



| STOCK EXCHANGE                  |                  |                   |                |
|---------------------------------|------------------|-------------------|----------------|
| Regulatory Information Circular |                  |                   |                |
| <b>Circular number:</b>         | 2008-172         | <b>Contact:</b>   | Russ Davidson  |
| <b>Date:</b>                    | October 17, 2008 | <b>Telephone:</b> | (646) 805-1857 |

**Subject:** Bank of America Corporation 1.75% 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 Corporation 1.75% Capital Protected Equity Performance Linked Securities “Index CYCLES”, due April 28, 2011, Linked to the S&P 500 Index.

Priced at \$1000 per note, the notes accrue interest at a fixed rate of 1.75% per annum. Interest will be paid on the 28th of April and October each year, beginning October 28, 2006 and ending April 28, 2011.

At maturity, per each note, investors will receive 100% of the Principal Amount and the Supplemental Redemption Amount. If the Average Index Return is less than or equal to the Total Interest Percentage of 8.75%, then the Supplemental Redemption Amount will equal \$0.00. If the Average Index Return is greater than the Total Interest Percentage of 8.75%, then the Supplemental Redemption Amount will equal:

$$\$1,000 \times (\text{Average Index Return} - \text{Total Interest Percentage})$$

The Average Index Return is:

$$\frac{\text{Average Level} - \text{Starting Level}}{\text{Starting Level}}$$

The Average Level is arithmetic average of the Five Annual Valuation Levels. The Annual Valuation Levels are computed on each 26th of April, beginning April 26, 2007 and ending April 26, 2011. The Starting Index Level is 1305.41.

All payments to investors of BOR.H is the sole responsibility of Bank of America Corporation, it is the credit of Bank of America Securities (Aa2/AA-) that stands behind BOR.H.

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

Contact your Tax Advisor for information concerning taxation.

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 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 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**

| <b>Ticker</b> | <b>Fund Name</b>   | <b>CUSIP Number</b> |
|---------------|--|---------------------|
|               | The American Stock Exchange®<br>(Amex®) today began trading Bank of<br>America Corporation 1.75% Capital                 | 060 50 MFP7         |
| BOR.H         | Protected Equity Performance Linked<br>Securities "Index CYCLES", due April<br>28, 2011, Linked to the S&P 500<br>Index. |                     |