

New York Stock Exchange LLC (“NYSE” or “Exchange”) Retail Modifier Attestation

Instructions: This form is to be completed by a NYSE Member or Member Organization (“Member”) that would like to submit orders designated with a “retail” modifier to the NYSE.

An order designated with a “retail” modifier is an agency order or a riskless principal order that meets the criteria of FINRA Rule 5320.03 that originates from a natural person and is submitted to the NYSE by a Member, provided that no change is made to the terms of the order with respect to price or side of market and the order does not originate from a trading algorithm or any other computerized methodology. **An order with a “retail” modifier is separate and distinct from a “Retail Order” under Rule 107C. Members wishing to submit “Retail Orders” under Rule 107C should contact Client Relationship Services at crs@nyse.com for further details on the appropriate paperwork.**

1. Member Information

Name of Member	
Business Address	
Business Contact Name	
Business Contact Phone	
Business Contact E-Mail	

2. Retail Modifier/Order Supervisory Requirements

By executing this form, the Member attests that substantially all orders submitted to NYSE by the Member tagged with the “retail” modifier designation or submitted by a Member’s “retail mnemonic” are “retail” orders and would meet the qualifications as defined in Rule 13 for such orders.

Member further attests that it has in place Written Supervisory Procedures (WSPs) reasonably designed to assure that it will only designate orders as “retail” if all applicable requirements, as provided in Rule 13, are met. Such WSPs also must require the member organization to (i) exercise due diligence before entering a “retail” order to assure that entry as a “retail” order is in compliance with the requirements, and (ii) monitor whether orders entered as “retail” orders meet the applicable requirements.

In addition, if the Member represents “retail” orders from another broker-dealer customer, Member’s WSPs must be reasonably designed to assure that the orders it receives from such broker-dealer customer that it designates as “retail” orders meet the definition of a “retail” order, as provided in Rule 13.

The Member must (i) obtain an annual written representation, in a form acceptable to the Exchange, from each broker-dealer customer that sends it orders to be designated as “retail” orders that entry of such orders as “retail” orders will be in compliance with the requirements specified by the Exchange; and (ii) monitor whether its broker-dealer customer’s “retail” order flow meets the applicable requirements.

Name (Printed) <i>Authorized Signatory of Member</i>	
Name (Signature)	
Title	
Date	

Please return to Client Relationship Services at crs@nyse.com