

SERFF Tracking Number: NYLC-127863438 State: Arkansas  
Filing Company: New York Life Insurance and Annuity Corporation State Tracking Number: 50402  
Company Tracking Number: 8987-11, ET AL.  
TOI: L06I Individual Life - Variable Sub-TOI: L06I.002 Single Life - Flexible Premium  
Product Name: CorpExec Accumulator Fixed Account Restriction  
Project Name/Number: CorpExec Accumulator Fixed Account Restriction/8987-11, ET AL.

## Filing at a Glance

Company: New York Life Insurance and Annuity Corporation

Product Name: CorpExec Accumulator – Fixed SERFF Tr Num: NYLC-127863438 State: Arkansas

Account Restriction

TOI: L06I Individual Life - Variable

SERFF Status: Closed-Approved-  
Closed State Tr Num: 50402

Sub-TOI: L06I.002 Single Life - Flexible  
Premium

Co Tr Num: 8987-11, ET AL. State Status: Approved-Closed

Filing Type: Form

Reviewer(s): Linda Bird

Authors: Team Leader, Robert  
Williams III

Disposition Date: 12/09/2011

Date Submitted: 12/05/2011

Disposition Status: Approved-  
Closed

Implementation Date Requested:

Implementation Date:

State Filing Description:

## General Information

Project Name: CorpExec Accumulator – Fixed Account Restriction

Status of Filing in Domicile:

Project Number: 8987-11, ET AL.

Date Approved in Domicile:

Requested Filing Mode: Review & Approval

Domicile Status Comments:

Explanation for Combination/Other:

Market Type: Individual

Submission Type:

Individual Market Type:

Overall Rate Impact:

Filing Status Changed: 12/09/2011

State Status Changed: 12/09/2011

Deemer Date:

Created By: Robert Williams III

Submitted By: Robert Williams III

Corresponding Filing Tracking Number:

Filing Description:

Re: NAIC #: 82691596

FEIN #: 13-3044743

Dear Commissioner:

SERFF Tracking Number: NYLC-127863438 State: Arkansas  
Filing Company: New York Life Insurance and Annuity Corporation State Tracking Number: 50402  
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We are enclosing for your Department's approval a new endorsement form, titled Modification of Policy Provisions, revised Data Page 2(cont.) and revised supplementary application form, titled Premium Allocation to be used upon issue of previously approved policy form 309-20. This policy was approved by your Department on 9/25/2009. These forms will only be used for newly issued cases.

Endorsement form 8987-11 modifies the policy to permit NYLIAC to limit allocations of premiums or transfers of policy value into or out of the Fixed Account. At least annually, NYLIAC will review the status of the Fixed Account in light of the then current interest rate and investment environment, to determine if the limitation can be discontinued in whole or in part such that policyholders can allocate premiums or make transfers into the Fixed Account. The prospectus for the policy will disclose the then current limitations. A draft of a prospectus supplement that will be filed with the Securities and Exchange Commission upon approval of this submission is attached for your information. A copy of the revised actuarial memorandum for the policy is also attached.

Data Page 2(cont.) of the policy is revised to reduce and bracket the Fixed Account's guaranteed minimum interest crediting rate from 3% to 2%. The revised Statement of Variability is also attached. Data Page 2 is being included informationally with the only change being the revised page number consistent with Data Page 2(cont.).

Premium Allocation form 22854 is also revised to display and bracket the fixed account and allocation percentage of zero (0) as well as include language informing the new insureds of the limitation on allocations to the Fixed Account that will take effect upon approval of this submission. The revised form number is 22854-12. A copy of the revised Statement of Variability is also attached.

I hope that this information is satisfactory and that we can receive your Department's approval of this submission as soon as possible.

If you have any further questions or comments in this regard, please feel free to contact Diana Moody at 1-888-695-4748 ext. 2664064 or via email at [dmoody@nyl.com](mailto:dmoody@nyl.com).

Sincerely,  
Linda E. LoPinto  
Corporate Vice President  
Individual Life Markets

Attachments

## Company and Contact

SERFF Tracking Number: NYLC-127863438 State: Arkansas  
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**Filing Contact Information**

Robert Williams III, Contract Consultant Robert\_Williams\_III@nyl.com  
 51 Madison Avenue 212-576-3449 [Phone]  
 Room 0154 212-447-4141 [FAX]  
 New York, NY 10010

**Filing Company Information**

New York Life Insurance and Annuity Corporation CoCode: 91596 State of Domicile: Delaware  
 51 Madison Ave Group Code: 826 Company Type: Life  
 New York, NY 10010 Group Name: NYLIC State ID Number:  
 (212) 576-4809 ext. [Phone] FEIN Number: 13-3044743  
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**Filing Fees**

Fee Required? Yes  
 Fee Amount: \$150.00  
 Retaliatory? Yes  
 Fee Explanation:  
 Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
New York Life Insurance and Annuity Corporation	\$150.00	12/05/2011	54262407

SERFF Tracking Number: NYLC-127863438 State: Arkansas  
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## Correspondence Summary

### Dispositions

Status	Created By	Created On	Date Submitted
Approved-Closed	Linda Bird	12/09/2011	12/09/2011

*SERFF Tracking Number:* NYLC-127863438      *State:* Arkansas  
*Filing Company:* New York Life Insurance and Annuity      *State Tracking Number:* 50402  
*Corporation*  
*Company Tracking Number:* 8987-11, ET AL.  
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## **Disposition**

Disposition Date: 12/09/2011

Implementation Date:

Status: Approved-Closed

Comment:

Rate data does NOT apply to filing.

SERFF Tracking Number: NYLC-127863438 State: Arkansas  
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Schedule	Schedule Item	Schedule Item Status	Public Access
Supporting Document	Flesch Certification	No	No
Supporting Document	Application	No	No
Supporting Document	Life & Annuity - Acturial Memo	No	No
Supporting Document	Redacted Acturial Memo	No	No
Supporting Document	Statement of Variability	Yes	Yes
Form	Modification of Policy Provisions	Yes	Yes
Form	Policy Data page	Yes	Yes
Form	Premium Allocation Form	Yes	Yes

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## Form Schedule

Lead Form Number: 8987-11

Schedule Item Status	Form Number	Form Type Form Name	Action	Action Specific Data	Readability	Attachment
	8987-11	Policy/Cont Modification of Policy Initial ract/Fratern Provisions al Certificate: Amendmen t, Insert Page, Endorseme nt or Rider			0.000	8987-11.pdf
	1120-2 (cont.)	Data/DeclarPolicy Data page ation Pages	Revised	Replaced Form #: 0920-2 (cont.) Previous Filing #:	0.000	P2CG.pdf
	22854-12	Application/Premium Allocation Enrollment Form Form	Revised	Replaced Form #: 22854 Previous Filing #:	0.000	22854-12 (12- 11)bracket.pd f

# NEW YORK LIFE INSURANCE AND ANNUITY CORPORATION

## ENDORSEMENT

### MODIFICATION OF POLICY PROVISIONS

Effective as of the Policy Date, this endorsement is made a part of the Policy to which it is attached.

Section 4.5 of the policy is deleted in its entirety and replaced with the following:

**4.5 Premium Payment Allocation** When we receive a premium payment, we deduct a Premium Expense Charge not to exceed the amount shown on the Policy Data Page 2. The balance of the premium (the Net Premium) will be applied to the Separate Account Investment Divisions or to the Fixed Account in accordance with your premium allocation election in effect at that time, and before any other deductions and charges that may be due are made. The amount of premium that can be allocated to the Fixed Account is subject to limitations that we determine. Such limitations could include, but not be limited to, not allowing any premium to be allocated to the Fixed Account. See Policy Data page 2.1 for an explanation of deductions and charges.

The first paragraph of Section 5.10 of the policy is deleted and replaced with the following:

**5.10 Investment Divisions And Fixed Account Transfers** Transfers may be made between Investment Divisions of the Separate Account. Transfers can also be made between the Investment Divisions and the Fixed Account. Transfers between the Fixed Account and the Investment Divisions are subject to the limits described in the Fixed Account Section. We reserve the right to apply a charge, not to exceed \$30, for each transfer after the first 12 transfers in a given Policy Year. This charge is applied on a pro-rata basis to the Fixed Account and Investment Divisions to which the transfer is being made.

Section 6.2 of the policy is deleted in its entirety and replaced with the following:

**6.2 Transfers** You can make transfers from the Fixed Account to the Investment Divisions subject to the limitations that we determine. Such limitations could include, but not be limited to, allowing no transfers from the Fixed Account to the Investment Divisions. The minimum amount that can be transferred is \$500, unless we agree otherwise. However, if the values remaining in the Fixed Account after the transfer would be less than \$500, we have the right to include that amount as part of the transfer.

You can make transfers from the Investment Divisions to the Fixed Account subject to limitations that we determine. Such limitations could include, but not be limited to, allowing no transfers from the Investment Divisions to the Fixed Account.

NEW YORK LIFE INSURANCE  
AND ANNUITY CORPORATION



President



Secretary

**INTEREST CREDITED**

- The Fixed Account will be credited with interest using a rate that we set in advance at least annually. This rate is guaranteed to be at least [2%] per year.

**ADDITIONAL BENEFITS**

**SUPPLEMENTARY TERM RIDER**

Term Face Amount     [\$100,000]  
Target Face Amount    [\$175,000]

**[OVERLOAN PROTECTION RIDER (OLP)]**

**ALTERNATIVE CASH SURRENDER VALUE BENEFIT**

**Deferred Premium Load Account Monthly Amortization Schedule**

Policy Year 1	[0.0000%]	<i>[Policy Year 11</i>	<i>[100.0%]</i>
Policy Year 2	[0.8742%]	<i>Policy Year 12</i>	<i>[100.0%]</i>
Policy Year 3	[0.9767%]	<i>Policy Year 13</i>	<i>[100.0%]</i>
Policy Year 4	[1.1066%]	<i>Policy Year 14</i>	<i>[100.0%]</i>
Policy Year 5	[1.2764%]	<i>Policy Year 15</i>	<i>[100.0%]</i>
Policy Year 6	[1.5079%]	<i>Policy Year 16</i>	<i>[100.0%]</i>
Policy Year 7	[1.8423%]	<i>Policy Year 17</i>	<i>[100.0%]</i>
Policy Year 8	[2.3688%]	<i>Policy Year 18</i>	<i>[100.0%]</i>
Policy Year 9	[3.3224%]	<i>Policy Year 19</i>	<i>[100.0%]</i>
Policy Year 10	[5.6126%]	<i>Policy Year 20</i>	<i>[100.0%]</i>

**Premium Load Monthly Amortization Schedule**

Policy Year 2	[99.1258%]	<i>[Policy Year 11</i>	<i>[0.0%]</i>
Policy Year 3	[99.0233%]	<i>Policy Year 12</i>	<i>[0.0%]</i>
Policy Year 4	[98.8934%]	<i>Policy Year 13</i>	<i>[0.0%]</i>
Policy Year 5	[98.7236%]	<i>Policy Year 14</i>	<i>[0.0%]</i>
Policy Year 6	[98.4921%]	<i>Policy Year 15</i>	<i>[0.0%]</i>
Policy Year 7	[98.1577%]	<i>Policy Year 16</i>	<i>[0.0%]</i>
Policy Year 8	[97.6312%]	<i>Policy Year 17</i>	<i>[0.0%]</i>
Policy Year 9	[96.6776%]	<i>Policy Year 18</i>	<i>[0.0%]</i>
Policy Year 10	[94.3874%]	<i>Policy Year 19</i>	<i>[0.0%]</i>
		<i>Policy Year 20</i>	<i>[0.0%]</i>

**Deferred Premium Load Percentage**

Policy Year 1	[85%]	<i>[Policy Year 11</i>	<i>[0%]</i>
Policy Year 2	[75%]	<i>Policy Year 12</i>	<i>[0%]</i>
Policy Year 3	[55%]	<i>Policy Year 13</i>	<i>[0%]</i>
Policy Year 4	[55%]	<i>Policy Year 14</i>	<i>[0%]</i>
Policy Year 5	[55%]	<i>Policy Year 15</i>	<i>[0%]</i>
Policy Year 6	[55%]	<i>Policy Year 16</i>	<i>[0%]</i>
Policy Year 7	[55%]	<i>Policy Year 17</i>	<i>[0%]</i>
Policy Year 8	[55%]	<i>Policy Year 18</i>	<i>[0%]</i>
Policy Year 9	[55%]	<i>Policy Year 19</i>	<i>[0%]</i>
Policy Year 10	[55%]	<i>Policy Year 20</i>	<i>[0%]</i>

**Alternative Cash Surrender Value Expiry Date:** [January 1, 2023]

# New York Life Insurance and Annuity Corporation Supplementary Application

## PREMIUM ALLOCATION FORM FOR NYLIAC CORPEXEC ACCUMULATOR VARIABLE UNIVERSAL LIFE

**PLEASE READ CAREFULLY:** All variable life insurance Investment Divisions involve substantial risk, including the potential to lose some or all of your original investment. Except for the Fixed Account, benefits or values are not guaranteed as to dollar amount and are based on the investment performance of the Investment Division(s) selected.

The Investment Divisions are grouped by risk. Risk classifications are determined on the basis of the Lipper Category assigned to the Investment Division by Lipper Analytics as of [December 31, 2010]. Lipper is a widely used independent research firm, which ranks mutual funds and other investment companies by overall performance, investment objectives and assets. A general description of the investment objective for each Investment Division appears after its name. Please indicate how you want your premiums allocated among the Investment Divisions and be sure your premium allocations match your stated investment objective. There is no assurance that any of the Investment Divisions will attain their respective objectives. Please indicate percentages in whole numbers, and if needed, up to two decimal places (e.g. 25.47%). **The total allocation must be equal to 100%.** You may select up to 20 Allocation Alternatives. Your premium payment is allocated to these Investment Divisions and/or the Fixed Account after the Right to Examine provision has expired.

### GUARANTEED INTEREST ACCOUNT

**Fixed Account\***

Current income with safety of principal ..... **0** %

\*The amount of premium that may be allocated to the Fixed Account is subject to limitations that we determine.

Premiums may not be allocated to the Fixed Account at this time.

### LOW RISK

**MainStay VP Cash Management (CM)**

Seeks a high level of current income while preserving capital and maintaining liquidity. .... %

**Fidelity® VIP Money Market Portfolio - Initial Class (M9)**

Seeks as high a level of current income as is consistent with preservation of capital and liquidity ..... %

**PIMCO Low Duration Portfolio – Administrative Class Shares (PL)**

Seeks maximum total return, consistent with preservation of capital and prudent investment management ..... %

**T. Rowe Price Limited-Term Bond Portfolio (TB)**

Seeks a high level of income consistent with moderate fluctuations in principal value ..... %

### MODERATE RISK

**MainStay VP Bond Portfolio – Initial Class (BD)**

Seeks the highest income over the long-term consistent with preservation of principal ..... %

**MainStay VP Convertible Portfolio – Initial Class (CO)**

Seeks capital appreciation together with current income ..... %

**MainStay VP Floating Rate Portfolio – Initial Class (FL)**

Seeks to provide high current income ..... %

**MainStay VP Government Portfolio – Initial Class (GO)**

Seeks a high level of current income, consistent with safety of principal ..... %

**MainStay VP High Yield Corporate Bond Portfolio – Initial Class (HY)**

Seeks maximum current income through investment in a diversified portfolio of high yield debt securities.  
Capital appreciation is a secondary objective ..... %

**American Funds Asset Allocation Fund – Class 2 Shares (AO)**

Seeks high total return (including income and capital gains) consistent with long-term preservation of capital by investing in a diversified portfolio of common stocks and other equity securities, bonds and other intermediate and long-term debt securities, and money market investments (debt securities maturing in one year or less). .... %

**Fidelity® VIP Freedom 2010 Portfolio – Initial Class (F1)**

Seeks high total return with a secondary objective of principal preservation as the Fund approaches its target date and beyond ... %

**Fidelity® VIP Freedom 2020 Portfolio – Initial Class (F2)**

Seeks high total return with a secondary objective of principal preservation as the Fund approaches its target date and beyond ... %

**Fidelity® VIP Freedom 2030 Portfolio – Initial Class (F3)**

Seeks high total return with a secondary objective of principal preservation as the Fund approaches its target date and beyond ... %

**Fidelity® VIP Freedom 2040 Portfolio – Initial Class (F4)**

Seeks high total return with a secondary objective of principal preservation as the Fund approaches its target date and beyond ... %

**Fidelity® VIP Investment Grade Bond Portfolio – Initial Class (FB)**

Seeks as high a level of current income as is consistent with the preservation of capital ..... %

**Janus Aspen Balanced Portfolio – Institutional Shares (JB)**

Seeks long-term capital growth, consistent with preservation of capital and balanced by current income ..... %

<b>MFS® Global Tactical Allocation Portfolio – Initial Class (M2)</b>	
Seeks total return .....	_____ %
<b>MFS® Utilities Series – Initial Class (MU)</b>	
Seeks total return .....	_____ %
<b>PIMCO Global Bond Portfolio (Unhedged) – Administrative Class Shares (PG)</b>	
Seeks maximum total return, consistent with preservation of capital and prudent investment management .....	_____ %
<b>PIMCO High Yield Portfolio – Administrative Class Shares (PI)</b>	
Seeks maximum total return, consistent with preservation of capital and prudent investment management .....	_____ %
<b>PIMCO Long-Term U.S. Government Portfolio – Administrative Class Shares (WU)</b>	
Seeks maximum total return, consistent with preservation of capital and prudent investment management .....	_____ %
<b>PIMCO Real Return Portfolio – Administrative Class Shares (RR)</b>	
Seeks maximum real return, consistent with preservation of real capital and prudent investment management .....	_____ %
<b>PIMCO Total Return Portfolio – Administrative Class Shares (PT)</b>	
Seeks maximum total return, consistent with preservation of capital and prudent investment management .....	_____ %
<b>T. Rowe Price Equity Income Portfolio (EI)</b>	
Seeks to provide substantial dividend income as well as long-term growth of capital through investments in the common stocks of established companies .....	_____ %
<b>T. Rowe Price Personal Strategy Balanced Portfolio (TP)</b>	
Seeks the highest total return over time consistent with an emphasis on both capital appreciation and income .....	_____ %
<b>UIF Emerging Markets Debt Portfolio – Class I Shares (MD)</b>	
Seeks high total return by investing primarily in fixed income securities of government and government-related issuers and, to a lesser extent, of corporate issuers in emerging market countries .....	_____ %
<b>Van Eck VIP Global Bond Fund – Initial Class (V1)</b>	
Seeks high total return-income plus capital appreciation – by investing globally, primarily in a variety of debt securities .....	_____ %
<b>Van Eck VIP Multi-Manager Alternatives Fund – Initial Class (VW)</b>	
Seeks absolute (positive) returns in various market cycles .....	_____ %

**HIGH RISK**

<b>MainStay VP Common Stock Portfolio – Initial Class (GE)</b>	
Seeks long-term growth of capital, with income as a secondary consideration .....	_____ %
<b>MainStay VP Growth Equity Portfolio – Initial Class (CA)</b>	
Seeks long-term growth of capital. ....	_____ %
<b>MainStay VP ICAP Select Equity Portfolio – Initial Class (LV)</b>	
Seeks a superior total return .....	_____ %
<b>MainStay VP International Equity Portfolio – Initial Class (IN)</b>	
Seeks to provide long-term growth of capital commensurate with an acceptable level of risk by investing in a portfolio consisting primarily of non-U.S. equity securities. Current income is a secondary objective .....	_____ %
<b>MainStay VP Mid Cap Core Portfolio – Initial Class (MC)</b>	
Seeks long-term growth of capital .....	_____ %
<b>MainStay VP S&amp;P 500 Index Portfolio – Initial Class (IE)</b>	
Seeks to provide investment results that correspond to the total return performance (reflecting reinvestment of dividends) of common stocks in the aggregate, as represented by the S&P 500® Index .....	_____ %
<b>MainStay VP U.S. Small Cap Portfolio – Initial Class (DG)</b>	
Seeks long-term capital appreciation by investing primarily in securities of small-cap companies .....	_____ %
<b>Alger SMidCap Growth Portfolio – Class I-2 Shares (K1)</b>	
Seeks long-term capital appreciation by focusing on smallcap or midcap companies that the Manager believes demonstrate promising growth potential. ....	_____ %
<b>AllianceBernstein VPS International Value Portfolio – Class A Shares (A8)</b>	
Seeks long-term growth of capital .....	_____ %
<b>AllianceBernstein VPS Small/Mid Cap Value Portfolio – Class A Shares (A9)</b>	
Seeks long-term growth of capital .....	_____ %
<b>American Century VP Value Fund – Class II Shares (AV)</b>	
Seeks long-term capital growth. Income is a secondary objective .....	_____ %
<b>American Funds Global Growth Fund - Class 1 Shares (GG)</b>	
Seeks long-term growth of capital by investing primarily in stocks of companies around the world. ....	_____ %
<b>American Funds Global Small Capitalization Fund – Class 2 Shares (AK)</b>	
Seeks to make your investment grow over time by investing primarily in common stocks of smaller companies located around the world .....	_____ %

<b>American Funds Growth Fund – Class 2 Shares (AW)</b> Seeks growth of capital by investing in common stocks of companies that appear to offer superior opportunities for growth of capital. The Fund may invest a portion of its assets in common stocks of other securities of issuers domiciled outside the United States. . . . .	_____ %
<b>American Funds Growth-Income Fund – Class 2 Shares (AN)</b> Seeks long-term growth of capital and income by investing primarily in common stocks or other securities that demonstrate the potential for appreciation and/or dividends. . . . .	_____ %
<b>American Funds International Fund – Class 2 Shares (AT)</b> Seeks long-term growth of capital by investing primarily in common stocks of companies located outside the United States. . . . .	_____ %
<b>Davis Value Portfolio (VV)</b> Seeks long-term growth of capital . . . . .	_____ %
<b>Delaware VIP International Value Equity Series – Standard Class (VS)</b> Seeks long-term growth without undue risk to principal . . . . .	_____ %
<b>DWS Dreman Small Mid Cap Value VIP – Class A Shares (D4)</b> Seeks long-term capital appreciation . . . . .	_____ %
<b>DWS Global Small Cap Growth VIP – Class A Shares (D5)</b> Seeks above-average capital appreciation over the long-term . . . . .	_____ %
<b>DWS Small Cap Index VIP – Class A Shares (SS)</b> Seeks to replicate, as closely as possible, before the deduction of expenses, the performance of the Russell 2000® Index, which emphasizes stocks of small U.S. companies . . . . .	_____ %
<b>Fidelity® VIP Contrafund® Portfolio – Initial Class (FC)</b> Seeks long-term capital appreciation . . . . .	_____ %
<b>Fidelity® VIP Equity-Income Portfolio – Initial Class (FE)</b> Seeks reasonable income. The Fund will also consider the potential for capital appreciation. The Fund's goal is to achieve a yield which exceeds the composite yield on the securities comprising the S&P 500® Index . . . . .	_____ %
<b>Fidelity® VIP Growth Portfolio – Initial Class (FG)</b> Seeks to achieve capital appreciation . . . . .	_____ %
<b>Fidelity® VIP Index 500 Portfolio – Initial Class (FI)</b> Seeks investment results that correspond to the total return of common stocks publicly traded in the United States, as represented by the S&P 500® Index. . . . .	_____ %
<b>Fidelity® VIP Mid Cap Portfolio – Initial Class (FM)</b> Seeks long-term growth of capital . . . . .	_____ %
<b>Fidelity® VIP Overseas Portfolio – Initial Class (FO)</b> Seeks long-term growth of capital . . . . .	_____ %
<b>Fidelity® VIP Value Leaders Portfolio – Initial Class (F8)</b> Seeks capital appreciation . . . . .	_____ %
<b>Fidelity® VIP Value Strategies Portfolio – Service Class 2 (FS)</b> Seeks capital appreciation . . . . .	_____ %
<b>Invesco V.I. Global Real Estate Fund – Series I Shares (AH)</b> Seeks total return through growth of capital and current income . . . . .	_____ %
<b>Invesco V.I. International Growth Fund – Series I Shares (WS)</b> Seeks to provide long-term growth of capital . . . . .	_____ %
<b>Invesco V.I. Mid Cap Core Equity Fund – Series I Shares (CC)</b> Seeks long-term growth of capital . . . . .	_____ %
<b>Invesco Van Kampen V.I. Mid Cap Value Portfolio – Series I Shares (MV)</b> Seeks long-term growth of capital. . . . .	_____ %
<b>Janus Aspen Enterprise Portfolio – Institutional Shares (JA)</b> Seeks long-term growth of capital . . . . .	_____ %
<b>Janus Aspen Forty Portfolio – Institutional Shares (JC)</b> Seeks long-term growth of capital . . . . .	_____ %
<b>Janus Aspen Worldwide Portfolio – Institutional Shares (JW)</b> Seeks long-term growth of capital in a manner consistent with the preservation of capital . . . . .	_____ %
<b>Lazard Retirement International Equity Portfolio – Service Shares (LI)</b> Seeks long-term capital appreciation . . . . .	_____ %
<b>Lord Abbett Mid Cap Value Portfolio (LM)</b> Seeks capital appreciation through investments, primarily in equity securities, which are believed to be undervalued in the marketplace . . . . .	_____ %

<b>LVIP Baron Growth Opportunities Fund – Service Class (BR)</b> Seeks capital appreciation through long-term investments in securities of small and mid-sized companies with undervalued assets or favorable growth prospects	_____ %
<b>MFS® Value Series – Initial Class (GD)</b> Seeks capital appreciation	_____ %
<b>Neuberger Berman AMT Partners Portfolio – Class I Shares (NB)</b> Seeks growth of capital. [To pursue this goal, the Fund invests mainly in common stocks of mid-to large-capitalization companies.]	_____ %
<b>Oppenheimer Capital Appreciation Fund/VA – Non-Service Shares (PU)</b> Seeks capital appreciation by investing in securities of well known, established companies	_____ %
<b>Royce Micro-Cap Portfolio – Investment Class (RC)</b> Seeks long-term growth of capital	_____ %
<b>Royce Small-Cap Portfolio – Investment Class (RS)</b> Seeks long-term growth of capital	_____ %
<b>T. Rowe Price Blue Chip Growth Portfolio (BC)</b> Seeks to provide long-term capital growth. Income is a secondary objective	_____ %
<b>T. Rowe Price Equity Index 500 Portfolio (IF)</b> Seeks to match the performance of the Standard & Poor's 500 Stock Index®	_____ %
<b>T. Rowe Price International Stock Portfolio (TS)</b> Seeks long-term growth of capital through investments primarily in the common stocks of established, non-U.S. companies	_____ %
<b>T. Rowe Price New America Growth Portfolio (NG)</b> Seeks to provide long-term capital growth by investing primarily in the common stocks of growth companies	_____ %
<b>UIF U.S. Real Estate Portfolio – Class I Shares (RE)</b> Seeks above average current income and long-term capital appreciation by investing primarily in equity securities of companies in the U.S. real estate industry, including real estate investment trusts ("REITs").	_____ %

**HIGHEST RISK**

<b>Dreyfus IP Technology Growth Portfolio – Initial Shares (DT)</b> Seeks capital appreciation by investing in technology companies	_____ %
<b>UIF Emerging Markets Equity Portfolio – Class I Shares (MS)</b> Seeks long-term capital appreciation by investing primarily in growth-oriented equity securities of issuers in emerging market countries	_____ %
<b>Van Eck VIP Global Hard Assets – Initial Class (HA)</b> Seeks long-term capital appreciation by investing primarily in "hard asset" securities. Income is a secondary consideration	_____ %

**Total** ..... %

**Please make sure the Total equals** ..... 100%



# APPLICANT / OWNER / INSURED INFORMATION

Applicant/Owner's Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Tax ID # \_\_\_\_\_

Trustee (if Applicant/Owner is a Trust)

Is Applicant/Owner or Trustee Employed by another FINRA/SIPC firm? Yes  No

If "Yes", please indicate Name and Address of Firm \_\_\_\_\_

Insured's Name \_\_\_\_\_

## GENERAL:

- I/We understand that the product applied for is a life insurance policy with an investment component, and that the monthly deductions will be deducted from the policy's cash value.
- I/WE UNDERSTAND THAT UNDER THE POLICY APPLIED FOR (EXCLUSIVE OF THE FIXED ACCOUNT AND ANY SUPPLEMENTARY BENEFITS) THE AMOUNT OF THE LIFE INSURANCE BENEFIT AND CASH VALUE MAY INCREASE OR DECREASE DEPENDING UPON INVESTMENT EXPERIENCE OF THE SEPARATE ACCOUNT.
- I/We understand that a life insurance policy involves a long-term financial commitment and I/we should have other liquid assets available for day-to-day living expenses and other major anticipated obligations.
- I/We understand that I/we may lose the life insurance benefit if the cash surrender value of the policy is not sufficient to pay all the monthly deduction charges even if I/we continue making planned premium payments.

# APPLICANT / OWNER SIGNATURE

Those person(s) who sign below agree that: I/we have received a current policy prospectus for the policy applied for; that I/we acknowledge that I/we understand the objectives, risks, sales charges, and all expenses applicable to the policy. This variable life insurance policy is in accordance with my/our investment objectives and anticipated financial needs. Past performance is not a guarantee of future results.

A copy of this completed Supplementary Application is attached to and made a part of the contract.

Applicant/Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

Other Required Signature \_\_\_\_\_ Date \_\_\_\_\_

State where application is signed: \_\_\_\_\_

## Registered Representative Information

### Funds Accepted with Application

I/We hereby affirm that the following funds were received with this application, and the customer has been notified that the account can only be accepted by NYLIFE Securities, the broker dealer, after its review of the information contained herein and the suitability of the transaction (if applicable) for the customer.

I/We have not accepted cash and all checks are made payable to NYLIAC.

Check Number: \_\_\_\_\_ Check Dated: \_\_\_\_\_ Amount Payable: \_\_\_\_\_

I have not made any representations that are inconsistent with the prospectus for this product.

1. \_\_\_\_\_  
Rep Code      Print Registered Rep Name

\_\_\_\_\_  
License ID      Registered Rep Signature      Date

2. \_\_\_\_\_  
Rep Code      Print Registered Rep Name

\_\_\_\_\_  
License ID      Registered Rep Signature      Date

3. \_\_\_\_\_  
Rep Code      Print Registered Rep Name

\_\_\_\_\_  
License ID      Registered Rep Signature      Date

4. \_\_\_\_\_  
Rep Code      Print Registered Rep Name

\_\_\_\_\_  
License ID      Registered Rep Signature      Date

### REGISTERED REPRESENTATIVE INITIAL SUITABILITY REVIEWED:

Name (Print) \_\_\_\_\_

Title \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

### BROKER/DEALER SUITABILITY REVIEWED: APPLICATION ACCEPTED SUBJECT TO UNDERWRITING BY:

Name (Print) \_\_\_\_\_

Title \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

SERFF Tracking Number: NYLC-127863438 State: Arkansas  
 Filing Company: New York Life Insurance and Annuity Corporation State Tracking Number: 50402  
 Company Tracking Number: 8987-11, ET AL.  
 TOI: L06I Individual Life - Variable Sub-TOI: L06I.002 Single Life - Flexible Premium  
 Product Name: CorpExec Accumulator Fixed Account Restriction  
 Project Name/Number: CorpExec Accumulator Fixed Account Restriction/8987-11, ET AL.

## Supporting Document Schedules

	<b>Item Status:</b>	<b>Status Date:</b>
<b>Bypassed - Item:</b> Flesch Certification		
<b>Bypass Reason:</b> N/A		
<b>Comments:</b>		

	<b>Item Status:</b>	<b>Status Date:</b>
<b>Bypassed - Item:</b> Application		
<b>Bypass Reason:</b> N/A		
<b>Comments:</b>		

	<b>Item Status:</b>	<b>Status Date:</b>
<b>Satisfied - Item:</b> Life & Annuity - Acturial Memo		
<b>Comments:</b>		
<b>Attachment:</b> CEAVUL Policy General (11-15-11) AM.pdf		

	<b>Item Status:</b>	<b>Status Date:</b>
<b>Satisfied - Item:</b> Redacted Acturial Memo		
<b>Comments:</b>		
<b>Attachment:</b> CEAVUL Policy General (11-15-11) AM - Redacted.pdf		

	<b>Item Status:</b>	<b>Status Date:</b>
<b>Satisfied - Item:</b> Statement of Variability		
<b>Comments:</b>		
<b>Attachments:</b>		



New York Life Insurance and Annuity Corporation  
(11/28/11) Memorandum of Variable Material for:  
Policy Form 309-20

Variable material is bracketed and italicized in the Data Pages of the Policy.

**POLICY FORM 309-20**

<b>Name:</b>	Insured's name as it appears on application
<b>Policy Number:</b>	As automated system assigns
<b>Policy Date:</b>	The Issue Date unless specifically provided for in application
<b>Service Office:</b>	Address of Service Office at present location
<b>Officer Signatures:</b>	Name and Title of Current Officers
<b>Age &amp; Gender:</b>	18-85, Male, Female or Unisex
<b>Class of Risk:</b>	Standard, Nonsmoker, Unismoker and Substandard "Special Class" issue 2-13
<b>Policyowner:</b>	Owner's name as it appears on application
<b>Issue Date:</b>	The date issued
<b>Life Insurance Benefit Option:</b>	Option 1, 2 or 3
<b>Life Insurance Qualification Test:</b>	Cash Value Accumulation Test or Guideline Premium Test Applicable rates for either test will appear on Data Page 2.3
<b>Initial Face Amount:</b>	The amount owner applies and is approved for
<b>Initial Premium Amount:</b>	Based on Initial Face Amount, Age, Gender and Class of Risk
<b>Target Premium:</b>	Based on Initial Face Amount, Age, Gender and Class of Risk
<b>Planned Premium Payment amount &amp; interval:</b>	Based on Initial Face Amount; Annual/Semi-annual/Quarterly
<b>Minimum Face Amount:</b>	\$25,000 - \$100,000
<b>Insured's Age 95:</b>	Based on Policy Date
<b>Mortality Table Reference</b>	Will state Smoker Distinct or Composite and Sex Distinct or Unisex (80% Male) based on Class of Risk on Data Page 2
<b>Interest Credited</b>	1% – 3%
<b>Term Face Amount:</b>	Will only appear if rider is elected; 10 – 99 times base face amount
<b>Target Face Amount:</b>	Will only appear if rider is elected; at least \$26,000 – unlimited maximum
<b>Overloan Protection Rider</b>	Will appear for Guideline Premium Test policies only

**ALTERNATIVE CASH SURRENDER VALUE BENEFIT**

<b>Deferred Premium Load Account Amortization Schedule:</b>	Policy Anniversary 1-11 will appear, but range could extend beyond 11 up to 20 years; percentage range 0% – 100%
<b>Premium Load Amortization Schedule:</b>	Policy Year 2-11 will appear, but range could extend beyond 11 up to 20 years; percentage range 0% – 100%
<b>Deferred Premium Load Percentage:</b>	Policy Year 2-11 will appear, but range could extend beyond 11 up to 20 years; percentage (range 0% - 100%) multiplied against the premium load
<b>Alternative Cash Surrender Value Expiry Date:</b>	Date 11-20 years from Policy Date
<b>Monthly Deduction Day:</b>	1 <sup>st</sup> – 28 <sup>th</sup>
<b>Additional Flat Extra:</b>	Per thousand charge based on underwriting; will appear if imposed
<b>Additional Flat Extra Period:</b>	Based on Flat Extra; will appear if imposed; 0-77 years
<b>Table Of Guaranteed Maximum Monthly Cost of Insurance Rates:</b>	Shows the ages and associated guaranteed maximum monthly cost of insurance rates for the appropriate risk class and the Insured's age shown on Data Page 2
<b>Table of Percentages For Life Insurance Benefit for Compliance With IRC Section 7702 Cash Value Accumulation Test (CVAT) or Guideline Premium Test:</b>	Shows the ages and maximum Cash Value Accumulation Test (CVAT) percentages or Guideline Premium Test for the appropriate risk class and the Insured's age shown on Data Page 2. Page number will state CVAT or GPT
<b>Table Of Guaranteed Maximum Monthly Per Thousand Face Amount Charges:</b>	Shows the ages and associated guaranteed maximum monthly per thousand face amount charges for the appropriate risk class and the Insured's age shown on Data Page 2

New York Life Insurance and Annuity Corporation  
(11/28/11) Memorandum of Variable Material for:  
Policy Form 22854-12

Variable material is bracketed in the supplementary application.

**Supplementary Application – Premium Allocation 22854-12**

1. The Lipper Analytics category assignment date is bracketed to provide the updated year for the risk classification.
2. The Fixed Account and its availability has been bracketed to currently display an allocation of 0%, but can range from 0% – 100%. Due to the current interest rate and investment environment, New York Life is not allowing any allocations of premiums into the Fixed Account and this language is also included. However, if the current environment changes, this limitation may change not to exceed an allocation of 100% and the language that currently premiums may not be allocated to the Fixed Account will no longer appear on the form.
3. Registered Investment Divisions and percentages have been bracketed in the event additional funds become available or are eliminated. The investment description will change depending on the type of fund offered. If new Registered Investment Divisions are added, the new funds will not significantly alter the underlying structure of the policy.
4. The edition date will be revised each time funds are reclassified, added, deleted, merged or have a name/description change to ensure the most current form is being used.

Any use of variability shall be administered in a uniform and non-discriminatory manner and shall not result in unfair discrimination.

