

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

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**Qualifying Tier Thresholds**

**Table 4**

<b>Tier</b>	<b>Total Affiliated Priority Customer ADV</b>
Tier 1	0-19,999
Tier 2	20,000-39,999
Tier 3	40,000-59,999
Tier 4	60,000-79,999
Tier 5	80,000+

- Any day that the market is not open for the entire trading day or the Exchange instructs Members in writing to route their orders to other markets may be excluded from the ADV calculation; provided that the Exchange will only remove the day for members that would have a lower ADV with the day included.
- The highest tier threshold attained applies retroactively in a given month to all eligible traded contracts and applies to all eligible market participants.
- The Total Affiliated Priority Customer ADV category includes all Priority Customer volume executed on the Exchange in all symbols and order types, including volume executed in the PIM, Facilitation, and QCC mechanisms.
- All eligible volume from affiliated Members will be aggregated in determining applicable tiers, provided there is at least 75% common ownership between the Members as reflected on the Member’s Form BD, Schedule A.
- 100% of eligible traded volume preferenced to a market maker pursuant to Supplementary Material .03 to Rule 713 will count towards the member’s volume tier. Market Makers not preferenced on an order will receive credit for the volume the non-preferenced market maker executes.

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