

| STOCK EXCHANGE | | | |
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| Regulatory Information Circular | | | |
| Circular number: | 2008-167 | Contact: | Russ Davidson |
| Date: | October 17, 2008 | Telephone: | (646) 805-1857 |

Subject: Bank of America 1.25% Capital Protected Equity Performance Linked Securities

Information on the Notes

On October 20, 2008, the International Securities Exchange ("ISE") will begin trading Bank of America 1.25% Capital Protected Equity Performance Linked Securities "Index CYCLES", due August 25, 2010, Linked to the Dow Jones Industrial Average.

The notes are unsecured senior notes. Interest will be paid on February 25 and August 25 of each year, beginning February 25, 2006. The sum of the semi-annual interest payments over the term of the notes will equal 6.25% of the principal amount of the notes, it is referred to as the "Total Interest Percentage." At maturity, holders will receive the principal amount of the notes and a final interest payment. In addition, holders may receive a "Supplemental Redemption Amount," which is determined as follows:

- If the Average Index Return is less than or equal to the Total Interest Percentage, then the Supplemental Redemption Amount will equal \$0.00.
- If the Average Index Return is greater than the Total Interest Percentage, then the Supplemental Redemption Amount for each \$1,000 principal amount of the notes will equal the product of (a) \$1,000 and (b) the Average Index Return minus the Total Interest Percentage.

The Average Index Return is the percentage change between (a) the closing level of the Dow Jones Industrial Average on the pricing date of the notes and (b) the arithmentic average of the closing levels of the DJIA on the five annual valuation dates. The notes mature on August 25, 2010.

Since all payments, which may be due to holders of BOA.X, are the sole responsibility of the Issuer, it is the credit of Bank of America that stands behind BOA.X.

The notes are issued in minimum denominations of \$1000 and whole multiples of \$1000.

Information concerning taxation may be found in the Prospectus.

The Trustee for this security is The Bank of New York.

Trading in the shares on ISE is on a UTP basis and is subject to ISE equity trading rules. The shares will trade from 9:00 a.m. until 4:00 p.m. Eastern Time. Equity Electronic Access Members ("Equity EAMs") trading the shares during the Pre-Market Session are exposed to the risk of the lack of the calculation or dissemination of underlying index value or intraday indicative value ("IIV"). For certain derivative securities products, an updated underlying index value or IIV may not be calculated or publicly disseminated in the Pre-Market hours. Since the underlying index value and IIV are not calculated or widely disseminated during Pre-Market hours, an investor who is unable to calculate implied values for certain derivative securities products during Pre-Market hours may be at a disadvantage to market professionals.

Equity EAMs also should review <u>NASD Notice to Members 03-71</u> 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 Regulatory Information Circular is not a statutory Prospectus. Equity EAMs should consult the Trust's Registration Statement, SAI, Prospectus and the Fund's website for relevant information.

Appendix A Exchange-Traded Fund Symbol CUSIP Number

Industrial Average.

TickerFund NameCUSIP NumberThe American Stock Exchange®
(Amex®) today began trading Bank of
America 1.25% Capital Protected060 50M FA0BOA.XEquity Performance Linked Securities
"Index CYCLES", due August 25,
2010, Linked to the Dow Jones060 50M FA0