



*The Company You Keep®*

**New York Life Insurance and Annuity Corporation**  
(A Delaware Corporation)  
51 Madison Avenue  
New York, NY 10010

**September 29, 2010**

**Send to: [hireactprotocol@isda.org](mailto:hireactprotocol@isda.org)**

Dear Sirs,

**2010 HIRE Act Protocol - Adherence**

The purpose of this letter is to confirm our adherence to the 2010 HIRE Act Protocol as published by the International Swaps and Derivatives Association, Inc. on August 23, 2010 (the **Protocol**). This letter constitutes an Adherence Letter as referred to in the Protocol. The definitions and provisions contained in the Protocol are incorporated into this Adherence Letter, which will supplement and form part of each Covered Master Agreement between us and each other Adhering Party.

**1. Specified Terms**

The amendments in the Attachment to the Protocol shall apply to each Covered Master Agreement to which we are a party in accordance with the terms of the Protocol and this Adherence Letter.

**2. Appointment as Agent and Release**

We hereby appoint ISDA as our agent for the limited purposes of the Protocol and accordingly we waive, and hereby release ISDA from, any rights, claims, actions or causes of action whatsoever (whether in contract, tort or otherwise) arising out of or in any way relating to this Adherence Letter or our adherence to the Protocol or any actions contemplated as being required by ISDA.

**3. Contact Details**

Our contact details for purposes of this Adherence Letter are:

Name: NYLIM Securities Operations – Derivatives Group Attention: Don Serek  
Address: New York Life Investment Management, LLC  
51 Madison Avenue, Room 201  
New York, NY 10010  
Telephone: (212) 576-8169  
Fax: (212) 447-4194

E-mail: [nylimsecops\\_derivatives@nylim.com](mailto:nylimsecops_derivatives@nylim.com)

With a copy to:

Attention: Office of the General Counsel Attention: Rebecca Strutton  
Telephone: (212) 576-4825  
Facsimile: (212) 4576-8340

We consent to the publication of a conformed copy of this letter by ISDA and to the disclosure by ISDA of the contents of this letter.

Yours faithfully,

NEW YORK LIFE INSURANCE AND ANNUITY CORPORATION

By:

Name: Arthur S. Seter

Title: Senior Vice President and Chief Investment Officer

Signature: Arthur S. Seter