

IMPORTANT NOTICE

The Depository Trust Company



#: B5707-09
Date: October 1, 2009
To: All Participants
Category: Compliance Notices
From: General Counsel's Office
Attention: Managing Partner/Officer, Operations Officer, Compliance Officer
Subject: Implementation of the Confirmation of an OFAC Program letter - SR-DTC-2009-14

On August 26, 2009, The Depository Trust Company ("DTC") filed a rule change with the Securities and Exchange Commission which (i) clarified DTC's Rules regarding the economic sanctions and embargo programs administered and enforced by the Office of Foreign Assets Control ("OFAC") and (ii) modified the language contained within the "Confirmation of an OFAC Program" letter (hereinafter, "the OFAC Letter"). The purpose of this announcement is to remind Participants and Pledges, who are subject to the jurisdiction of the United States, that they are required to provide DTC with a validly executed OFAC Letter by **no later than March 31, 2010**.¹

Participants or Pledges who fail to provide DTC with a validly executed OFAC Letter **on or before March 31, 2010** will be subject to a \$5,000 fine. Please refer to rule filing DTC-2009-14 available at www.dtcc.com, for more information.

The OFAC Letter is intended to evidence that the Participant or Pledgee: (i) has the primary relationship with the customers for whom it is conducting activity through DTC; and (ii) has implemented a risk-based program reasonably designed to comply with applicable OFAC sanctions and 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 required to submit the OFAC Letter to DTC. DTC will begin distributing the OFAC Letter to U.S. Participants and Pledges on October 1, 2009. The OFAC Letter will also be available via the Legal & Regulatory portion of DTCC's website at <http://www.dtcc.com/legal/compliance/>. DTC must receive a validly executed OFAC Letter **no later than March 31, 2010**. Electronic versions of the executed OFAC Letter should be returned to DTC's email address, OFAC_Certification@dtcc.com, established specifically for this purpose. Paper copies of the executed OFAC Letter can be sent to:

¹ Please refer to rule filing DTC-2009-14 available at www.dtcc.com, for more information.

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.

The Depository Trust Company
c/o The Depository Trust & Clearing Corporation
55 Water Street
New York, NY 10041
Attention: OFAC Officer

In addition to the initial OFAC Letter, each Participant and Pledgee is required to execute an updated OFAC Letter once every two years from the time the OFAC Letter was initially submitted. DTC will issue an Important Notice on or about the first day of October every other year as a reminder of this requirement.

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