rule 220)</u>	<u>\$500.00</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>
13.	<u>Improper vocalization of a trade. (Rule 959NY and 961NY)</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$3,500.00</u>
14.	<u>Violation of rules related to floor decorum (Rules 902NY)</u>	<u>\$1,000.00</u>	<u>\$2,000.00</u>	<u>\$3,500.00</u>
15.	<u>Disruptive action involving physical contact while on the Trading Floor. (Rule 902NY)</u>	<u>\$2,000.00</u>	<u>\$4,000.00</u>	<u>\$5,000.00</u>
16.	<u>ATP Holder used abusive language on the Trading Floor. (Rule 902NY)</u>	<u>\$500.00</u>	<u>\$2,000.00</u>	<u>\$3,500.00</u>
17.	<u>Position Limit or Exercise Limit violation. (Rule 904, 904C, 905, 905C, 1107, 1108)</u>	<u>\$500.00</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>

Fine Levels

	<u>1st</u>	<u>2nd</u>	<u>3rd</u>	
	<u>Level</u>	<u>Level</u>	<u>Level</u>	
18.	<u>Failure to meet 75% Primary Appointment Requirement. (Rule 923NY)</u>	<u>\$1000.00</u>	<u>\$2500.00</u>	<u>\$3,500.00</u>
19.	<u>Failure to comply with Authorized Trader rules. (Rules 921.1NY)</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$3,500.00</u>

20.	<u>Violation of rules on visitors to the Options Floor. (Rule 902NY)</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$3,500.00</u>
21.	<u>Misuse of ATP Holder badge identification. (Rule 902NY)</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$3,500.00</u>
22.	<u>Violation of rules pertaining to Exercise of Options Contracts (Rule 980, 980C)</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$5,000.00</u>
23.	<u>Failure to satisfy the Order Exposure Requirements set forth in Rule 935NY and its Commentary.</u>	<u>\$500.00</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>

¹ Quantifiable monetary gains attributable to these violations may be required to be disgorged in addition to the specified fine amounts.

24.	<u>Failure to unlock or uncross a market (Rule 992NY)</u>	<u>\$500.00</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>
25.	<u>Abusing Exchange Property (plus repair or replacement costs). (Rule 902NY)</u>	<u>\$1,000.00</u>	<u>\$2,000.00</u>	<u>\$3,500.00</u>
26.	<u>Market Maker failed to apply for an Appointment in one or more option classes. (Rule 923NY)</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$5,000.00</u>
27.	<u>Failure to comply with the reporting duties of Rule 957NY.</u>	<u>\$1,500.00</u>	<u>\$3,000.00</u>	<u>\$5,000.00</u>
28.	<u>Failure by a Specialist or Market Maker to comply with the Quotation Requirements of Rule 925NY or 964.1NY.</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$5,000.00</u>
29.	<u>ATP Holder failed to honor the priority of bids and offers. (Rule 963NY)</u>	<u>\$500.00</u>	<u>\$1,000.00</u>	<u>\$2,000.00</u>
30.	<u>Market Maker failed to quote markets within the maximum quote spread differentials or failed to disseminate quotes accurately. (Rules 925NY and 927NY)</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$5,000.00</u>
31.	<u>ATP Holder traded either before the opening of market or after the close of market. (Rule 901NY)</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$3,500.00</u>
32.	<u>ATP Holder failed to maintain accurate record of orders. (Rule 956NY)</u>	<u>\$500.00</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>
33.	<u>Failure to maintain adequate</u>	<u>\$500.00</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>

procedures and controls to monitor and supervise the entry of electronic orders by Users to prevent the prohibited practices set forth in Rule 995NY

34. <u>Bad Business Practice (Rule 16).</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$3,500.00</u>
35. <u>ATP Holder failed to follow the provisions of the Options Linkage program relating to Principal Acting as Agent Orders and Principal Orders (Rule 990NY or limitations on Principal Order Access (80/20) (Rule 993NY).</u>	<u>\$500.00</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>
36. <u>Removal of handheld wireless trading device from the Options Trading Floor or have possession of an NYSE Floor Broker Hand Held Terminal while on the Options Trading Floor. (Rule 902NY (g) and (h)).</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$3,500.00</u>

<u>(ii) Record Keeping and Other Minor Rule Violations</u>	<u>Fine Levels</u>		
	<u>1st Level</u>	<u>2nd Level</u>	<u>3rd Level</u>
1. <u>Failure to submit trade data to the Exchange in a timely manner (Section 9A)</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$3,500.00</u>
2. <u>Failure to furnish in a timely manner books, records or other requested information or testimony in connection with an examination of financial responsibility and/or operational conditions. (Rule 31)</u>	<u>\$2,000.00</u>	<u>\$4,000.00</u>	<u>\$5,000.00</u>
3. <u>Failure to comply with the notification requirements of Rule 311).</u>	<u>\$500.00</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>
4. <u>Failure to file a financial report or financial information in the type, form, manner and time prescribed by the Exchange. Failure to follow the notification requirements (Rule 440, 441)</u>	<u>\$2,000.00</u>	<u>\$4,000.00</u>	<u>\$5,000.00</u>
5. <u>Delaying, impeding or failing to</u>	<u>\$3,500.00</u>	<u>\$4,000.00</u>	<u>\$5,000.00</u>

	<u>cooperate in an Exchange investigation. (Section 9A)</u>			
6.	<u>Failure to comply with the requirements for preventing the Misuse of Material Nonpublic Information as set forth in Rule 3(j) and 3(l).</u>	<u>\$2,000.00</u>	<u>\$4,000.00</u>	<u>\$5,000.00</u>
7.	<u>Failure to comply with the Supervision requirements set forth in Rule 320(e).²</u>	<u>\$3,500.00</u>	<u>\$4,000.00</u>	<u>\$5,000.00</u>
8a.	<u>Failure to exercise due diligence as to accounts as required by Section 7.²</u>	<u>\$3,500.00</u>	<u>\$4,000.00</u>	<u>\$5,000.00</u>
8b.	<u>Failure to diligently supervise all accounts and licensed personnel as required by Section 7.²</u>	<u>\$3,500.00</u>	<u>\$4,000.00</u>	<u>\$5,000.00</u>
8c.	<u>Failure to keep current and preserve records concerning all Customer accounts as required by Section 7.</u>	<u>\$2,000.00</u>	<u>\$4,000.00</u>	<u>\$5,000.00</u>
9.	<u>Failure to comply with the books and records requirements of Rule 324.</u>	<u>\$2,000.00</u>	<u>\$4,000.00</u>	<u>\$5,000.00</u>
10.	<u>Failure to comply with the Employee Registration or other requirements of Rule 341.³</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$3,500.00</u>
11.	<u>Anti-Money Laundering Compliance Program Violations (Rule 432)²</u>	<u>\$2,000.00</u>	<u>\$4,000.00</u>	<u>\$5,000.00</u>

² In addition to the specified fines, the Exchange may require the violator to make specified changes to its supervisory or other compliance procedures.

³ In addition to the specified fines, the Exchange may require the violator to remit all fees that it should have paid to the Exchange pursuant to compliance with Rule 341.

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