

Appendix X-5

Rule 13a-11. Current Reports on Form 10-Q.

(a) Except as provided in paragraphs (b) and (c), every registrant subject to Rule 13a-1 shall file current reports on Form 10-Q within the time periods specified in General Instruction A to that Form.

(b) This rule shall not apply to foreign governments, foreign private issuers required to make reports on Form 6-K pursuant to Rule 13a-16, issuers of American Depositary Receipts for securities of any foreign issuer, investment companies required to file quarterly reports pursuant to Rule 13a-12, and real estate companies required to file quarterly reports pursuant to Rule 13a-15.

(c) Notwithstanding paragraph (a) of this rule, the summarized financial information required by Part II of Form 10-Q need not be filed by (1) any issuer not required to file annual reports on either Form 10-K, Form 12-K or Form U5S; (2) companies in the promotional or development stage to which paragraph (b) or (c) of Rule 5A-01 of Article 5A of Regulation S-X is applicable, and (3) insurance companies, other than title insurance companies.

(d) Public utilities and common carriers [sic] which submit financial reports to the Federal Power Commission, Federal Communications Commission, or Interstate Commerce Commission may file either the summarized financial information required by Part II of Form 10-Q or may, at their option, in lieu thereof, file duplicate copies of the report submitted by them to such other Commissions for the preceding fiscal quarter year or for each month of such quarter year, as the case may be, together with a copy of the quarterly report for such period (if any) sent to their shareholders.

(e) Notwithstanding the foregoing paragraphs of this rule, the summarized financial information required by Part II of Form 10-Q shall not be deemed to be “filed” for the purpose of Section 18 of the Act or otherwise subject to the liabilities of that Section, but shall be subject to all other provisions of the Act.

(e) If the application is made by telegram, it shall be confirmed in writing promptly after the filing thereof.

(f) The application shall be deemed granted unless the Commission within ten days after the receipt thereof shall enter an order denying the application or shall notify the registrant that the application does not meet the requirements of the rule.

(g) If the application, or the extension of time granted, relates only to a portion of the required information, document, or report, the registrant shall file the remaining portion, and the portion filed shall prominently indicate the nature of the omitted portion.