

Regulatory Circular RG04-18

To: Member Firms
From: Regulatory Services Division
Date: January 29, 2004
RE: SEC Approval of Supplement to the Options Disclosure Document

On December 11, 2003, the Securities and Exchange Commission ("SEC") approved the Options Clearing Corporation's ("OCC") policy statement relating to a change in the OCC's assignment methodology for S&P 100 index options from random to pro rata. The pro rata assignment methodology will become effective on February 9, 2004.

On January 20, 2004, the SEC approved the Supplement to Amend the Options Disclosure Document Description Regarding Options Exercise Assignments and How to Exercise Options.

Member Firms should be aware that Exchange Rule 9.15 requires that each customer who was previously furnished an ODD be furnished with a copy of an amendment to the current ODD. Member Firms may comply with this requirement in various ways, including but not limited to one of the following:

- (1) The firm may choose to conduct a mass mailing of the Supplement to all of their approved customers who have already received the ODD.
- (2) The firm may deliver the Supplement to a customer, who has already received the ODD, with the first confirmation of an option transaction involving the S&P 100 index.

In any event, the Supplement must also be delivered to any new options customers when the customer is provided with a copy of the current ODD.

Copies of the ODD or the Supplement may be obtained by contacting Diane Svoboda of the Options Clearing Corporation at (312) 322-6212 or at dsvoboda@theocc.com. Questions about this memorandum may be directed to Lawrence J. Bresnahan at (312) 786-7713 or David E. Carlson at (312) 786-7052.