

Certification and Agreement

The Applicant Firm, by its duly authorized officer identified above, hereby certifies that the entities listed in this application are affiliates within the meaning of NSX Rule 16.3. The Applicant Firm agrees to provide to NSX upon request information to verify the affiliate status of the entities listed herein. The Applicant Firm shall inform NSX immediately of any event that causes an entity listed herein to cease to be an affiliate of the Applicant Firm.

Applicant Firm Name

By its duly authorized officer identified above

Signature

Date

This application should be faxed to James C. Yong, Chief Regulatory Officer, at 312.939.7239.

Rule 16.3. Aggregation of Activity of Affiliated ETP Holders

(a) ETP Holder Application; Exchange Verification. For purposes of applying any provision of this Chapter 16 (including without limitation the fees and rebates referenced in the schedule of fees under Rule 16.1(c)) that reflect a charge assessed, or credit or rebate provided, by the Exchange, an ETP Holder may request that the Exchange aggregate its activity with the activity of its affiliates. An ETP Holder requesting aggregation of affiliate activity shall be required to certify to the Exchange the affiliate status of entities whose activity it seeks to aggregate prior to receiving approval for aggregation, and shall be required to inform the Exchange immediately of any event that causes an entity to cease to be an affiliate. The Exchange reserves the right to request information to verify the affiliate status of an entity.

(b) Aggregation of Approved ETP Holders' Activity. For purposes of applying any provision of this Chapter 16 (including without limitation the fees and rebates referenced in the schedule of fees under Rule 16.1(c)) that reflect a charge assessed, or credit or rebate provided, by the Exchange, references to an ETP Holder shall be deemed to include the ETP Holder and its affiliates that have been approved for aggregation.

(c) Definitions. For purposes of this Chapter 16 (including without limitation the fees and rebates referenced in the schedule of fees under Rule 16.1(c)), the terms set forth below shall have the following meanings:

(1) An "affiliate" of an ETP Holder shall mean any wholly owned subsidiary, parent, or sister of the ETP Holder that is also an ETP Holder.

(2) A "wholly owned subsidiary" shall mean a subsidiary of an ETP Holder, 100% of whose voting stock or comparable ownership interest is owned by the ETP Holder, either directly or indirectly through other wholly owned subsidiaries.

(3) A "parent" shall mean an entity that directly or indirectly owns 100% of the voting stock or comparable ownership interest of an ETP Holder.

(4) A "sister" shall mean an entity, 100% of whose voting stock or comparable ownership interest is owned by a parent that also owns 100% of the voting stock or comparable ownership interest of an ETP Holder.