

Clerk of the House of Representatives  
Legislative Resource Center  
B-106 Cannon Building  
Washington, DC 20515

<http://lobbyingdisclosure.house.gov>

Secretary of the Senate  
Office of Public Records  
232 Hart Building  
Washington, DC 20510

<http://www.senate.gov/lobby>

## LOBBYING REPORT

Lobbying Disclosure Act of 1995 (Section 5) - All Filers Are Required to Complete This Page

<b>1. Registrant Name</b> <input checked="" type="checkbox"/> Organization/Lobbying Firm <input type="checkbox"/> Self Employed Individual			
<b>Davis &amp; Harman LLP</b>			
<b>2. Address</b> <input type="checkbox"/> Check if different than previously reported			
Address1 <b>1455 Pennsylvania Avenue, N. W.</b>	Address2 <b>Suite 1200</b>		
City <b>Washington</b>	State <b>DC</b> Zip Code <b>20004</b> - Country <b>USA</b>		
<b>3. Principal place of business (if different than line 2)</b>			
City _____	State _____ Zip Code _____ - Country _____		
<b>4a. Contact Name</b> <b>JANIS MCCLINTOCK</b>	<b>b. Telephone Number</b> <input type="checkbox"/> International Number <b>(202) 347-2230</b>	<b>c. E-mail</b> <b>jkmclintock@davis-harman.com</b>	<b>5. Senate ID#</b> <b>11674-303</b>
<b>7. Client Name</b> <input type="checkbox"/> Self <input type="checkbox"/> Check if client is a state or local government or instrumentality <b>MERRILL LYNCH &amp; CO, INC</b>			<b>6. House ID#</b> <b>313180023</b>

**TYPE OF REPORT** 8. Year 2008 Q1 (1/1 - 3/31)  Q2 (4/1 - 6/30)  Q3 (7/1-9/30)  Q4 (10/1 - 12/31)

9. Check if this filing amends a previously filed version of this report

10. Check if this is a Termination Report  Termination Date \_\_\_\_\_ 11. No Lobbying Issue Activity

### INCOME OR EXPENSES - YOU MUST complete either Line 12 or Line 13

12. Lobbying	13. Organizations
<b>INCOME</b> relating to lobbying activities for this reporting period was:	<b>EXPENSE</b> relating to lobbying activities for this reporting period were:
<u>Less than \$5,000</u> <input type="checkbox"/>	<u>Less than \$5,000</u> <input type="checkbox"/>
<u>\$5,000 or more</u> <input checked="" type="checkbox"/> \$ <u>\$ 30,000.00</u>	<u>\$5,000 or more</u> <input type="checkbox"/> \$ _____
Provide a good faith estimate, rounded to the nearest \$10,000, of all lobbying related income from the client (including all payments to the registrant by any other entity for lobbying activities on behalf of the client).	<b>14. REPORTING</b> Check box to indicate expense accounting method. See instructions for description of options.
	<input type="checkbox"/> <b>Method A.</b> Reporting amounts using LDA definitions only
	<input type="checkbox"/> <b>Method B.</b> Reporting amounts under section 6033(b)(8) of the Internal Revenue Code
	<input type="checkbox"/> <b>Method C.</b> Reporting amounts under section 162(e) of the Internal Revenue Code

Signature Filed Electronically Date 10/17/2008

Printed Name and Title Randolf Hurst Hardock, Partner

**LOBBYING ACTIVITY.** Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Add additional page(s) as needed.

15. General issue area code   (one per page)

16. Specific lobbying issues

Retirement savings legislation. Savings proposals in The President's FY 2009 Budget, Technical Corrections to the Pension Protection Act of 2006, including H.R. 3361, H.R. 6382 and S. 1974, Pension Protection Technical Corrections Act. Proposals related to minimum required distributions, S. 1141/H.R. 2167, Automatic IRA Act, H.R. 1419/S. 819, Public Good IRA Rollover

17. House(s) of Congress and Federal agencies  Check if None

U.S. HOUSE OF REPRESENTATIVES, U.S. SENATE

18. Name of each individual who acted as a lobbyist in this issue area

First Name	Last Name	Suffix	Covered Official Position (if applicable)	New
Randolf Hurst	Hardock			<input type="checkbox"/>
James M.	Delaplane	Jr.		<input type="checkbox"/>
Barbara A.	Pate			<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>

19. Interest of each foreign entity in the specific issues listed on line 16 above  Check if None

Printed Name and Title Randolf Hurst Hardock, Partner

Act, H.R. 3997 Emergency Economic Stabilization Act, H.R. 5160, Small Business Add Value for Employees Act, H.R. 6143, Pension Protection Act ERISA Amendment.

Printed Name and Title Randolf Hurst Hardock, Partner