



U.S. Department of Justice

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FOR IMMEDIATE RELEASE

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PRESS RELEASE

BANK OF NEW YORK EXAMINER NAMED

Law Firm Of Baker & Hostetler, LLP Appointed To Fill Post

ROSLYNN R. MAUSKOPF and MICHAEL J. GARCIA, United States Attorneys for the Eastern and Southern Districts of New York, respectively, announced today that they have appointed the law firm of Baker & Hostetler, LLP, supported by the forensic auditing firm of FTI Consulting, Inc., to serve as the independent examiner of The Bank of New York ("BNY").

The appointment was made pursuant to the terms of the government's agreement with BNY, entered on November 4, 2005. Pursuant to the agreement, BNY agreed to pay \$38 million in penalties and victim compensation to resolve parallel criminal investigations conducted by the United States Attorneys' Offices for the Eastern and Southern Districts of New York of allegations that BNY engaged in crimes involving fraud and money laundering and failed to comply with mandatory reporting obligations under the Bank Secrecy Act. BNY also agreed to implement a series of sweeping internal reforms to ensure compliance with anti-fraud and money-laundering obligations, and be monitored by an independent examiner.

The principal Baker & Hostetler partner responsible for the engagement will be George A. Stamboulidis. Stamboulidis, a former federal prosecutor, has been a partner in the New York office of Baker & Hostetler since 2001, specializing in white collar and corporate criminal investigations. In 2003, the Justice Department named Stamboulidis to serve as independent monitor of Merrill Lynch & Co., Inc., with responsibility for overseeing compliance efforts at that firm mandated by an agreement with the Justice Department arising from Merrill's

dealings with Enron Corp. Stamboulidis will be assisted by Baker & Hostetler partners and former federal prosecutors Lauren J. Resnick and John J. Carney.

Supporting Baker & Hostetler in its role as independent examiner will be the forensic auditing firm of FTI Consulting, Inc., led by Philip H. Stern, a former prosecutor and an expert in forensic investigations and corporate compliance issues. Stern will be assisted by a range of FTI Consulting personnel with extensive experience in compliance and anti-money laundering issues.

As independent examiner, Baker & Hostetler will be responsible for monitoring and reporting to the United States Attorneys' Offices, the Federal Reserve Bank of New York, the New York State Banking Department, and BNY on the state of BNY's suspicious activity reporting practices and anti-money laundering procedures, its compliance with related laws and regulations governing BNY's conduct in these areas, and the efficacy of the remedial measures required to be implemented under BNY's agreement with the government.