

STATE OF NEW YORK INSURANCE DEPARTMENT

REPORT ON EXAMINATION

OF THE

GREAT AMERICAN LIFE INSURANCE COMPANY

OF NEW YORK

AS OF

DECEMBER 31, 2003

DATE OF REPORT:

DECEMBER 17, 2004

EXAMINER:

WILLIAM M. TARDOGNO

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STATE OF NEW YORK  
INSURANCE DEPARTMENT  
25 BEAVER STREET  
NEW YORK, NEW YORK 10004

George E. Pataki  
Governor

Gregory V. Serio  
Superintendent

December 17, 2004

Honorable Gregory V. Serio  
Superintendent of Insurance  
Albany, New York 12257

Sir:

In accordance with instructions contained in Appointment No. 22232, dated May 19, 2004 and annexed hereto, an examination has been made into the condition and affairs of Great American Life Insurance Company of New York, hereinafter referred to as "the Company," at its home office located at 125 Park Avenue, New York, New York 10017.

Wherever "Department" appears in this report, it refers to the State of New York Insurance Department.

The report indicating the results of this examination is respectfully submitted.

## 1. EXECUTIVE SUMMARY

The examiner's review of a sample of transactions did not reveal any differences which materially affected the Company's financial condition as presented in its financial statements contained in the December 31, 2003 filed annual statement. (See item 5 of this report)

The Company violated Section 325(a) of the New York Insurance Law by not maintaining its books and records within this state. (See item 3B of this report)

The Company violated Section 1202(b)(2) of the New York Insurance Law by permitting the full board to perform the functions required to be performed by a committee comprised solely of independent directors. (See item 3C of this report)

The Company violated Section 1201(a)(5)(B)(v) of the New York Insurance Law as well as its own by-laws by failing to have at least nine directors on its board. (See item 3C of this report)

The examiner's review of the Company's market conduct activities did not reveal significant instances which deviated from the New York Insurance Law, Department regulations and circular letters and the operating rules of the Company. (See item 6 of this report)

## 2. SCOPE OF EXAMINATION

The prior examination was conducted as of December 31, 1998. This examination covers the period from January 1, 1999 through December 31, 2003. As necessary, the examiner reviewed transactions occurring subsequent to December 31, 2003 but prior to the date of this report (i.e., the completion date of the examination).

The examination comprised a verification of assets and liabilities as of December 31, 2003 to determine whether the Company's 2003 filed annual statement fairly presents its financial condition. The examiner reviewed the Company's income and disbursements necessary to accomplish such verification and utilized the National Association of Insurance Commissioners' Examiners Handbook or such other examination procedures, as deemed appropriate, in such review and in the review or audit of the following matters:

- Company history
- Management and control
- Corporate records
- Fidelity bond and other insurance
- Officers' and employees' welfare and pension plans
- Territory and plan of operation
- Market conduct activities
- Growth of Company
- Business in force by states
- Mortality and loss experience
- Reinsurance
- Accounts and records
- Financial statements

The examiner reviewed the corrective actions taken by the Company with respect to violations and recommendations contained in the prior report on examination. The results of the examiner's review are contained in item 7 of this report.

This report on examination is confined to financial statements and comments on those matters which involve departure from laws, regulations or rules, or which require explanation or description.

### 3. DESCRIPTION OF COMPANY

#### A. History

The Company was incorporated as a stock life insurance company under the laws of New York on December 23, 1963 under the name of Old Republic Life Insurance Company of New York. The Company was licensed and commenced business on April 30, 1964. Initial resources of \$750,000, consisting of common capital stock of \$500,000 and paid in and contributed surplus of \$250,000, were provided through the sale of 100,000 shares of common stock (with a par value of \$5 each) for \$7.50 per share.

In 1971 the Company increased its capital from \$500,000 to \$600,000 through the issuance of a stock dividend of 20,000 shares with a par value of \$5 per share. In 1993, the Company increased its capital from \$600,000 to \$2,000,000 through the issuance of a stock dividend of 280,000 shares with a par value of \$5 per share.

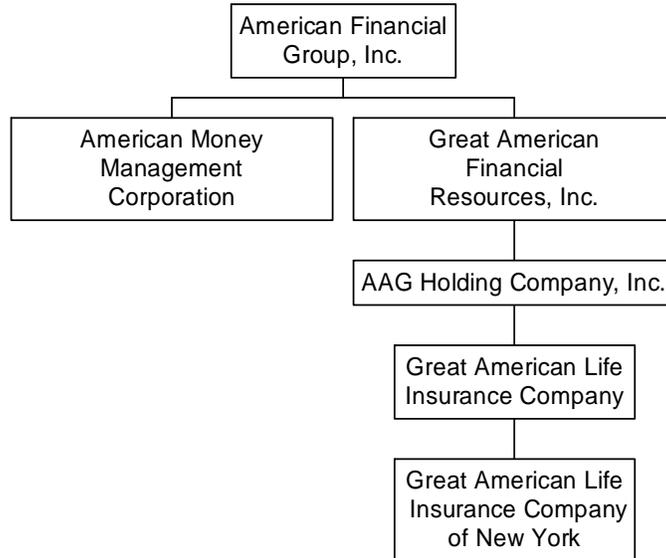
The Company was acquired by Great American Life Insurance Company in February 1999. The current name was adopted on April 2, 1999.

As of December 31, 2003, the capital stock of the Company was \$2,000,000 and the paid in surplus was \$5,350,000.

#### B. Holding Company

The Company is a wholly owned subsidiary of Great American Life Insurance Company (“GALIC”), a stock life insurance company domiciled in the state of Ohio. The parent is in turn a wholly owned subsidiary of AAG Holding Company, Inc. (“AAG”), a holding company incorporated in the state of Ohio. The ultimate parent of the Company is American Financial Group, Inc. (“AFG”), a financial services company incorporated in the state of Ohio.

An organization chart reflecting the relationship between the Company and significant entities in its holding company system as of December 31, 2003 follows:



The Company had two service agreements in effect with affiliates during the examination period.

Type of Agreement	Effective Date	Provider(s) of Service(s)	Recipient(s) of Service(s)	Specific Service(s) Covered	Income/ (Expense)* For Each Year of the Examination
Investment Service Agreement	04/03/00	American Money Management Corporation	the Company	Supervise and direct the composition of the portfolio of invested assets	2003-\$ (92,844) 2002-\$ (95,259) 2001-\$ (126,850) 2000-\$ (52,294)
Administrative Service Agreement	04/03/00	Great American Life Insurance Company	the Company	General operational and administrative services	2003-\$ (43,864) 2002-\$ 0** 2001-\$ 0** 2000-\$ (72,201)

\* Amount of Income or (Expense) Incurred by the Company

\*\* The Company entered into the administrative service agreement listed above with its parent in 2000. The Company also had a third party administrative (“TPA”) agreement in effect with USA Administrative Services, Inc., an unrelated company. In 2000, the Company allocated all administrative expenses to its parent and no services were provided under the TPA agreement. In 2001 and 2002 all administrative services were provided under the TPA agreement. In 2003, administrative expenses were allocated under both the TPA agreement and the service agreement with its parent. As of December 31, 2003, the agreement with the TPA has been terminated and

going forward all administrative expenses will be allocated under the service agreement with its parent.

Section 325(a) of the New York Insurance Law states, in part:

“Every domestic insurer . . . shall . . . keep and maintain at its principal office in this state its charter and by-laws . . . and its books of account . . . a record containing the names and addresses of its shareholders, the number and class of shares held by each and the dates when they respectively became the owners of record thereof . . . the minutes of any meetings of its shareholders, policyholders, board of directors and committees thereof. . . .”

The Company’s books of account and records are kept at the immediate parent’s office in Cincinnati, Ohio. The Company did not maintain any of the required books and records as specified in Section 325(a) of the New York Insurance Law in New York.

The Company violated Section 325(a) of the New York Insurance Law when it failed to keep and maintain its books and records in this state.

### C. Management

The Company’s by-laws provide that the board of directors shall be comprised of not less than nine and not more than 13 directors. Directors are elected for a period of one year at the annual meeting of the shareholders held in March of each year. As of December 31, 2003 there were eight board members.

The eight board members and their principal business affiliation, as of December 31, 2003, were as follows:

<u>Name and Residence</u>	<u>Principal Business Affiliation</u>	<u>Year First Elected</u>
Francis M. Austin, Jr.* Chicago, IL	Retired New York Telephone	2001
Alexander M. Clark* New York, NY	Managing Director Advest, Inc.	2001
Billy B. Hill, Jr. Austin, TX	President United Teachers Associates Insurance Company	2001
Gail Hyman* New York, NY	Retired Manhattan Life Insurance Company	1999

<u>Name and Residence</u>	<u>Principal Business Affiliation</u>	<u>Year First Elected</u>
Nick R. Pearson* New York, NY	Partner Edwards and Angell	2001
Michael J. Prager Cincinnati, OH	Senior Vice President and Chief Actuary Great American Financial Resources, Inc.	2001
David B. Rich Cincinnati, OH	Retired – Executive Vice President Great American Financial Resources, Inc.	1999
Charles R. Scheper Cincinnati, OH	Chairman of the Board and President Great American Life Insurance Company of New York	1999

\* Not affiliated with the Company or any other company in the holding company system

In June 2004, David B. Rich resigned from the board and was replaced by Christopher P. Miliano.

Section 1201(a)(5)(B)(v) of the New York Insurance Law states, in part:

“ . . . the number of directors shall not be less than thirteen, however, a life insurance corporation with admitted assets of less than one and one half billion dollars, may not have less than nine directors . . . ”

As of December 31, 2003, the board of directors consisted of eight members. The number of directors has been eight since December 2001. It is also noted that the Company’s by-laws require that the Company maintain at least nine directors.

The Company violated Section 1201(a)(5)(B)(v) of the New York Insurance Law as well as its own by-laws by failing to have at least nine directors on its board.

The Company’s by-laws state that regular meetings of the board are to be held twice a year at such time and place as may be fixed by the board. One meeting is to be held in March after the annual meeting of shareholders.

A review of the board meeting minutes indicated that the board met in December 1999, July 2000, December 2001, February and December 2002, and June and December 2003.

The Company was not in compliance with its by-laws since it failed to hold two regular meetings of the board each year and failed to hold its annual meeting after the annual meeting of shareholders in March of each year.

The examiner recommends that the board of directors meet twice per year, and hold its annual meeting in March, after the shareholders meeting, in accordance with its by-laws.

Section 1202(b)(2) of the New York Insurance Law states, in part:

“The board of directors of a domestic life insurance company shall establish one or more committees comprised solely of directors who are not officers or employees of the company or of any entity controlling, controlled by, or under common control with the company and who are not beneficial owners of a controlling interest in the voting stock of the company or any such entity. Such committee . . . shall to have the responsibility for recommending the selection of independent certified public accountants, reviewing the company's financial condition, the scope and results of the independent audit and any internal audit, nominating candidates for director for election by shareholders . . .”

The Company established an audit committee in accordance with the requirements of Section 1202(b)(2) of the New York Insurance Law, however the audit committee did not meet during the examination period. The Company stated that all of the functions required to be performed by the audit committee were instead performed by the entire board.

The Company violated Section 1202(b)(2) of the New York Insurance Law by permitting the full board to perform the functions required to be performed by a committee comprised solely of independent directors.

The Company established a finance committee, however this committee did not meet during the examination period. The functions of the finance committee include approving investments. The Company stated that the functions of this committee were instead performed by the entire board during the examination period. It was noted in the board minutes that the board of directors reviewed and ratified the investment report of the Company. However, the investment report was not made a part of the minutes of the board of directors and consequently the examiner was unable to determine if investment transactions were reviewed and approved by the board.

The examiner recommends that the investment report showing the detail of all investment purchases and sales be made a part of the minutes of the meetings of the board of directors.

The following is a listing of the principal officers of the Company as of December 31, 2003:

<u>Name</u>	<u>Title</u>
Charles R. Scheper	President
Christopher P. Miliano	Senior Vice President and Assistant Treasurer
Mark F. Muething*	Senior Vice President and General Counsel
Catherine A. Crume	Vice President
Anne. S. Kessling	Vice President
Richard L. Magoteaux	Vice President and Treasurer
William T. Gaynor, Jr.	Secretary
Richard L. Sutton	Assistant Vice President, Chief Actuary
William C. Ellis	Assistant Treasurer

\* Designated consumer services officer per Section 216.4(c) of Department Regulation No. 64

In June 2004, Billy B. Hill, Jr. replaced Charles R. Scheper as President and Michael Lesar replaced Richard L. Sutton as Chief Actuary.

#### D. Territory and Plan of Operation

The Company is authorized to write life insurance, annuities and accident and health insurance as defined in paragraphs 1, 2 and 3 of Section 1113(a) of the New York Insurance Law. The Company has not written any new business during the examination period.

The Company is licensed to transact business in two states, namely New York and Mississippi. In 2003, 98% of renewal premiums (life insurance premiums and annuity considerations) were received from New York. Policies are written on a non-participating basis.

#### E. Reinsurance

As of December 31, 2003, the Company did not have any reinsurance treaties in effect. The Company terminated its last remaining reinsurance contracts in 1995.

#### 4. SIGNIFICANT OPERATING RESULTS

Indicated below is significant information concerning the operations of the Company during the period under examination as extracted from its filed annual statements. Failure of items to add to the totals shown in any table in this report is due to rounding.

The following table indicates the Company's financial decline during the period under review:

	December 31, <u>1998</u>	December 31, <u>2003</u>	<u>(Decrease)</u>
Admitted assets	<u>\$90,392,074</u>	<u>\$65,034,114</u>	<u>\$(25,357,960)</u>
Liabilities	<u>\$69,602,293</u>	<u>\$52,111,490</u>	<u>\$(17,490,803)</u>
Common capital stock	\$ 2,000,000	\$ 2,000,000	\$ 0
Gross paid in and contributed surplus	5,350,000	5,350,000	0
Group contingency life reserve	1,081,995	1,081,983	(12)
Unassigned funds (surplus)	<u>12,357,786</u>	<u>4,490,644</u>	<u>(7,867,142)</u>
Total capital and surplus	<u>\$20,789,781</u>	<u>\$12,922,627</u>	<u>\$(7,867,154)</u>
Total liabilities, capital and surplus	<u>\$90,392,074</u>	<u>\$65,034,117</u>	<u>\$(25,357,957)</u>

The decrease in assets during the period under examination is mainly due to the payment of a \$15 million dividend to the parent in 2001 as well as the sale of bonds and decreasing investment income yields during the examination period. The decrease in liabilities is primarily due to a decrease in the required reserves on its closed block of business. As the Company has not written new business, the required reserves decline as the number of policies in force declines.

The Company's invested assets as of December 31, 2003 were mainly comprised of bonds (92.7%) and cash and short-term investments (7.3%).

The majority (92.64%) of the Company's bond portfolio, as of December 31, 2003, was comprised of investment grade obligations.

The following is the net gain (loss) from operations by line of business after federal income taxes but before realized capital gains (losses) reported for each of the years under examination in the Company's filed annual statements:

	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>
Ordinary:					
Life insurance	\$ 12,266	\$ 11,389	\$ 2,905	\$ 1,848	\$ (2,473)
Individual annuities	<u>1,818,035</u>	<u>1,585,237</u>	<u>1,696,527</u>	<u>1,188,999</u>	<u>961,277</u>
Total ordinary	<u>\$1,830,301</u>	<u>\$1,596,626</u>	<u>\$1,699,432</u>	<u>\$1,190,846</u>	<u>\$958,803</u>
Credit life	\$ 44,598	\$ 17,633	\$ 0	\$ 0	\$ 0
Accident and health Credit	\$ <u>66,003</u>	\$ <u>45,153</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total	<u>\$1,940,902</u>	<u>\$1,659,411</u>	<u>\$1,699,432</u>	<u>\$1,190,846</u>	<u>\$958,803</u>

The credit life and the credit accident and health business ran off the books in 2000.

## 5. FINANCIAL STATEMENTS

The following statements show the assets, liabilities, capital and surplus as of December 31, 2003, as contained in the Company's 2003 filed annual statement, a condensed summary of operations and a reconciliation of the capital and surplus account for each of the years under review. The examiner's review of a sample of transactions did not reveal any differences which materially affected the Company's financial condition as presented in its financial statements contained in the December 31, 2003 filed annual statement.

### A. ASSETS, LIABILITIES, CAPITAL AND SURPLUS AS OF DECEMBER 31, 2003

#### Admitted Assets

Bonds	\$59,377,487
Policy loans	254
Cash and short term investments	4,670,131
Other invested assets	2,554
Federal and foreign income tax recoverable and interest thereon	101,943
Net deferred tax asset	25,101
Investment income due and accrued	<u>856,643</u>
 Total admitted assets	 <u>\$65,034,114</u>

#### Liabilities, Capital and Surplus

Aggregate reserve for life policies and contracts	\$44,006,320
Liability for Deposit-Type contracts	7,174,796
Interest maintenance reserve	292,913
General expenses due or accrued	32,198
Taxes, licenses and fees due or accrued	6,983
Amounts withheld or retained by company as agent or trustee	(20,093)
Remittances and items not allocated	8,917
Miscellaneous liabilities:	
Asset valuation reserve	606,180
Payable to parent, subsidiaries and affiliates	<u>3,275</u>
 Total liabilities	 <u>\$52,111,490</u>
 Common capital stock	 \$ 2,000,000
Gross paid in and contributed surplus	5,350,000
Group contingency life reserve	1,081,983
Unassigned funds (surplus)	<u>4,490,644</u>
 Total capital and surplus	 <u>\$12,922,627</u>
 Total liabilities, capital and surplus	 <u>\$65,034,117</u>

## B. CONDENSED SUMMARY OF OPERATIONS

	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>
Premiums and considerations	\$ 505	\$ 1,338	\$ 1,883	\$ 17,387	\$ 39,110
Investment income	5,745,287	5,671,930	5,460,827	4,138,666	3,885,468
Commissions and reserve adjustments on reinsurance ceded	(10,143)	(704)	0	0	0
Miscellaneous income	<u>0</u>	<u>0</u>	<u>131,881</u>	<u>45,372</u>	<u>16,758</u>
Total income	<u>\$ 5,735,649</u>	<u>\$ 5,672,564</u>	<u>\$ 5,594,591</u>	<u>\$ 4,201,426</u>	<u>\$ 3,941,335</u>
Benefit payments	\$ 8,212,443	\$ 7,547,161	\$ 4,564,835	\$ 4,469,177	\$ 2,770,174
Increase in reserves	(5,546,263)	(4,340,715)	(1,746,631)	(1,768,155)	(219,556)
General expenses and taxes	<u>339,180</u>	<u>254,515</u>	<u>161,875</u>	<u>200,278</u>	<u>235,027</u>
Total deductions	<u>\$ 3,005,360</u>	<u>\$ 3,460,961</u>	<u>\$ 2,980,079</u>	<u>\$ 2,901,300</u>	<u>\$ 2,785,646</u>
Net gain (loss)	\$ 2,730,289	\$ 2,211,602	\$ 2,614,512	\$ 1,300,125	\$ 1,155,689
Federal and foreign income taxes incurred	<u>789,390</u>	<u>552,192</u>	<u>915,080</u>	<u>109,279</u>	<u>196,886</u>
Net gain (loss) from operations before net realized capital gains	\$ 1,940,899	\$ 1,659,410	\$ 1,699,432	\$ 1,190,846	\$ 958,803
Net realized capital gains (losses)	<u>5,673</u>	<u>(21,617)</u>	<u>0</u>	<u>1,399</u>	<u>489</u>
Net income	<u>\$ 1,946,572</u>	<u>\$ 1,637,793</u>	<u>\$ 1,699,432</u>	<u>\$ 1,192,245</u>	<u>\$ 959,292</u>

C. CAPITAL AND SURPLUS ACCOUNT

	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>
Capital and surplus, December 31, prior year	\$ <u>20,789,787</u>	\$ <u>22,369,253</u>	\$ <u>24,173,350</u>	\$ <u>10,762,961</u>	\$ <u>11,881,776</u>
Net income	\$ 1,946,572	\$ 1,637,793	\$ 1,699,432	\$ 1,192,245	\$ 959,292
Change in net unrealized capital gains (losses)	0	0	(24,248)	20,000	4,248
Change in net deferred income tax	0	0	0	(130,204)	(111,102)
Change in non-admitted assets and related items	(221,897)	197,448	0	(980,489)	95,363
Change in asset valuation reserve	(145,204)	(78,241)	(85,573)	(130,269)	93,050
Cumulative effect of changes in accounting principles	0	0	0	1,147,533	0
Surplus adjustments:					
Transferred from capital (stock dividend)	0	0	(15,000,000)	0	0
Rounding	(5)	0	0	0	0
Adjustment for prior years taxes	<u>0</u>	<u>47,097</u>	<u>0</u>	<u>0</u>	<u>0</u>
Net change in capital and surplus	\$ <u>1,579,466</u>	\$ <u>1,804,097</u>	\$( <u>13,410,389</u> )	\$ <u>1,118,816</u>	\$ <u>1,040,852</u>
Capital and surplus, December 31, current year	\$ <u>22,369,253</u>	\$ <u>24,173,350</u>	\$ <u>10,762,961</u>	\$ <u>11,881,776</u>	\$ <u>12,922,627</u>

## 6. MARKET CONDUCT ACTIVITIES

The examiner reviewed various elements of the Company's market conduct activities affecting policyholders, claimants, and beneficiaries to determine compliance with applicable statutes and regulations and the operating rules of the Company.

### A. Advertising and Sales Activities

The Company did not write any new business during the examination period and stated to the examiner that the Company did not produce any advertising material during the examination period. Therefore a review of the Company's advertising files and the sales activities of the agency force including trade practices, solicitation and the replacement of insurance policies was not performed.

### B. Underwriting and Policy Forms

The Company did not write any new business during the examination period. Therefore a review of the Company's new underwriting files, both issued and declined, and the applicable policy forms was not performed.

### C. Treatment of Policyholders

The examiner reviewed a sample of various types of claims, surrenders, changes and lapses. The examiner also reviewed the various controls involved, checked the accuracy of the computations and traced the accounting data to the books of account.

Based upon the sample reviewed, no significant findings were noted.

D. Response to Supplement No. 1 to Department Circular Letter No. 19 (2000)

Supplement No. 1 to Circular Letter No. 19 (2000) (the “Supplement”), issued by the Department on June 22, 2000, notified all licensed life insurers that the Department was investigating allegations of race-based underwriting of life insurance by its licensees. The Supplement directed, pursuant to Section 308 of the New York Insurance Law, each domestic and foreign life insurer to review its past and present underwriting practices regarding race-based underwriting and to report its findings to the Department, no later than August 15, 2000.

Pursuant to Section 308 of the New York Insurance Law, the Company submitted in a timely manner a report of the findings of its review of past and present underwriting practices regarding race-based underwriting made in accordance with the requirements of the Supplement.

The Company reported that the forms, rates and underwriting practices for the small amount of business on the books were reviewed. Upon review, no race-based underwriting of any kind was discovered. As the Company only assumed business from Old Republic Life Insurance Company and has not written any new business on its own to date, discussions were held with senior management of the former company to determine their underwriting practices as well. No indication of a problem surfaced. In summary, the Company’s findings were that from the date the Company was formed in 1963 through the present time there has been no indication that the Company ever engaged in any type of race-based underwriting practices nor has it acquired any blocks of business from any other companies.

An analysis of the Company’s response to the Supplement and other factors indicated that the Company’s review of its past and present underwriting practices complied with the requirements of the Supplement.

## 7. PRIOR REPORT SUMMARY AND CONCLUSIONS

Following are the violations and recommendations contained in the prior report on examination and the subsequent actions taken by the Company in response to each citation:

<u>Item</u>	<u>Description</u>
A	<p>The Company violated Section 325(a) of the New York Insurance Law when it did not maintain its books and records within the state.</p> <p>The Company's books and records are located in Cincinnati, Ohio. This violation is repeated in this report. (See item 3B of this report)</p>
B	<p>The Company violated Section 1507(a) of the New York Insurance Law when it did not establish a corporate presence within the state. The Company has neither an address nor employees within the state.</p> <p>The Company has sub-leased office space in New York.</p>
C	<p>The Company violated Section 1505(d) of the New York Insurance Law when employees of the parent performed the duties of the Company without a service agreement.</p> <p>The Company entered into a service agreement with its parent, Great American Life Insurance Company to address services performed for the Company.</p>
D	<p>The examiner recommends that the Company maintain copies of all application files on their premises under its control.</p> <p>The Company is keeping all files on the premises of its parent company, Great American Life Insurance Company in Cincinnati, Ohio. The Company does not maintain its records in New York.</p>
E	<p>The examiner recommends that the Company take proper care in maintaining a complaint log.</p> <p>The Company is maintaining an appropriate complaint log.</p>
F	<p>The examiner recommends that the Company take proper care in preparing the annual statement.</p> <p>The annual statement is being prepared correctly.</p>

## 8. SUMMARY AND CONCLUSIONS

Following are the violations and recommendations contained in this report:

<u>Item</u>	<u>Description</u>	<u>Page No(s).</u>
A	The Company violated Section 325(a) of the New York Insurance Law by not maintaining its books and records within this state.	6
B	The Company violated Section 1201(a)(5)(B)(v) of the New York Insurance Law as well as its own by-laws by failing to have at least nine directors on its board.	7
C	The examiner recommends that the board of directors meet twice per year, and hold its annual meeting in March, after the shareholders meeting, in accordance with its by-laws.	7 – 8
D	The Company violated Section 1202(b)(2) of the New York Insurance Law by permitting the full board to perform the functions required to be performed by a committee comprised solely of independent directors.	8
E	The examiner recommends that the investment report showing the detail of all investment purchases and sales be made a part of the minutes of the meetings of the board of directors.	8



APPOINTMENT NO. 22232

**STATE OF NEW YORK**  
**INSURANCE DEPARTMENT**

I, GREGORY V. SERIO, Superintendent of Insurance of the State of New York, pursuant to the provisions of the Insurance Law, do hereby appoint:

**WILLIAM TARDOGNO**

*as a proper person to examine into the affairs of the*

**GREAT AMERICAN LIFE INSURANCE COMPANY OF NEW YORK**

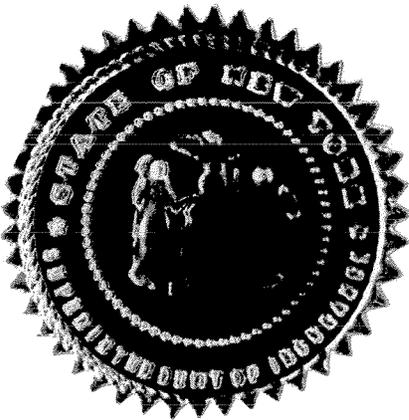
*and to make a report to me in writing of the condition of the said*

**COMPANY**

*with such other information as he shall deem requisite.*

*In Witness Whereof, I have hereunto subscribed by name  
and affixed the official Seal of the Department  
at the City of New York*

*this 19th day of May, 2004*



**GREGORY V. SERIO**  
Superintendent of Insurance

  
Superintendent