



Service address:

RiverSource Life Insurance Co. of New York

70122 Ameriprise Financial Center, Minneapolis MN 55474
Client Services: 1-800-504-0469 riversource.com



Death Claim Statement

RiverSource Contract Number

If you are a client of Ameriprise Financial, please contact your Ameriprise financial advisor or go to ameriprise.com/forms to access servicing forms.

Part 1 Contract Information

Deceased's Full Name

Deceased's State of Residence

Beneficiary Name (each beneficiary should complete a separate form)

Date of Death

Marital Status of Deceased Person:
 Married Widow or Widower Never Married Divorced

Part 2 IRS Required Minimum Distribution (RMD)

This section may be used to request a Required Minimum Distribution (RMD) prior to settling the account.

- RMDs are complex and you may want to consult a tax advisor.
- If the decedent had reached his or her Required Beginning Date (RBD) and had not yet taken their Required Minimum Distribution (RMD), the beneficiary is required to distribute the RMD amount by December 31st of the year of the decedent's death.
- Amounts that represent RMDs cannot be rolled over to another qualified plan.
- All Required Minimum Distributions will be processed for the amount indicated below and mailed as a check to the address of the beneficiary listed on this form.

Amount to be taken (This will be processed prior to the Mode Settlement option selected.)

Contract Number for RMD: <input type="text"/>	IRS Requirement Minimum Distribution \$ <input type="text"/>
Contract Number for RMD: <input type="text"/>	IRS Requirement Minimum Distribution \$ <input type="text"/>

Withholding Instructions for RMD

- **Federal Withholding:** You are liable for federal income tax on the taxable portion of your distribution. If total withholding is not adequate, you may be subject to estimated tax payments and/or penalties.
- **State Withholding:** Withholding rules vary by state. Clients may have the option to: (1) opt-out of withholding, (2) elect default state tax withholding, or (3) increase the rate of withholding. Depending on the state, state tax withholding could be mandatory, optional, unavailable, or the client may need to complete a state-specific form. For state tax withholding rules, go to riversource.com/statetax.
- Please note that taxes withheld per your elections or in accordance with state rules will not be refunded.
- For all tax-qualified annuities: Withholding is taken from the total amount distributed.
- Different withholding rules apply in certain situations: If we do not have a valid Taxpayer Identification Number on the account, if the payment is delivered outside the United States or if you are a non-resident.

Federal Withholding

10% federal tax will be withheld unless you make a different withholding election below.

Do not withhold federal tax Withhold 10% federal tax Withhold % federal tax-*must be more than 10%*

State Withholding

- If you do not indicate an election, we will generally follow your choice for federal election unless your state does not allow.
 - No state tax withholding will be taken for states where withholding is not available.
 - The taxpayer's resident state on file is the state we use for state tax withholding.
- Do not withhold state tax Withhold default state tax Withhold % state tax



Part 3 Settlement Instructions

We will pay death benefits based on the destination provided below. However, if the destination information is incomplete or not provided, for annuity claims, we reserve the right to issue a check payable to the beneficiary. Please choose only one option:

Settlement Option 1 - Spousal or Contract Continuation

Upon spousal or contract continuation, all active money movement arrangements will be discontinued. They may be restarted by you upon completion of the death claim.

Spousal Continuation for Qualified and Non-Qualified Annuity Contracts

- 100% Spousal Continuation - This option allows a spouse to continue the existing contract. For non-qualified annuity contracts issued on or after 1/19/1985, spouses may continue the contract as sole owner provided they are the sole, primary beneficiary of the owner and the owner is deceased, or the account is in joint with rights of survivorship ownership and an owner is deceased.

If this contract is a TSA, the spouse must work for an employer who sponsors a TSA. If we do not have an Information Sharing Agreement with that employer, one will need to be signed prior to the spousal continuations

Civil Union or Domestic Partner Contract Continuation for Non-Qualified Annuity Contracts (Qualified annuities are not eligible for contract continuation)

- 100% Taxable Contract Continuation - This option allows a civil union or domestic partner in states where approved to continue the existing contract. For non-qualified annuity contracts issued on or after 1/19/1985, civil union or domestic partners may continue the contract as sole owner provided they are the sole, primary beneficiary of the owner and the owner is deceased, or the account is in joint with rights of survivorship ownership and an owner is deceased.

By choosing this option you understand that any applicable gain in the contract at the time of continuation will be considered taxable income to you and will be reported as such to you on an IRS Form 1099-R. This option must be elected prior to five years from the date of the original owner's death. You should consult your tax advisor and/or your attorney for advice on your particular situation.

Optional benefits

- The *Accumulation Protector Benefit*[®], *Guarantor Withdrawal Benefit*[®] (*GWB*[®]), *Guarantor Withdrawal Benefit for Life*[®] (*GWB for Life*[®]) and *SecureSource*[®] single lifetime benefits will remain in force, and your guaranteed benefits may be stepped up or reset.
- For all other living benefit riders with single life benefit, the rider will terminate upon continuation.
- For all other living benefit riders with joint life benefit, the rider will continue if you are one of the covered spouses established on the contract effective date. Otherwise, the rider terminates. If the living benefit continues, you may be able to step up your benefit to the contract value, if higher, upon contribution.
- The *Income Assurer Benefit*SM and *Benefit Protector Plus*[®], if selected, will also terminate.
- Continuance of the *Benefit Protector*[®] is optional but you must meet age eligibility requirements. Refer to your annuity product prospectus for details.
- For the Return of Purchase Payments, Maximum Accumulation Value, 5% Accumulation or the Enhanced Death Benefit, the death benefit may continue based on age eligibility requirements and the values may be reset.

Settlement Option 2 - Lump Sum to Beneficiary

This option allows the beneficiary to receive the contract proceeds in one lump sum.

Available only if the contract was not previously annuitized.

Withholding Instructions

- **Federal Withholding:** You are liable for federal income tax on the taxable portion of your distribution. If total withholding is not adequate, you may be subject to estimated tax payments and/or penalties.
- **State Withholding:** Withholding rules vary by state. Clients may have the option to: (1) opt-out of withholding, (2) elect default state tax withholding, or (3) increase the rate of withholding. Depending on the state, state tax withholding could be mandatory, optional, unavailable, or the client may need to complete a state-specific form. For state tax withholding rules, go to riversource.com/statetax.
- Please note that taxes withheld per your elections or in accordance with state rules will not be refunded.
- Withholding choices are not generally available if your distribution is an eligible rollover distribution from certain employer sponsored plans. For eligible rollover distribution, 20% federal withholding will apply even if you indicate otherwise.
- For all tax-qualified annuities: Withholding is taken from the total amount distributed.
- For non-qualified annuities: Withholding is taken from the taxable amount distributed.
- Different withholding rules apply in certain situations: If we do not have a valid Taxpayer Identification Number on the account, if the payment is delivered outside the United States or if you are a non-resident.
- Please consult your tax professional for additional information regarding federal and/or state withholding.



Federal Withholding

10% federal tax will be withheld unless you make a different withholding election below.

- Do not withhold federal tax Withhold 10% federal tax Withhold % federal tax - *must be more than 10%*

State Withholding

- If you do not indicate an election, we will generally follow your choice for federal election unless your state does not allow.
 - No state tax withholding will be taken for states where withholding is not available.
 - The taxpayer's resident state on file is the state we use for state tax withholding.
- Do not withhold state tax Withhold default state tax Withhold % state tax

Settlement Option 3 - Inherited IRA ownership

An Inherited IRA is an IRA that you inherit, as beneficiary, because the original IRA or TSA owner is deceased. An Inherited IRA is distinguished from a personal IRA in that: (1) you cannot make contributions to an inherited IRA; (2) distributions from an Inherited IRA are not subject to the 10% early withdrawal penalty tax; and (3) you cannot convert an Inherited IRA to a Roth IRA. Certain required distribution rules apply to an Inherited IRA.

Available only if the contract is a Traditional IRA, SEP IRA, Roth IRA or a Tax Sheltered Annuity (TSA). I understand that the contract value used to establish my Inherited IRA can vary by product type.

Acknowledgement of Rider -- I understand that by choosing the Inherited IRA option, any automated fund transfer programs that were active have been discontinued (with the exception of the Portfolio Navigator program), but may be restarted by me as beneficiary upon completion of the death claim. I further understand that certain optional riders that were part of this contract have been cancelled. I understand that if I select this option for a contract with an application sign date of 11/30/2009 or later, in addition to completing a Death Claim Statement I also need to complete an Investment Options Form or Portfolio Navigator Enrollment Form. I understand that the contract value used to establish my Inherited IRA can vary by product type.

Refer to your annuity product prospectus for details.

Beneficiary Distribution Options (check one) -- You may wish to consult your tax advisor to discuss the tax implications of your selection.

- Life Expectancy Rule Payout¹ -- This is the default. Payments from your annuity contract will be made pursuant to the beginning date, and if you are a spouse beneficiary, you have until the later of (i) 12/31 of the year the decedent cases, you must distribute the minimum by December 31 each year, beginning in the year following the year of the decedent's death. It is your responsibility to make sure you distribute the required amount each year.
- Five Year Payout Rule¹ -- This option is only available if the IRA or TSA owner died before his/her required beginning date (April 1 of year following the year the IRA or TSA owner attained age 70½) or had a Roth IRA. IRA or TSA must be completely distributed by 12/31 of the year containing the fifth anniversary of the original IRA owner's death. This election is irrevocable and it is the responsibility of the beneficiary to make sure the five year requirement is met. Required minimum distributions (RMDs) are not required each year.

Excise Tax -- If the amount distributed for any calendar year is less than the RMD for the year, an excise tax, equal to 50% of the required amount not distributed, is imposed on the taxpayer. If the Five Year Rule applies to an individual, the RMD amount is the entire remaining balance in the inherited IRA on December 31 of the year that contains the fifth anniversary of the IRA or TSA owner's death.

Settlement Option 4 - Annuity Payment Plan, Remaining Benefit Amount Payout Option or Guaranteed Withdrawal Benefit Annuity Option

(Note: You must also complete an Annuitization Options form if you elect an annuity payment plan. Please call Client Services at 1-800-504-0469 to obtain this form.)

If considering annuitization: Claimants must receive the first annuitization payment within one year from the date of death.

Settlement Option 5 - Continuation of payments as provided by the contract

- If contract had previously been annuitized, this option must be selected.
- Prior election of an annuity payment plan is final and cannot be changed and the contract cannot be withdrawn by you or your beneficiary.
- Continuation of payments may result in a taxable transaction.

Federal Withholding

Federal income tax will be withheld from the taxable amount distributed based on the wage tables for a married individual with three exemptions unless you make a different withholding election below (certain exceptions apply).



Select one

- Do NOT have federal tax withheld from my payments.
- Withhold \$ from each payment.
- Withhold % from each payment (fixed payouts only).
- Have federal tax withheld from my payments calculated using the number of exemptions and marital status entered below:

Number of exemptions Marital Status Married Single

If this calculation indicates no withholding, please withhold \$ or %

State Withholding

- If you do not indicate an election, we will generally follow your choice for federal election unless your state does not allow.
 - No state tax withholding will be taken for states where withholding is not available.
 - The taxpayer's resident state on file is the state we use for state tax withholding.
- Do not withhold state tax Withhold default state tax Withhold \$ In addition to default state tax
 If this default results in no withholding, please withhold \$ or % (fixed payouts only).

Part 4 Delivery Instructions

Taxable Distribution: Available for Non-Qualified Annuity and Taxable Qualified (IRA, Roth, TSA) Distributions

- Mail check to my address of record.
- Distribute proceeds to Ameriprise or RiverSource account number
 Account number required. Death claim cannot be processed without the receiving account number.

Non-Taxable Transfer/Rollover: Available only on Qualified (IRA, Roth, TSA) to Qualified (IRA, Roth, TSA, Beneficial/Inherited IRA) Non-Taxable Transfer/Rollovers

- Mail check to another financial institution (IRA Transfer Forms/Letter of Acceptance is required)
- Internal transfer to Ameriprise or RiverSource account number
 Account number required. Death claim cannot be processed without the receiving account number.

The end result of a direct rollover is a non-taxable event, however, it is still reportable on a 1099-R.

Part 5 W-9 TIN Certification - MUST BE COMPLETED

Taxpayer Identification Number of Claimant*

Name (on IRS or Social Security Administration Records) Associated with this Taxpayer Identification Number

Trust, or Business Name

*If the claimant is an irrevocable trust or estate, it must have its own Employee Identification Number (EIN) according to IRS Revenue Ruling 84-73 and Reg. section 301.6109-1. If an EIN is not provided, mandatory withholding will apply.



W-9 TIN Certification

Check appropriate box for federal tax classification (required):

Individual/Sole proprietor

Partnership

Corporation

C-Corporation

S-Corporation

Trust

Revocable (Optional Additional Trust Detail)

Irrevocable (Optional Additional Trust Detail)

Limited Liability Company (LLC)

C-Corporation

S-Corporation

Partnership

Estate

Other

Check here if owner is an Exempt Payee (defined in Form W-9 instructions)

Exempt Payee code:

1-An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2), 2-The United States or any of its agencies or instrumentalities, 3-A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities, 4-A foreign government or any of its political subdivisions, agencies, or instrumentalities, 5-A corporation, 6-A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States, 7-A futures commission merchant registered with the Commodity Futures Trading Commission, 8-A real estate investment trust, 9-An entity registered at all times during the tax year under the Investment Company Act of 1940, 10-A common trust fund operated by a bank under section 584(a), 11-A financial institution, 12-A middleman known in the investment community as a nominee or custodian, 13-A trust exempt from tax under section 664 or described in section 4947

Foreign Account Tax Compliance Act Reporting

A FATCA exemption code is required for persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. If you are only submitting this form for an account you hold in the United States, no code is required. Otherwise submit IRS Form W-9 separately.

As used below, the word "I" refers to the claimant who is the taxpayer on the account.

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number, and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below), and
4. The payee is exempt from Foreign Account Tax Compliance Act (FATCA) reporting.

Certification instructions.

As used below, the word "You" refers to the claimant who is the taxpayer on the account.

Check this box if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Non-U.S. persons should submit the appropriate Form W-8.

Form W-9 and Form W-8 and their instructions are available upon request or on irs.gov.

Part 6 Beneficiary/Claimant Information

Name of Beneficiary/Claimant

Taxpayer Identification Number

Relationship to Deceased in Part 1

Phone Number

Date of Birth (MMDDYYYY)

Citizenship (Select One): U.S. Citizen Resident Alien Non-Resident Alien (complete IRS Form W-8BEN)

Gender: Male Female



Physical Address Required (PO Boxes will not be accepted)

[Empty text box for physical address]

City [] State [] Zip code []

Mailing Address (if different than physical address)

[Empty text box for mailing address]

City [] State [] Zip code []

Part 7 Authorizations and Acknowledgements (Notarized Signatures Required)

- The undersigned hereby makes claim to the proceeds of said annuity contract with RiverSource Life Insurance Co. of New York ("Company"). Claimant agrees that the written statements, affidavits and all other papers required by the Company shall constitute and be made a part of these proofs of death. Claimant further agrees that the furnishing of this form (or any other subsequent forms/documents) by said Company shall not constitute nor be considered an admission by the Company that there was any annuity contract in force nor a waiver of any of its rights or defenses, nor stop it in any way.
- Payment of the death proceeds must be approved by RiverSource Life Insurance Co. of New York. Purchases requested herein will be made only upon approval of the claim and receipt of all new business requirements by RiverSource Life Insurance Company.
- There may be tax implications as a result of claiming a deferred annuity. Consult your tax advisor prior to making a claim. Post-mortem interest is not guaranteed.
- I hereby declare that I have read the appropriate fraud warning on this form and all statements given herein are true and complete to the best of my knowledge and belief.
- If I am making claim to a TSA or Qualified plan I have read the "Special Tax Notice for Plan Distributions" and I understand that I have the right to consider the decision of whether or not to consent to a distribution and/or to elect a direct rollover for at least 30 days. I further understand that if I submit a completed Distribution Form before the 30 day period expires, I will have waived these rights and processing of my distribution request will begin upon receipt.
- **New York Fraud Warning: Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and shall also be subject to a civil penalty not to exceed five thousand dollars and the stated value of the claim for each such violation. I hereby declare that I have read the above fraud warning and any applicable fraud warnings as shown below on this form for my state of residence, and all statements given herein are true and complete to the best of my knowledge and belief.**
- I have read, understand, and agree to each of the items above and I certify that all of the information I have provided above regarding this distribution request/claim is true and accurate to the best of my knowledge.

The Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid backup withholding.

Name of Beneficiary/Claimant []

Signature of Beneficiary/Claimant [X] Date (MMDDYYYY) []



Notarization

State of

County of

On _____, 20____, _____ personally appeared before me,
Month, Date Yr Name of beneficiary/claimant

who is personally known to me

whose identity I proved on the basis of _____

whose identity I proved on the
oath/affirmation of a credible witness _____

To be the signer of the above document, and he/she acknowledged that he/she signed it.

Signature of Notary

Date (MMDDYYYY)

X _____

This notarization must include the Notary's official seal to be accepted as complete. The seal must be affixed by inked stamp imprint (preferred), or photocopyable emboss. Electronic notarizations cannot be accepted.

Notary Seal:

[Empty box for Notary Seal]

NOTE: No faxes accepted. Please mail.

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Client Information for the Death Claim Statement - Please Retain for Your Records

Payment of the death proceeds must be approved by RiverSource Life Insurance Co. of New York. If the death proceeds are to be used to purchase a RiverSource Life of NY product, the claim must first be approved and all new business requirements must be received by RiverSource Life of NY with explicit instructions to use the death proceeds as the purchase payment.

Death Claims Service

The following items will be required as documentation in order to (a) establish the death of the owner/annuitant, and (b) establish the beneficiary's right to the proceeds of the contract, as follows:

1. The following items must be submitted initially in order to effect a claim:

- a) Completed Death Claim Statement for each named beneficiary b) Certified Death Certificate — must include raised or color-coded court seal
- c) State tax consent if required by state regulations for amount of proceeds involved
- d) Birth certificate is needed if any Life Income Option is chosen as the payout plan

2. If the proceeds are payable to:

- a) the estate of the owner/annuitant. The Executor or Administrator of the Estate should complete this statement. A certified letter of appointment of the Executor or Administrator is required.
- b) a minor. The guardian of the minor's estate should sign and write in their capacity by stating their name, relationship (father, mother, etc.), as Custodian of (named child) under the (named state) Uniform Transfers/Gifts to Minors Act. A certified letter of guardianship of the minor's estate may also be needed.
- c) Trust, please include a copy of the Trust document including the title page, trustee and successor trustee page(s), and the signature page(s). Also include any amendments to the original Trust document.

Settlement Options — option/period selected may not exceed the beneficiary's life expectancy

- **Annuity Payment Plans (You must also complete an Annuitization Options Form to elect an annuitization payout plan.)**
- **Life Income†**— Receive payment for the rest of the beneficiary's life.
- **Life Income with Guaranteed Period†**— Receive payment for 5, 10, 15 or 20 years certain and continuing thereafter for the rest of the beneficiary's life.
- **Life Income with Installment Refund†**— Receive payment for the rest of the beneficiary's life, with a number of payments guaranteed to be the amount applied divided by the first annuity payment amount.
- **Term Certain**— Receive payments for a specified number of years (not less than 10 years). The term certain cannot exceed the beneficiary's life expectancy.
- **GWB Annuity Option** — For contracts that had originally purchased the *GWB®*, *GWB for Life®*, or *SecureSource®* rider, the amount and duration of payments will be calculated based on the remaining benefit amount and the guaranteed benefit payment.
- **SecureSource Stages NY®, SecureSource 3 NY®, SecureSource 4 NY®, or SecureSource 4 Plus NY® rider** — If you select the Principal Back Guarantee (PBG), that amount will be paid out monthly at the Annual Lifetime Payment amount as of the date of death.
- **Continuation of Payments** — Continuation of payments as provided by contract. If contract had previously been annuitized, this option must be selected. Payments may be reduced after period certain expires.

† Requires evidence of age.

Customer Identification Program of USA Patriot Act

To help the government fight the funding of terrorism and money laundering activities, Federal law requires all financial institutions to obtain, verify, and record information that identifies each person who opens a contract. We will ask you for your name, address, date of birth, and other information that will allow us to identify you. We may also ask to see your driver's license or other identifying documents. If you are opening a contract for a corporation, trust or other entity, we may also ask for copies of the documents showing the existence of the entity.

STATE FRAUD WARNING NOTICES

Alabama Fraud Warning: Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or who knowingly presents false information in an application for insurance is guilty of a crime and may be subject to restitution fines or confinement in prison, or any combination thereof. (section 27-12A-20).

Alaska Fraud Warning: A person who knowingly and with intent to injure, defraud, or deceive an insurance company files a claim containing false, incomplete or misleading information may be prosecuted under state law.

Arizona Fraud Warning: For your protection Arizona law requires the following statement to appear on this form. Any person who knowingly presents a false or fraudulent claim for payment of a loss is subject to criminal and civil penalties.

Arkansas, Louisiana, Rhode Island, Texas and West Virginia Fraud Warning: Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

California Fraud Warning: For your protection California law requires the following to appear on this form: Any person who knowingly presents false or fraudulent claim for the payment of a loss is guilty of a crime and may be subject to fines and confinement in state prison.

Colorado Fraud Warning: It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

Delaware Fraud Warning: Any person who knowingly, and with intent to injure, defraud or deceive any insurer, files a statement of claim containing any false, incomplete or misleading information is guilty of a felony.

District of Columbia Fraud WARNING: It is a crime to provide false or misleading information to an insurer for the purpose of defrauding the insurer or any other person. Penalties include imprisonment and/or fines. In addition, an insurer may deny insurance benefits if false information materially related to a claim was provided by the applicant.

Florida Fraud Warning: Any person who knowingly, and with intent to injure, defraud or deceive any insurer, files a statement of claim or an application containing any false, incomplete or misleading information is guilty of a felony in the third degree.

Idaho Fraud Warning: Any person who knowingly, and with intent to defraud or deceive any insurance company, files a statement of claim containing any false, incomplete, or misleading information is guilty of a felony.

Indiana Fraud Warning: A person who knowingly and with intent to defraud an insurer files a statement of claim containing any false, incomplete, or misleading information commits a felony.

Kentucky and Oregon Fraud Warning: Any person who knowingly and with intent to defraud any insurance company or other person files a statement of claim containing any materially false information or conceals, for purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime.

Maine, Tennessee, Virginia and Washington Fraud Warning: It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties may include imprisonment, fines or a denial of insurance benefits.

Maryland Fraud warning: Any person who knowingly and OR willfully presents a false or fraudulent claim for payment of a loss or benefit or who knowingly and OR willfully presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

Minnesota Fraud Warning: A person who files a claim with intent to defraud or helps commit a fraud against an insurer is guilty of a crime.

New Hampshire Fraud Warning: Any person who, with a purpose to injure, defraud or deceive any insurance company, files a statement of claim containing any false, incomplete or misleading information is subject to prosecution and punishment of insurance fraud, as provided in RSA 638:20.

New Jersey Fraud Warning: Any person who knowingly files a statement of claim containing false or misleading information is subject to criminal and civil penalties.

New Mexico Fraud Warning: Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to civil fines and criminal penalties.

New York Fraud Warning: Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and shall also be subject to a civil penalty not to exceed five thousand dollars and the stated value of the claim for each such violation.

Ohio Fraud Warning: Any person who, with intent to defraud or knowing that he is facilitating a fraud against an insurer, submits an application or files a claim containing a false or deceptive statement is guilty of insurance fraud.

Oklahoma Fraud WARNING: Any person who knowingly, and with intent to injure, defraud or deceive any insurer, makes any claim for the proceeds of an insurance policy containing any false, incomplete or misleading information is guilty of a felony.

Pennsylvania Fraud Warning: Any person who knowingly and with intent to defraud any insurance company or other person files and application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subject such person to criminal and civil penalties.

Puerto Rico Warning: Any person who knowingly and with the intention of defrauding presents false information in an insurance application, or presents, helps, or causes the presentation of a fraudulent claim for the payment of a loss or any other benefit, or presents more than one claim for the same damage or loss, shall incur a felony and, upon conviction, shall be sanctioned for each violation by a fine of not less than five thousand dollars (\$5,000) and not more than ten thousand dollars (\$10,000), or a fixed term of imprisonment for three (3) years, or both penalties. Should aggravating circumstances [be] present, the penalty thus established may be increased to a maximum of five (5) years, if extenuating circumstances are present, it may be reduced to a minimum of two (2) years.

Special Tax Notice for Plan Distributions

Your Rollover Options

You are receiving this notice because all or a portion of a payment you are receiving from the 403(b) or 401(a) retirement plan (the "Plan") is eligible to be rolled over to an IRA or an employer plan. This notice is intended to help you decide whether to do such a rollover.

This notice describes the rollover rules that apply to payments from the Plan that are not from a designated Roth account (a type of account with special tax rules in some employer plans). If you also receive a payment from a designated Roth account in the Plan, you will be provided a different notice for that payment, and the Plan administrator or the payor will tell you the amount that is being paid from each account.

Rules that apply to most payments from a plan are described in the "General Information About Rollovers" section. Special rules that only apply in certain circumstances are described in the "Special Rules and Options" section.

General Information About Rollovers

How can a rollover affect my taxes?

You will be taxed on a payment from the Plan if you do not roll it over. If you are under age 59 1/2 and do not do a rollover, you will also have to pay a 10% additional income tax on early distributions (unless an exception applies). However, if you do a rollover, you will not have to pay tax until you receive payments later and the 10% additional income tax will not apply if those payments are made after you are age 59 1/2 (or if an exception applies).

Where may I roll over the payment?

You may roll over the payment to either an IRA (an individual retirement account or individual retirement annuity) or an employer plan (a tax-qualified plan, section 403(b) plan, or governmental section 457(b) plan) that will accept the rollover. The rules of the IRA or employer plan that holds the rollover will determine your investment options, fees, and rights to payment from the IRA or employer plan (for example, no spousal consent rules apply to IRAs and IRAs may not provide loans). Further, the amount rolled over will become subject to the tax rules that apply to the IRA or employer plan.

How do I do a rollover?

There are two ways to do a rollover. You can do either a direct rollover or a 60-day rollover.

If you do a direct rollover, the Plan will make the payment directly to your IRA or an employer plan. You should contact the IRA sponsor or the administrator of the employer plan for information on how to do a direct rollover.

If you do not do a direct rollover, you may still do a rollover by making a deposit into an IRA or eligible employer plan that will accept it. You will have 60 days after you receive the payment to make the deposit. If you do not do a direct rollover, the Plan is required to withhold 20% of the payment for federal income taxes (up to the amount of cash and property received other than employer stock). This means that, in order to roll over the entire payment in a 60-day rollover, you must use other funds to make up for the 20% withheld. If you do not roll over the entire amount of the payment, the portion not rolled over will be taxed and will be subject to the 10% additional income tax on early distributions if you are under age 59 1/2 (unless an exception applies).

How much may I roll over?

If you wish to do a rollover, you may roll over all or part of the amount eligible for rollover. Any payment from the Plan is eligible for rollover, except:

- Certain payments spread over a period of at least 10 years or over your life or life expectancy (or the lives or joint life expectancy of you and your beneficiary)
- Required minimum distributions after age 70 1/2; (or after death)
- Hardship distributions
- ESOP dividends
- Corrective distributions of contributions that exceed tax law limitations
- Loans treated as deemed distributions (for example, loans in default due to missed payments before your employment ends)
- Cost of life insurance paid by the Plan
- Contributions made under special automatic enrollment rules that are withdrawn pursuant to your request within 90 days of enrollment
- Amounts treated as distributed because of a prohibited allocation of S corporation stock under an ESOP (also, there will generally be adverse tax consequences if you roll over a distribution of S corporation stock to an IRA).

The Plan administrator or the payor can tell you what portion of a payment is eligible for rollover.

If I don't do a rollover, will I have to pay the 10% additional income tax on early distributions?

If you are under age 59 1/2, you will have to pay the 10% additional income tax on early distributions for any payment from the Plan (including amounts withheld for income tax) that you do not roll over, unless one of the exceptions listed below applies. This tax is in addition to the regular income tax on the payment not rolled over.

The 10% additional income tax does not apply to the following payments from the Plan:

- Payments made after you separate from service if you will be at least age 55 in the year of the separation
- Payments that start after you separate from service if paid at least annually in equal or close to equal amounts over your life or life expectancy (or the lives or joint life expectancy of you and your beneficiary)
- Payments from a governmental defined benefit pension plan made after you separate from service if you are a public safety employee and you are at least age 50 in the year of the separation
- Payments made due to disability
- Payments after your death
- Payments of ESOP dividends
- Corrective distributions of contributions that exceed tax law limitations
- Cost of life insurance paid by the Plan
- Contributions made under special automatic enrollment rules that are withdrawn pursuant to your request within 90 days of enrollment
- Payments made directly to the government to satisfy a federal tax levy

- Payments made under a qualified domestic relations order (QDRO)
- Payments up to the amount of your deductible medical expenses
- Certain payments made while you are on active duty if you were a member of a reserve component called to duty after September 11, 2001 for more than 179 days
- Payments of certain automatic enrollment contributions requested to be withdrawn within 90 days of the first contribution.

If I do a rollover to an IRA, will the 10% additional income tax apply to early distributions from the IRA?

If you receive a payment from an IRA when you are under age 59 1/2, you will have to pay the 10% additional income tax on early distributions from the IRA, unless an exception applies. In general, the exceptions to the 10% additional income tax for early distributions from an IRA are the same as the exceptions listed above for early distributions from a plan. However, there are a few differences for payments from an IRA, including:

- There is no exception for payments after separation from service that are made after age 55.
- The exception for qualified domestic relations orders (QDROs) does not apply (although a special rule applies under which, as part of a divorce or separation agreement, a tax-free transfer may be made directly to an IRA of a spouse or former spouse).
- The exception for payments made at least annually in equal or close to equal amounts over a specified period applies without regard to whether you have had a separation from service.
- There are additional exceptions for (1) payments for qualified higher education expenses, (2) payments up to \$10,000 used in a qualified first-time home purchase, and (3) payments after you have received unemployment compensation for 12 consecutive weeks (or would have been eligible to receive unemployment compensation but for self-employed status).

Will I owe State income taxes?

This notice does not describe any State or local income tax rules (including withholding rules).

Special Rules And Options

If your payment includes after-tax contributions

After-tax contributions included in a payment are not taxed. If a payment is only part of your benefit, an allocable portion of your after-tax contributions is generally included in the payment. If you have pre-1987 after-tax contributions maintained in a separate account, a special rule may apply to determine whether the after-tax contributions are included in a payment.

You may roll over to an IRA a payment that includes after-tax contributions through either a direct rollover or a 60-day rollover. You must keep track of the aggregate amount of the after-tax contributions in all of your IRAs (in order to determine your taxable income for later payments from the IRAs). If you do a direct rollover of only a portion of the amount paid from the Plan and a portion is paid to you, each of the payments will include an allocable portion of the after-tax contributions. If you do a 60-day rollover to an IRA of only a portion of the payment made to you, the after-tax contributions are treated as rolled over last. For example, assume you are receiving a complete distribution of your benefit which totals \$12,000, of which \$2,000 is aftertax contributions. In this case, if you roll over \$10,000 to an IRA in a 60-day rollover, no amount is taxable because the \$2,000 amount not rolled over is treated as being after-tax contributions.

You may roll over to an employer plan all of a payment that includes after-tax contributions, but only through a direct rollover (and only if the receiving plan separately accounts for after-tax contributions and is not a governmental section 457(b) plan). You can do a 60-day rollover to an employer plan of part of a payment that includes after-tax contributions, but only up to the amount of the payment that would be taxable if not rolled over.

If you miss the 60-day rollover deadline

Generally, the 60-day rollover deadline cannot be extended. However, the IRS has the limited authority to waive the deadline under certain extraordinary circumstances, such as when external events prevented you from completing the rollover by the 60-day rollover deadline. To apply for a waiver, you must file a private letter ruling request with the IRS. Private letter ruling requests require the payment of a nonrefundable user fee. For more information, see IRS Publication 590, Individual Retirement Arrangements (IRAs).

If you have an outstanding loan that is being offset

If you have an outstanding loan from the Plan, your Plan benefit may be offset by the amount of the loan, typically when your employment ends. The loan offset amount is treated as a distribution to you at the time of the offset and will be taxed (including the 10% additional income tax on early distributions, unless an exception applies) unless you do a 60-day rollover in the amount of the loan offset to an IRA or employer plan.

If you were born on or before January 1, 1936

If you were born on or before January 1, 1936 and receive a lump sum distribution that you do not roll over, special rules for calculating the amount of the tax on the payment might apply to you. For more information, see IRS Publication 575, Pension and Annuity Income.

If your payment is from a governmental section 457(b) plan

If the Plan is a governmental section 457(b) plan, the same rules described elsewhere in this notice generally apply, allowing you to roll over the payment to an IRA or an employer plan that accepts rollovers. One difference is that, if you do not do a rollover, you will not have to pay the 10% additional income tax on early distributions from the Plan even if you are under age 59 1/2 (unless the payment is from a separate account holding rollover contributions that were made to the Plan from a tax-qualified plan, a section 403(b) plan, or an IRA). However, if you do a rollover to an IRA or to an employer plan that is not a governmental section 457(b) plan, a later distribution made before age 59 1/2 will be subject to the 10% additional income tax on early distributions (unless an exception applies). Other differences are that you cannot do a rollover if the payment is due to an "unforeseeable emergency" and the special rules under "If your payment includes employer stock that you do not roll over" and "If you were born on or before January 1, 1936" do not apply.

If you are an eligible retired public safety officer and your pension payment is used to pay for health coverage or qualified long-term care insurance

If the Plan is a governmental plan, you retired as a public safety officer, and your retirement was by reason of disability or was after normal retirement age, you can exclude from your taxable income plan payments paid directly as premiums to an accident or health plan (or a qualified long-term care insurance contract) that your employer maintains for you, your spouse, or your dependents, up to a maximum of \$3,000 annually. For this purpose, a public safety officer is a law enforcement officer, firefighter, chaplain, or member of a rescue squad or ambulance crew.

If you roll over your payment to a Roth IRA

If you roll over the payment to a Roth IRA, a special rule applies under which the amount of the payment rolled over (reduced by any after-tax amounts) will be taxed. However, the 10% additional income tax on early distributions will not apply (unless you take the amount rolled over out of the Roth IRA within 5 years, counting from January 1 of the year of the rollover). For payments from the Plan during 2010 that are rolled over to a Roth IRA, the taxable amount can be spread over a 2-year period starting in 2011.

If you roll over the payment to a Roth IRA, later payments from the Roth IRA that are qualified distributions will not be taxed (including earnings after the rollover). A qualified distribution from a Roth IRA is a payment made after you are age 59½ (or after your death or disability, or as a qualified first-time homebuyer distribution of up to \$10,000) and after you have had a Roth IRA for at least 5 years. In applying this 5-year rule, you count from January 1 of the year for which your first contribution was made to a Roth IRA. Payments from the Roth IRA that are not qualified distributions will be taxed to the extent of earnings after the rollover, including the 10% additional income tax on early distributions (unless an exception applies). You do not have to take required minimum distributions from a Roth IRA during your lifetime. For more information, see IRS Publication 590, Individual Retirement Arrangements (IRAs). You cannot roll over a payment from the Plan to a designated Roth account in an employer plan.

If you are not a plan participant

Payments after death of the participant. If you receive a distribution after the participant's death that you do not roll over, the distribution will generally be taxed in the same manner described elsewhere in this notice. However, the 10% additional income tax on early distributions and the special rules for public safety officers do not apply, and the special rule described under the section "If you were born on or before January 1, 1936" applies only if the participant was born on or before January 1, 1936.

If you are a surviving spouse

If you receive a payment from the Plan as the surviving spouse of a deceased participant, you have the same rollover options that the participant would have had, as described elsewhere in this notice. In addition, if you choose to do a rollover to an IRA, you may treat the IRA as your own or as an Inherited IRA.

An IRA you treat as your own is treated like any other IRA of yours, so that payments made to you before you are age 59½ will be subject to the 10% additional income tax on early distributions (unless an exception applies) and required minimum distributions from your IRA do not have to start until after you are age 70½.

If you treat the IRA as an Inherited IRA, payments from the IRA will not be subject to the 10% additional income tax on early distributions. However, if the participant had started taking required minimum distributions, you will have to receive required minimum distributions from the Inherited IRA. If the participant had not started taking required minimum distributions from the Plan, you will not have to start receiving required minimum distributions from the Inherited IRA until the year the participant would have been age 70½.

If you are a surviving beneficiary other than a spouse

If you receive a payment from the Plan because of the participant's death and you are a designated beneficiary other than a surviving spouse, the only rollover option you have is to do a direct rollover to an Inherited IRA. Payments from the Inherited IRA will not be subject to the 10% additional income tax on early distributions. You will have to receive required minimum distributions from the Inherited IRA.

Payments under a qualified domestic relations order.

If you are the spouse or former spouse of the participant who receives a payment from the Plan under a qualified domestic relations order (QDRO), you generally have the same options the participant would have (for example, you may roll over the payment to your own IRA or an eligible employer plan that will accept it). Payments under the QDRO will not be subject to the 10% additional income tax on early distributions.

If you are a nonresident alien

If you are a nonresident alien and you do not do a direct rollover to a U.S. IRA or U.S. employer plan, instead of withholding 20%, the Plan is generally required to withhold 30% of the payment for federal income taxes. If the amount withheld exceeds the amount of tax you owe (as may happen if you do a 60-day rollover), you may request an income tax refund by filing Form 1040NR and attaching your Form 1042-S. See Form W-8BEN for claiming that you are entitled to a reduced rate of withholding under an income tax treaty. For more information, see also IRS Publication 519, U.S. Tax Guide for Aliens, and IRS Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities.

Other special rules

If a payment is one in a series of payments for less than 10 years, your choice whether to make a direct rollover will apply to all later payments in the series (unless you make a different choice for later payments).

If your payments for the year are less than \$200 (not including payments from a designated Roth account in the Plan), the Plan is not required to allow you to do a direct rollover and is not required to withhold for federal income taxes. However, you may do a 60-day rollover.

Unless you elect otherwise, a mandatory cashout of more than \$1,000 (not including payments from a designated Roth account in the Plan) will be directly rolled over to an IRA chosen by the Plan administrator or the payor. A mandatory cashout is a payment from a plan to a participant made before age 62 (or normal retirement age, if later) and without consent, where the participant's benefit does not exceed \$5,000 (not including any amounts held under the plan as a result of a prior rollover made to the plan).

You may have special rollover rights if you recently served in the U.S. Armed Forces. For more information, see IRS Publication 3, Armed Forces' Tax Guide.

FOR MORE INFORMATION

You may wish to consult with the Plan administrator or payor, or a professional tax advisor, before taking a payment from the Plan. Also, you can find more detailed information on the federal tax treatment of payments from employer plans in: IRS Publication 575, Pension and Annuity Income; IRS Publication 590, Individual Retirement Arrangements (IRAs); and IRS Publication 571, Tax-Sheltered Annuity Plans (403(b) Plans). These publications are available from a local IRS office, on the web at www.irs.gov, or by calling 1-800-TAX-FORM.

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