Notice of proposed change pursuant to the Payment, Clearing, and Settlement Act of 2010

Section 806(e)(1) *

Section 806(e)(2) *

Security-Based Swap Submission pursuant to the Securities Exchange Act of 1934

Section 3C(b)(2) *

Exhibit 2 Sent As Paper Document

Exhibit 3 Sent As Paper Document

has duly caused this filing to be signed on its behalf by the undersigned thereunto duly authorized.

Executive Vice President and General Counsel

NOTE: Clicking the button at right will digitally sign and lock this form. A digital signature is as legally binding as a physical signature, and once signed, this form cannot be changed.
If the self-regulatory organization is amending only part of the text of a lengthy proposed rule change, it may, with the Commission's permission, file only those portions of the text of the proposed rule change in which changes are being made if the filing (i.e., partial amendment) is clearly understandable on its face. Such partial amendment shall be clearly identified and marked to show deletions and additions.

Partial Amendment

Add Remove View
SR-NASDAQ-2016-072 Amendment No. 1

The NASDAQ Stock Market LLC (“Nasdaq” or “Exchange”) is filing this Amendment No. 1 to SR-NASDAQ-2016-072, to make the following changes:

1. In the first and second paragraphs on page 6 of 57 of the 19b-4, as well as in the first full paragraph on page 32 of 57 and the first partial paragraph on page 33 of 57 of the Exhibit 1, insert the words “and will maintain” before “a fire wall with respect to”.

2. At the end of the first full paragraph on page 11 of 57 of the 19b-4, as well as at the end of the second full paragraph on page 37 of 57 of the Exhibit 1, insert a new footnote that states: “The Fund will not invest in OTC secondary market securities.”

3. Before the second full paragraph on page 22 of 57 of the 19b-4, as well as before the last paragraph on page 49 of 57 of the Exhibit 1, insert the heading “Continued Listing Representations”.

The Exchange believes that the proposed rule change, as modified by this amendment, is consistent with the requirement of Section 6(b)(5) of the Securities Exchange Act of 1934 that an exchange have rules that are designed, among other things, to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to, and perfect the mechanism of a free and open market and, in general to protect investors and the public interest. The proposed changes are non-substantive in nature. The first change is done for the purpose of clarifying the maintenance of fire walls, the second change is done regarding not
investing in OTC secondary market securities, and the third change is done to make clear where certain representations are by adding a heading, as referenced above.

All other representations in the filing remain as stated therein and no other changes are being made.