

**APPROVE PARTICIPATION IN SETTLEMENT BETWEEN
VARIOUS STATE ATTORNEYS GENERAL AND BANK OF AMERICA CORPORATION**

THE GENERAL COUNSEL REPORTS THE FOLLOWING SETTLEMENT:

DESCRIPTION:

Bank of America Corporation (BAC) self-reported to the U.S. Justice Department's Antitrust Division that some of its employees had engaged in bid-rigging, price-fixing and anti-competitive Derivatives transactions from mid 1998 to early 2003. Thereafter, numerous governmental and quasi-governmental entities have filed civil suits in state and federal courts in California, the District of Columbia, New York and West Virginia against BAC's wholly owned subsidiary, Bank of America NA (BANA) and several other financial institutions and banks. The suits

alleged violations of state and federal antitrust and other laws in connection with transactions involving

12-0125-AR6

Indebtedness – The Board's Indebtedness Policy adopted June 26, 1996 (96-0626-PO3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics – The Board's Ethics Code adopted May 25, 2011 (11-0525-PO2), as amended from time to time, shall be incorporated into and made a part of the agreement.

Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

APPROVED,



PATRICK J. ROCKS
General Counsel *WR*

WITHIN APPROPRIATION:



DAVID WATKINS
Chief Financial Officer