# **EXHIBIT 5**

#### MIAX PEARL, LLC

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**Rule 100. Definitions** 

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## Short Term Option Series

The term **"Short Term Option Series"** is a series in an option class that is approved for listing and trading on the Exchange in which the series is opened for trading <u>on any Monday, Tuesday, Wednesday,</u> Thursday or Friday that is a business day and that expires on the Monday, Wednesday or Friday of the next business week, or, in the case of a series that is listed on a Friday and expires on a Monday, is listed one business week and one business day prior to that expiration. If a Tuesday, Wednesday, Thursday or Friday is not a business day, the series may be opened (or shall expire) on the first business day immediately prior to that Tuesday, Wednesday, Thursday or Friday, respectively. For a series listed pursuant to this section for Monday expiration, if a Monday is not a business day, the series shall expire on the first business day immediately following that Monday. [pursuant to the Short Term Option Series Program provisions of Rule 404, Interpretations and Policies .02.]

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### **Rule 404. Series of Option Contracts Open for Trading**

(a) - (g) No Change.

#### **Interpretations and Policies:**

.01 No change.

.02 **Short Term Option Series Program.** After an option class has been approved for listing and trading on the Exchange, the Exchange may open for trading on any Thursday or Friday that is a business day ("Short Term Option Opening Date") series of options on that class that expire at the close of business on each of the next five Fridays that are business days and are not Fridays in which monthly options series or Quarterly Options Series expire ("Short Term Option Expiration Dates"). The Exchange may have no more than a total of five Short Term Option Expiration Dates. <u>Monday and</u> Wednesday SPY Expirations (described in the paragraph below) are not included as part of this count. If the Exchange is not open for business on the respective Thursday or Friday, the Short Term Option Opening Date will be the first business day immediately prior to that respective Thursday or Friday. Similarly, if the Exchange is not open for business day immediately prior to that Friday.

[Wednesday SPY Expirations]

With respect to Wednesday SPY Expirations, [T] the Exchange may open for trading on any Tuesday or Wednesday that is a business day [("Wednesday SPY Expiration Opening Date")] series of options on the SPDR S&P 500 ETF Trust ("SPY") to expire on any Wednesday of the month that is a business day and is not a Wednesday in which Ouarterly Options Series expire [that expire at the close of business on each of the next five Wednesdays that are business days and are not Wednesdays on which Quarterly Options Series expire]("Wednesday SPY Expirations"). With respect to Monday SPY Expirations, the Exchange may open for trading on any Friday or Monday that is a business day series of options on SPY to expire on any Monday of the month that is a business day and is not a Monday in which Quarterly Options Series expire ("Monday SPY Expirations"), provided that Monday SPY Expirations that are listed on Friday must be listed at least one business week and one business day prior to the expiration. The Exchange may list up to five consecutive Wednesday SPY Expirations and five consecutive Monday SPY Expirations at one time; [T]the Exchange may have no more than a total of five Wednesday SPY Expirations and a total of five Monday SPY Expirations. [Non-Wednesday SPY Expirations (described in the paragraph above) are not included as part of this count. If the Exchange is not open for business on the respective Tuesday or Wednesday, the Wednesday SPY Expiration Opening Date will be the first business day immediately prior to that respective Tuesday or Wednesday. Similarly, if the Exchange is not open for business on a Wednesday, the expiration date for a Wednesday SPY Expiration will be the first business day immediately prior to that Wednesday. References to "Short Term Option Series" below shall be read to include "Wednesday SPY Expirations," except where indicated otherwise.] Monday and Wednesday SPY Expirations will be subject to the provisions of this Rule.

Regarding Short Term Option Series:

- (a) Classes. The Exchange may select up to fifty (50) currently listed option classes in which Short Term Option Series may be opened on any Short Term Option Opening Date. In addition to the 50 option class restriction, the Exchange may also list Short Term Option Series on any option classes that are selected by other securities exchanges that employ a similar Pilot Program under their respective rules. For each option class eligible for participation in the Short Term Option Series Pilot Program, the Exchange may open up to thirty (30) Short Term Option Series for each expiration date in that class.
- (b) Expiration. No Short Term Option Series (excluding <u>Monday and</u> Wednesday SPY Expirations) may expire in the same week in which monthly option series on the same class expires.[, and, i]In the case of Quarterly Options Series, no Short Term Option Series may expire on the same day as [an expiration that coincides with] an expiration of Quarterly Options Series in the same class.
- (c) (e) No Change.
- .03 .10 No Change.

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