



REGULATORY INFORMATION BULLETIN

RB-08-238
November 23, 2008

TO: ETP Holders

SUBJECT: Merrill Lynch & Co., Inc. STRIDES[®] Exxon Mobil Corporation

Compliance and supervisory personnel should note that, among other things, this Information Bulletin discusses customer suitability. Please forward this Information Bulletin to other interested persons within your organization.

The following equity linked notes (“Notes” or “Securities”) has been approved for Listing¹ on NYSE Arca and will commence trading on November 24, 2008:

Equity Linked Notes

9% Equity Linked Securities (STRIDES[®]) based upon the common stock of Exxon Mobil Corporation due December 4, 2009

Symbol

MIX

Background Information on the Security

Merrill Lynch & Co., Inc. 9% Callable STRIDES Linked to Exxon Mobil Corporation. The notes were priced at \$25 per unit and mature on December 4, 2009.

The STRIDES pay a coupon of 9% per annum, paid quarterly on the 4th of each March, June, September, and December starting March 4, 2008.

At maturity, if the Notes have not been called during the Call Period, on the Maturity Date in exchange for each STRIDES, the investor will receive a number of shares of Exxon Mobil Corporation equal to the then current share multiplier.

The STRIDES are callable beginning December 5, 2008 up until the Maturity Date. Merrill Lynch & Co. will notify the trustee at least 10 business days prior to the Call Date. The Yield to Call on the STRIDES is 15.95%. The calculation of the Yield to Call takes into account the 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 Merrill Lynch and Co. 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 15.95% per annum.

¹ The Notes are transferring their listing from NYSE Alternext US (f/k/a the American Stock Exchange) to NYSE Arca.

If on any date the closing market price of Exxon Mobil Corporation is less than \$1.00, the Callable STRIDES will be redeemed on the third Business Day following such a date and will deliver a number of shares of Exxon Mobil Corporation equal to the then current Share Multiplier plus the accrued and unpaid interest to the redemption date and the redemption date and the present value of the remaining coupon payments.

For additional information regarding the securities, please consult the pricing supplement.

Exchange Rules Applicable to Trading in the Security

The Securities are considered equity securities, thus rendering trading in the Securities subject to the Exchange's existing rules governing the trading of equity securities.

Trading Hours

The Securities will trade on NYSE Arca in the Opening, Core and Late Trading Sessions or from 4:00 a.m. ET until 8:00 p.m. ET in accordance with NYSE Arca Equities Rule 7.34(a).

Extended Hours Trading

ETP Holders are reminded of NYSE Arca Equities Rule 7.34(e) regarding Customer Disclosure and that trading in the securities during the Exchanges Opening and Late Trading Sessions may result in additional trading risks which include: (1) the underlying linked shares may not be actively trading or not trading at all during the Opening and Late Sessions, (2) lower liquidity in the Opening or Late Trading Sessions may impact pricing, (3) higher volatility in the Opening or Late Trading Sessions may impact pricing, (4) wider spreads may occur in the Opening or Late Trading Session.

Suitability

ETP Holders are reminded of their obligations under NYSE Arca Equities Rule 9.2(a)-(b) whereby the ETP holder shall use due diligence to learn the essential facts relative to every customer prior to trading the security or recommending a transaction in the security that an investment in the security is suitable for the customer. ETP Holders should adopt appropriate procedures for the opening and maintaining of accounts, including the maintaining of records prescribed by any applicable regulatory organization and by the rules and regulations of the Securities and Exchange Commission.

This Information Bulletin is not a statutory Prospectus.