

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
:
  
IN RE BANK OF AMERICA CORP. :
  
SECURITIES, DERIVATIVE, AND :
  
EMPLOYMENT RETIREMENT INCOME : Master File No. 09 MDL 2058 (PKC)
  
SECURITY ACT (ERISA) LITIGATION :
  
: ECF CASE
  
-----X

:
  
THIS DOCUMENT RELATES TO: :
  
:
  
Consolidated Securities Action :
  
:
  
-----X

**DEFENDANT JOE L. PRICE’S JOINDER IN CO-DEFENDANT’S OPPOSITION  
TO PLAINTIFFS’ MOTION FOR PARTIAL SUMMARY JUDGMENT**

William Jeffress  
Julia Guttman  
Jeremy Levin  
BAKER BOTTS LLP  
The Warner  
1299 Pennsylvania Ave., NW  
Washington, DC 20004-2400  
(202) 639-7700

Melissa Armstrong  
BAKER BOTTS LLP  
30 Rockefeller Plaza  
New York, NY 10112-4498  
(212) 408-2500

*Attorneys for Defendant Joe L. Price*

Defendant Joe L. Price opposes Plaintiffs' Motion for Partial Summary Judgment to the extent it applies to claims against him, and respectfully joins in the arguments in BofA's Memorandum of Law in Opposition to Plaintiffs' Motion for Partial Summary Judgment, and the accompanying Counterstatement of Material Facts Pursuant to Rule 56.1 and Response to Plaintiffs' Statement of Undisputed Material Facts, dated June 29, 2012. For all the reasons stated therein, Mr. Price respectfully submits that plaintiffs' Motion for Partial Summary Judgment should be denied.

Dated: June 29, 2012

Respectfully submitted,

/s/ Melissa J. Armstrong  
William H. Jeffress, Jr.  
Julia Guttman  
Jeremy Levin  
BAKER BOTTS L.L.P.  
The Warner  
1299 Pennsylvania Ave., NW  
Washington, DC 20004-2400  
Tele: (202) 639-7700  
Fax: (202) 639-7890  
william.jeffress@bakerbotts.com  
julia.guttman@bakerbotts.com  
jeremy.levin@bakerbotts.com

Melissa J. Armstrong  
BAKER BOTTS L.L.P.  
30 Rockefeller Plaza  
New York, NY 10112  
Tele: (212) 408-2568  
Fax: (212) 259-2568  
melissa.armstrong@bakerbotts.com

*Attorneys for Defendant Joe L. Price*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 29th day of June 2012, a true and correct copy of the aforementioned document, **DEFENDANT JOE L. PRICE'S OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**, was filed with the Clerk of the Court, Southern District of New York, and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Melissa J. Armstrong  
Melissa J. Armstrong