

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C. 20549**

**FORM 8-K**

**CURRENT REPORT  
PURSUANT TO SECTION 13 OR 15(d) OF THE  
SECURITIES EXCHANGE ACT OF 1934**

**Date of Report (Date of earliest event reported):  
July 23, 2009**

**BANK OF AMERICA CORPORATION**

(Exact name of registrant as specified in its charter)

**Delaware**  
(State or Other Jurisdiction of Incorporation)

**1-6523**  
(Commission File Number)

**56-0906609**  
(IRS Employer Identification No.)

**100 North Tryon Street**  
**Charlotte, North Carolina**  
(Address of principal executive offices)

**28255**  
(Zip Code)

**(704) 386-5681**  
(Registrant's telephone number, including area code)

**Not Applicable**  
(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

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**ITEM 5.02. DEPARTURE OF DIRECTORS OR CERTAIN OFFICERS; ELECTION OF DIRECTORS; APPOINTMENT OF CERTAIN OFFICERS;  
COMPENSATORY ARRANGEMENTS OF CERTAIN OFFICERS**

On July 23, 2009, Bank of America Corporation (the "Corporation") announced that Craig Rosato will cease in his role as chief accounting officer of the Corporation, effective July 27, 2009.

Also, on July 23, 2009, Neil A. Cotty, 54, was named to succeed Mr. Rosato as chief accounting officer, effective July 27, 2009. Mr. Cotty joined NationsBank in March 1996 and has served in various capacities since that time. Mr. Cotty previously served as the Corporation's chief accounting officer from April 2004 to December 2008. Since January 2009, Mr. Cotty has served as chief financial officer of the Corporation's Global Banking and Global Wealth and Investment Management businesses.

A copy of the news release announcing the events described above is attached as Exhibit 99.1 and is incorporated in this report by reference.

**ITEM 9.01. FINANCIAL STATEMENTS AND EXHIBITS.**

(d) Exhibits.

The following exhibit is filed herewith:

| <u>EXHIBIT NO.</u> | <u>DESCRIPTION OF EXHIBIT</u>                                |
|--------------------|--|
| 99.1               | Bank of America Corporation News Release dated July 23, 2009 |

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**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

**BANK OF AMERICA CORPORATION**

By: /s/ Teresa M. Brenner

Teresa M. Brenner  
Associate General Counsel

Dated: July 23, 2009

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**INDEX TO EXHIBITS**

EXHIBIT NO.

DESCRIPTION OF EXHIBIT

99.1

Bank of America Corporation News Release dated July 23, 2009

July 23, 2009

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## Neil Cotty Returns as Chief Accounting Officer at Bank of America

### *Rosato named Consumer Credit Risk Executive*

CHARLOTTE – Neil A. Cotty has been named chief accounting officer at Bank of America Corporation effective July 27, Joe L. Price, chief financial officer, announced today. Cotty will succeed Craig Rosato, who has been named consumer credit risk executive reporting to Chief Risk Officer Greg Curl.

Cotty most recently has been chief financial officer of the company's Global Banking and Global Wealth and Investment Management businesses. Previous to that appointment last fall, in the wake of the acquisition of Merrill Lynch, he had served as chief accounting officer of Bank of America.

"While Craig did a great job as CAO, there is a greater need for his experience and talent in the Consumer Credit Risk area," Price said. "I am quite pleased that Neil has agreed to return from New York to take the CAO position. He provides great experience and, importantly, continuity as we go forward."

"Craig was the most experienced and appropriate person to assume the consumer risk role," Curl said. "He has valuable experience in helping to run and then exit our subprime consumer lending operation earlier in this decade and in other key risk management roles."

**Cotty**, 54, joined NationsBank in March 1996 as the controller of Capital Markets, and then served as the chief financial officer of Global Finance until the merger with BankAmerica Corp. Following the merger, Cotty served as the controller for Bank of America until June 1999. He assumed the role of finance support executive for the Global Corporate and Investment Bank in July 1999 and held that role until December 2002. Cotty assumed the role of senior finance executive for consumer products supporting Barbara Desoer in January 2003. He was also responsible for managing groups that support balance sheet management, marketing, and asset securitization. He assumed the role supporting commercial banking in October 2003 and the role of Bank of America chief accounting officer in April 2004.

More

Cotty is a Certified Public Accountant and a graduate of Hofstra University.

Prior to his current role, **Rosato**, 45, was the controller for Bank of America's Global Consumer and Small Business Banking Group (GCSBB). GCSBB included the retail bank, card services, and home loans and insurance. In this role, he had primary responsibility for the financial controls, financial planning and forecasting, and closing and financial reporting processes. He has also served as the finance executive for deposits and student banking, corporate treasury, and corporate investments. Rosato joined Bank of America in 1996 as a vice president in the finance group. In February 2000, he relocated to Jacksonville, Florida to join the consumer finance group where he was a member of the team that made the strategic decision to exit the auto leasing, subprime real estate and manufactured housing businesses. He spent the next four years managing the liquidation of those businesses. In June 2004, he returned to Charlotte as the commercial credit risk executive in enterprise credit risk where he was responsible for the country risk group, industry risk and macroeconomic forecasting. He also served as the secretary of the country risk committee and as a member of the allowance for credit losses committee. Prior to joining Bank of America, Rosato was a senior manager in the financial services industry group at Ernst & Young where he spent more than 10 years specializing in mortgage banking, auto finance and large financial services companies.

Rosato graduated cum laude from the University of Maryland at College Park with a bachelor's degree in accounting. Rosato is a Certified Public Accountant.

#### Bank of America

Bank of America is one of the world's largest financial institutions, serving individual consumers, small- and middle-market businesses and large corporations with a full range of banking, investing, asset management and other financial and risk management products and services. The company provides unmatched convenience in the United States, serving approximately 53 million consumer and small business relationships with more than 6,100 retail banking offices, nearly 18,500 ATMs and award-winning online banking with 29 million active users. Bank of America is among the world's leading wealth management companies and is a global leader in corporate and investment banking and trading across a broad range of asset classes serving corporations, governments, institutions and individuals around the world. Bank of America offers industry-leading support to more than 4 million small business owners through a suite of innovative, easy-to-use online products and services. The company serves clients in more than 150 countries. Bank of America Corporation stock (NYSE: BAC) is a component of the Dow Jones Industrial Average and is listed on the New York Stock Exchange.

[www.bankofamerica.com](http://www.bankofamerica.com)

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