



DELAWARE STATE BAR ASSOCIATION

301 North Market Street
Wilmington, Delaware 19801
Telephone (302) 658-5279
(800) 292-7869
FAX (302) 658-5212
www.dsba.org

ALLEN M. TERRELL, JR.
PRESIDENT

BENJAMIN STRAUSS
PRESIDENT-ELECT

MATTHEW M. GREENBERG
VICE PRESIDENT-AT-LARGE

THERESA V. BROWN-EDWARDS
VICE PRESIDENT,
NEW CASTLE COUNTY

HEATHER S. WILLIAMS
VICE PRESIDENT,
KENT COUNTY

REBECCA L. TRIFILLIS
VICE PRESIDENT,
SUSSEX COUNTY

GREGORY BRIAN WILLIAMS
SECRETARY

DEBORAH I. GOTTSCHALK
ASSISTANT SECRETARY

JAMES G. MCGIFFIN, JR.
TREASURER

JESSICA ZELDIN
ASSISTANT TREASURER

ELIZABETH M. MCGEEVER
PAST PRESIDENT

THE HONORABLE
WILLIAM B. CHANDLER III
JUDICIAL MEMBER

MEREDITH M. STEWART
ASSISTANT TO PRESIDENT

MICHAEL HOUGHTON
LEGISLATIVE ASSISTANT

CRYSTAL L. CAREY
MIRANDA D. CLIFTON
R. MONTGOMERY DONALDSON
RICHARD A. FORSTEN
KIMBERLY L. GATTUSO
RICHARD K. HERRMANN
FREDERICK W. IOBST
CARMELLA P. KEENER
ROBERT J. KRAPP
KAREN JACOBS LOUDEN
YVONNE TAKVORIAN SAVILLE
MEMBERS-AT-LARGE

RINA MARKS
EXECUTIVE DIRECTOR

November 11, 2008

Via Regular Mail, Facsimile and Electronic Mail

Shelia C. Bair
Chair, Federal Deposit Insurance Corporation
550 17th Street, NW
Room 6028
Washington, D.C. 2029

Re: Clarification/Exception Needed to Temporary Liquidity Guarantee Program (TLGP) to Protect Lawyer Trust Accounts

Dear Chairman Blair:

As President of the Delaware State Bar Association, I write to request redress in the coverage of the recently announced Temporary Liquidity Guarantee Program (TLGP). I understand that this program, as announced, does not cover interest on Lawyer Trust Accounts (IOLTA).

Rather than restate my concerns on this matter, I respectfully refer you to the letter dated October 22, 2008 from Thomas M. Susman of the Governmental Affairs Office of the American Bar Association (the "Letter"). That Letter explains how significant IOLTA accounts are to the administration of justice. Furthermore the Letter explains how the FDIC has carved out an exception in the past that applied to IOLTA. Accordingly, I also urge the FDIC to construe IOLTA as non-interest bearing transaction accounts under TLGP, or alternatively, to grant an exception in the TLGP rules explicitly stating that funds in the IOLTA accounts have unlimited deposit insurance coverage regardless of dollar amounts.

On behalf of the Delaware State Bar Association, I appreciate your attention to this important matter

Sincerely,


Allen M. Terrell

AMT:tmb

cc: Thomas M. Susman
Harvey Rubenstein
Jacqueline Mette
Rina Marks