Exhibit 5

Additions underscored
Deletions in [brackets]

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**Rule 72 - NYSE Amex Equities. Priority of Bids and Offers and Allocation of Executions**

The provisions of this rule shall be in effect during a Pilot set to end on September [March] 30, 2010.

**Priority of First Bid or Offer**

(a) As used in this rule, the term "displayable" shall mean that portion of non-marketable interest that would be published as, or as part of, the Exchange BBO. The term "displayed interest" includes that part of an order that is published as, or as part of, the Exchange BBO.

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**Rule 104- NYSE Amex Equities. Dealings and Responsibilities of DMMs**

The provisions of this rule shall be in effect during a Pilot Set to end on September [March] 30, 2010.

This version of Rule 104 - NYSE Amex Equities is operative no later than five weeks after the approval by the Securities and Exchange Commission of SR-NYSE-2008-46

(a) DMMs registered in one or more securities traded on the Exchange must engage in a course of dealings for their own account to assist in the maintenance of a fair and orderly market insofar as reasonably practicable. The responsibilities and duties of a DMM specifically include, but are not limited to, the following:

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**NYSE Direct+® (Rules 1000 - NYSE Amex Equities—1004 - NYSE Amex Equities)**

**Rule 1000 - NYSE Amex Equities. Automatic Execution of Limit Orders Against Orders Reflected in Exchange Published Quotation**

The provisions of this rule relating to the Capital Commitment Schedule shall be in effect during a Pilot scheduled to end on September [March] 30, 2010.

Maximum Order Size for Automatic Executions

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