

Exhibit 5

New text is underlined; deleted text is in brackets.

NASDAQ OMX PHLX Rules

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Rule 1047. Trading Rotations, Halts and Suspensions

(a) No change.

(b) Trading on the Exchange in any class of option contracts shall be halted or suspended whenever an Options Exchange Official deems such action appropriate in the interests of a fair and orderly market and to protect investors. Among the factors that may be considered are that:

(i) trading in the underlying stock or Exchange-Traded Fund Share has been halted or suspended in the primary market;

(ii) the opening of such underlying stock or Exchange-Traded Fund Share in the primary market has been delayed because of unusual circumstances;

(iii) the Exchange has been advised that the issuer of the underlying stock or Exchange-Traded Fund Share is about to make an important announcement affecting such issuer; [or]

(iv) a Trading System (for purposes of this Rule, "Trading System" is defined as Phlx XL II, or any other Exchange quotation, transaction reporting, execution, order routing or other systems for trading options) technical failure or failures including, but not limited to, the failure of a part of the central processing system, a number of member or member organization trading applications, or the electrical power supply to the system itself or any related system; or;

([i]v) other unusual conditions or circumstances are present. Trading in a class of options that has been the subject of a halt or suspension may be resumed upon a determination by an Options Exchange Official that the conditions that led to the halt or suspension are no longer present and that the interest of a fair and orderly market are best served by a resumption of trading.

(c) – (g) No change.

••• **Commentary** :-----

.01 - .03 No change.

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Rule 1047A. Trading Rotations, Halts or Reopenings

(a) – (b) No change.

(c) **Halts:** Trading on the Exchange in any option may be halted with the approval of an Options Exchange Official, whenever trading on the primary market in any underlying security is halted or suspended. Trading shall be halted whenever an Options Exchange Official deems such action appropriate in the interests of a fair and orderly market and to protect investors. Among the factors that may be considered are the following:

(i) trading has been halted or suspended in the market that is the primary market for a plurality of the underlying stocks;

(ii) the current calculation of the index derived from the current market prices of the stocks is not available;

(iii) a Trading System (for purposes of this Rule, “Trading System” is defined as Phlx XL II, or any other Exchange quotation, transaction reporting, execution, order routing or other systems for trading options) technical failure or failures including, but not limited to, the failure of a part of the central processing system, a number of member or member organization trading applications, or the electrical power supply to the system itself or any related system; or;

(iv) other unusual conditions or circumstances detrimental to the maintenance of a fair and orderly market are present.

([i]v) In the event that trading is halted on the primary market in any underlying security, the specialist may halt trading in the option overlying such index, subject to the approval of an Options Exchange Official within five minutes of the halt in trading in the option.

Trading in options on any Alpha Index may be halted for the same reasons as other index options pursuant to this Rule, and shall be halted when trading is halted in options overlying either of the two index component securities.

(d) – (f) No change.

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