

IMPORTANT NOTICE

The Depository Trust Company



#: B5122-09
Date: May 22, 2009
To: All Participants
Category: Compliance Notices
From: General Counsel's Office
Attention: Managing Partner/Officer, Operations Officer, Compliance Officer
Subject: Implementation of Confirmation of an OFAC Program Certification Requirement

On April 2, 2009, The Depository Trust Company ("DTC") notified Participants and Pledges of its Rule filing (SR-DTC-2009-07) which clarified DTC rules regarding the economic sanctions and embargo programs administered and enforced by the Office of Foreign Assets Control ("OFAC"). The purpose of this notice is to announce the upcoming implementation date for Participants and Pledges, who are subject to the jurisdiction of the United States, to provide DTC with a "Confirmation of an OFAC Program" certification (hereinafter, "the Certification"). Please refer to rule filing DTC-2009-07 available at www.dtcc.com, for more information.

The Confirmation of an OFAC Program that Participants and Pledges must sign is intended to document that the Participant or Pledgee has the primary relationship with the customers for whom it is conducting activity through DTC and has implemented a risk-based program reasonably designed to comply with applicable OFAC sanctions regulations.

The OFAC Compliance Officer, Chief Compliance Officer or other individual with responsibility for managing the OFAC compliance program for U.S. Participants or Pledges is now required to submit the Certification to DTC. DTC will begin distributing the Certification to U.S. Participants and Pledges on or before October 1, 2009. The executed Confirmation must be returned to DTC, **no later than March 31, 2010**. Failure to provide DTC with the completed Confirmation of an OFAC Program on or before this date will result in DTC imposing a fine of \$5,000.

In addition to the initial Confirmation of an OFAC Program, each Participant and Pledgee is required to execute an updated Confirmation of an OFAC Program every two years. DTC will issue an Important Notice on or about the first day of October every other year to provide Participants and Pledges advanced notice that the Confirmation of an OFAC Program must be completed.

Non-Confidential

DTCC is now offering enhanced access to all important notices via a new, Web-based subscription service. The new notification system leverages RSS Newsfeeds, providing significant benefits including real-time updates and customizable delivery. To learn more and to set up your own DTCC RSS alerts, visit http://www.dtcc.com/subscription_form.php.

To remove your name from the former system of email notifications, send a message to unsubscribe@dtcc.com.

General questions regarding this notice may be directed to your Relationship Manager. Specific questions related to the completion of the Confirmation of an OFAC Program should be directed to Peter Le Piane (212-855-5606) or Grace Santiago-Darvish (212-855-2653).