



STATE OF NEW YORK INSURANCE DEPARTMENT  
REPORT ON EXAMINATION  
OF THE  
JACKSON NATIONAL LIFE INSURANCE COMPANY OF NEW YORK

CONDITION:

DECEMBER 31, 2008

DATE OF REPORT:

MAY 13, 2010

STATE OF NEW YORK INSURANCE DEPARTMENT  
REPORT ON EXAMINATION  
OF THE  
JACKSON NATIONAL LIFE INSURANCE COMPANY OF NEW YORK  
AS OF  
DECEMBER 31, 2008

DATE OF REPORT:

MAY 13, 2010

EXAMINER:

JO'CATENA HARGROVE

## TABLE OF CONTENTS

<u>ITEM</u>	<u>PAGE NO.</u>
1. Scope of examination	2
2. Description of Company	3
A. History	3
B. Holding company	4
C. Management	7
D. Territory and plan of operation	9
E. Reinsurance	10
3. Significant operating results	11
4. Financial statements	13
A. Assets, liabilities, capital and surplus	13
B. Condensed summary of operations	15
C. Capital and surplus account	17
5. Market conduct activities	18
A. Advertising and sales activities	18
B. Underwriting and policy forms	18
C. Treatment of policyholders	18
6. Prior report summary and conclusions	19



STATE OF NEW YORK  
INSURANCE DEPARTMENT  
25 BEAVER STREET  
NEW YORK, NEW YORK 10004

David Paterson  
Governor

James J. Wrynn  
Superintendent

March 31, 2010

Honorable James J. Wrynn  
Superintendent of Insurance  
Albany, New York 12257

Sir:

In accordance with instructions contained in Appointment No. 30259, dated October 23, 2008 and annexed hereto, an examination has been made into the condition and affairs of Jackson National Life Insurance Company of New York, hereinafter referred to as "the Company," at its home office located at 2900 Westchester Avenue, Purchase, New York 10577.

Wherever "Department" appears in this report, it refers to the State of New York Insurance Department.

The report indicating the results of this examination is respectfully submitted.

## 1. SCOPE OF EXAMINATION

The prior examination was conducted as of December 31, 2005. This examination covers the period from January 1, 2006 through December 31, 2008. As necessary, the examiner reviewed transactions occurring subsequent to December 31, 2008 but prior to the date of this report (i.e., the completion date of the examination).

The examination comprised a verification of assets and liabilities as of December 31, 2008 to determine whether the Company's 2008 filed annual statement fairly presents its financial condition. The examiner reviewed the Company's income and disbursements necessary to accomplish such verification and utilized the National Association of Insurance Commissioners' Examiners Handbook or such other examination procedures, as deemed appropriate, in such review and in the review or audit of the following matters:

- Company history
- Management and control
- Corporate records
- Fidelity bond and other insurance
- Territory and plan of operation
- Market conduct activities
- Growth of Company
- Business in force by states
- Mortality and loss experience
- Reinsurance
- Accounts and records
- Financial statements

The examiner reviewed the corrective actions taken by the Company with respect to the violations, recommendations and comment contained in the prior report on examination. The results of the examiner's review are contained in item 6 of this report.

This report on examination is confined to financial statements and comments on those matters which involve departure from laws, regulations or rules, or which require explanation or description.

## 2. DESCRIPTION OF COMPANY

### A. History

The Company was incorporated as a stock life insurance company under the laws of New York on July 11, 1995 under the name First Jackson National Life Insurance Company and commenced business on August 16, 1996. Initial resources of \$8,000,000 consisting of common capital stock of \$2,000,000 and paid in and contributed surplus of \$6,000,000 were provided by the Company's parent, Jackson National Life Insurance Company ("JNL").

In 1997, the Company formally changed its name to Jackson National Life Insurance Company of New York.

JNL made contributions to paid-in surplus of \$10 million in 1999, \$15 million in 2000, \$40 million in 2001 and \$70 million in 2002. In 2005, pursuant to a tax allocation agreement, the Company reported a \$2,464,076 capital contribution from JNL for the use of the Company's capital loss carryforwards. JNL also made a surplus contribution of \$266,497,500 to the Company in 2008.

Effective December 31, 2008, the Company entered into a reinsurance agreement with JNL, whereby the Company ceded, on a 90% quota share basis, the guaranteed minimum withdrawal benefit on variable annuity contracts issued by the Company and in force as of December 31, 2008. The reinsurance agreement resulted in ceded premiums equal to the statutory reserve ceded of \$241.6 million.

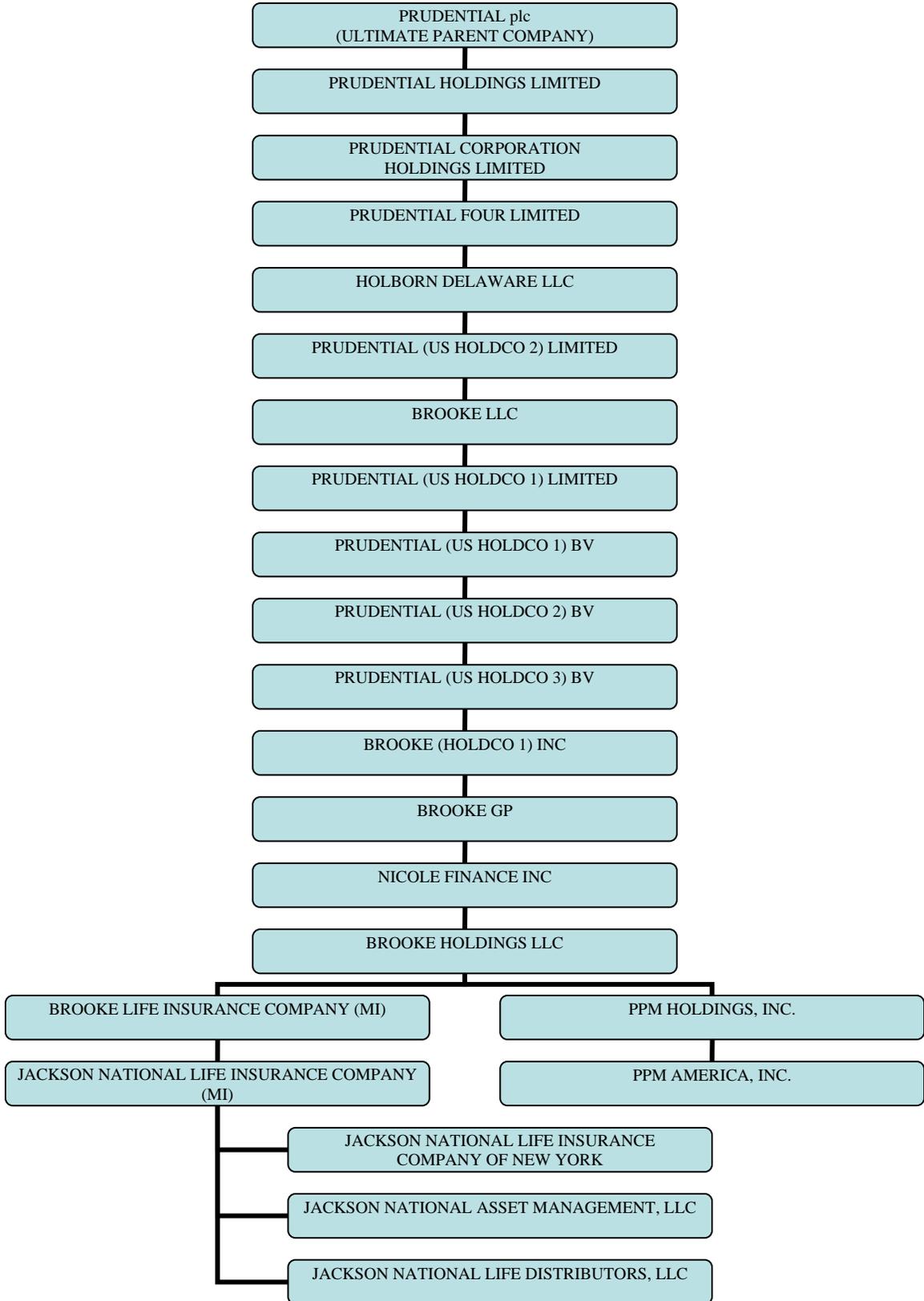
As of December 31, 2008, the Company's capital and paid in and contributed surplus were \$2,000,000 and \$409,961,576, respectively.

Subsequent to the examination period, the Company received an additional surplus contribution of \$75,000,000 in cash from JNL in May of 2009.

## B. Holding Company

The Company is a wholly owned subsidiary of JNL, a Michigan insurer. JNL is in turn a wholly owned subsidiary of Brooke Life Insurance Company (“Brooke”), a Michigan insurer, which was formed by Prudential, plc. (“Prudential”) after it acquired JNL in 1986. Prudential, a multi-national financial services company headquartered in London, England, is the second largest life assurance company in the United Kingdom and one of the leading financial services organizations in the world. JNL is the United States operating arm of Prudential.

An organization chart reflecting the relationship between the Company and significant entities in its holding company system as of December 31, 2008 follows:



The Company had 4 service agreements in effect with affiliates during the examination period.

Type of Agreement and Department File Number	Effective Date	Provider(s) of Service(s)	Recipient(s) of Service(s)	Specific Service(s) Covered	Income/ (Expense)* For Each Year of the Examination
Administrative Services and Expense Allocation 27719	12/31/99	Jackson National Life Distributors, Inc.	The Company	Product development, distribution and marketing services	2006: \$(1,756,034) 2007: \$(1,930,298) 2008: \$(2,245,031)
Special Compensation Consolidation and Cost Allocation 27718	12/31/99	JNL / The Company	JNL / The Company	Special compensation and related matters	2006: \$ (156,076) 2007: \$ (136,429) 2008: \$ 55,017
Administrative Services 24644	11/3/97	JNL	The Company	Accounting, tax, auditing, claims, underwriting, marketing & product development, Functional support, payroll, personnel, policyholder services, telephone	2006: \$(4,152,011) 2007: \$(6,478,604) 2008: \$(4,190,187)
Investment Advisory Agreement 22542C & 22542D Amended and Restated Investment Advisory Agreement 38130	5/1/96  3/25/08	PPM America, Inc.	The Company	Investment Services	2006: \$(517,389) 2007: \$(489,481) 2008: \$(486,689)

\* Amount of Income or (Expense) Incurred by the Company

The Company participates in a federal income tax allocation agreement with its parent and affiliates.

### C. Management

The Company's by-laws provide that the board of directors shall be comprised of not less than 9 and not more than 21 directors. The by-laws also provide that if admitted assets exceed \$1.5 billion during any calendar year, then the number of directors shall be increased to not less than 13 within one year following the end of such calendar year. Directors are elected for a period of one year at the annual meeting of the stockholders held in March of each year. As of December 31, 2008, the board of directors consisted of 13 members. Meetings of the board are held in March, June, September and December.

The 13 board members and their principal business affiliation, as of December 31, 2008, were as follows:

<u>Name and Residence</u>	<u>Principal Business Affiliation</u>	<u>Year First Elected</u>
John H. Brown Ada, MI	Vice President - Government Relations Jackson National Life Insurance Company of New York Vice President – Government Relations Jackson National Life Insurance Company	2004
Marianne Clone Holt, MI	Vice President of Administration Jackson National Life Insurance Company of New York Vice President of Administration Jackson National Life Insurance Company	2004
John C. Colpean* Haslett, MI	Sole Proprietor and General Counsel Colpean & Associates, PC	2007
Donald T. DeCarlo* Douglaston, NY	Chairman and President AMCOMP	1999
Julia A. Goatley Okemos, MI	Vice President and Senior General Counsel Jackson National Life Insurance Company of New York Vice President and Assistant Secretary Jackson National Life Insurance Company	2004

<u>Name and Residence</u>	<u>Principal Business Affiliation</u>	<u>Year First Elected</u>
Donald B. Henderson Jr.* Bronxville, NY	Partner Dewey & LeBoeuf, LLP	1995
Andrew B. Hopping Okemos, MI	Executive Vice President, Chief Financial Officer and Chairman of the Board Jackson National Life Insurance Company of New York Executive Vice President and Chief Financial Officer Jackson National Life Insurance Company	1997
Herbert G. May III Waban, MA	Chief Administrative Officer Jackson National Life Insurance Company of New York	2001
Thomas J. Meyer East Lansing, MI	Senior Vice President, General Counsel and Secretary Jackson National Life Insurance Company of New York Senior Vice President, General Counsel and Secretary Jackson National Life Insurance Company	1995
Russell E. Peck Okemos, MI	Vice President of Financial Operations Jackson National Life Insurance Company of New York Vice President of Financial Operations Jackson National Life Insurance Company	2004
David L. Porteous* Reed City, MI	Partner McCurdy, Wotila & Porteous, PC	1995
Gregory B. Salsbury Castle Rock, CO	Vice President – Institutional Marketing Jackson National Life Insurance Company of New York	2006
Gary H. Torgow* Oak Park, MI	Chief Executive Officer Sterling Group	2005

\* Not affiliated with the Company or any other company in the holding company system

The examiner's review of the minutes of the meetings of the board of directors and its committees indicated that meetings were well attended and that each director attended a majority of meetings.

The following is a listing of the principal officers of the Company as of December 31, 2008:

<u>Name</u>	<u>Title</u>
Clark P. Manning Jr.	President & Chief Executive Officer
Thomas J. Meyer	Senior Vice President, General Counsel and Secretary
James P. Binder	Senior Vice President and Treasurer
Richard D. Ash	Vice President and Actuary
Michael A. Wells	Chief Operating Officer
Andrew B. Hopping	Executive Vice President, Chief Financial Officer and Chairman of the Board
Clifford J. Jack	Executive Vice President & Chief Distribution Officer
Julius G. Napoles	Executive Vice President & Chief Information Officer
James R. Sopha	Executive Vice President
Herbert G May III	Chief Administrative Officer
Lisa C. Drake	Senior Vice President & Chief Actuary
Robert A. Fritts	Senior Vice President & Controller
Stephen A. Hrapkiewicz Jr.	Senior Vice President
Paul C. Myers	Senior Vice President
Marianne Clone	Vice President – Administration
Gregory B. Salsbury	Vice President – Institutional Marketing
John H. Brown	Vice President - Government Relations
Julia A. Goatley*	Vice President and Senior General Counsel
Russell E. Peck	Vice President of Financial Operations

\* Designated consumer services officer per Section 216.4(c) of Department Regulation No. 64

#### D. Territory and Plan of Operation

The Company is authorized to write life insurance, annuities and accident and health insurance as defined in paragraphs 1, 2 and 3 of Section 1113(a) of the New York Insurance Law.

The Company is licensed to transact business in three states, namely Delaware, Michigan and New York. In 2008, 92.2% of life premiums, 97.5% of annuity considerations and all of the deposit type funds were received from New York. Policies are written on a non-participating basis.

The Company sells primarily fixed and variable annuities. During the examination period the Company also issued term, universal and variable universal life insurance products. The Company's products are sold through three distribution channels: independent agents and brokers; financial institutions; and broker-dealers.

E. Reinsurance

As of December 31, 2008, the Company had reinsurance treaties in effect with 10 companies, of which 8 were authorized or accredited. The Company's life business is reinsured on a coinsurance, and yearly renewable term basis. Reinsurance is provided on an automatic and facultative basis.

The maximum retention limit for individual life contracts is \$200,000. The total face amount of life insurance ceded as of December 31, 2008, was \$334,725,097, which represents 79% of the total face amount of life insurance in force. Reserve credit taken for reinsurance ceded to unauthorized companies, totaling \$241,618,013, was supported by trust agreements. The Company did not assume any reinsurance during the examination period.

### 3. SIGNIFICANT OPERATING RESULTS

Indicated below is significant information concerning the operations of the Company during the period under examination as extracted from its filed annual statements. Failure of items to add to the totals shown in any table in this report is due to rounding.

The following table indicates the Company's financial growth (decline) during the period under review:

	December 31, <u>2005</u>	December 31, <u>2008</u>	Increase (Decrease)
Admitted assets	\$ <u>2,281,679,384</u>	\$ <u>2,681,811,018</u>	\$ <u>400,131,634</u>
Liabilities	\$ <u>2,149,230,186</u>	\$ <u>2,587,148,797</u>	\$ <u>437,918,611</u>
Common capital stock	\$ 2,000,000	\$ 2,000,000	\$ 0
Gross paid in and contributed surplus	143,464,076	409,961,576	266,497,500
Unassigned funds (surplus)	<u>(13,014,878)</u>	<u>(317,299,355)</u>	<u>(304,284,477)</u>
Total capital and surplus	\$ <u>132,449,198</u>	\$ <u>94,662,221</u>	\$ <u>(37,786,977)</u>
Total liabilities, capital and surplus	\$ <u>2,281,679,384</u>	\$ <u>2,681,811,018</u>	\$ <u>400,131,634</u>

The increase in admitted assets and liabilities is primarily due to the increase in Separate Accounts of \$362 million resulting from the sales of variable annuities.

The increase in gross paid in and contributed surplus is due to the capital contribution made in 2008.

The decrease in total capital and surplus is due to net losses partially offset by contributed surplus.

The Company's invested assets as of December 31, 2008, exclusive of separate accounts, were mainly comprised of bonds (89%) and cash and short-term investments (10%).

The majority (95.4%) of the Company's bond portfolio, as of December 31, 2008, was comprised of investment grade obligations.

The following indicates, for each of the years listed below, the amount of life insurance issued and in force by type (in thousands of dollars):

<u>Year</u>	<u>Individual Whole Life</u>		<u>Individual Term</u>	
	<u>Issued</u>	<u>In Force</u>	<u>Issued</u>	<u>In Force</u>
2006	\$12,628	\$70,938	\$31,859	\$390,763
2007	\$ 900	\$68,648	\$ 425	\$380,316
2008	\$ 825	\$67,795	\$ 0	\$355,055

The Company no longer sells life insurance and hasn't since late 2006. The issued policies in 2007 and 2008 represent conversions.

The following is the net gain (loss) from operations by line of business after federal income taxes but before realized capital gains (losses) reported for each of the years under examination in the Company's filed annual statements:

	<u>2006</u>	<u>2007</u>	<u>2008</u>
Ordinary:			
Life insurance	\$ 146,425	\$ (36,770)	\$ 309,915
Individual annuities	<u>(3,591,367)</u>	<u>(9,465,457)</u>	<u>(290,357,830)</u>
Total ordinary	<u>\$(3,444,942)</u>	<u>\$(9,502,227)</u>	<u>\$(290,047,915)</u>
Group:			
Annuities	<u>6,722,094</u>	<u>7,138,295</u>	<u>5,161,327</u>
Total group	<u>\$ 6,722,094</u>	<u>\$ 7,138,295</u>	<u>\$ 5,161,327</u>
Total	<u>\$ 3,277,152</u>	<u>\$(2,363,932)</u>	<u>\$(284,886,588)</u>

The decrease in ordinary life in 2007 is primarily due to an increase in death benefits paid. The loss in individual annuities is primarily due to \$274 million increase in Department Regulation No. 128 reserves for variable annuity guaranteed benefits, primarily guaranteed minimum withdrawal benefits ("GMWB"). At December 31, 2008, 90% of the GMWB reserves were ceded to the parent, JNL.

#### 4. FINANCIAL STATEMENTS

The following statements show the assets, liabilities, capital and surplus as of December 31, 2008, as contained in the Company's 2008 filed annual statement, a condensed summary of operations and a reconciliation of the capital and surplus account for each of the years under review. The examiner's review of a sample of transactions did not reveal any differences which materially affected the Company's financial condition as presented in its financial statements contained in the December 31, 2008 filed annual statement.

##### A. ASSETS, LIABILITIES, CAPITAL AND SURPLUS AS OF DECEMBER 31, 2008

###### Admitted Assets

Bonds	\$1,253,784,974
Stocks:	
Preferred stocks	3,629,747
Common stocks	296,479
Cash, cash equivalents and short term investments	143,832,335
Contract loans	142,840
Receivable for securities	655,153
Investment income due and accrued	14,647,556
Premiums and considerations:	
Uncollected premiums and agents' balances in the course of collection	(247,996)
Deferred premiums, agents' balances and installments booked but deferred and not yet due	17,214
Reinsurance:	
Amounts recoverable from reinsurers	299,970
Other amounts receivable under reinsurance contracts	6,360
Current federal and foreign income tax recoverable and interest thereon	101,975,074
Net deferred tax asset	1,372,218
From Separate Accounts, Segregated Accounts and Protected Cell Accounts	<u>1,161,399,094</u>
 Total admitted assets	 <u>\$2,681,811,018</u>

Liabilities, Capital and Surplus

Aggregate reserve for life policies and contracts	\$1,330,337,555
Liability for deposit-type contracts	13,193,559
Contract claims:	
Life	10,146,962
Premiums and annuity considerations for life and accident and health	
Contracts received in advance	7,850
Commissions to agents due or accrued	1,083,053
General expenses due or accrued	642,961
Transfers to Separate Accounts due or accrued	(48,352,469)
Taxes, licenses and fees due or accrued, excluding federal income taxes	419,890
Amounts withheld or retained by company as agent or trustee	218,590
Amounts held for agents' account	0
Remittances and items not allocated	2,316,598
Miscellaneous liabilities:	
Asset valuation reserve	1,215
Payable to parent, subsidiaries and affiliates	115,463,942
Interest payable on contract claims	269,996
From Separate Accounts statement	<u>1,161,399,094</u>
 Total liabilities	 <u>\$2,587,148,797</u>
 Common capital stock	 \$ 2,000,000
Gross paid in and contributed surplus	409,961,576
Aggregate write-ins for special surplus funds	0
Unassigned funds (surplus)	<u>(317,299,355)</u>
Surplus	\$ <u>92,662,221</u>
Total capital and surplus	\$ <u>94,662,221</u>
 Total liabilities, capital and surplus	 <u>\$2,681,811,018</u>

B. CONDENSED SUMMARY OF OPERATIONS

	<u>2006</u>	<u>2007</u>	<u>2008</u>
Premiums and considerations	\$449,908,012	\$555,926,838	\$ 215,291,825
Investment income	86,891,674	82,951,002	77,408,887
Net gain from operations from Separate Accounts	0	134,981	0
Commissions and reserve adjustments on reinsurance ceded	170,283	86,604	85,549
Miscellaneous income	<u>19,863,900</u>	<u>30,741,709</u>	<u>32,984,268</u>
 Total income	 <u>\$556,833,869</u>	 <u>\$669,841,134</u>	 <u>\$ 325,770,529</u>
Benefit payments	\$234,380,845	\$286,121,792	\$ 355,646,552
Increase in reserves	(20,581,895)	(55,853,282)	61,804,645
Commissions	31,421,176	37,546,412	31,290,842
General expenses and taxes	7,086,057	9,323,259	7,756,106
Increase in loading on deferred and uncollected premium	(655)	144,571	19,244
Net transfers to (from) Separate Accounts	<u>296,053,548</u>	<u>391,176,286</u>	<u>154,139,726</u>
 Total deductions	 <u>\$548,359,076</u>	 <u>\$668,459,038</u>	 <u>\$ 610,657,115</u>
Net gain (loss)	\$ 8,474,793	\$ 1,382,096	\$(284,886,586)
Federal and foreign income taxes incurred	<u>5,197,641</u>	<u>3,746,027</u>	<u>0</u>
Net gain (loss) from operations before net realized capital gains	\$ 3,277,152	\$ (2,363,931)	\$(284,886,586)
Net realized capital gains (losses)	<u>97,346</u>	<u>(1,775,527)</u>	<u>(24,483,802)</u>
 Net income (loss)	 <u>\$ 3,374,498</u>	 <u>\$ (4,139,458)</u>	 <u>\$(309,370,388)</u>

The variable annuity premiums increased from 2006 to 2007, and decreased from 2007 to 2008 due to falling equity markets in the fourth quarter of 2008, as well as the variable annuity reinsurance agreement with JNL.

The decrease in reserves in 2007 was due primarily to fixed account annuity surrenders greater than premiums partially offset by an increase in variable annuity guaranteed benefit reserves. The increase in 2008 reserves is due primarily to additional Department Regulation No.128 GMWB reserves.

The transfers to separate accounts increased from 2006 to 2007 due to increased variable annuity sales. The decrease from 2007 to 2008 was due to a decrease in variable annuity sales as a result of the decline in broader equity markets.

The net loss of \$309.4 million in 2008 is primarily due to the unprecedented economic environment and conditions in the second half of 2008, including the effect of the significant decline in equity markets on the Company's variable annuity guaranteed benefit reserves under Regulation No. 128 (\$274.0 million). However, the Company reported a \$44.7 million net income in 2009 due to improvements in the equity market which resulted in a decrease in the amount of reserves held under Department Regulation No. 128.

C. CAPITAL AND SURPLUS ACCOUNT

	<u>2006</u>	<u>2007</u>	<u>2008</u>
Capital and surplus, December 31, prior year	\$ <u>132,449,198</u>	\$ <u>134,617,505</u>	\$ <u>132,086,103</u>
Net income	\$ 3,374,498	\$ (4,139,458)	\$(309,370,388)
Change in net unrealized capital gains (losses)	71,089	46,464	(306,765)
Change in net deferred income tax	4,110,022	6,734,189	11,179,264
Change in non-admitted assets and related items	(4,101,802)	(7,255,231)	(15,466,056)
Change in asset valuation reserve	(1,345,611)	2,142,745	10,042,564
Surplus (contributed to), withdrawn from Separate Accounts during period	(1,000,000)	1,134,981	0
Other changes in surplus in Separate Accounts statement	1,060,112	(1,195,093)	0
Surplus adjustments: Paid in	<u>0</u>	<u>0</u>	<u>266,497,500</u>
Net change in capital and surplus for the year	\$ <u>2,168,308</u>	\$ <u>(2,531,403)</u>	\$ <u>(37,423,882)</u>
Capital and surplus, December 31, current year	\$ <u>134,617,505</u>	\$ <u>132,086,103</u>	\$ <u>94,662,221</u>

The increase in the net deferred income tax in 2007 was primarily related to insurance reserves (\$5.3 million). The increase in 2008 was primarily related to investments (\$7.3 million) and insurance reserves (\$3.5 million).

In each of the three years, the increase in non-admitted assets was primarily due to an increase in nonadmitted deferred tax assets.

The change in the AVR reserve in 2008 and 2007 is primarily due to an increase in realized losses.

## 5. MARKET CONDUCT ACTIVITIES

The examiner reviewed various elements of the Company's market conduct activities affecting policyholders, claimants, and beneficiaries to determine compliance with applicable statutes and regulations and the operating rules of the Company.

### A. Advertising and Sales Activities

The examiner reviewed a sample of the Company's advertising files and the sales activities of the agency force including trade practices, solicitation and the replacement of insurance policies.

Based upon the sample reviewed, no significant findings were noted.

### B. Underwriting and Policy Forms

The examiner reviewed a sample of new underwriting files, both issued and declined, and the applicable policy forms.

Based upon the sample reviewed, no significant findings were noted.

### C. Treatment of Policyholders

The examiner reviewed a sample of various types of claims, surrenders, changes and lapses. The examiner also reviewed the various controls involved, checked the accuracy of the computations and traced the accounting data to the books of account.

Based upon the sample reviewed, no significant findings were noted.

## 6. PRIOR REPORT SUMMARY AND CONCLUSIONS

Following are the violations, recommendations and comment contained in the prior report on examination and the subsequent actions taken by the Company in response to each citation:

<u>Item</u>	<u>Description</u>
A	<p>The Company violated Section 1505(d)(3) of the New York Insurance Law by failing to file with the Department the amended Investment Advisory Agreement with PPM America, Inc., an affiliated company.</p> <p>The Company filed with the Department the amended Investment Advisory Agreement with PPM America, Inc., and received approval on January 10, 2008.</p>
B	<p>The examiner recommended that the Company amend the Investment Advisory Agreement with PPM to incorporate the minimum reporting requirements, consistent with those set forth in the Company's Statement of Investment Policy and Objectives, and file such amendment with the Department pursuant to Section 1505(d)(3) of the New York Insurance Law.</p> <p>The Company amended the Investment Advisory Agreement with PPM as recommended.</p>
C	<p>Based on concerns raised regarding a lack of conservatism in the asset adequacy analysis, the Company agreed to establish reserves determined under a more conservative asset adequacy analysis as prescribed by the Department, and to strengthen asset adequacy reserves to \$20 million. This additional amount will be adjusted going forward as warranted by future asset adequacy analyses.</p> <p>During 2006, the Department required the Company to perform additional asset adequacy analysis under more severe conditions than the Company would have otherwise performed. This additional analysis resulted in a requirement to hold an additional \$20.0 million of reserves at December 31, 2007. The Company did not agree with the Department that these additional reserves were necessary or required by regulation, but complied with the directive of the Department and recorded the additional reserves. On April 1, 2008, the Company received permission from the Department to release these additional reserves.</p>

<u>Item</u>	<u>Description</u>
D	<p>The examiner recommended that the Company continue to calculate annuity reserves under a more conservative asset adequacy analysis as prescribed by the Department.</p> <p>As documented in the Actuarial Memorandum filed with the Department, the Company continues to analyze asset adequacy using the more conservative techniques and assumptions prescribed by the Department.</p>
E	<p>The examiner recommended that the Company implement procedures to ensure that all documentation necessary to support its compliance with Section 51.6(b)(6) of Department Regulation No. 60 and Sections 243.2(b)(1) and (8) of Department Regulation No. 152 be maintained in the files and be available for examination review.</p> <p>The Company has implemented procedures and sent Company associates a reminder regarding the proper documentation requirements related to Department Regulation No. 60 cases.</p>
F	<p>The Company violated Section 3207(b) of the New York Insurance Law by issuing life insurance policies on the lives of minors in amounts exceeding the limits prescribed by the aforementioned section of Law.</p> <p>If the Company decides to sell life insurance in the future, it has created procedures in order to comply with the limitations set forth in Section 3207(b) of the New York Insurance Law.</p>



APPOINTMENT NO. 30259

**STATE OF NEW YORK**  
**INSURANCE DEPARTMENT**

I, ERIC R. DINALLO, Superintendent of Insurance of the State of New York,  
pursuant to the provisions of the Insurance Law, do hereby appoint:

**JO'CATENA HARGROVE**

*as a proper person to examine into the affairs of the*

**JACKSON NATIONAL LIFE INSURANCE COMPANY OF NEW YORK**

*and to make a report to me in writing of the condition of the said*

**COMPANY**

*with such other information as she shall deem requisite.*

*In Witness Whereof, I have hereunto subscribed by name  
and affixed the official Seal of the Department  
at the City of New York*

*this 23 day of October, 2008*



ERIC R. DINALLO  
Superintendent of Insurance

*Eric Dinallo*  
Superintendent