

SERFF Tracking Number:	MWSG-126247911	State:	Arkansas
Filing Company:	Aviva Life and Annuity Company	State Tracking Number:	43567
Company Tracking Number:	AIL-MERG (09/09)		
TOI:	A10 Annuities - Other	Sub-TOI:	A10.000 Annuities - Other
Product Name:	Merger Endorsement		
Project Name/Number:	/		

Filing at a Glance

Company: Aviva Life and Annuity Company

Product Name: Merger Endorsement

SERFF Tr Num: MWSG-126247911

State: Arkansas

TOI: A10 Annuities - Other

SERFF Status: Closed-Approved-Closed

State Tr Num: 43567

Sub-TOI: A10.000 Annuities - Other

Co Tr Num: AIL-MERG (09/09)

State Status: Approved-Closed

Filing Type: Form

Author: June Stracener

Reviewer(s): Linda Bird

Date Submitted: 09/23/2009

Disposition Date: 09/25/2009

Disposition Status: Approved-Closed

Implementation Date Requested: On Approval

Implementation Date:

State Filing Description:

General Information

Project Name:

Status of Filing in Domicile: Authorized

Project Number:

Date Approved in Domicile: 09/21/2009

Requested Filing Mode: Review & Approval

Domicile Status Comments:

Explanation for Combination/Other:

Market Type: Individual

Submission Type: New Submission

Group Market Size:

Overall Rate Impact:

Group Market Type:

Filing Status Changed: 09/25/2009

Explanation for Other Group Market Type:

State Status Changed: 09/25/2009

Deemer Date:

Created By: June Stracener

Submitted By: June Stracener

Corresponding Filing Tracking Number:

Filing Description:

AVIVA LIFE AND ANNUITY COMPANY

NAIC # 61689; FEIN # 42-0175020

- Merger Endorsement (Form AIL-MERG (09/09))

On behalf of Aviva Life and Annuity Company ("ALAC"), a licensed insurer in your state, we are enclosing the above-referenced form for your review and approval. This is a new form and does not replace any previously approved form.

We represent ALAC and its affiliate, American Investors Life Insurance Company, Inc. ("AIL"), a Kansas domiciled

SERFF Tracking Number: MWSG-126247911 State: Arkansas
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insurer, in connection with the proposed merger of AIL with and into ALAC with ALAC being the surviving company. The proposed effective date of the merger is September 30, 2009. The UCAA Corporate Amendments Application was submitted to your corporate division on September 21, 2009.

This endorsement was approved by Iowa, the domestic state, on September 21, 2009. It will be sent to all existing policyholders of AIL as appropriate.

We could select only one type of insurance and product filing code while building this SERFF filing and, therefore, we selected A10.000 Annuities – Other since most of AIL's in-force business is annuities. Please note, however, that these endorsements will be sent to AIL policyholders for all lines of business (life and annuity) written by AIL.

To the best of ALAC's knowledge, information and belief, the form submitted herewith is in compliance in all respects with the provisions of the insurance laws, rules and regulations of your state, and contains no provisions previously disapproved by your Department.

This form is in final print. ALAC reserves the right to change the appearance and pagination but not the text of this form to comply with future changes in print systems. No font will be less than a 10-point font size. ALAC also reserves the right to change the color and/or weight of the paper on which this form is printed and to correct typographical errors without refileing.

Company and Contact

Filing Contact Information

Doak Foster, Attorney dfoster@mwlaw.com
425 West Capitol Avenue 501-688-8841 [Phone]
Suite 1800 501-688-8807 [FAX]
Little Rock, AR 72201-3525

Filing Company Information

(This filing was made by a third party - MWSGW01)

Aviva Life and Annuity Company CoCode: 61689 State of Domicile: Iowa
611 Fifth Avenue Group Code: 1225 Company Type: Life insurer
Des Moines, IA 50309 Group Name: Aviva USA Group State ID Number:
(800) 800-9882 ext. [Phone] FEIN Number: 42-0175020

Filing Fees

SERFF Tracking Number: MWSG-126247911 State: Arkansas
Filing Company: Aviva Life and Annuity Company State Tracking Number: 43567
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Fee Required? Yes
Fee Amount: \$20.00
Retaliatory? No
Fee Explanation: AR charges \$ 20 for each incidental form.
Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
Aviva Life and Annuity Company	\$20.00	09/23/2009	30758520

SERFF Tracking Number: MWSG-126247911 State: Arkansas
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Product Name: Merger Endorsement
Project Name/Number: /

Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved-Closed	Linda Bird	09/25/2009	09/25/2009

SERFF Tracking Number: MWSG-126247911 *State:* Arkansas
Filing Company: Aviva Life and Annuity Company *State Tracking Number:* 43567
Company Tracking Number: AIL-MERG (09/09)
TOI: A10 Annuities - Other *Sub-TOI:* A10.000 Annuities - Other
Product Name: Merger Endorsement
Project Name/Number: /

Disposition

Disposition Date: 09/25/2009

Implementation Date:

Status: Approved-Closed

Comment:

Rate data does NOT apply to filing.

SERFF Tracking Number: MWSG-126247911 State: Arkansas
 Filing Company: Aviva Life and Annuity Company State Tracking Number: 43567
 Company Tracking Number: AIL-MERG (09/09)
 TOI: A10 Annuities - Other Sub-TOI: A10.000 Annuities - Other
 Product Name: Merger Endorsement
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Schedule	Schedule Item	Schedule Item Status	Public Access
Supporting Document	Flesch Certification		No
Supporting Document	Application		No
Supporting Document	Life & Annuity - Acturial Memo		No
Supporting Document	ALAC Certification and Listing of Nonsurvivor Forms to be used by Survivor		No
Supporting Document	Authorization Letter		No
Supporting Document	Cover Letter dated 9-23-09		No
Form	Merger Endorsement		No

SERFF Tracking Number: MWSG-126247911 State: Arkansas
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 Product Name: Merger Endorsement
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Form Schedule

Lead Form Number: AIL-MERG (09/09)

Schedule Item Status	Form Number	Form Type Form Name	Action	Action Specific Data	Readability	Attachment
	AIL-MERG (09/09)	Policy/Cont ract/Fraternal Certificate: Amendment, Insert Page, Endorsement or Rider	Initial		52.200	Merger Endorsement AIL-MERG (09-09) rev09162009.pdf



Aviva Life and Annuity Company

Home Office: 611 Fifth Avenue, Des Moines, Iowa 50309
Administrative Office: 555 S. Kansas Avenue, P.O. Box 2039, Topeka, KS 66601-2039
1-888-252-5530

MERGER ENDORSEMENT

This endorsement is made part of and should be attached to your policy, contract or certificate.

In accordance with the merger by and between American Investors Life Insurance Company, Inc., 555 South Kansas Avenue, Topeka, Kansas 66603, and Aviva Life and Annuity Company effective September 30, 2009, and pursuant to the necessary regulatory approvals, your insurance company is now Aviva Life and Annuity Company (the "Company") and the home office is located at 611 Fifth Avenue, Des Moines, Iowa 50309. The state of domicile of the Company is Iowa.

All references in your policy, contract or certificate to "American Investors Life Insurance Company, Inc." are hereby changed to "Aviva Life and Annuity Company." No terms, conditions or benefits of your policy, contract or certificate have changed. The Company is responsible for all benefits payable under your policy, contract or certificate. Your rights as an owner are not affected.

If you have any questions, you may call or write the Company at the phone number and address listed above. All future premium payments, notices, claims, actions and any other correspondence with the Company should be sent to the Company at the address listed above.

Signed for the Company at its offices in Des Moines, Iowa.

A handwritten signature in black ink, appearing to read "Christopher J. Littlefield", written over a horizontal line.

Christopher J. Littlefield
President

A handwritten signature in black ink, appearing to read "Michael H. Miller", written over a horizontal line.

Michael H. Miller
Secretary

SERFF Tracking Number: MWSG-126247911 State: Arkansas
 Filing Company: Aviva Life and Annuity Company State Tracking Number: 43567
 Company Tracking Number: AIL-MERG (09/09)
 TOI: A10 Annuities - Other Sub-TOI: A10.000 Annuities - Other
 Product Name: Merger Endorsement
 Project Name/Number: /

Supporting Document Schedules

Item Status: **Status Date:**

Satisfied - Item: Flesch Certification

Comments:

Attachments:

Flesch Score Certification.pdf
 AR Certificate of Compliance.pdf

Item Status: **Status Date:**

Bypassed - Item: Application

Bypass Reason: Not applicable. This filing consists solely of a merger endorsement.

Comments:

Item Status: **Status Date:**

Satisfied - Item: ALAC Certification and Listing of Nonsurvivor Forms to be used by Survivor

Comments:

Attachments:

Certification to Accompany Listing of Nonsurvivor Forms.pdf
 AR Listing of Nonsurvivor Forms.pdf

Item Status: **Status Date:**

Satisfied - Item: Authorization Letter

Comments:

Attachment:

Authorization Letter.pdf

Item Status: **Status**

SERFF Tracking Number: MWSG-126247911 State: Arkansas
Filing Company: Aviva Life and Annuity Company State Tracking Number: 43567
Company Tracking Number: AIL-MERG (09/09)
TOI: A10 Annuities - Other Sub-TOI: A10.000 Annuities - Other
Product Name: Merger Endorsement
Project Name/Number: /

Date:

Satisfied - Item: Cover Letter dated 9-23-09

Comments:

Attachment:

AR 9-23-09 Cover Letter.pdf

AVIVA LIFE AND ANNUITY COMPANY

FLESCH SCORE CERTIFICATION

Form Number

Flesch Score

AIL-MERG (09/09)

52.2

I certify that the machine scored Flesch Readability score for the above mentioned form is accurate.



Randy Matzke
Vice President

July 16, 2009

CERTIFICATION

I, Randy Matzke, Vice President Annuity Product Compliance, of Aviva Life and Annuity Company, do hereby certify that the forms identified below complies with:

- Arkansas Rule and Regulation 19, Unfair Sex Discrimination in the Sale of Insurance.
- Arkansas Rule and Regulation 49, Life and Health Insurance Guaranty Association Notices.
- Arkansas Code Annotated § 23-79-138 as provided for in Bulletin 11-88, Consumer Information Notice.

AVIVA LIFE AND ANNUITY COMPANY



RANDY MATZKE
Vice President

Date: 7-31-09

Name of Form

Merger Endorsement

Form Number

AIL-MERG (09/09)

CERTIFICATION

I hereby certify that, with regard to the forms designated on the attached listing, in issuing the forms by and under the name of Aviva Life and Annuity Company ("ALAC") on and after the September 30, 2009 effective date of the merger of American Investors Life Insurance Company, Inc. with and into ALAC, no changes will be made to these forms from the form in which they were previously filed and approved in your state, except for the following items as applicable:

- Company name
- Company address
- Company logo

AVIVA LIFE AND ANNUITY COMPANY



By _____
Randy Matzke, Vice President

Dated July 16, 2009

**American Investors Life Insurance Company, Inc.
NAIC # 60631**

State of Arkansas

Form Number	Form Title	Form Type	Approval Date
BPASEL6 (10/07) AR	Single Premium Indexed Deferred Annuity Contract	Contract	11/5/2007
BPASEL10 (10/07) AR	Single Premium Indexed Deferred Annuity Contract	Contract	11/5/2007
BPASEL12 (10/07) AR	Single Premium Indexed Deferred Annuity Contract	Contract	11/5/2007
BPASEL6 (Rev. 10/08)	Single Premium Indexed Deferred Annuity Contract	Contract Data Pages 2 - 2a	9/10/2008
BPASEL10 (Rev. 10/08)	Single Premium Indexed Deferred Annuity Contract	Contract Data Pages 2 - 2a	9/10/2008
BPASEL12 (Rev. 10/08)	Single Premium Indexed Deferred Annuity Contract	Contract Data Pages 2 - 2a	9/10/2008
DBR-BPA (Rev. 10/07)	Enhanced Death Benefit Rider	Rider	11/5/2007
MVA-BPA (10/07)	Market Value Adjustment Endorsement	Endorsement	11/5/2007
PBDBR6 (10/07)	Premium Bonus Rider with Enhanced Death Benefit	Rider	11/5/2007
PBDBR10 (10/07)	Premium Bonus Rider with Enhanced Death Benefit	Rider	11/5/2007
PBDBR12LB (Rev. 10/07)	Premium Bonus Rider with Enhanced Death Benefit	Rider	11/5/2007
PBDBR12HB (Rev. 10/07)	Premium Bonus Rider with Enhanced Death Benefit	Rider	11/5/2007
BPAIRW (11/08)	Income Rider	Rider	11/24/2008
FPA3 (08/08) AR	Flexible Premium Deferred Annuity Contract	Contract	9/30/2008
FPA5 (08/08) AR	Flexible Premium Deferred Annuity Contract	Contract	9/30/2008
FPA7 (08/08) AR	Flexible Premium Deferred Annuity Contract	Contract	9/30/2008
FPAP (08/08) AR	Flexible Premium Deferred Annuity Contract	Contract	9/30/2008
FPAX (08/08) AR	Flexible Premium Deferred Annuity Contract	Contract	9/30/2008
GPO (08/08)	Guaranteed Purchase Option Endorsement	Endorsement	9/30/2008
DBR (08/08)	Death Benefit Rider	Rider	9/30/2008
ROP (08/08) N	Return of Premium Endorsement	Endorsement	9/30/2008
AIRW (08/08)	Income Rider	Rider	10/10/2008
FPIA5 (06/06) AR	Flexible Premium Indexed Deferred Annuity Contract	Contract	6/15/2006
FPIA7 (06/06) AR	Flexible Premium Indexed Deferred Annuity Contract	Contract	6/15/2006
FPIA10 (06/06) AR	Flexible Premium Indexed Deferred Annuity Contract	Contract	6/15/2006
FPIA10P (06/06) AR	Flexible Premium Indexed Deferred Annuity Contract	Contract	6/15/2006
FPIAR (10/07) AR	Flexible Premium Indexed Deferred Annuity Contract	Contract	12/19/2007
FPIAX (01/08) AR	Flexible Premium Indexed Deferred Annuity Contract	Contract	2/6/2008
FIXED (Rev. 01/08)	Fixed Strategy Endorsement	Endorsement	2/6/2008
1UAVG (Rev. 01/08)	1-Year Uncapped Average Index Strategy Endorsement	Endorsement	2/6/2008
1YAVG (01/08)	1-Year Average Index Strategy Endorsement	Endorsement	2/6/2008
1YR (Rev. 01/08)	1-Year Point-to-Point Index Strategy Endorsement	Endorsement	2/6/2008
2YR (Rev. 01/08)	2-Year Point-to-Point Index Strategy Endorsement	Endorsement	2/6/2008
MC (Rev. 01/08)	1-Year Monthly Cap Index Strategy Endorsement	Endorsement	2/6/2008
1YRAMP (Rev. 01/08)	1-Year Multiple Index Strategy Endorsement	Endorsement	2/6/2008
1YRUAMP (01/08)	1-Year Uncapped Multiple Index Strategy Endorsement	Endorsement	2/6/2008
1YTPAR (Rev. 01/08)	1-Year Point-to-Point Participation Index Strategy Endorsement	Endorsement	2/6/2008

Form Number	Form Title	Form Type	Approval Date
1YGCS (07/08)	1-Year Point-to-Point Guaranteed Cap Index Strategy Endorsement	Endorsement	6/12/2008
1YGCHS (07/08)	1-Year Point-to-Point Guaranteed Cap Index Strategy Endorsement	Endorsement	6/12/2008
1YGCS&P (07/08)	1-Year Point-to-Point Guaranteed Cap Index Strategy Endorsement	Endorsement	6/12/2008
MVA (01/08)	Market Value Adjustment Endorsement	Endorsement	2/6/2008
GPOE (01/05)	Guaranteed Purchase Option Endorsement	Endorsement	1/28/2005
HCW (01/08)	Home Health Care Services Waiver of Withdrawal Charges Endorsement	Endorsement	2/21/2008
AIR (Rev. 09/07)	Income Rider	Rider	9/13/2007
AIRW (02/08)	Income Rider	Rider	3/10/2008
C6 (9/98)	Single Premium Deferred Annuity Policy	Policy	10/7/1998
DBAE3B (12/05)	Amendatory Endorsement	Endorsement	
AWA (5/98) AR	Application	Application	8/7/1998
IRA-END (Rev. 9/02) AR	Individual Retirement Annuity Endorsement	Endorsement	10/31/2002
Roth IRA (Rev. 9/02) AR	Roth Individual Retirement Annuity Endorsement	Endorsement	10/31/2002
ELT (12/84)	Endorsement Limiting Transfer	Endorsement	
SPIA (6/87)	Single Premium Immediate Annuity Policy	Policy	7/27/1987
SPIA (6/84) APP AR	Application for Single Premium Immediate Annuity	Application	6/27/1997
NASPIA (06/00)	Single Premium Immediate Annuity Policy	Policy	8/24/2000
MEDEND (10/06)	Amendatory Endorsement	Endorsement	11/1/2006
SPIA (06/00) APP AR	Application for Single Premium Immediate Annuity	Application	8/24/2000
55236 1/09 AR	Application for Deferred and Indexed Deferred Annuity Contract	Application	1/22/2009
HQ (4/98) AR	Questionnaire	Questionnaire	11/10/1998



Aviva Life and Annuity Company 555 South Kansas Avenue Topeka KS 66603-3444 Tel 800 255 2405 www.avivausa.com

July 16, 2009

INSURANCE COMMISSIONER

This letter, or a copy thereof, will authorize Mitchell, Williams, Selig, Gates & Woodyard, P.L.L.C. to represent Aviva Life and Annuity Company in any matters related to the submission of a merger endorsement for approval.

Very truly yours,

A handwritten signature in blue ink that reads "Randy Matzke".

Randy Matzke, FLMI
Vice President, Product Compliance and Development

MITCHELL | WILLIAMS

Doak Foster
Direct Dial: 501-688-8841
Fax: 501-918-7841
E-mail: dfoster@mwlaw.com

425 West Capitol Avenue, Suite 1800
Little Rock, Arkansas 72201-3525
Telephone: 501-688-8800
Fax: 501-688-8807

September 23, 2009

The Honorable Jay Bradford
Commissioner of Insurance
Arkansas Insurance Department
1200 West Third Street
Little Rock, Arkansas 72201-1904

Attn: Mr. Dan Honey
Deputy Commissioner, Life and Health Division

Re: AVIVA LIFE AND ANNUITY COMPANY

NAIC #61689; FEIN #42-0175020

- Merger Endorsement (Form AIL-MERG (09/09))

SERFF TRACKING NO.: MWSG-126247911

Dear Commissioner Bradford:

On behalf of Aviva Life and Annuity Company ("ALAC"), a licensed insurer in your state, we are enclosing the above-referenced form for your review and approval. This is a new form and does not replace any previously approved form.

We represent ALAC and its affiliate, American Investors Life Insurance Company, Inc. ("AIL"), a Kansas domiciled insurer, in connection with the proposed merger of AIL with and into ALAC with ALAC being the surviving company. The proposed effective date of the merger is September 30, 2009. The UCAA Corporate Amendments Application was submitted to your corporate division on September 21, 2009.

Accordingly, in addition to the above-referenced endorsement form, we are enclosing the following:

1. The Company's letter authorizing Mitchell, Williams, Selig, Gates & Woodyard, P.L.L.C. to make this filing on the Company's behalf.
2. A Flesch score certification.
3. A Certification of Compliance.
4. A listing of all presently approved AIL forms that will be marketed after September 30, 2009 in the name of ALAC together with a Certification stating that there are no changes to the presently approved forms other than as set forth in the Certification.

The Honorable Jay Bradford
September 23, 2009
Page 2

This endorsement was approved by Iowa, the domestic state, on September 21, 2009. It will be sent to all existing policyholders of AIL as appropriate.

We could select only one type of insurance and product filing code while building this SERFF filing and, therefore, we selected A10.000 Annuities – Other since most of AIL's in-force business is annuities. Please note, however, that these endorsements will be sent to AIL policyholders for all lines of business (life and annuity) written by AIL.

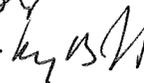
To the best of ALAC's knowledge, information and belief, the form submitted herewith is in compliance in all respects with the provisions of the insurance laws, rules and regulations of your state, and contains no provisions previously disapproved by your Department.

This form is in final print. ALAC reserves the right to change the appearance and pagination but not the text of this form to comply with future changes in print systems. No font will be less than a 10-point font size. ALAC also reserves the right to change the color and/or weight of the paper on which this form is printed and to correct typographical errors without refiling.

If you have any questions or need anything further to expedite the review and approval of this filing, please contact me at (501) 688-8841 or my paralegal, June Stracener, at (501) 370-4225. Thank you for your courtesy and assistance in this matter.

Yours very truly,

MITCHELL, WILLIAMS, SELIG,
GATES & WOODYARD, P.L.L.C.

By 
Doak Foster 

DF:ab