

UNITED STATES OF AMERICA
Before the
Securities and Exchange Commission
September 29, 2004

Securities Exchange Act of 1934
Release No. 50464 / September 29, 2004

In the Matter of Marshall Spiegel 1618D Sheridan Road Wilmette, Illinois 60091

Order Granting
Petition for Review
and Scheduling
Filing of Statements

Pursuant to Rule 431 of the Rules of Practice,¹ the petition of Marshall Spiegel for review of the staff's action in approving by delegated authority File No. SR-CBOE-2004-16² is granted.

It is ORDERED, pursuant to Rule 431 that any party or other person may file a statement in support of or in opposition to the action made by delegated authority on or before October 13, 2004, and

It is FURTHER ORDERED that the stay in effect shall be continued.

By the Commission.

Margaret H. McFarland
Deputy Secretary

¹ 17 C.F.R. 201.431.

² Securities Exchange Act Release No. 50028 (July 15, 2004).