

Exhibit 5A

Additions underlined.
Deletions [bracketed].

[NYSE AMEX OPTIONS FEE SCHEDULE*]

*NYSE Amex Options is the options trading facility of NYSE MKT LLC

Last Updated: December 1, 2014

NYSE AMEX OPTIONS GENERAL OPTIONS and TRADING PERMIT (ATP) FEES**ATP TRADING PARTICIPANT RIGHTS**

Floor Brokers	\$500 per month per ATP (based on the maximum number of ATPs held by an ATP Holder during a calendar month)
Order Flow Providers, Clearing Members	\$1000 per month per ATP (based on the maximum number of ATPs held by an ATP Holder during a calendar month)
NYSE Amex Options Market Makers	<p>1st ATP = \$8,000 per month 2nd ATP = \$6,000 per month 3rd ATP = \$5,000 per month 4th ATP = \$4,000 per month 5th ATP = \$3,000 per month Additional ATPs = \$2,000 per month each</p> <p>The ATP fee is calculated using the maximum number of ATPs held by an ATP Holder during a calendar month.</p> <p>A Floor Market Maker that purchases no more than two ATPs per month may purchase them for \$5,000 each ("Floor Market Maker ATP Fee") if the Floor Market Maker transacts at least 75% of its volume, excluding Qualified Contingent Cross and Strategy Executions, manually, by public outcry.</p> <p>Each ATP conveys the right to a certain number of issues permitted in a Market Maker's electronic appointment as detailed below:</p> <p>1 ATP = 60 issues plus the bottom 45% of issues traded on the Exchange by volume</p>

2 ATPs = 150 issues plus the bottom 45% of issues traded on the Exchange by volume

3 ATPs = 500 issues plus the bottom 45% of issues traded on the Exchange by volume

4 ATPs = 1,100 issues plus the bottom 45% of issues traded on the Exchange by volume

5 ATPs = All issues traded on the Exchange

The bottom 45% of issues traded on the Exchange means the least actively traded issues on the Exchange, ranked by industry volume, as reported by the OCC for each issue during the calendar quarter. Each calendar quarter, with a one-month lag, the Exchange will publish on its website a list of the bottom 45% of issues traded. Any newly listed issues will automatically become part of the bottom 45% until the next evaluation period, at which time they may or may not remain part of the bottom 45% list depending upon their trading volumes and resultant rank among all issues traded on the Exchange.

Reserve Floor Market Maker ATP (“Reserve ATP”)

\$175 per month per Reserve ATP (based on the maximum number of Reserve ATPs held by an ATP Holder during a calendar month)

Floor Access Fee

\$125 per month for all registered floor personnel that do not pay an ATP Fee

Specialist / e-Specialist/ DOMM Rights Fee¹

*This tier only applies to options listed on or after June 1, 2012. Options listed before June 1, 2012 are “grandfathered” and as such subject to a Monthly Base Rate per issue of \$75 if they fall into the 0 to 200 contract volume tier

Average National Daily Customer Contracts Per Issue	Monthly Base Rate Per Issue
0 to 200*	\$250
201 to 2,000	\$75
2,001 to 5,000	\$200
5,001 to 15,000	\$375
15,001 to 100,000	\$750
Over 100,000	\$1,500

Premium Product Issues List - Monthly NYSE Amex Options Market Maker Participation Fee SPY, AAPL, IWM, QQQ, BAC, EEM, GLD, JPM, XLF, VXX	\$1,000 per month per Premium Product traded – including mini-options, capped at \$7,000 per month per NYSE Amex Options Market Maker, except that a Floor Market Maker that qualifies for the Floor Market Maker ATP Fee shall not be required to pay such Participation Fee
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SPECIALIST OPTIONS ISSUE TRANSFER FEE \$100 per issue charged to transferor

fingerprints submitted electronically to FINRA, plus any other charge that may be imposed by the U.S. Department of Justice for processing each set of fingerprints	
Processing and posting to the CRD system each set of fingerprint cards submitted in non-electronic format to FINRA, plus any other charge that may be imposed by the U.S. Department of Justice for processing each set of fingerprints	\$30
Processing and posting to the CRD system each set of fingerprint results and identifying information that have been processed through another self-regulatory organization and submitted to FINRA	\$30
System processing for each registered representative and principal	\$45 annually

NYSE AMEX OPTIONS: TRADE-RELATED CHARGES FOR STANDARD OPTIONS

PARTICIPANT TYPE	PER CONTRACT FEE - ELECTRONIC EXECUTIONS	PER CONTRACT FEE - MANUAL EXECUTIONS
Specialist & e-Specialist ⁵	\$0.13	\$0.13
Specialist & e-Specialist 50,000 or more contracts ADV for each day in the month ⁵	\$0.10	\$0.10
NYSE Amex Options Market Maker - Non Directed ⁵	\$0.20	\$0.20
NYSE Amex Options Market Maker - Non Directed 50,000 or more contracts ADV for each day in the month ⁵	\$0.17	\$0.17
NYSE Amex Options Market Maker - Directed ⁵	\$0.18	N/A
NYSE Amex Options Market Maker - Directed 50,000 or more contracts ADV for each day in the month ⁵	\$0.15	N/A
NYSE Amex Options Directed Market Maker, NYSE Amex Options Non Directed Market Maker, Specialist or eSpecialist – Electronic Complex Order Executions in SPY options only ⁵	\$0.10	N/A
Non NYSE Amex Options Market Maker ¹⁴	\$0.44 Penny / \$0.58 Non Penny	\$0.25
Professional Customer	\$0.44 Penny / \$0.58 Non Penny	\$0.25
Broker Dealer	\$0.44 Penny / \$0.58 Non Penny	\$0.25
Non BD Customer	\$0.00	\$0.00

Firm Proprietary ⁶	\$0.34 Penny / \$0.58 Non Penny	\$0.25
Firm Facilitation ⁶	N/A	\$0.00

NYSE AMEX OPTIONS: TRADE-RELATED CHARGES FOR MINI OPTIONS

	Electronic Executions		Manual Executions		Electronic Complex Order Executions		QCC Executions	
	Fee/ Rebate	Marketing Charge	Fee/ Rebate	Marketing Charge	Fee/ Rebate	Marketing Charge	Fee/ Rebate	Marketing Charge
Customer ¹⁷	\$0.00	N/A	\$0.00	N/A	\$0.00	N/A	\$0.00	N/A
NYSE Amex Options Market Maker ^{9, 10}	\$0.02	\$.02 Penny/ \$.06 Non Penny	\$0.02	N/A	\$0.02	\$.02 Penny/ \$.06 Non Penny	\$0.10	N/A
Firm ⁶	\$0.09	N/A	\$0.09	N/A	\$0.09	N/A	\$0.10	N/A
Non-NYSE Amex Options Market Maker	\$0.09	N/A	\$0.09	N/A	\$0.09	N/A	\$0.10	N/A
Broker Dealer	\$0.09	N/A	\$0.09	N/A	\$0.09	N/A	\$0.10	N/A
Professional Customer	\$0.09	N/A	\$0.09	N/A	\$0.09	N/A	\$0.10	N/A
NYSE Amex Options Floor Broker ¹⁵	N/A	N/A	N/A	N/A	N/A	N/A	(\$0.02)	N/A

ROUTING SURCHARGE

\$0.11 per contract plus
pass-through fees⁷
(applied to both Mini
and standard option
contracts)

LIMIT OF FEES ON OPTIONS STRATEGY EXECUTIONS	\$750 cap on transaction fees for Strategy Executions involving (a) reversals and conversions, (b) box spreads, (c) short stock interest spreads, (d) merger spreads, and (e) jelly rolls. ⁸ The cap applies to all Strategy Executions executed in standard option contracts on the same trading day in the same option class. Mini option contracts are excluded from the Limit of Fees on Strategy Executions. Transaction fees for Strategy Executions are further capped at \$25,000 per month per initiating firm. All Royalty fees associated with Strategy Executions on Index and Exchange Traded Funds will be passed through to trading participants on the Strategy Executions on a pro-rata basis. These Royalty fees will not be included in the calculation of the \$750 per trade cap or the \$25,000 per month strategy fee cap. Manual Broker Dealer and Firm Proprietary Strategy trades that do not reach the \$750 cap will be billed at \$0.25 per contract. Any qualifying Strategy Execution executed as a Qualified Contingent Cross order will not be eligible for this fee cap.	
MARKETING CHARGE ^{9,10}	\$0.65 per contract side on transactions in non Penny Pilot issues where market makers trade against electronic customer orders.	
	\$0.25 per contract side on transactions in Penny Pilot issues where market makers trade against electronic customer orders.	
ROYALTY FEES ¹¹	MNX, NDX	\$0.22
	Russell 2000 Index (RUT)	\$0.40
	KBW Bank Index (BKX)	\$0.10
	All other premium products, ETFs	\$0.00

NYSE AMEX OPTIONS: QUALIFIED CONTINGENT CROSS (“QCC”) FEES

Fee/Rebate	Rate Per Contract
Customer Order Fee	\$0.00
Non-Customer Order Fee	\$0.20
Order Fee for Specialists and eSpecialists that execute fewer than 50,000 contracts ADV each day in a month ⁵	\$0.13
Order Fee for Specialists and eSpecialists that execute 50,000 or more contracts ADV each day in a month ⁵	\$0.10
Floor Broker Rebate for Executed QCC Orders ¹⁵	
300,000 or fewer contracts	\$0.07
Greater than 300,000 contracts	\$0.10

NYSE AMEX OPTIONS: CUBE AUCTION FEES

	Rate Per Contract Standard Options
CUBE Order Fee Customer – both Penny Pilot and Non-Penny Pilot	\$0.00
CUBE Order Fee Non-Customer – both Penny Pilot and Non-Penny Pilot	\$0.20
Contra Order Fee – both Penny Pilot and Non-Penny Pilot	\$0.05
RFR Response Fee Customer – both Penny Pilot and Non-Penny Pilot	\$0.00
RFR Response Fee Non-Customer – Penny Pilot	\$0.55
RFR Response Fee Non-Customer – Non-Penny Pilot	\$0.90

**NYSE AMEX OPTIONS:
EXCESSIVE
BANDWIDTH UTILIZATION**

ORDER TO TRADE RATIO FEE ¹²	Monthly Order to Execution Ratio	Monthly Charge
	Between 10,000 and 14,999 to 1	\$5,000
	Between 15,000 and 19,999 to 1	\$10,000
	Between 20,000 and 24,999 to 1	\$20,000
	25,000 to 1 and greater	\$35,000

**MESSAGES TO CONTRACTS TRADED
RATIO FEE¹²**

\$0.01 per 1,000 messages in excess of 1.5 billion messages in a calendar month if the ATP Firm does not execute at least 1 contract for every 1,500-5,000 messages entered, as determined by the Exchange. The Exchange shall notify ATP Firms of any change to the number of messages entered to be used to calculate the Fee at least one business day in advance of such change via an Information Memo and such number shall be applicable in the following calendar month and thereafter until changed. ATP Firms acting as NYSE Amex Options Market Makers will receive an additional one million messages per month (beyond the 1.5 billion messages) for each option issue in their Market Maker appointment if they execute in the aggregate across all options issues in their assignment at least 20,000 contracts average daily volume electronically per month as a NYSE Amex Options Market Maker.

NYSE AMEX OPTIONS: FLOOR and EQUIPMENT FEES

FLOOR BROKER HAND HELD \$450 per device per month

FLOOR MARKET MAKER PODIA \$90 per month for each floor market maker

FLOOR BOOTHS \$150 per month per booth

TELEPHONE SERVICE Toll call billed by vendor plus surcharge on Toll calls of:
 Less than \$0.69: \$0.16
 Greater or equal to \$0.69: \$0.26

CELLULAR PHONES \$20 per month plus cost of calling plan of users choice

BOOTH TELEPHONE SYSTEM
 Line charge \$33.33 per phone number per month
 Single line phone jack and data jack \$10.75 per month

WIRE SERVICES Pass-through fees

TURRETS Contracted directly with vendor

MARKET DATA Contracted directly with vendor

TELECOM MOVE/ADD/CHANGE FEE Pass-through fees

PORT FEES:	
ORDER/QUOTE ENTRY PORT*	Ports 1-40: \$450 per port per month Ports 41 and greater: \$150 per port per month

NYSE Amex Options Market Maker Open Outcry Discount	Any NYSE Amex Options Market Maker that executes 50% or more of their Market Maker volume in open outcry shall receive a discount on their monthly port fees of 60%, not to exceed a maximum dollar discount of \$10,000 per month
	Backup datacenter port: no fee unless utilized during the relevant month, in which case, above fees shall apply
* For purpose of calculating the number of order/quote entry ports, the Exchange shall aggregate the ports of affiliates	
DROP COPY PORT	\$500 per port per month (only one fee per drop copy port shall apply, even if receiving drop copies from multiple order/quote entry ports) Backup datacenter port: no fee shall apply if configured such that it is duplicative of another drop copy port of the same user

CO-LOCATION FEES**

** A user that incurs co-location fees for a particular co-location service pursuant to this Fee Schedule shall not be subject to co-location fees for the same co-location service charged pursuant to the NYSE MKT Equities Price List or by the Exchange's affiliates New York Stock Exchange LLC and NYSE Arca, Inc.

Initial Fee per Cabinet	
Dedicated Cabinet	\$5,000
8-Rack Unit of a Partial Cabinet	\$2,500
Monthly Fee per Cabinet	
Dedicated Cabinet	
Number of kW	Per kW Fee Monthly
4 - 8	\$1,200
9 - 20	\$1,050
21 - 40	\$950
41 +	\$900
8-Rack Unit of a Partial Cabinet	
Number of kW	Total Fee Monthly
1	\$1,500
2	\$2,700

Cabinet Upgrade Fee	
Dedicated Cabinet	\$9,200 (\$4,600 for a User that submits a written order for a Cabinet Upgrade by January 31, 2014, provided that the Cabinet Upgrade becomes fully operational by March 31, 2014)
<u>PNU Cabinet</u>	monthly charge of \$360 per kW allocated to PNU Cabinet
<u>Cage Fees</u>	
2 – 14 Cabinets	\$5,000 initial charge plus \$2,700 monthly charge
15 – 28 Cabinets	\$10,000 initial charge plus \$4,100 monthly charge
29+ Cabinets	\$15,000 initial charge plus \$5,500 monthly charge

Type of Service	Description	Amount of Charge
LCN Access	1 GB Circuit	\$6,000 per connection initial charge plus \$5,000 monthly per connection
LCN Access	10 GB Circuit	\$10,000 per connection initial charge plus \$12,000 monthly per connection. A User that purchases 5 10 GB LCN Circuits will receive the 6th 10 GB LCN Circuit without an additional monthly charge
LCN Access	10 GB LX Circuit	\$15,000 per connection initial charge plus \$20,000 monthly per connection.
LCN Access	40 GB Circuit	\$15,000 per connection initial charge plus \$20,000 monthly per connection.
LCN CSP Access	10 GB Circuit	\$10,000 per connection initial charge plus \$5,000 monthly per connection
CSP Subscriber		\$950 per LCN CSP initial charge plus \$300 monthly per LCN CSP
Bundled Network Access, Option 1 (2 LCN connections, 2 SFTI connections, and 2 optic	1 GB Bundle	\$25,000 initial charge plus \$13,000 monthly charge

Type of Service	Description	Amount of Charge
connections to outside access center)	10 GB Bundle	\$50,000 initial charge plus \$47,000 monthly charge
Bundled Network Access, Option 2 (2 LCN Connections, 2 SFTI connections, and 2 optic connections in data center)	10 GB Bundle	\$50,000 initial charge plus \$61,500 monthly charge
Hosting Fee		\$500 monthly charge per Hosted User
Data Center Fiber Cross Connect	Furnish and install 1 cross connect between cabinets within the data center.	\$500 initial charge plus \$500 monthly charge
	Furnish and install bundle of 6 cross connects between cabinets within the data center.	\$500 initial charge plus \$1,500 monthly charge
	Furnish and install bundle of 12 cross connects between cabinets within the data center.	\$500 initial charge plus \$2,500 monthly charge
	Furnish and install bundle of 18 cross connects between cabinets within the data center.	\$500 initial charge plus \$3,200 monthly charge
	Furnish and install bundle of 24 cross connects between cabinets within the data center.	\$500 initial charge plus \$3,900 monthly charge
Expedite Fee	Expedited installation/completion of a User's co-location service	\$4,000 per request
Change Fee	Change to a co-location service that has already been installed/completed for a User	\$950 per request
Initial Install Services (Required per cabinet)	Dedicated Cabinet: Includes initial racking of equipment in cabinet and provision of cables (4 hrs).	\$800 per dedicated cabinet
	Partial Cabinet: Includes initial racking of equipment in cabinet and provision of cables (2 hrs).	\$400 per eight-rack unit in a partial cabinet
Hot Hands Service	Allows Users to use on-site data center personnel to maintain User equipment, support network troubleshooting, rack and stack, power recycling, and install and document cable.	\$100 per half hour

SPECIALIZED REPORT, PRINTING
AND PROCESSING

Development and production costs

NYSE AMEX OPTIONS: SERVICE FEES

Post-Trade Adjustments
that do not affect the
contractual terms of a trade*

\$5.00 per trade adjusted (\$1.00 per trade adjusted for the
period December 1, 2014 through February 28, 2015)**

*The Service Fee would only apply when the Exchange performs Post-Trade Adjustments on behalf of ATP Holders when such Post-Trade Adjustments could otherwise have been self-executed. ATP Holders may continue to make these Post-Trade Adjustments on their own without incurring the Service Fee.

**Only one \$5.00 fee will apply to each trade, even if multiple Post-Trade Adjustments are made in connection with a trade.

NYSE AMEX OPTIONS: TRADE-RELATED REBATES OR SUBSIDIES FOR STANDARD OPTIONS

Market Access and Connectivity (“MAC”) Subsidy – To qualify for the MAC Subsidy, an ATP Holder must notify the Exchange no later than the last business day of the month in which the ATP Holder would like to be eligible for the MAC Subsidy. Notification must be made by emailing the Exchange at optionsbilling@nyx.com and the email must include the name of the ATP Holder seeking the MAC Subsidy as well as a list of unique connections utilized by the ATP Holder to provide access and connectivity to the Exchange for either the ATP Holder or other ATP Holders that are using the ATP Holder’s systems to access the Exchange.

Non-NYSE Amex Options Market Maker, Firm Proprietary, Professional Customer and Broker Dealer Electronic Contract ADV Tiers (excludes mini options and volumes associated with QCC trades and CUBE Auctions)	Per Contract MAC Subsidy – Retroactive To All Qualifying Contract Volumes Upon Achieving A Higher ADV Tier (excludes mini options and volume associated with QCC trades and CUBE Auctions)
At least .45% of Total Industry Customer equity and ETF option ADV	\$0.04
At least .85% of Total Industry Customer equity and ETF option ADV	\$0.06
At least 1.25% of Total Industry Customer equity and ETF ADV	\$0.08

Customer Electronic Complex Order ADV Tiers – Excludes Volume From Customer to Customer Electronic Complex Executions	Rebate Per Contract For Customer Electronic Complex Orders Excluding Customer to Customer Electronic Complex Executions (retroactive to the first contract traded during the month)
35,000 to 49,999	\$0.04
50,000 to 69,999	\$0.06
70,000 to 109,999	\$0.08
110,000 and greater	\$0.10
OFP Electronic ADV Tiers ¹⁷	Rebate Per Contract For Certain Electronic Equity and ETF Option Volume (excludes volume from QCC Orders, Strategy Executions, Complex Orders, CUBE Auctions and orders routed away in connection with the Options Order Protection and Locked/Crossed Market Plan referenced in Rule 991NY)
TIER 1A - Electronic Customer volume of at least 2.0% of Total Industry Customer equity and ETF option ADV – rebate paid on Customer electronic contract volumes in excess of 200,000 ADV only	\$0.06
OR	
TIER 1 B - Electronic volume of at least .45% of Total Industry Customer equity and ETF option ADV where 40% of the electronic volume consists of Non-NYSE Amex Options Market Maker, Firm, Professional Customer and/or Broker Dealer – rebate paid on all Customer electronic contract volumes	\$0.06
CUBE Auction Rebates – Paid to the Initiating Participant on each CUBE Order contract that does not trade with the Contra Order	Per Contract Rebate Standard Options
CUBE Auction Rebate – Penny Pilot	\$0.40
CUBE Auction Rebate – Non-Penny Pilot	\$0.80

NYSE AMEX OPTIONS: GENERAL

BILLING DISPUTES

All fee disputes concerning fees billed by the Exchange must be submitted to the Exchange in writing and must be accompanied by supporting documentation. All fee disputes must be submitted no later than sixty (60) days after receipt of a billing invoice.

¹ Base rate on rights fee will be allocated to Specialists, e-Specialists and DOMM's based on their prorated share of contract volume on the Exchange in each issue. This fee is in addition to the Market Maker Fee and will be billed on a per issue basis to the ATP Firm acting as Specialist, e-Specialist, or Directed Market Maker in the issue. Average National Daily Customer Contracts Per Issue is calculated based on public customer contracts traded using a rolling three month basis with a one month lag. Professional Customer orders will be treated as Customer orders for purposes of this calculation. Where the Specialist, the e-Specialist, or DOMMs transact zero volume in a month, the Exchange splits the Rights Fee equally among the Specialist and e-Specialist, such that each Specialist and e-Specialist participant is liable for 50% of the Rights Fee. In the event that there is only a Specialist or e-Specialist and there are no DOMM volumes, then that sole Specialist or e-Specialist incurs 100% of the Rights Fee applicable to the option issue. In calculating the Rights Fee, each Mini contract traded will count the same as one standard contract that has traded.

² Reserved.

³ Reserved.

⁴ Reserved.

⁵ Specialist, eSpecialist, and Market Maker (both Directed and non-Directed) fees will be aggregated and capped at \$350,000 per month plus an incremental service fee of \$.01 per contract for all Specialist, eSpecialist and Market Maker volume executed in excess of 3,500,000 contracts per month, except for the execution of an Electronic Complex Order, in which case the incremental service fee is \$.10. Any fees or volume associated with a Strategy Trade (reversals and conversions, box spreads, short stock interest spreads, merger spreads, and jelly rolls) and Mini option volumes will not be counted towards either the \$350,000 cap, or the volume threshold of 3,500,000 contracts. Royalty Fees will continue to be charged and do not count toward the \$350,000 fee cap. Specialist, eSpecialist, and Market Maker (both Directed and non-Directed) participants that execute 50,000 or more contracts ADV each day during the month, excluding Mini option volume, will be eligible for the lower per contract rate described in the fee schedule under the section on "NYSE Amex Options: Trade-Related Charges." In calculating this threshold of 50,000 or more contracts, the Exchange will exclude both Strategy Trades and QCC trades. Mini option contracts are subject to separate pricing and are not eligible for inclusion in the \$350,000 per month fee cap described above. Volume and fees resulting from participation in a CUBE Auction will not count towards the 50,000 ADV threshold, the \$350,000 per month cap or the 3,500,000 contract threshold described above.

⁶ Firm Proprietary manual trades are those trades executed in open outcry on behalf of an ATP holder that clear in the firm range. The Firm Facilitation Manual rate applies to trades that are executed in open outcry, that clear in the firm range (clearance account "F") with a customer on the contra (clearance account "C") with the same clearing firm symbol on both sides of the trade. Fees for Firm Proprietary manual trades will be aggregated and capped at \$100,000 per month for member firms plus an incremental service fee of \$.01 per contract for all Firm Proprietary manual trading volume in excess of the cap, except for the execution of a QCC order, in which case there is no incremental service fee. Any fee or volume associated with a Strategy Execution (reversal and conversion, box spread, short stock interest spread, merger spread and jelly roll) will not be counted toward the \$100,000 cap. Royalty fees will continue to be charged at the rate provided herein and do not count toward the \$100,000 fee cap. Firm Facilitation Manual trades will continue to be executed at the rate of \$0.00 per contract regardless of whether a firm has reached the \$100,000 cap or not, except for QCC volume in excess of the cap as noted above. Mini option contracts are subject to separate pricing and are not eligible for inclusion in the \$100,000 per month fee cap described above. Firm Facilitation Manual trades in Mini option contracts, however, will continue to be executed at the Firm Facilitation Manual rate of \$0.00 per contract.

⁷ Assessed on all non-customer orders, for both Mini and standard option contracts, routed to away markets and on Customer orders, for both Mini and standard option contracts, including Professional Customer orders, for both Mini and standard option contracts that are charged transaction fees at another exchange. If the executing exchange does not charge a transaction fee for the execution of the Customer order, the Routing Surcharge will be waived. The Routing Surcharge will be made up of \$0.11 per contract plus (i) any transaction fees assessed by the away exchange(s) (calculated on an order-by-order basis since different away exchanges charge different amounts) or (ii) if the actual transaction fees assessed by the away exchange(s) cannot be determined prior to the execution, the highest per contract charge assessed by the away exchange(s) for the relevant option class and type of market participant (e.g., Customer, Firm, Broker/Dealer, Professional Customer or Market Maker). The Routing Surcharge is in addition to NYSE Amex's customary execution fees applicable to the order.

⁸ (a) Reversals and Conversions. A "reversal" is established by combining a short security position with a short put and a long call position that shares the same strike and expiration. A "conversion" is established by combining a long position in the underlying security with a long put and a short call position that shares the same strike and expiration.

(b) Box spread. A "box spread" is defined as transactions involving a long call option and a short put option at one strike, combined with a short call option and long put at a different strike, to create synthetic long and synthetic short stock positions, respectively.

(c) Short stock interest spread. A "short stock interest spread" is defined as transactions done to achieve a short stock interest arbitrage involving the purchase, sale and exercise of in-the-money options of the same class.

(d) Merger spread. A "merger spread" is defined as transactions done to achieve a merger arbitrage involving the purchase, sale and exercise of options of the same class and expiration date, each executed prior to the date on which shareholders of record are required to elect their respective form of consideration, i.e., cash or stock.

(e) Jelly rolls. A "jelly roll" is created by entering into two separate positions simultaneously. One position involves buying a put and selling a call with the same strike price and expiration. The second position involves selling a put and buying a call, with the same strike price, but with a different expiration from the first position.

⁹ Marketing charges are collected on electronic public customer orders, for both Mini and standard option contracts, from market makers who trade with that order. Broker Dealer and Professional Customer electronic orders that trade contra to a market maker will not result in the collection of marketing charges. Executed QCC orders and CUBE Orders will not result in the collection of marketing charges.

¹⁰ This footnote applies only to marketing charges. The pool of monies resulting from the collection of marketing charges on electronic non-Directed Order flow, for both Mini and standard option contracts, will be controlled by the Specialist or the e-Specialist with superior volume performance over the previous quarter, unless otherwise designated, as described below, for distribution by the Exchange at the direction of such Specialist or e-Specialist to eligible payment accepting firms. In making this determination the Exchange will, on a class by class basis, evaluate Specialist and e-Specialist performance based on the number of electronic contracts executed at NYSE Amex per class. The Specialist/e-Specialist with the best volume performance will control the pool of marketing charges collected on electronic non-Directed Order flow for these issues for the following quarter. The pool of monies resulting from collection of marketing charges on electronic Directed Order flow, for both Mini and standard option contracts, will be controlled by the NYSE Amex Options Market Maker to which the order was directed and distributed by the Exchange at the direction of such NYSE Amex Options Market Maker to payment accepting firms. An ATP Holder that submits an electronic non-Directed Order, for both Mini and standard option contracts, to the Exchange may designate an NYSE Amex Options Market Maker to control the pool of monies resulting from the collection of marketing charges, which shall be distributed by the Exchange at the direction of such NYSE Amex Options Market Maker to payment accepting firms. If an ATP Holder submits an electronic non-Directed Order, for both Mini and standard option contracts, to the Exchange without designating an NYSE Amex Options Market Maker, the pool of monies resulting from the collection of such marketing charges will be controlled by the Specialist or the e-Specialist in the manner described above.

¹¹ Assessed on a per contract basis for firm, broker/dealer, Market Maker, and Professional Customer transactions. Customer volumes will not be subject to any royalty fees, license fees or premium product fees of any type. Please refer to “Limit of Fees on Options Strategy Executions” section of this schedule for information regarding Royalty Fees associated with Options Strategy Executions.

¹² The Order to Trade Ratio Fee is calculated on a monthly basis. Orders, for both Mini and standard option contracts, that improve the Exchange's prevailing best bid-offer (BBO) market at the time the orders are received will not be included in the order to execution ratio. For purposes of the Messages to Contracts Traded Ratio Fee, a “message” is defined as a quote and/or an order, for both Mini and standard option contracts. In calculating the Messages to Contracts Traded Ratio Fee, the Exchange will aggregate routing and market making activity in the case of an ATP Firm that has both a routing and a market making arm affiliated with its operation and will apply a 70% common ownership test to determine if such an affiliation exists. The Order to Trade Ratio Fee and the Messages to Contracts Traded Ratio Fee are referred to collectively as the Excessive Bandwidth Utilization Fees. In the event that an ATP Firm is liable for either or both of the Excessive Bandwidth Utilization Fees in a given month, that firm would only be charged the largest one of those fees for the month. The Exchange may exclude one or more days of data for purposes of calculating the Excessive Bandwidth Utilization Fees for an ATP Firm if the Exchange determines, in its sole discretion, that one or more ATP Firms or the Exchange was experiencing a bona fide systems problem.

¹³ Reserved

¹⁴ The term “Non-NYSE Amex Options Market Maker” means a market maker as defined in Section 3(a)(38) of the Securities and Exchange Act of 1934 registered in the same option class on another exchange.

¹⁵ QCC executions, for both Mini and standard option contracts, in which a Customer is on both sides of the QCC trade (for example, Customer buying 1,000 ABC Dec 40 Calls trades with Customer selling 1,000 ABC Dec 40 Calls at \$2.00 executed pursuant to QCC) will not be eligible for the Floor Broker Rebate. The rebate is paid only on volume within the applicable tier and is not retroactive to the first contract traded. The maximum Floor Broker Rebate paid shall not exceed \$375,000 per month per Floor Brokerage firm.

¹⁶ Reserved.

¹⁷ To be eligible, an OFP must meet the criteria described in either Tier. An OFP that qualifies for multiple parts of one Tier will be paid on the part of the Tier that yields the highest total rebate to that OFP. For example if an OFP qualifies for Tier 1A and Tier 1B, the OFP will receive a single rebate from the either Tier 1A or Tier 1 B, not both, depending upon which part of Tier 1 would result in the largest rebate to the OFP. Volume from executions of QCC Orders, Strategy Executions, Mini options contracts, electronic Complex Orders, CUBE Auctions and orders that are routed to one or more exchanges in connection with the Options Order Protection and Locked/Crossed Market Plan referenced in Rule 991NY (“routed orders” for purposes of this rebate) shall not count toward any of the Electronic ADV Tiers.

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