STATE OF ARIZONA
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DEPT OF INSURANCE
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STATE OF ARIZONA

DEPARTMENT OF INSURANCE

In the Matter of **Aviva Life and Annuity Company (IA) (NAIC NO. 61689)** Petitioner.	Docket No.09A-159-INS **ORDER RELEASING DEPOSIT**

Upon the Petitioner's written application for the release of deposited funds, the Director shall issue an Order releasing and returning the deposited funds to the Petitioner to the extent that the deposit is in excess of the amount required. A.R.S. § 20-588(A)(2).

FINDINGS OF FACT

1. Aviva Life and Annuity Company ("Petitioner") is an Iowa domiciled insurer licensed to transact life and disability insurance in Arizona since January 25, 1960.

2. In connection with a 1990 merger of Petitioner and Wisconsin Life Insurance Company, the Arizona Department of Insurance ("Department") required Petitioner to post a deposit exclusively for the protection of Arizona policyholders.

3. Petitioner currently has a deposit in the approximate amount of $250,000 (Two hundred fifty thousand dollars) being held by the Department through the Arizona State Treasurer ("Deposit").

4. Pursuant to A.R.S. § 20-588(A)(2), Petitioner filed an application dated December 14, 2009 for release of its Deposit.

5. In connection with its request for release of the Deposit, Petitioner provided the Department with a certification from the Insurance Commissioner of the State of Iowa that, as of December 31, 2008, it holds $19,829,783,990 par value in securities in trust as security for the benefit of all policyholders of Petitioner.

CONCLUSIONS OF LAW

1. The Iowa Insurance Commissioner's certificate satisfies the trust deposit requirement prescribed in A.R.S. § 20-213.

2. The Director has no personal liability for the release of a deposit made in good faith as provided in A.R.S. § 20-588(B).

3. Petitioner is entitled to the release of its Deposit pursuant to A.R.S. § 20-213 and 20-588(A)(2).

ORDER

THEREFORE IT IS ORDERED that the Deposit in the approximate amount of $250,000 shall be released to Petitioner.

Dated this 16th day of December, 2009

CHRISTINA URIAS
Director of Insurance

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COPY of the foregoing mailed/delivered
this 21st day of December, 2009, to:

Michael H. Miller, Executive Vice President, General Counsel and Secretary
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