

Exhibit 5

New text is underlined; deleted text is in brackets.

NASDAQ OMX PHLX Rules

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Options Rules

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Rule 1001. Position Limits

Except with the prior written approval of the Exchange in each instance, no member or member organization shall effect, for any account in which such member or member organization has an interest or for the account of any partner, officer, director or employee thereof or for the account of any customer, an opening transaction (whether on the Exchange or on another participating exchange) in an option contract of any class of options dealt in on the Exchange if the member or member organization has reason to believe that, as a result of such transaction, the member or member organization or partner, officer, director or employee thereof or customer would, acting alone or in concert with others, directly or indirectly control an aggregate position: (a) of more than 25,000, 50,000, 75,000, 200,000 or 250,000 option contracts (whether long or short), put or call option contracts on the same side of the market relating to the same underlying security, which limit is determined in accordance with commentary .05(a), in the case of options on a stock or Exchange-Traded Fund Share, (except with respect to put or call option contracts overlying the PowerShares QQQ Trust (“QQQQ”)[®] for which the position limit shall be 900,000 contracts on the same side of the market; [the Standard and Poor's Depository Receipts (“SPDRs”), for which the position limit shall be 900,000 contracts on the same side of the market;] options overlying the iShares[®] Russell 2000[®] Index (“IWM”), for which the position limit shall be 500,000 contracts; [and] options overlying the Diamonds Trust (“DIA”), for which the position limit shall be 300,000 contracts on the same side of the market; and options overlying the Standard and Poor's Depository Receipts (“SPDRs”), which shall have no position limits) or (b) with respect to a stock or Exchange-Traded Fund Share option not dealt in on the Exchange, exceeding the applicable position limit established by the exchange on which the option contract is transacted, when the member or member organization is not a member of that other exchange, or such other number of option contracts as may be fixed from time to time by the Exchange as the position limit for one or more classes or series. Position limits for foreign currency options shall be determined in accordance with Commentary .05(c).

Position Limits for options on SPDRs are subject to a pilot program through [fourteen (14) months from Approval].

••• *Commentary:* -----

.01 - .10 No Change

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