



## Information Circular: Merrill Lynch & Co., Inc. STRIDES

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**To:** Head Traders, Technical Contacts, Compliance Officers, Heads of ETF Trading, Structured Products Traders

**From:** BX Listing Qualifications Department

**DATE:** January 15, 2009

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| Equity-Linked Notes   | Symbol | CUSIP Number |
|---|--------|--------------|
| Merrill Lynch & Co., Inc. 10% Callable Stock Return Income Debt Securities Linked to Boeing Company | BXT    | 59022Y352    |

### Information on the Notes

Merrill Lynch & Co., Inc. (the "Issuer") has issued 10% Callable Stock Return Income Debt Securities ("STRIDES") linked to the common stock of Boeing Company ("Boeing"). The STRIDES were priced at \$25 each and mature on March 6, 2009.

The STRIDES pay a coupon of 10% per annum, paid quarterly on the 8th of each December, March, June, and September.

At maturity, if the STRIDES have not been called previously, investors will receive a number of shares of Boeing equal to the then current share multiplier. The STRIDES are callable beginning September 8, 2008 up until the maturity date. The Issuer will notify the trustee at least 5 business days prior to the call date. The yield to call on the STRIDES is 13%. The calculation of the yield to call takes into account the original issue Price of the STRIDES, the time to the call date, and the coupon payments of the STRIDES, as well as the call price. If the Issuer calls the STRIDES on any particular date during the call period, the call price will be an amount so that the yield to call on the STRIDES to but excluding the call date will be 13% per annum.

If on any date the closing market price of Boeing is less than \$1.00, the STRIDES will be redeemed on the third business day following such a date and will deliver a number of shares of Boeing equal to the then current share multiplier plus the accrued and unpaid interest to the redemption date and the present value of the remaining coupon payments.

It is expected that the market value of the STRIDES will depend substantially on the value of Boeing and may be affected by a number of other interrelated factors including, among other things: the general level of interest rates, the volatility of Boeing stock, the time remaining to maturity, the dividend yield of Boeing stock, and the credit ratings of the Issuer.

Boeing has no obligations relating to the STRIDES and no diligence has been performed with respect to Boeing.

The Trustee for the securities is The Bank of New York.

Trading in the STRIDES on BX is on a UTP basis and is subject to BX equity trading rules. The STRIDES will trade from 8:00 a.m. until 7:00 p.m. Eastern Time. Additional risks may exist with respect to trading the STRIDES during BX's Pre-Market and Post-Market sessions.

Trading of the STRIDES on BX is subject to the provisions of BX Rule 2310. Members recommending transactions in the STRIDES to customers should make a determination that the recommendation is suitable for the customer. In addition, members must possess sufficient information to satisfy the "know your customer" obligation that is embedded in the BX Conduct Rules.

Members also should review NASD Notice to Members 03-71 for guidance on trading these products. The Notice reminds members of their obligations to: (1) conduct adequate due diligence to understand the features of the product; (2) perform a reasonable-basis suitability analysis; (3) perform customer-specific suitability analysis in connection with any recommended transactions; (4) provide a balanced disclosure of both the risks and rewards associated with the particular product, especially when selling to retail investors; (5) implement appropriate internal controls; and (6) train registered persons regarding the features, risk and suitability of these products.

**This Information Circular is not a statutory prospectus. BX members should consult the registration statement or prospectus for the STRIDES for additional information.**

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Inquiries regarding this Information Circular should be directed to:

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