

Edgar Filing: BANK OF NEW YORK CO INC - Form 8-K

BANK OF NEW YORK CO INC  
Form 8-K  
January 30, 2003

SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15 (d) of  
the Securities Exchange Act of 1934

Date of Report (Date of earliest event  
reported): January 23, 2003

THE BANK OF NEW YORK COMPANY, INC.

-----  
(Exact name of registrant as specified in its charter)

NEW YORK

-----  
(State or other jurisdiction of incorporation)

1-6152

-----  
(Commission file number)

13-2614959

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(I.R.S. employer  
identification number)

One Wall Street, New York, NY

-----  
(Address of principal  
executive offices)

10286

-----  
(Zip code)

212 - 495 - 1784

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(Registrant's telephone number,  
including area code)

Item 5      Other Events

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Three exhibits are filed herewith in connection with the Registration  
Statement on Form S-3 (File Nos. 333-89586, 333-89586-01, 333-89586-02,

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333-89586-03, 333-89586-04) filed by The Bank of New York Company, Inc. (the "Company") with the Securities and Exchange Commission covering 40,000,000 shares of the Company's Common Stock, par value \$7.50 per share. The exhibits consist of the Pricing Agreement (which incorporates the Underwriting Agreement Standard Provisions (August 2002), which was previously filed as exhibit 1.2 to our Current Report on Form 8-K dated August 28, 2002), dated January 23, 2003, among the Company, Merrill Lynch, Pierce, Fenner & Smith Incorporated, Merrill Lynch International, Credit Suisse First Boston LLC and Credit Suisse First Boston International, (the "Pricing Agreement"); the Confirmation, dated January 23, 2003, among the Company, Merrill Lynch, Pierce, Fenner & Smith Incorporated and Merrill Lynch International acting as agent for the parties (the "ML Confirmation") and the Confirmation, dated January 23, 2003, among the Company, Credit Suisse First Boston LLC and Credit Suisse First Boston International acting as agent for the parties (the "CSFB Confirmation").

Item 7      Financial Statements, Pro Forma Financial  
-----      Information and Exhibits  
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### (c) Exhibits

The following exhibits are filed herewith:

- 1.1 Pricing Agreement.
- 1.2 ML Confirmation.
- 1.3 CSFB Confirmation.

SIGNATURE  
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Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned thereunto duly authorized.

Date: January 29, 2003

The Bank of New York Company, Inc.

By: /s/ Thomas J. Mastro  
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Name: Thomas J. Mastro  
Title: Comptroller