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NYSE: MER

## LAWSUIT FILED AGAINST MERRILL LYNCH OVER INVESTMENT LOSSES

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**MINNEAPOLIS, MN** – Merrill Lynch & Co., Inc. (NYSE: MER) is facing a lawsuit for potential violations of the Employee Retirement Income Security Act of 1974 ("ERISA"). The lawsuit filing follows the SEC's announcement of its inquiry into whether Merrill Lynch made deals to hide its exposure to high-risk mortgage debt, ultimately putting the company's assets and retirement funds at risk.

The focus of the lawsuit is on investments in Merrill Lynch stock by the Merrill Lynch & Co. 401(k) Savings and Investment Plan. Administrators of the Plan may have breached their duties of loyalty and prudence under ERISA to participants and beneficiaries of the Plan if they failed to manage the assets of the Plan with prudence and loyalty when they invested in Company stock when it was no longer a prudent investment for participants' retirement savings.

Current and former employees of Merrill Lynch, who hold Merrill Lynch stock in the Merrill Lynch & Co., Inc. 401(k) Savings & Investment Plan, may have a claim to recover losses in their retirement investment. To learn more, call 800.960.9614 or visit us online at [www.MerrillLawsuit.com](http://www.MerrillLawsuit.com).

The law firms of Zimmerman Reed, Cohen Milstein Hausfeld & Toll, and Keller Rohrback have joined together to file this lawsuit. Zimmerman Reed was founded in 1983 and has successfully represented millions of consumers and injured individuals in groundbreaking cases involving tobacco, executive compensation, toxic spills, defective drugs and medical devices and securities litigation.

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