

SECURITIES AND EXCHANGE COMMISSION
(Release No. 34-97131; File No. SR-MEMX-2023-02)

March 13, 2023

Self-Regulatory Organizations; MEMX LLC; Notice of Withdrawal of a Proposed Rule Change to Amend the Exchange's Fee Schedule to Adopt Market Data Fees

On January 17, 2023, MEMX LLC ("MEMX") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² a proposed rule change to amend its Fee Schedule to adopt fees for its market data products. The proposed rule change was immediately effective upon filing with the Commission pursuant to Section 19(b)(3)(A) of the Act.³ The proposed rule change was published for comment in the Federal Register on February 3, 2023.⁴ On February 28, 2023, MEMX withdrew the proposed rule change (SR-MEMX-2023-02).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁵

Sherry R. Haywood

Assistant Secretary

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A). A proposed rule change may take effect upon filing with the Commission if it is designated by the exchange as "establishing or changing a due, fee, or other charge imposed by the self-regulatory organization on any person, whether or not the person is a member of the self-regulatory organization." 15 U.S.C. 78s(b)(3)(A)(ii).

⁴ See Securities Exchange Act Release No. 96775 (January 30, 2023), 88 FR 7487.

⁵ 17 CFR 200.30-3(a)(12).