

# FORM 4

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

OMB APPROVAL	
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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

## STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person <b>FOSINA JOHN J</b>		2. Issuer Name and Ticker or Trading Symbol <b>MERRILL LYNCH &amp; CO INC [MER]</b>		5. Relationship of Reporting Person(s) to Issuer (Check all applicable) <input type="checkbox"/> Director <input type="checkbox"/> 10% Owner <input checked="" type="checkbox"/> Officer (give title below) <input type="checkbox"/> Other (specify below) <b>Vice President and Controller</b>	
(Last) (First) (Middle) <b>MERRILL LYNCH &amp; CO., INC., 4 WORLD FINANCIAL CENTER</b>		3. Date of Earliest Transaction (Month/Day/Year) <b>10/30/2003</b>			
(Street) <b>NEW YORK, NY 10080</b>		4. If Amendment, Date Original Filed(Month/Day/Year)		6. Individual or Joint/Group Filing (Check Applicable Line) <input checked="" type="checkbox"/> Form filed by One Reporting Person <input type="checkbox"/> Form filed by More than One Reporting Person	
(City) (State) (Zip)					

### Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)		4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)			5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
			Code	V	Amount	(A) or (D)	Price			
Common Stock	10/30/2003		M		704	A	\$ 20.2969	18,859	D	
Common Stock	10/30/2003		M		1,208	A	\$ 31	20,067	D	
Common Stock	10/30/2003		M		392	A	\$ 36.1719	20,459	D	
Common Stock	10/30/2003		F		421	D	\$ 58.68	20,038	D	
Common Stock	10/31/2003		S		1,883	D	\$ 58.87	18,186 (1)	D	

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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### Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)		5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)		6. Date Exercisable and Expiration Date (Month/Day/Year)		7. Title and Amount of Underlying Securities (Instr. 3 and 4)	8. Price of Derivative Security (Instr. 5)	9. Number of Derivative Securities Beneficially Owned Following Reported Transaction(s) (Instr. 4)	10. Ownership Form of Derivative Security: Direct (D) or Indirect (I) (Instr. 4)	11. Nature of Indirect Beneficial Ownership (Instr. 4)
				Code	V	(A)	(D)	Date Exercisable	Expiration Date					
Stock Option - Right to Acquire (2)	\$ 20.2969	10/30/2003		M		704		(3)	01/29/2007	Common Stock 704	\$ 0	0	D	
Stock Option - Right to Acquire (2)	\$ 31	10/30/2003		M		1,208		(3)	01/26/2008	Common Stock 1,208	\$ 0	0	D	
Stock Option - Right to Acquire (2)	\$ 36.1719	10/30/2003		M		392		(4)	01/25/2009	Common Stock 392	\$ 0	2,548	D	

Stock Option - Right to Acquire (2)	\$ 36.1719						(5)	01/25/2009	Common Stock	7,932		7,932	D
Stock Option - Right to Acquire (2)	\$ 43.7812						(6)	01/27/2010	Common Stock	9,160		9,160	D
Stock Option - Right to Acquire (2)	\$ 77.5625						(7)	01/23/2011	Common Stock	9,025		9,025	D
Stock Option - Right to Acquire (2)	\$ 53.745						(8)	01/28/2012	Common Stock	18,869		18,869	D
Stock Option - Right to Acquire (2)	\$ 36.065						(9)	01/27/2013	Common Stock	9,728		9,728	D

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
FOSINA JOHN J MERRILL LYNCH & CO., INC. 4 WORLD FINANCIAL CENTER NEW YORK, NY 10080			Vice President and Controller	

## Signatures

John J. Fosina (by Michael A. LaMaina, as agent)		11/03/2003
<small>**Signature of Reporting Person</small>		<small>Date</small>

## Explanation of Responses:

\* If the form is filed by more than one reporting person, see Instruction 4(b)(v).

\*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

- (1) This total also reflects the acquisition of shares of Merrill Lynch & Co., Inc. Common Stock as a result of dividend reinvestments and an allocation through various Merrill Lynch Plans which is exempt from the reporting requirements pursuant to Rule 16b-3, Rule 16a-3 and/or Rule 16a-11.
- (2) These stock options were granted under the Merrill Lynch & Co., Inc. Long-Term Incentive Compensation Plan ("Plan"). Transactions under the Plan are exempt under Rule 16b-3.
- (3) All stock options are exercisable.
- (4) 588 stock options became exercisable after each of 1/25/00, 1/25/01, 1/25/02 and 1/25/03. 588 stock options are exercisable after 1/25/04.
- (5) These performance-based stock options became exercisable at a rate of 1% of the award for each increment of \$20 million of Cumulative Economic Profit of the Issuer (determined annually on each anniversary of the award). 4,284 stock options became exercisable on 1/25/00 and 3,648 stock options became exercisable on 1/25/01.
- (6) 1,832 stock options became exercisable after each of 1/27/01, 1/27/02 and 1/27/03. 1,832 stock options are exercisable after each of 1/27/04 and 1/27/05.
- (7) All stock options became exercisable after 7/31/01.
- (8) All stock options became exercisable after 7/31/02.
- (9) 2,432 stock options are exercisable after each of 1/27/04, 1/27/05, 1/27/06 and 1/27/07.

### Remarks:

All reported positions have been rounded down to the nearest whole number.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure.

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