Key Facts

Public Disclosure		Exposure			
Date	Type	Period	Unhedged	Hedged	Total
May 31, 2007	Qtly Report	2007-Q2			
May 31, 2007	Conference Call	2007-Q2	$330		
July 10, 2007	Media Release	2007-Q3	<$2,600		
August 13, 2007	Media Release	2007-Q3	$1,700	$300	
August 30, 2007	Qtly Report	2007-Q3	$1,700	$300	$2,000
August 30, 2007	Conference Call	2007-Q3	$1,700		
August 30, 2007	Media Release	2007-Q4	$1,700	$300	
August 30, 2007	BNN Interview	2007-Q4		$300	
November 9, 2007	Media Release	2007-Q4			
December 6, 2007	**Qtly Report**	**2007-Q4**	**$1,600**	**$9,800**	**$11,400**
December 6, 2007	Conference Call	2007-Q4	$1,600	$9,800	
December 6, 2007	Media Release	2008-Q1	$1,600	$9,800	
December 6, 2007	BNN Interview	2008-Q1	$1,600	$9,800	
December 19, 2007	Media Release	2008-Q1			
January 14, 2008	Investor Presentation	2008-Q1			
February 28, 2008	Qtly Report	2008-Q1	$1,600	$8,500	$10,100
May 29, 2008	Qtly Report	2008-Q2	$1,469	$8,770	$10,239
August 27, 2008	Qtly Report	2008-Q3	$856	$8,294	$9,150

Write-downs US $ Millions	**Total Pre-Tax**	**Total After-Tax**
2007-Q3	$271	$178
2007-Q4	$488	$317
2008-Q1	$3,385	$2,282
2008-Q2	$2,515	$1,694
2008-Q3	$874	$589
2008-Q4	$476	$296
2009-Q1	$576	$393
2009-Q2	$382	$260
2009-Q3	$84	$57
Total	$9,050	$6,066

Measures of Materiality		**Difference in Class Period**	**Exposure**	**Write-off After Tax**
CDO/CDS Gross Exposure $ M	$11,500			
Cumulative Write-downs PT 2007Q2-2009Q3	$9,050			
Cumulative Write-downs AT 2007Q2-2009Q4	$6,066			
Share Price BOCP CDN	$106			
Share Price EOCP CDN	$67	-37%		
Relative Share Price Δ BOCP to EOCP		-19%		
Market Capitalization BOCP CDN $	$35,000			
Market Capitalization EOCP CDN $	$25,000	-$10,000		
Common Equity 2007Q2	$9,983		115%	61%
Common Earnings Δ BOCP to EOCP 3.33 Q's	$3,121			
Common Earnings Avg. Ann. 2006-08	$2,957		4	2
Dividends 2007	$1,044		11	6

Francesco Shaw's Affidavit:

$ Millions

Trade Type Label	%	$ M	CDO^2	CDO	RMBS	Unknown (But Most Likely CDO)
			Underlying Portfolios			
CDS	48%	5,563	495	1,709	660	2,699
TRS	17%	1,936		1,936		0
Cash & Carry	21%	2,460		2,125		335
CDO^2	6%	744	744			0
CDO	5%	550		550		0
RMBS	4%	439			439	0
Total	100%	11,690	1,239	6,319	1,099	3,034
% of Gross	100%		11%	54%	9%	26%

Unhedged USRMM positions as at July 31, 2007			
Rating	Type	Notional US$ million	Exposure to Subprime USRMM
AAA	CDO Squared	$628	60%
AAA	ABS CDO	336	42%
Aa/AA to Baa3/BBB-	RMBS	416	36%
Aaa/AAA to Baa/BBB	Various	122	65%
Aaa/AAA to Baa/BBB	CDO Squared	196	43%
Total		**$1,698**	

Counterparty	External Rating	Sub-Prime Exposure	Notional (USD MM)
ACA Financial Guarantee Corp.	A	80%	$3,476
AIG Financial Products Corp.	Aa2/AA	34%	602
AMBAC Assurance Corporation	Aaa/AAA	35%	557
Financial Guarantee Insurance Co.	Aaa/AAA	56%	575
MBIA Insurance Corporation	Aaa/AAA	33%	205
CIFG North America	Aaa/AAA	60%	642
XL Capital Assurance Inc.	Aaa/AAA	8%	2,636
UBS AG	Aaa/AA+	90%	1,189
Total			**$9,882**

ACA Exposure Lacked Diversification and Breached OSFI Regulation B-2 on large exposure limits:

An exposure includes claims on an entity or connection comprising:
- any draw-downs on arrangements for providing funds or credit including loans and advances, debt and equity securities, loan substitute securities, and financial leases;
- ***all undrawn amounts of irrevocable advised credit commitments including, but not limited to:***
- standby letters of credit;
- ***financial guarantees;***
- conditional sales contracts;
- repurchase agreements;
- fully underwritten lending commitments;
- note issuance facilities; and
- revolving underwriting facilities

ACA Financial Guaranty was a "financial guarantee" for purposes of regulation B-2 and this exposure should have been measured by including "all undrawn amounts."

CIBC's —fully drawn $3.45 billion CDO-related exposure to single-A rated ACA was nearly double the maximum credit limit that the best AAA-rated corporations in North America could expect to secure from the four largest banks in Canada. The gross exposure to ACA of $5.6 billion is 22.4 times larger than the maximum potential exposure that CIBC was willing to extend to GECC at $250 M in 2005.

Trade Date		$ M	
2007Q3		-300.0	Bought hedge without disclosing its US subprime exposure
2007Q2	29%	3,378	78% bought post July 31, 2006.
2007Q1	40%	4,650	
2006Q4	9%	1,012	
2006Q3	10%	1,195	
2006Q2	5%	600	
2006Q1	5%	602	
Before	2%	255	
Total	100%	11,690	Gross

	Dividend Per Share
2006Q4	$0.70
2007Q1	$0.70
2007Q2	$0.77
2007Q3	$0.77
2007Q4	$0.87
2008Q1	$0.87
2008Q2	$0.87
2008Q3	$0.87
2008Q4	$0.87
2009Q1	$0.87
2009Q2	$0.87
2009Q3	$0.87
2009Q4	$0.87

Subprime CDO Deals Dried Up by June 2007

The Financial Crisis Inquiry Commission audio tape of its interview of CEO & President of ACA Capital Holdings Inc., Alan Roseman, at the link below, provides an important key fact:

"What were the trends on deals drying up period? deals dried up in June 2007 ... performance statistics were becoming known, it could no longer be debated...in 2007Q1 there were a lot of people on both sides of the debate on the future of US subprime mortgage performance, index rallied in April 2007...opinions were scattered in 2007Q1."

The Alan Roseman statement on the timing of subprime deals drying up in June 2007 is consistent with three subprime CDO deals that failed to sell-out that are on the Kamakura Timeline:

March 31, 2007 $400 million of the Gemstone 7 CDO structured by Deutsche Bank and HBK, 36% of the issue, goes unsold.
March 31, 2007 Almost two-thirds of the Anderson Mezzanine 2007-1 CDO structured by Goldman Sachs goes unsold.
April 28, 2007 CIBC is lead underwriter for $503 million Tricadia 2007-8 a CDO of CDOs. By August 1, 2007, CIBC still has not been able to sell $445 million of the $508 million deal.
June 29, 2007 ACA Capital Holdings pulls equity offering (1)

The subprime deals drying up in June 2007 is also coincident with CIBC CEO Gerry McCaughey telling his Board on July 13, 2007 that CIBC could not sell its CDO exposure.

July 13, 2007 CIBC CEO Gerry McCaughey advises Board that the Bank's CDO exposure is senior investment grade (mostly AAA). After noting the distress in the CDO sector, he advises that there is ongoing discussion about risk mitigation strategies; however, he states that the Bank has concluded that the current environment does not lend itself to direct mitigation (outright sale or direct hedge) so management is exploring an indirect —macro hedge.

AAA Credit Rating on CIBC CDO Positions was Meaningless

Credit Rating on CIBC's CDOs and CDS Reference CDOs		$ M
[5] Unrated	17%	1,994
BBB	0%	12
BBB- to A	0%	12
A- to AA+	4%	439
A	0%	18
AA	1%	123
AA/AAA	1%	122
AAA	77%	8,971
Total	83%	11,690

CIBC Credit Memo dated Sept. 27, 2007 says in 7 of 13 ACA CDS transactions, "the reference obligations are based upon portfolios of subprime RMBS with BBB attachment points (the BBB tranches)." It further says, "In a large portion of ACA's AAA CDO transactions, ACA's underlying exposure is to pools of BBB tranches and at this time the loss probability and severity to these tranches is uncertain and higher than initially forecast," and, "In most of ACA's RMBS CDO transactions (including all seven of CIBC's subprime related transactions with ACA), ACA's underlying exposure is to a portfolio of BBB tranches of subprime RMBS CDOs and at this time the loss probability and severity to theses tranches is uncertain. Plus, Appendix 2 of the Credit Memo has the BBB tranche details.

Due to CIBC's and others' inability to sell AAA-rated CDO tranches during March 31, 2007 to April 28, 2007, CIBC certainly did know for a fact that the AAA rating on CDO tranches was meaningless as a measure of risk to institutional investors.

Kamakura Evidence:

CIBC, as an active market participant in the structured products market, having done 55 CDO transactions since 1996 aggregating US$43 billion.

ACA's assets represented 85 percent of the consolidated assets of ACA Capital; ACA Capital did not disclose the financial statements of ACA in its December 31, 2006 10-K filing. CIBC Credit Memo dated Sept. 27, 2007 provides statistics taken from ACA Financial Guaranty Corporation 2006 statutory filings and these show unacceptable leverage to statutory capital and claims paying resources.

The CIBC VAR calculation was in error because it assumed there was a perfect hedge when in fact it was an imperfect hedge.

Goldman Sachs had the right to mark to market margin at all times with CIBC, while CIBC had no rights to margin with ACA until ACA was downgraded two notches, at which point ACA could not make the margin payments. The Credit Memo shows CIBC knew that ACA could not meet its margin calls triggered when ACA credit rating fell below A-, just two notches lower.

The implied ratings noted in Kamakura's affidavit for ACA Capital were as follows:
February 28, 2007 BB implied rating
May 31, 2007 BB- implied rating
July 31, 2007 B+ implied rating
November 30, 2007 CCC+ implied rating
December 31, 2007 CC implied rating

January 1987 through May 13, 2011, 2,590 regulated banks in the United States have failed - about 17% of the banks in existence at the beginning of the period.

The Case-Shiller numbers show clearly that home prices in Boston and Detroit peaked in 2005 and that most other major cities reported peaks in mid-2006.

Markit ABX.HE & TABX.HE

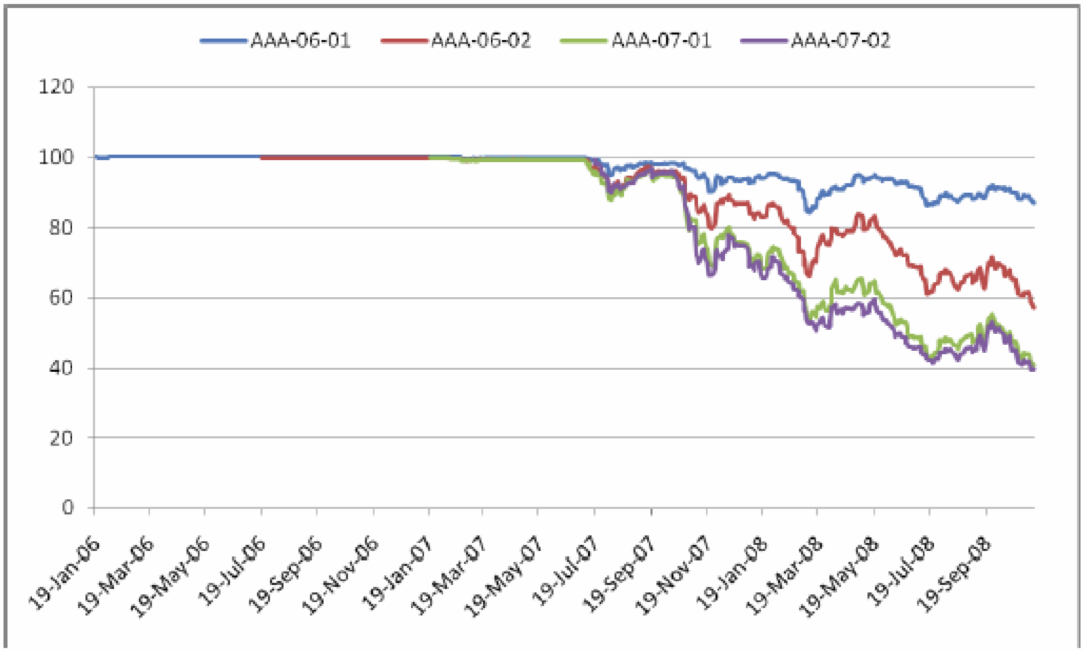
The Markit ABX.HE index is a synthetic tradeable index referencing a basket of 20 subprime mortgage-backed securities. Five indices based upon the rating of reference obligations: AAA, AA, A, BBB, and BBB-

The Markit TABX.HE indices are tranched versions of the Markit ABX.HE, created by further dividing the principal balances of the Markit ABX.HE.BBB and Markit ABX.HE.BBB- indices. each set combining the 07-2 and 07-1 or the 07-1 and 06-2 reference obligations. The goal of Markit TABX.HE is to provide investors with the ability to gain/hedge their exposure on the underlying names to specific tranches of varying levels of risk within the portfolio structures.

> Collateralized debt obligations referencing a commonly used index of credit default swaps on corporate bonds have a more granular capital structure with two types of junior claims (0-3 percent, 3-7 percent), mezzanine claims (7-10 percent, 10-15 percent) and senior claims (15-30 percent, 30-100 percent). Tranches that are based on an index of residential mortgage backed securities have a similarly granular structure with junior claims (0-3 percent, 3-7 percent), mezzanine claims (7-12 percent, 12-20 percent) and senior claims (20-35 percent, 35-100 percent).

In a CIBC memo to file entitled ―Valuation of CDO tranches as at July 31, 2007, dated August 2, 2007, Shuaib Shariff, Chief Accountant‗s Division at CIBC, referred to the ABX/TABX indices as **―the best underlying market source** for valuation of CIBC‗s CDO positions.[47] Finally, the Chief Risk Officer‗s Report, dated August 27, 2007 indicates that, as a step toward ―risk measurement enhancement, CIBC had decided to incorporate ABX spread information into the range of available indices used to measure the market risk of CIBC‗s CDOs.

Given CIBC‗s explicit use of the ABX in valuation, risk assessment, and risk management (CIBC used the ABX to hedge $300,000,000 of its direct, unhedged subprime CDO exposure), and indications in the Levin Report that institutions such as Goldman Sachs and Deutsche Bank relied on the ABX and the TABX for the same reasons.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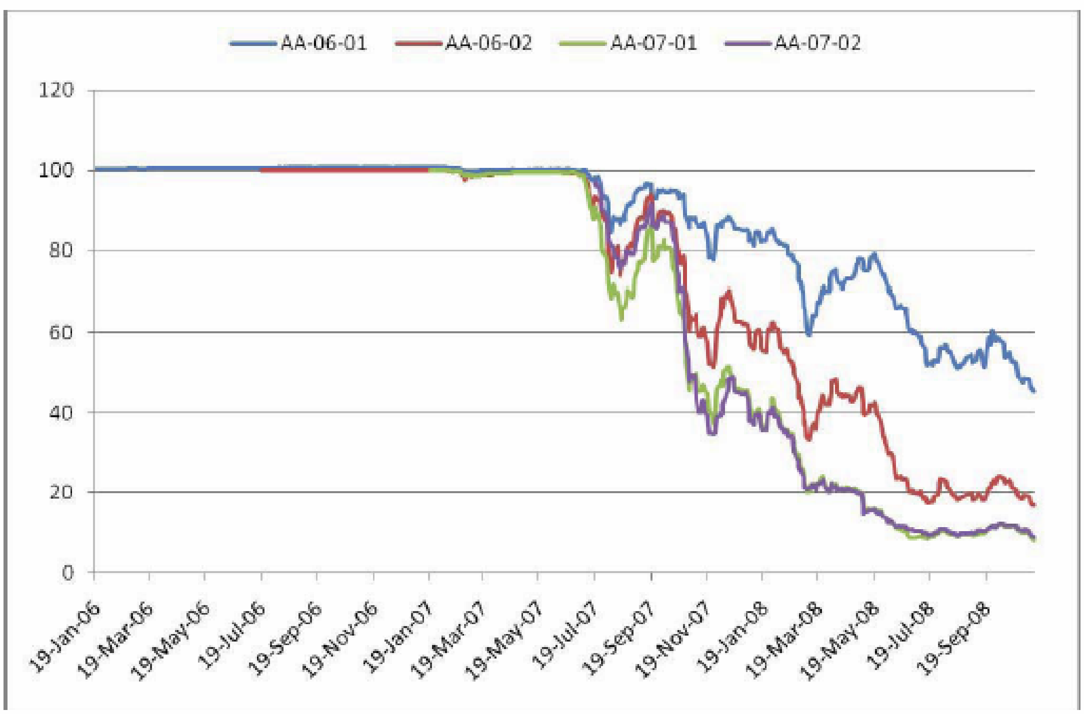
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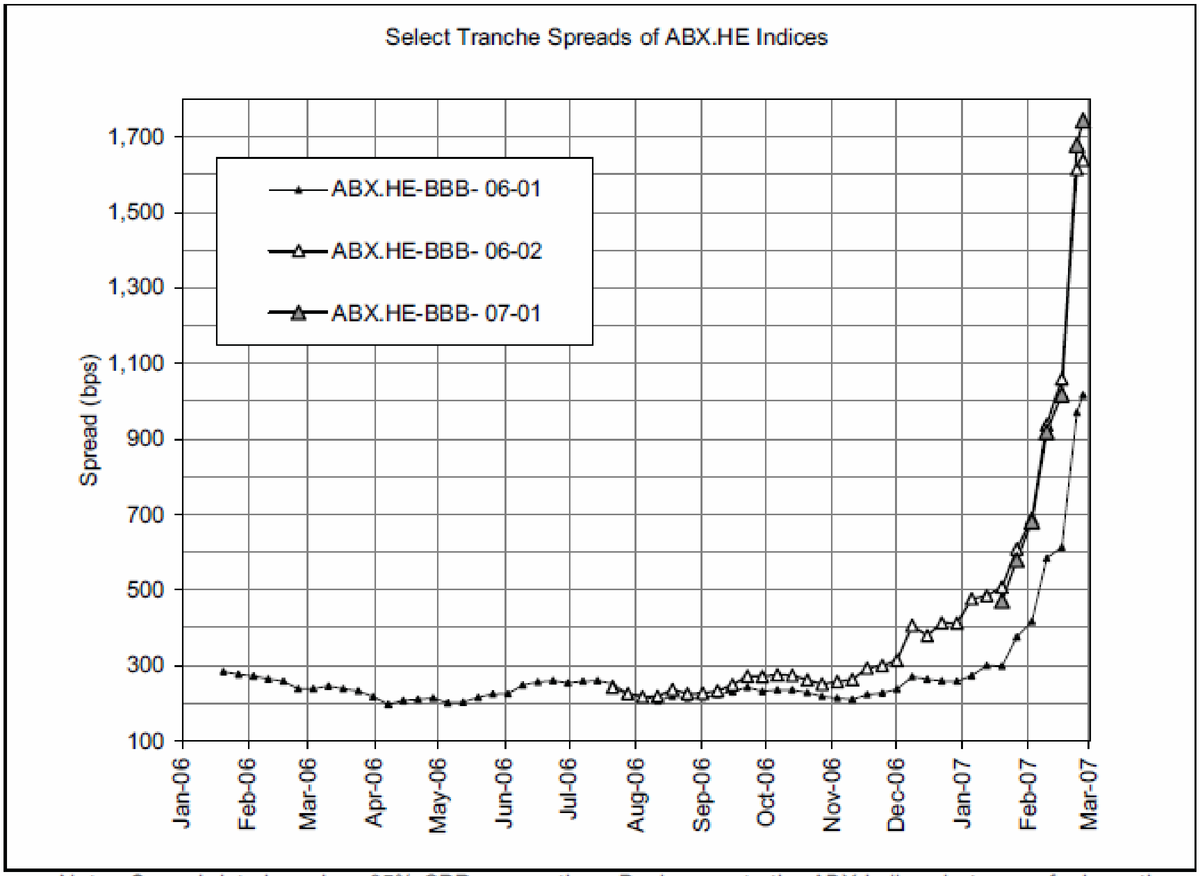
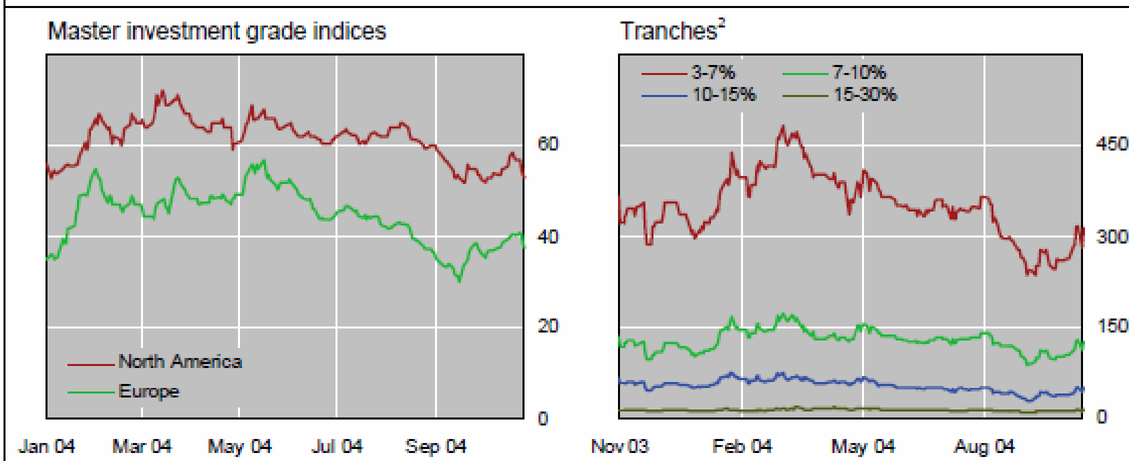


Note: Spread data based on 35% CPR assumption. Dealers quote the ABX indices in terms of price rather than spread. We convert the prices to spreads to facilitate comparison among the different series.
Source: Markit, Nomura Securities International

CDS index spreads[1]



[1] On-the-run five-year swap spreads, in basis points. [2] North America master investment grade.

Source: JPMorgan Chase.

Graph 2