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September 5, 2008

To our Distribution Partners and Producers:

As we are all aware, absent a last minute extension, the comment period for the Securities and Exchange Commission's (SEC) proposed Rule 151A is scheduled to close on September 10, 2008. With this deadline quickly approaching, Aviva is finalizing its comments on the proposed rule, and will soon submit a formal letter to the SEC. Also, as part of this process, I, along with other Aviva representatives, met yesterday with the SEC in Washington, D.C.

Meeting with the SEC

The purpose of the meeting was to express Aviva's opposition to proposed Rule 151A, and to reinforce our belief that fixed indexed annuities (FIA) are insurance products effectively governed by state regulators, and should not be subject to SEC regulation. We also provided the SEC with an overview of Aviva, our products and our industry-leading suitability and disclosure standards. Some additional key points made to the SEC include:

- **Proposed Rule 151A is flawed.** This proposal ignores the significant and important guarantees provided by insurers, the "more likely than not" test is inconsistent with judicial precedent and provides no certainty as to what is and is not a security. While we welcome certainty with respect to the status of indexed products, the proposed rule is seriously flawed.
- **Proposed Rule 151A is anti-competitive.** Experience suggests that the proposed rule will hinder, not promote competition. After the NASD issued a rule on the sale of FIAs (NASD Notice to members 05-50), broker-dealers restricted the ability of registered representatives to sell FIAs, which decreased competition. In addition, the proposed rule would create an unlevel playing field between FIAs on the one hand and variable annuities and bank indexed products on the other. If the SEC proceeds to adopt any rule it must ensure that indexed annuities are not competitively disadvantaged.
- **Current state regulation provides important protection to policyowners, which the SEC has failed to consider.** Many of the concerns raised by the SEC regarding suitability and simplified FIA product disclosures have been addressed by the states. The state regulators have been quite effective in regulating market conduct and sales practices.

The meeting was productive though the SEC's representatives at the meeting were not in position to respond to a number of our comments or concerns given the pending comment period and public process. Nevertheless, we came away believing that they were interested in our perspective on the rule and would be very interested in our comment letter.

Tom Godlasky
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Aviva's ongoing commitment to you

Aviva is represented by the best and the brightest distribution partners and agents in the industry, who play a key role in helping our policyowners meet their financial needs. We are committed to supporting you now and in the future.

Aviva is equally committed to continuing to offer a strong portfolio of products. Whether the proposed rule is adopted in its current form or not, you can rest assured that we are prepared to help you continue to meet your customers' needs. To that end, we are updating our portfolio of traditional fixed annuity products so that no matter what happens you will be able to serve your clients' needs.

As I mentioned before, we are quickly approaching the filing of our official comments. We will continue to keep you apprised of any new developments as we learn them.

Thank you for your ongoing commitment to Aviva and to your customers—we look forward to continued success.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Godlasky". The signature is fluid and cursive, with the first name "Tom" being the most prominent.

Tom Godlasky
President and CEO, Aviva North America