

*C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

No written comments were either solicited or received.

**III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act.<sup>56</sup>

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

**IV. Solicitation of Comments**

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

*Electronic Comments*

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-MRX-2023-05 on the subject line.

*Paper Comments*

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090. All submissions should refer to File Number SR-MRX-2023-05. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than

those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-MRX-2023-05 and should be submitted on or before March 3, 2023.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>57</sup>

**Sherry R. Haywood,**

*Assistant Secretary.*

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**SECURITIES AND EXCHANGE COMMISSION**

**[Release No. 34-96829; File No. SR-NYSEARCA-2022-82]**

**Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Withdrawal of Proposed Rule Change To Amend Rule 6.40P-O Concerning Pre-Trade Risk Controls**

February 7, 2023.

On December 14, 2022, NYSE Arca, Inc. ("NYSE Arca") filed with the Securities and Exchange Commission (the "Commission"), pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act" or "Exchange Act")<sup>1</sup> and Rule 19b-4 thereunder<sup>2</sup> a proposed rule change to add additional pre-trade risk controls to Rule 6.40P-O. The proposed rule change was published for comment on December 21, 2022.<sup>3</sup> On February 6, 2023, NYSE Arca withdrew the proposed rule change (SR-NYSEARCA-2022-82).

<sup>57</sup> 17 CFR 200.30-3(a)(12).

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> See Securities Exchange Act Release No. 96504 (December 15, 2022), 87 FR 78166 (December 21, 2022). Comments received on the proposal are available on the Commission's website at: <https://www.sec.gov/comments/sr-nysearca-2022-82/srnysearca202282.htm>.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>4</sup>

**Sherry R. Haywood,**

*Assistant Secretary.*

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**SECURITIES AND EXCHANGE COMMISSION**

**[Investment Company Act Release No. 34828; File No. 812-15367]**

**Constitution Capital Access Fund, LLC, et al.**

February 7, 2023.

**AGENCY:** Securities and Exchange Commission ("Commission" or "SEC").

**ACTION:** Notice.

Notice of application for an order ("Order") under sections 17(d) and 57(i) of the Investment Company Act of 1940 (the "Act") and rule 17d-1 under the Act to permit certain joint transactions otherwise prohibited by sections 17(d) and 57(a)(4) of the Act and rule 17d-1 under the Act.

*Summary of Application:* Applicants request an order to permit certain business development companies ("BDCs") and closed-end management investment companies to co-invest in portfolio companies with each other and with certain affiliated investment entities.

*Applicants:* Constitution Capital Access Fund, LLC, Constitution Capital PM, L.P., Constitution Capital Equity Partners, L.P., Constitution Capital Credit Partners, L.P., Ironsides Partnership Fund VI, L.P., Ironsides Offshore Partnership Fund VI, L.P., Ironsides Co-Investment Fund VI, L.P., Ironsides Opportunities Fund II, L.P., Ironsides Opportunities Offshore Fund II, L.P., Ironsides Partnership Fund IV, L.P., Ironsides Direct Investment Fund IV, L.P., Ironsides Partnership Fund V, L.P., Ironsides Direct Investment Fund V, L.P., and Ironsides Direct Investment Fund V—Parallel A, L.P.

*Filing Dates:* The application was filed on July 12, 2022, and amended on October 17, 2022 and January 13, 2023.

*Hearing or Notification of Hearing:* An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at [Secretarys-Office@sec.gov](mailto:Secretarys-Office@sec.gov) and serving the Applicants with a copy of the

<sup>4</sup> 17 CFR 200.30-3(a)(12).

<sup>56</sup> 15 U.S.C. 78s(b)(3)(A)(ii).