# EXHIBIT 27

## GREGG HENDERSON MATTER NO 12-0067 / 1029495

9-10-09 AVIVA LETTER TO OIC VIC OVERHOLT WITH GREGG HENDERSON STATEMENT

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AVIVA

Aviva USA 611 5th Avenue Des Moines IA 50309-1603 Tel 800 800 9882 www.avivausa.com

September 10, 2009

State of Washington OIC
Attn: Victor Overholt, Investigator
Investigations & Enforcement
Consumer Protection Division
810 Third Avenue, Suite 650
Seattle, Washington 98104
Facsimile: (206) 587-4244

RE: OIC Case File Number: 1029495
Consumer: WA State Insurance Commissioner
American Investors Life Insurance Company Annuity Contract Number: 612718
Annuity Contract Applicant: Richard P. Falcone
Agent: Gregg Henderson, xxx-xx-9611

Dear Mr. Overholt,

Thank you for your patience and the opportunity to respond to your inquiry. We are in receipt of your request dated August 8, 2009 and the letter written by American Financial Group dated July 6, 2009, both received in our office on August 24, 2009. It is our understanding American Financial Group, Inc. has contacted your office regarding the possible elder fraud committed against annuity applicant Richard P. Falcone by his agent Gregg A. Henderson, social security number xxx-xx-9611. Please allow me to offer the following information on behalf of American Investors Life Insurance Company ("AIL").

As part of our review of this matter, we have contacted Mr. Falcone by telephone to discuss this matter. During our telephone call with Mr. Falcone he stated that he did not have a complaint against Mr. Henderson and is happy with his Great American brokerage account. Mr. Falcone was concerned with our inquiry and requested his brokerage account agent to contact our office which occurred on September 9, 2009 at 12:10 pm, Central Standard Time.

In addition, we have requested and received a written statement from the writing agent, Mr. Gregg Henderson. Please find enclosed Mr. Henderson's response (AIL 000003 - 000005). Should you have additional questions or wish to receive additional information, please contact me directly.

AVIVA

Aviva USA 611 5th Avenue Des Moines IA 50309-1603 Tel 800 800 9882 www.avivausa.com

A review of the contract file shows Mr. Falcone applied for the Income Select 10 Annuity on January 15, 2009 and completed the necessary paperwork to transfer Great American Advisors Inc. account #4GG-008940 to Aviva.

On January 27, 2009, Mr. Henderson contacted our office by telephone and indicated Mr. Falcone wanted to cancel the annuity application; however, he felt Mr. Falcone may wish to change his mind and requested the file remain open until he instructed it be closed. As practice, we allow 90 days to the agent to attempt conservation.

On April 3, 2009, a representative of our Special Investigation Unit (SIU) spoke with the investigator from Great American regarding Mr. Falcone's application and confirmed the writing agent of the application was Gregg Henderson. At that time, the SIU representative requested Great American provide their request for the AIL policy file documents in writing and asked for the request be faxed to our office. Our records indicate a letter from Great American was not received; therefore, the documents were not provided to Great American as verbally requested.

On April 22, 2009, our office withdrew the annuity application and closed the file. A letter was sent to Great American and Mr. Falcone confirming the transfer had been cancelled and our file closed. Enclosed please find a complete copy of Mr. Falcone's annuity contract file (AIL 000006 - 000018). The original documents were imaged for our company records and then destroyed 90 days following their imaged date and therefore, the originals cannot be produced. We apologize in advance for any inconvenience this may cause.

We appreciate your willingness to share information you have discovered in your investigation of this matter with our office. You may fax or electronically mail information regarding this matter to my attention as noted below. In addition, whould you have any questions or need additional information on the enclosed documents, please contact me at (800) 800-9882, ext. 4663 or directly at (515) 242-4663. We look forward to assisting you.

Sincerely,

Mechile Adams
Compliance Analyst
Phone: 515-242-4663
Fax: 515-557-3033
mechile.adams@avivausa.com

Enclosures

# EXHIBIT 28

**GREGG HENDERSON MATTER NO 12-0067 / 1029495**

UNDATED FAX COVER SHEET FROM GREGG HENDERSON TO AVIVA (1 PAGE)

Mr. Falcone is transferring his entire account from Great American Advisors to American Investors. He wants $5,000 held out of the annuity and sent to him via check. Please do not deposit the entire transfer. Hold out $5,000.

Thank you.

Gregg Henderson/S2738

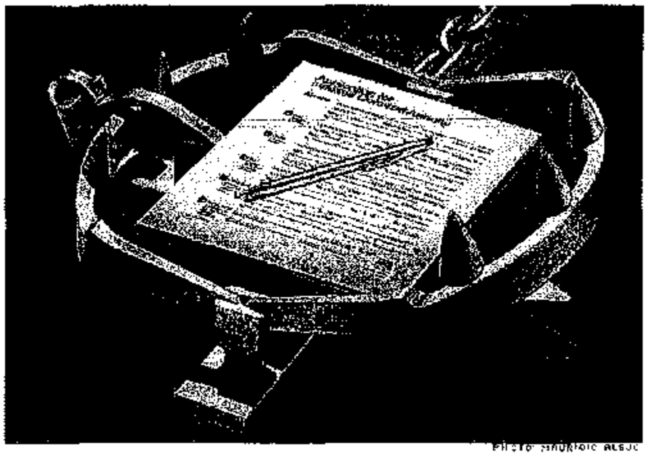
EXH 29

CNNMoney
A Service of CNN, Fortune & Money

Money Magazine: Investor's Guide 2011

From the editors of: Money MAGAZINE

# Index annuities are a safety trap



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By Lisa Gibbs, senior writer January 17, 2011: 5:28 PM ET

(MONEY Magazine) -- The card that landed in mailboxes throughout central Illinois in early 2008 promoted "the most informative retirement workshop you've ever attended."

Pinnacle Investment Advisers, which had four offices in the area, was offering discussions of Medicaid planning, IRAs, and tax-efficient income over lunch or dinner. Bios of Pinnacle owners Susan and Tom Cooper mention their grandchildren, his Vietnam service, and her Bible study group.

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A group of seniors soon assembled at the river-front Embassy Suites in East Peoria to enjoy their free meal. There and in follow-up meetings, Susan and Tom, now 67 and 69, delivered a message that went something like this: Scared of stocks? They could help. Worried about out living your money? They had a plan for that too.

In fact, there was a product that offered the best of both worlds: returns that rise when stocks do yet are guaranteed to never be negative. And they were selling it.

Retired librarian Ruth Cline attended one of the Coopers' seminars and liked what she heard. In 2008, when she was 71, she bought what they were recommending: an indexed deferred annuity. Often referred to simply as an index annuity, it pays interest that's linked to the performance of a given investment index.

In fact, this was the second time Cline had bought one. The Coopers had sold her another six years before -- and then advised her to move out of it

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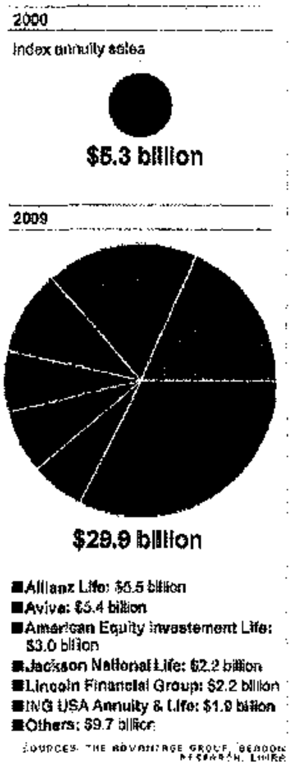
**The index annuity explosion**

Sales more than quintupled over the past decade, helping many insurance companies offering those products to grow into billion-dollar businesses. Here are the biggest players.



SOURCES: THE ADVANTAGE GROUP, BEACON RESEARCH, LIMRA

and into the new version. The switch slammed Cline with an early-withdrawal penalty of 16% of her $98,000 account balance, according to court papers filed by the State of Illinois.

Illinois's securities division is now pursuing a case against Pinnacle, alleging that it moved Cline and 14 other people into new index annuities they didn't need, costing the clients $208,000 in surrender fees and earning the firm $126,000 in commissions.

At hearings this fall, the Coopers said that more than $95,000 in bonuses offered by the new annuities helped make up for the surrender fees. They added that the new annuities offered features the previous ones lacked, such as riders ensuring that account balances go to heirs. The state's lawyer, David Finnigan, says those features didn't begin to justify the charges.

While the Coopers' case has yet to be decided, the state's allegations illustrate pervasive problems with index annuities, which were invented in the mid-'90s and have soared in popularity since the 2000 tech bubble collapsed (see box). They include:

- Overly aggressive marketing practices, including "informative" lunches that are really veiled sales pitches.
- Commissions so high -- 9% in some cases -- that they can tempt the selling agents to act against buyers' best interests.
- Surrender fees -- as high as 20% -- imposed on buyers who want to cash out before 10 or more years have passed.
- Offers of "bonuses" that aren't worth as much as they seem and that some people never actually collect.
- Products so complex that buyers -- retirees who are at their most financially vulnerable -- can't tell whether they're getting a good deal or are just getting taken.

As if that weren't enough, index annuities don't even deliver attractive returns. According to William Reichenstein, an investment management professor at Baylor University, over the long term a very conservative portfolio easily beats an index annuity. "These are very seductive products, marketed very effectively," he says, "but they almost always underperform."

What especially galls consumer advocates is that the problems with index annuities have been known for years, but insurance regulators haven't done nearly enough to stop them. According to data that 16 states provided to MONEY, index annuities accounted for 30% of annuity-related complaints to regulators in 2009, even though they represent just 13% of annuity sales. In senior-heavy Florida, it was 65% of complaints.

"When you have a market incentive to sell, sell, sell, why would anyone be surprised that there are all sorts of abuses?" says Birny Birnbaum, a former consumer representative to the National Association of Insurance Commissioners (NAIC) who worked with New York's insurance department to craft a new requirement that agents disclose compensation.

## Anunuities 101

One of the four main varieties--an immediate annuity--can sometimes make sense. The rest? Not so much.

### Traditional deferred fixed annuity

**How it works:** An insurance company invests your money in bonds, crediting your account with a set portion of the interest. After a holding period, you have the option of receiving a guaranteed monthly sum for life.

**Bottom line:** MONEY usually doesn't recommend these products, in part because they tend to carry high surrender charges.

### Variable annuity

**How it works:** You control how your money is invested--in stock funds or bond funds, for example--and your payments rise and fall along with the value of your account. Variables are riskier than fixed annuities but can pay more too.

**Bottom line:** Generally an inferior choice, thanks mostly to high fees.

### Index annuity

**How it works:** This deferred fixed annuity pays interest tied to the performance of at least one stock market index. A cap(currently about 4.5%) limits how much you can earn each year. When you cash out, your account value is compared with a guaranteed minimum(usually 87.5% of your premium plus interest of 1% to 3%); you get whichever is higher.

**Bottom line:** The negatives--including complexity, high expenses, and low returns--outweigh the positives.

### Immediate annuity

**How it works:** A fixed annuity with no deferral period, it starts paying guaranteed lifelong income right away.

**Bottom line:** Putting part of your portfolio into an immediate annuity can be a good idea if you're a retiree worried about outliving your money.

A MONEY investigation reveals why the problems with this controversial product persist -- and what you need to know to protect yourself or your parents. Such knowledge is essential because buyers who have gotten a bad deal often don't realize it.

When Illinois lawyer Finnigan summoned Cline and the other alleged Pinnacle victims to the stand in October, most didn't seem to understand why the Coopers were being accused of wrongdoing. Wasn't Cline concerned about paying some $16,000 in penalties Finnigan asked? "No," she said. "Money I haven't seen doesn't affect me. Gasoline this morning was $2.87 a gallon. That I can comprehend."

## You can do much better

You may be familiar with a traditional deferred fixed annuity, in which an insurance company invests your money in bonds during an "accumulation period" of seven years or so, then lets you convert your account into a stream of income payments that are guaranteed by the company. An index annuity is essentially a fixed annuity that's been juiced up by tying its interest rate to the performance of a stock market index such as the S&P 500.

If the index rises, the insurer exercises stock options it has bought against that index, and your account earns some percentage of the gain. If the index falls, you lose nothing: The insurer lets the options expire and still makes money from bond investments (where it has put the bulk of your money).

The promise of zero losses led shell-shocked investors to pour nearly $30 billion into index annuities in 2009, even as they pulled $9 billion out of U.S. stock funds.

You won't make as much as you might think, though, because the insurer caps your return and can change the cap each year. Let's say your annuity is tied to the S&P 500, and the S&P soars 20% next year. A common cap right now is 4.5% -- so that's the max you'd earn. (Over the past decade the cap has been as high as 13%.)

No matter how your account performs, the insurer will do just fine: Moving around the cap lets the insurer preserve its spread, typically 2% to 3% of assets a year, to cover its costs and make a profit.

Those expenses -- plus the fact that you don't benefit from dividends in an index annuity as you would in stocks or a stock fund -- put a major drag on returns.

For the five years ended in September, the average index annuity paid an annualized 3.89%, barely better than the 3.81% you would have earned in a five-year CD and appreciably worse than the 5.1% paid by taxable bond funds, according to the research firm Advantage Compendium.

A typical index annuity would have lagged an investment portfolio with equivalent risk -- 85% one-month Treasury bills, 15% U.S. large-cap stocks -- by nearly two percentage points annually, on average, over the past 44 years. That's according to recent analysis by Baylor's Reichenstein, who has been an expert plaintiff's witness in a lawsuit involving these products.

In only two of the past 44 rolling 10-year periods would the most widely sold index annuity have beaten that 85% T-bill/15% stock portfolio, says Reichenstein. For performance comparisons during various market conditions, see the chart on page 142.

Sellers often tout the fact that money in index annuities grows tax deferred. But 58% of buyers hold these products in tax-deferred accounts such as IRAs anyway, according to industry researcher LIMRA.

Even if you had held Reichenstein's conservative portfolio outside a tax-favored account and were in the highest 35% income tax bracket, after the IRS took its cut you would have beaten the index annuity in 39 of 44 rolling 10-year periods, assuming you used low-cost Vanguard funds with current expenses.

Insurers respond that index annuities provide benefits that most investment products don't. One is the option to annuitize payments, thereby getting guaranteed income for life -- increasingly a more valuable feature to buyers than potential returns, according to Gary Bhojwani, CEO of market leader Allianz Life.

Another benefit is ironclad safety. Annuity buyers are willing to trade off a higher return, return, he says, for the guarantee of never experiencing a negative one. "None of our customers have lost a penny of principal," Bhojwani adds.

### Young investors are shunning stocks

However, there are other ways of getting guaranteed lifetime income (more on that later). And FDIC-insured CDs -- or Treasuries held to maturity -- provide equivalent or better safety.

"The costs and onerous terms of an index annuity aren't enough to compensate for the minimal extra return you get over a CD," says financial planner Charles Fitzgerald, a director of the Financial Planning Association of Florida.

Moreover, you can lose principal in an index annuity -- lots of it -- if you cash out too soon.

### Surrender fees are huge

Virtually all annuities impose penalties if you exit early, to recoup commissions and other costs that the insurer pays upfront. But index annuities carry the steepest and longest-lasting ones: an average of 12.5% to start, compared with 7.5% for the typical plain-vanilla fixed annuity, declining gradually for up to 16 years.

Josephine Passanisi, a retired small-business owner from the suburbs of Palm Beach, Fla., says she learned about such penalties too late. In 2005, when she was 70, she gave agent Larry Krakow $275,000 -- most of her life savings -- to invest in an Allianz index annuity. (Like the vast majority of agents who sell these products, Krakow was independent -- that is, he earned a commission from the insurer but was not an employee.)

Passanisi says Krakow never explained that she was locking up her money for 15 years, until she was 85; she never wanted to do that. To get it back, she'd pay a 12.5% penalty. "He told me I would be able to sleep at night," Passanisi says. "But I couldn't sleep nights anymore."

After she complained to the State of Florida, regulators suspended Krakow's license; in 2006, Allianz refunded her money in full. Krakow told MONEY that Passanisi understood the terms and was fine with her purchase until a competing agent started criticizing it.

Insurers say that index annuities are meant to be held over the long term. However, in the wake of complaints like Passanisi's, they have added provisions to most new index annuities that allow you to take out up to 100% of your money penalty-free if you are diagnosed with a terminal illness or enter a nursing home. (Some states also cap surrender charges, usually at around 10%.) That's a positive step but doesn't go far enough, says Brenda Cude, a consumer economics professor at the University of Georgia.

### Ultimate guide to retirement

How many index annuity owners wind up paying early-withdrawal penalties? No industry statistics exist. But Karrol Kitt, a personal finance professor at the University of Texas and a consumer representative for the NAIC, says that a look at insurers' books implies the numbers are significant.

For example, in 2009 American Equity Investment Life, which does 92% of its business in index annuities, collected $63 million in surrender penalties -- equal to more than half its $101 million operating income.

### Bonuses can cost you

Part of what sold Passanisi on her annuity, she says, was that Krakow told her she would get a $27,500 upfront bonus. Roughly half of index annuities offer such bonuses, usually totaling 5% to 10% of the amount you put in, as a way to encourage people to buy.

But "bonuses are never free," says Jack Marrion of Advantage Compendium. They always come with tradeoffs such as higher surrender fees or lower caps on returns, he says. And you typically have to satisfy certain requirements -- such as refraining from cashing out early -- or you forfeit all or a portion of the bonus. You might get dinged even more than the bonus amount.

### There are too many moving parts

Index annuities come in mind-boggling permutations. Not only can you split your money among as many as six different indexes, but you can choose among several interest-calculation formulas. For example, you can base your rate on the year-to-date change in each index (subject to a cap). Or you can have your rate calculated monthly (with different caps) and added together. Or, with certain products, you can let one part of the money earn a fixed rate the first year and another rate through the eighth year.

Why so complicated? Says John Currier at Aviva, the second-largest index annuity seller: "Customers like choices." But Kitt believes that index annuities are confusing by design. "Consumers don't have the sophistication to understand them," she says.

Even some large insurers aren't fans. MetLife and New York Life say index annuities' complexity is one reason they decided not to sell them. "With all of the moving parts that affect how these products ultimately perform," says John Meyer, who runs the individual annuities division for New York Life, "we felt there was a high likelihood that clients could misunderstand what they were getting and possibly end up being disappointed."

Executives at the major index annuity sellers, including Allianz's Bhojwani, say that in recent years their companies have improved the way index annuities get explained to buyers. Bhojwani adds, "Specialists call customers older than 75 to make sure they understand everything they've bought." (Buyers can cancel the deal within a certain number of days that varies by state.)

Celina and Alberto Grubicy, a retired couple from Vero Beach, Fla., were too young to have gotten such a call. In 2007, when Celina was 66 and Alberto 65, they bought two Allianz index annuities totaling $1.1 million from agent Mitchell Storfer. The terms of each annuity were spelled out in the contract, but "the contract [might as well have been written in] Chinese," says Celina. "So we relied on what the agent told us."

One of the things Storfer did, according to Florida regulators, was misrepresent the interest-rate calculation, leading the Grubicys to believe that they could earn much more than they actually could -- up to 36% a year, the couple says.

After investigating the Grubicy case and two more like it, Florida revoked Storfer's license to sell insurance products. Storfer, who is appealing (the state is allowing him to sell to people under age 55 pending appeal), says that he did explain the terms correctly and that the Grubicys signed forms saying they understood them. Allianz refunded the Grubicys' money.

Stories like these aren't unusual, says Kitt, because even the agents themselves often don't understand how index annuities work.

In Arizona, 39% of index annuity complaints in 2008 and 2009 claimed agents "misrepresented" the product -- whether owing to honest mistakes or fraud. Most insurers offer training in index annuities but don't require the agents to complete it. (Some states do mandate training, as do a few insurers. For example, Allianz began requiring it in 2008 after a spate of lawsuits.)

And though most states have continuing-education requirements for agents, "much of it is about how to sell, not how the products work," says Tony Bahu, a former agent who evaluates annuities contracts for consumers for a fee.

### Commissions are sky-high

An agent can make nearly twice the commission from an index annuity than from a plain-vanilla one -- an average of 6.8% vs. 3.5%, reports Advantage Compendium and Beacon Research. And there are often extra incentives on top of that. For example, Allianz offers a percentage point over its standard 7% if agents meet certain sales targets, plus it gives "credits" that agents can exchange for trips, TVs, and other prizes.

Allianz senior vice president Tom Burns says that the company must pay such commissions to induce agents to sell its products rather than those of competitors. Matthew Gaul, deputy superintendent for life insurance at New York's insurance department, sees another motive: "There's no question the incentives insurance companies pay are designed to influence the advice agents give."

In the worst cases, says Birnbaum, those tempting commissions encourage agents to move customers from one index annuity to another, even if doing so racks up big surrender fees.

In 2008 one of every three fixed annuities (which includes index annuities) sold replaced an existing annuity, according to a MONEY analysis of regulatory data from 25 states. In some including Washington and Utah, it was as high as 40%. States don't track how many of those surrenders involved penalties. But Kim Shaul, Wisconsin's deputy insurance regulator, says, "In most cases, annuity replacements aren't right for the customer."

### Marketing firms can cross the line

Remember those "informative" free-meal seminars mentioned earlier? Typically the purpose of such meetings is not to educate but to sell, according to Andres Castillo at AARP, which monitors them. And many are organized not by the agents but by unregulated firms that have become key players in the marketing machine for index annuities -- and for insurance products in general.

More than 600 of these firms have sprung up to help independent agents promote themselves, find prospects, and land the sale. They're the ones printing the fliers, booking the conference rooms, and buying the seniors' steak dinners. What troubles Barry Lanier, head of investigations for Florida's insurance agent division, is that "some [of these firms] have been influential in teaching agents less honorable ways of selling."

For example, Annuity Service Center was disciplined by Illinois regulators in 2008 for mailing postcards inviting recipients to get in touch about a possible annuity that had reached the end of its surrender period. According to the state's complaint, the firm had no idea whether recipients actually owned an annuity; it was fishing for customers and would go on to schedule sales calls for agents. The company was ordered to pay a $15,000 fine and is no longer in business.

Marketing firms are paid sometimes by agents, but more often by insurers -- around 1% of each sale they help the agent land. After all, it's in the insurers' interest to keep sales humming. In fact, some of the marketing firms are owned by insurers outright. Allianz, which owns nine of the 30 marketing firms it works with, says that it recently installed "suitability officers" at each of those nine firms to ensure agents' sales methods are proper.

### Bad agents slip through the cracks

Index annuities are regulated by 51 different state insurance departments, many of which don't try as hard as they could to screen out crooks. While everyone who applies for a securities license must undergo an FBI background check with fingerprinting, only 17 states ran such checks for would-be agents as of March 2009, according to a recent Government Accountability Office report. (The main reason, says the GAO: lobbying. The insurance industry is the nation's sixth-largest political giver.) After Texas began doing the checks in 2007, the number of applicants it discovered with criminal histories rose 36%.

Nor are the regulators very good at communicating with one another. Over the past five years FINRA (the securities industry's self-regulatory body) has yanked the securities licenses of more than 1,800 brokers for serious misdeeds, such as falsifying documents and stealing clients' money.

But 16% of those people currently have active insurance licenses, according to a MONEY analysis -- meaning they're free to sell index annuities, which are legally classified not as investments but as insurance products. In Florida and Massachusetts the percentage tops 35%. "That's alarming," says Missouri Securities Commissioner Matt Kitzi, who heads the national securities association's enforcement committee.

By the way, the only reason Illinois securities lawyers were able to bring the case against Pinnacle is that the firm is a registered investment adviser and therefore subject to their oversight.

### Regulatory fixes? Don't hold your breath

The chorus of complaints about index annuities has led the SEC to try to reclassify them as investments. While such a change probably wouldn't result in major reform, it would offer buyers stronger protections from fraud and conflicts of interest.

But when details of last year's massive financial reform bill were being hammered out, Democratic Sen. Tom Harkin slipped in an amendment affirming that index annuities are not securities -- and therefore are out of the SEC's reach. Harkin is from Iowa, home of five big index annuity sellers. "The assumption that the SEC is inherently better suited to [regulate index annuities] is incorrect," says Harkin.

To bolster his case, he points to the latest annuity suitability legislation drafted by the NAIC last year. It would strengthen requirements on insurers to sell fairly and to train agents -- requiring, for example, product-specific training and adding a one-time four-hour annuity course.

Consumer advocates, who had wanted twice as much annuity education, say that the legislation doesn't go far enough. And Birnbaum contends that it doesn't address the core problem: commissions. "If we ignore the financial incentives and instead layer on a bunch of vague responsibilities," he says, "we're not getting at the fundamental issue."

What's more, the states still need to pass the proposal before its provisions take effect. Making that happen is "my No. 1 goal," says Iowa insurance commissioner Susan Voss, the incoming NAIC president. If history is any guide, though, it will be a long wait. According to the NAIC, as of April, 17 states had still not passed 2003 and 2006 versions of the law.

### A better alternative

If you or your parents are about to retire and find the benefits of an index annuity appealing -- namely, a safe return with some upside if the market does well, plus the ability to generate income -- you can easily put together a portfolio that gives you those benefits without all the negatives, financial planners say.

For equivalent safety, Baylor's Reichenstein suggests putting 85% of your money into FDIC-insured bank CDs and 15% into a low-cost S&P 500 index fund such as the Vanguard 500 Index (VFINX). "There's never been even a three-year period since 1957 where this portfolio has lost money," he says.

And when you're ready to receive income, you might turn to an immediate annuity. You hand over a lump sum and right away this product starts paying a fixed, guaranteed amount each month for as long as you live.

Because you give up control of that money for good, limit the amount you put in. MONEY retirement columnist Walter Updegrave suggests that you put in just enough so that the income the annuity throws off -- plus income from your pension and Social Security -- is sufficient to cover all or most of your basic living expenses. Keep the rest of your money invested in a diversified portfolio. This strategy can give you more for your money than you could get from an index annuity.

To shop for an immediate annuity that pays you the most income, go to immediateannuities.com. For example, at Mutual of Omaha, $100,000 could buy a 65-year-old man $641 a month.

Unfortunately, that advice comes a little late for Ruth Cline. Even if Illinois wins its case against Pinnacle -- a ruling isn't expected before spring -- it's unclear whether she would get her surrender fees refunded. Her best shot at coming out ahead: Choose to collect her money as monthly payments for life -- and live a very long time.

*With additional reporting by Holly Gilbert and Jasmin Sun contributed to this article.* ■

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First Published: January 17, 2011: 4:00 PM ET

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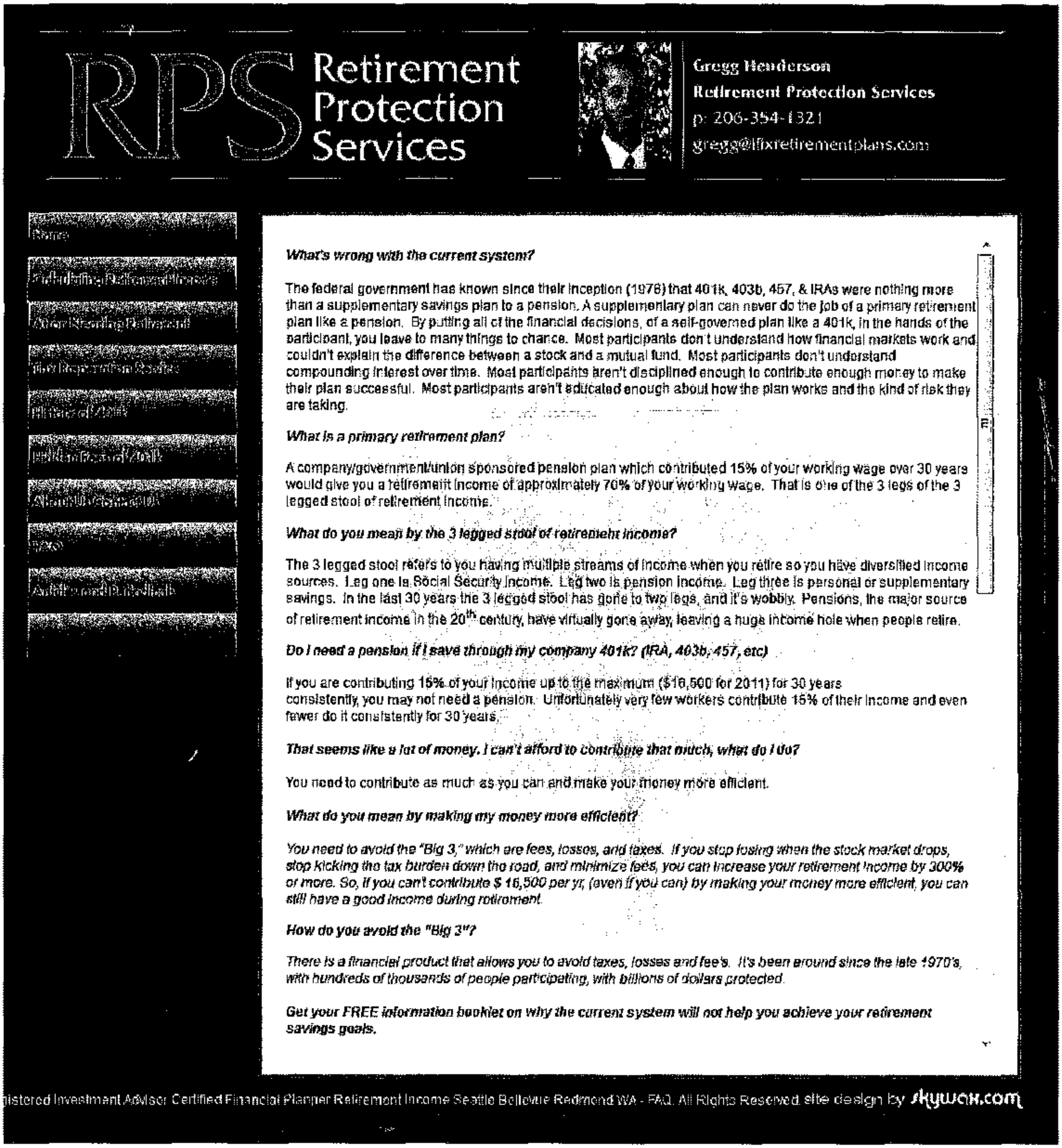

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***What's wrong with the current system?***

The federal government has known since their inception (1978) that 401k, 403b, 457, & IRAs were nothing more than a supplementary savings plan to a pension. A supplementary plan can never do the job of a primary retirement plan like a pension. By putting all of the financial decisions, of a self-governed plan like a 401k, in the hands of the participant, you leave to many things to chance. Most participants don't understand how financial markets work and couldn't explain the difference between a stock and a mutual fund. Most participants don't understand compounding interest over time. Most participants aren't disciplined enough to contribute enough money to make their plan successful. Most participants aren't educated enough about how the plan works and the kind of risk they are taking.

***What is a primary retirement plan?***

A company/government/union sponsored pension plan which contributed 15% of your working wage over 30 years would give you a retirement income of approximately 70% of your working wage. That is one of the 3 legs of the 3 legged stool of retirement income.

***What do you mean by the 3 legged stool of retirement income?***

The 3 legged stool refers to you having multiple streams of income when you retire so you have diversified income sources. Leg one is Social Security income. Leg two is pension income. Leg three is personal or supplementary savings. In the last 30 years the 3 legged stool has gone to two legs, and it's wobbly. Pensions, the major source of retirement income in the 20th century, have virtually gone away, leaving a huge income hole when people retire.

***Do I need a pension if I save through my company 401k? (IRA, 403b, 457, etc)***

If you are contributing 15% of your income up to the maximum ($16,500 for 2011) for 30 years consistently, you may not need a pension. Unfortunately very few workers contribute 15% of their income and even fewer do it consistently for 30 years.

***That seems like a lot of money. I can't afford to contribute that much, what do I do?***

You need to contribute as much as you can and make your money more efficient.

***What do you mean by making my money more efficient?***

*You need to avoid the "Big 3," which are fees, losses, and taxes. If you stop losing when the stock market drops, stop kicking the tax burden down the road, and minimize fees, you can increase your retirement income by 300% or more. So, if you can't contribute $ 16,500 per yr, (even if you can) by making your money more efficient, you can still have a good income during retirement.*

***How do you avoid the "Big 3"?***

*There is a financial product that allows you to avoid taxes, losses and fee's. It's been around since the late 1970's, with hundreds of thousands of people participating, with billions of dollars protected.*

***Get your FREE information booklet on why the current system will not help you achieve your retirement savings goals.***

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***ANSWER THESE SERIOUS QUESTIONS ABOUT YOUR RETIREMENT SAVINGS PLAN.***

Do you know exactly how much you are contributing to your retirement/savings account?

Do you have any idea how much you will have when you decide to finally stop working?
Don't you think that's an important figure to know?

Do you have any idea how long it will last?

How much annual income will you be able to withdraw?

What happens if you have a major medical expense not covered by your insurance?

Do you know what the 3 biggest killers of account growth are?

Do you realize you could be paying ten's of thousands of dollars a year in fees?

Do you know the real cost of your 401k, 403b or IRA? I'm not talking about the published management fee, I'm talking about all the hidden fees they deduct from your account balance?

Do you know how those fees effect your account value over the years you are saving?

Do you know the difference between a tax deduction and tax deferral?

Do you know the history behind pension plans?

Do you know the history behind tax deferred plans?

Do you know why company sponsored 401k plans have replace the company pension?

Do you know the financial numbers behind retirement plans in order for them to adequately fund your retirement?

Do you understand why financial experts recommend you only withdraw 4% of your account value when you retire?
What happens if you withdraw 5%?

Do you understand the devastating effect a 20% lose in your retirement savings can have on your income over the rest of your retirement life?

**If you'd like to learn more on how *"I Fix Retirement Plans,"* get a copy of my FREE booklet explaining more.**

**Get your FREE Booklet now!**

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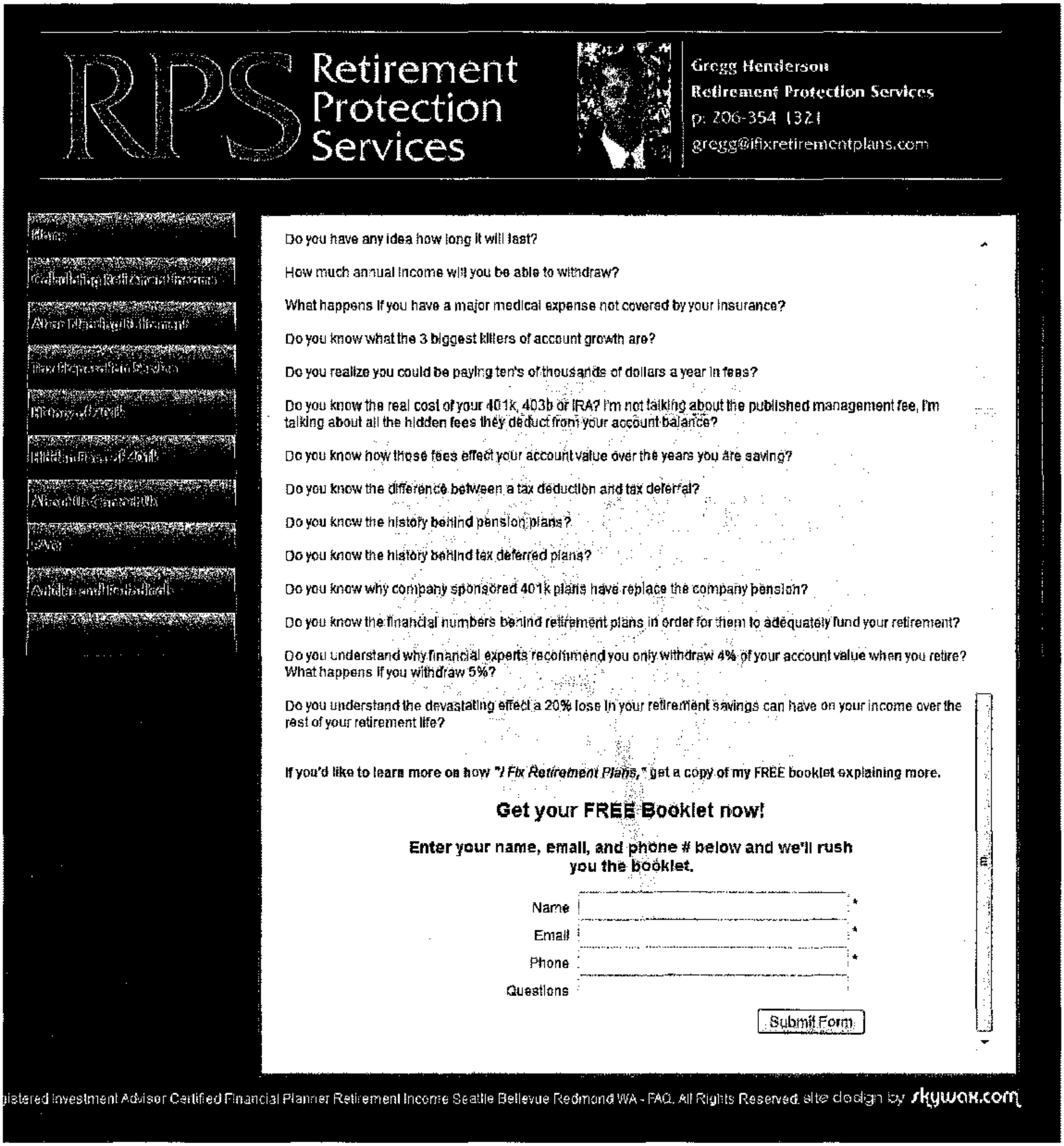

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## Get your FREE Booklet now!

**Enter your name, email, and phone # below and we'll rush you the booklet.**

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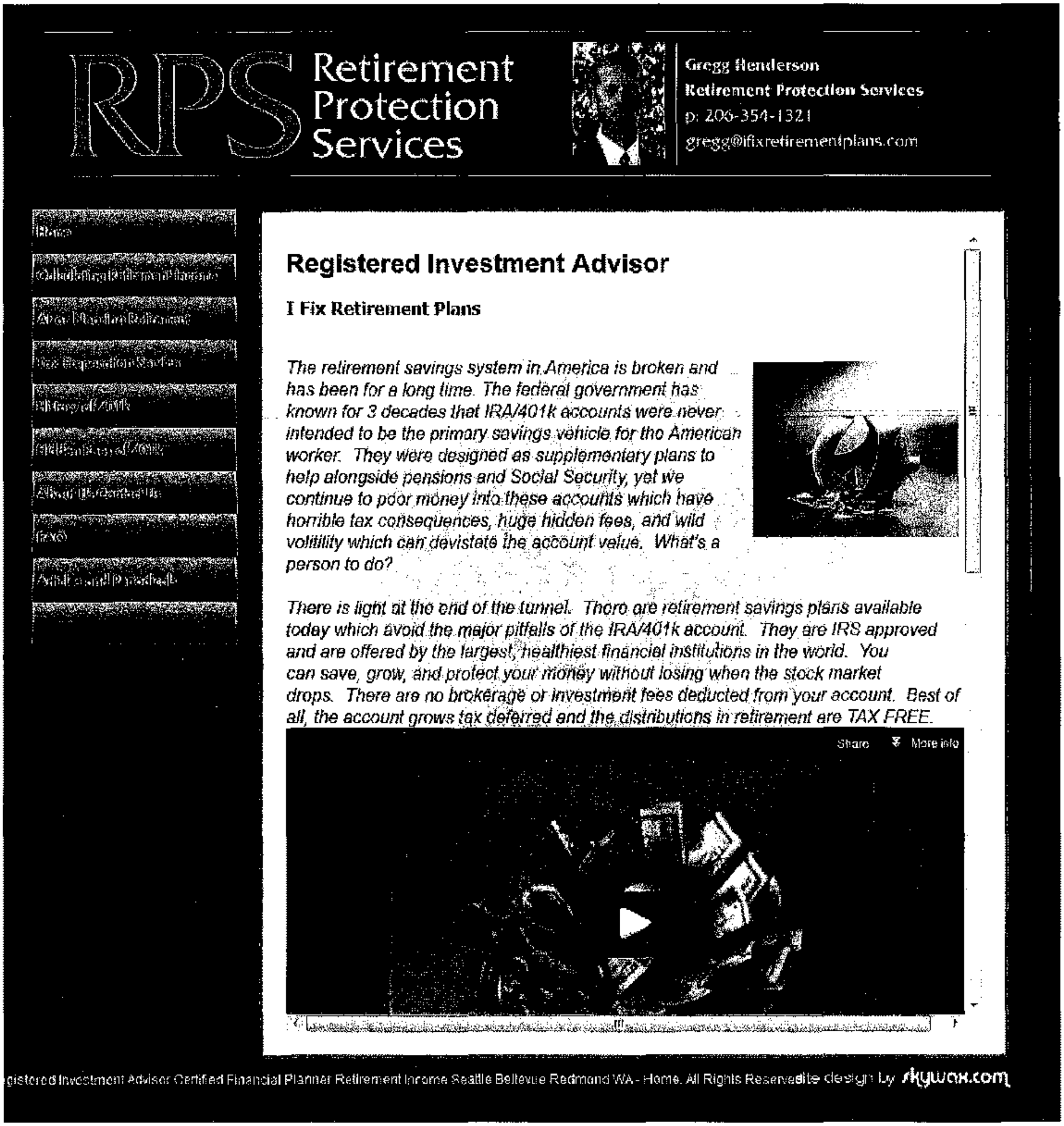

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# Registered Investment Advisor

**I Fix Retirement Plans**

*The retirement savings system in America is broken and has been for a long time. The federal government has known for 3 decades that IRA/401k accounts were never intended to be the primary savings vehicle for the American worker. They were designed as supplementary plans to help alongside pensions and Social Security, yet we continue to poor money into these accounts which have horrible tax consequences, huge hidden fees, and wild volitility which can devistate the account value. What's a person to do?*

*There is light at the end of the tunnel. There are retirement savings plans available today which avoid the major pitfalls of the IRA/401k account. They are IRS approved and are offered by the largest, healthiest financial institutions in the world. You can save, grow, and protect your money without losing when the stock market drops. There are no brokerage or investment fees deducted from your account. Best of all, the account grows tax deferred and the distributions in retirement are TAX FREE.*

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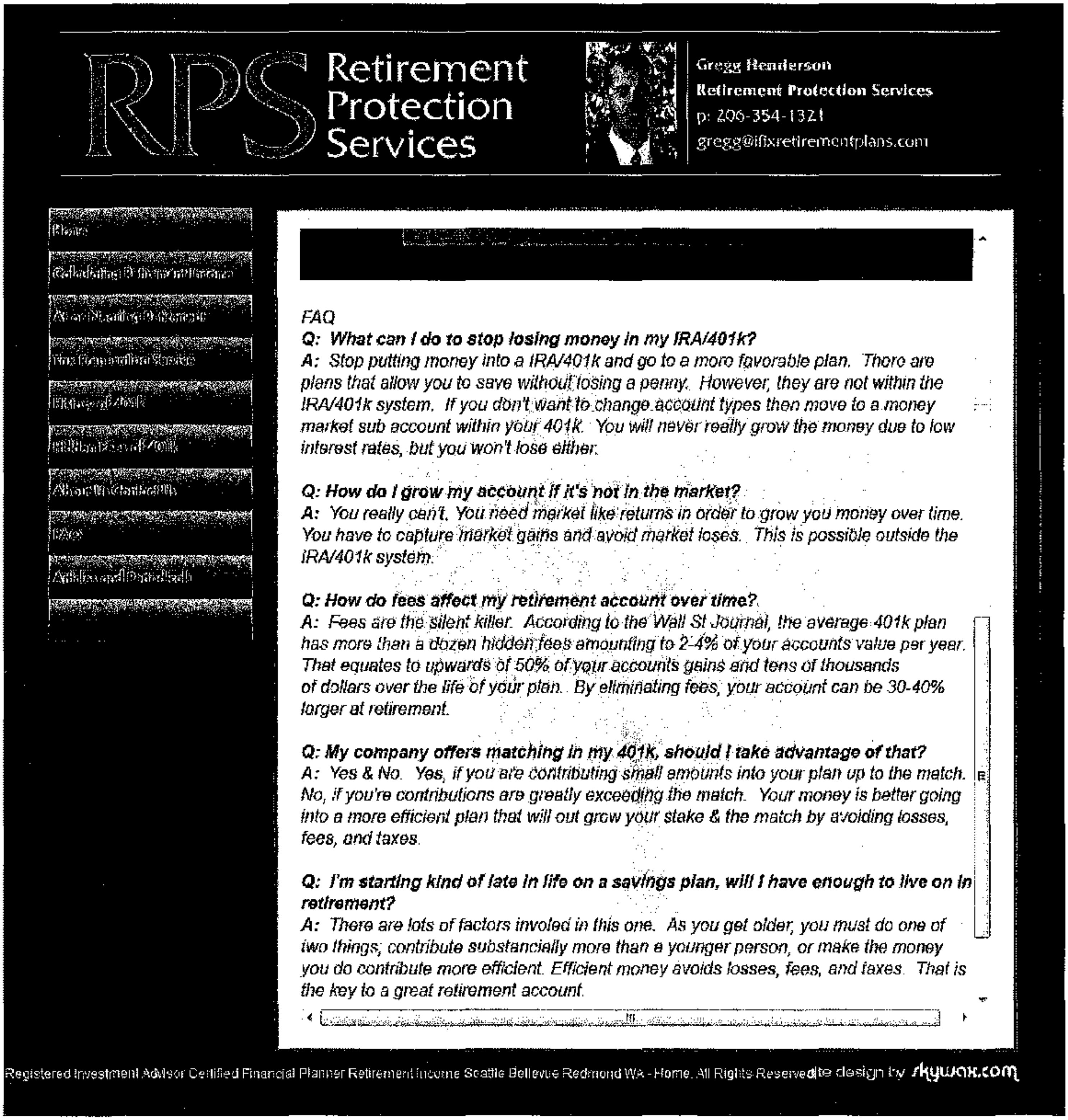

RPS Retirement Protection Services

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*FAQ*

***Q: What can I do to stop losing money in my IRA/401k?***

***A:*** *Stop putting money into a IRA/401k and go to a more favorable plan. There are plans that allow you to save without losing a penny. However, they are not within the IRA/401k system. If you don't want to change account types then move to a money market sub account within your 401k. You will never really grow the money due to low interest rates, but you won't lose either.*

***Q: How do I grow my account if it's not in the market?***

***A:*** *You really can't. You need market like returns in order to grow you money over time. You have to capture market gains and avoid market loses. This is possible outside the IRA/401k system.*

***Q: How do fees affect my retirement account over time?***

***A:*** *Fees are the silent killer. According to the Wall St Journal, the average 401k plan has more than a dozen hidden fees amounting to 2-4% of your accounts value per year. That equates to upwards of 50% of your accounts gains and tens of thousands of dollars over the life of your plan. By eliminating fees, your account can be 30-40% larger at retirement.*

***Q: My company offers matching in my 401k, should I take advantage of that?***

***A:*** *Yes & No. Yes, if you are contributing small amounts into your plan up to the match. No, if you're contributions are greatly exceeding the match. Your money is better going into a more efficient plan that will out grow your stake & the match by avoiding losses, fees, and taxes.*

***Q: I'm starting kind of late in life on a savings plan, will I have enough to live on in retirement?***

***A:*** *There are lots of factors involed in this one. As you get older, you must do one of two things; contribute substancially more than a younger person, or make the money you do contribute more efficient. Efficient money avoids losses, fees, and taxes. That is the key to a great retirement account.*

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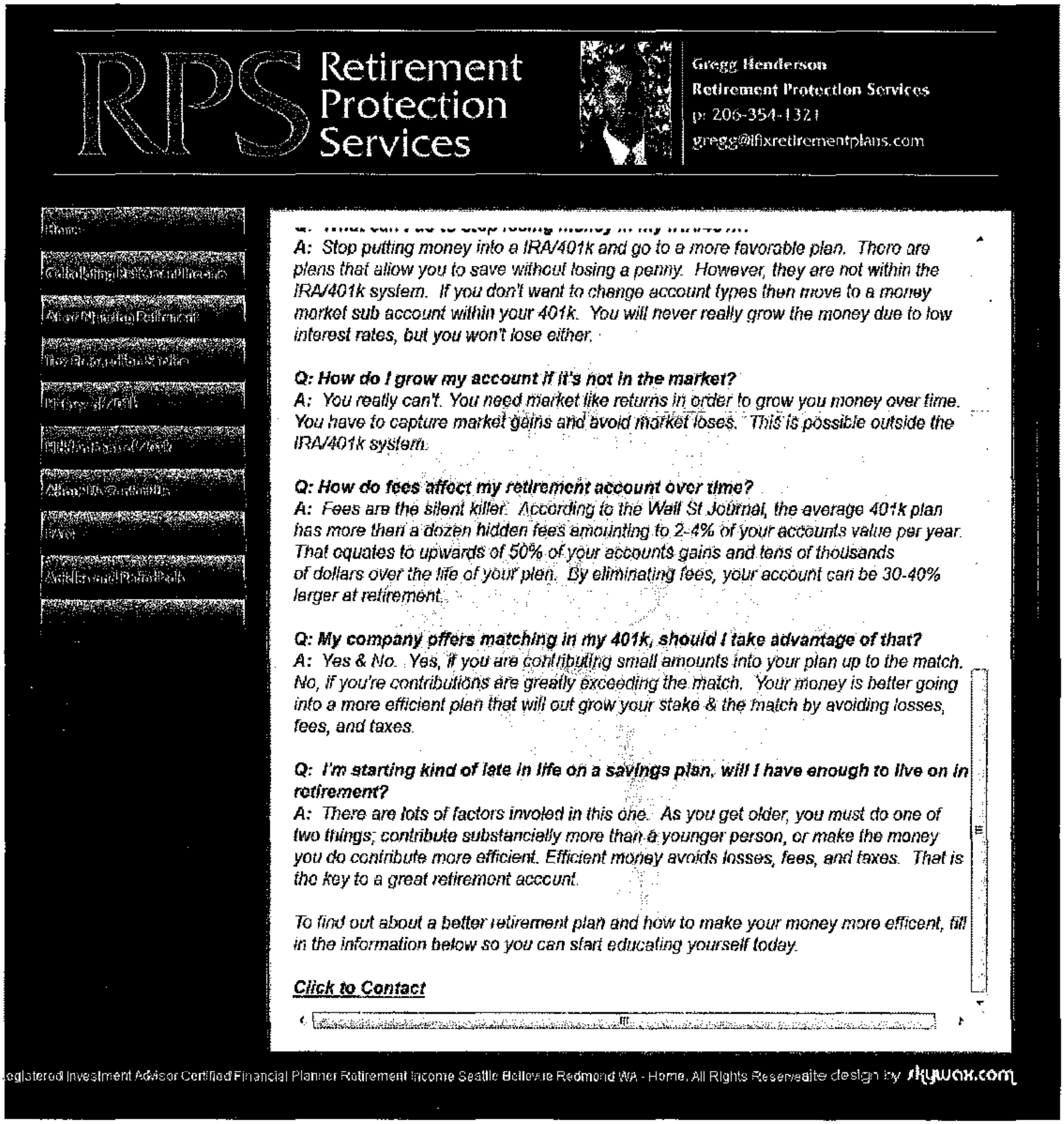

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*To find out about a better retirement plan and how to make your money more efficent, fill in the information below so you can start educating yourself today.*

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## Retirement Planning

There are several types of retirement accounts to choose from depending on your need. There is qualified and non-qualifed, there are company plans and individual plans, and any combination in between.

Retirement is not about the account type, its about having enough money in the account to live the way you want. ***It's not a lump-sum of accumulated money that matters, but how much income the money will generate.*** So how much income do you need to live comfortabley. Don't just make up any number, think it through. Think about your current income and if you can live comfortably off of it. Subtract your mortgage, because hopefully your home will be free and clear, take away approximatley 5-7% per kid once they are out of the house and you should have a reasonable number in todays dollars.

You now have a number in todays dollars. Due to inflation, double that number for every twenty (20) years you'll be around. If you're 40 yrs. old today and you estimate you'll live till 80 yrs. double it twice. If your number today is $3500 per month, then you'll need $14,000 per month at age 80. It sounds crazy, but its not. Lets assume you receive $2000 per month from Social Security (if its still around) so you need to make up the $12,000 difference.

Can your 401k/IRA fill that void. Lets look at the numbers to find out. Long-term stock market rates of return are just below 7%, but we'll use that number. Account fees from your company 401k plan, plan administrator, and mutual fund costs, wheather they are hidden or disclosed, are approximately 3-4%. For our example we will use 1.5%. Don't forget about paying the IRS when you withdraw the money out of your qualified plan. We will use 25% even though I think they will go up in the future in order to pay off our massive national debt. Finally your withdraw rate is 4% per yr. Why? According to all economists and financial guru's, 4% is the max in order to have a reasonable chance of not outliving your money. To sumerize, 7% growth, 1.5% fees, 25% taxes, 4% w/d rate.

If you contributed $1000 per month for 30 yrs. you will, under the best circumstances, accumulate $918,000. Congratulations! Not bad if I do say so myself! But a 4% w/d is $36,720. Subtract 25% tax = $27,540. That's only $2295 per month. That's a far cry from $12,000 you need due to inflation! How are you going to make up the difference? You have two choices; contribute more or make your money more efficient. Lets look at both.

Contributing more: You will have to contribute 4 times as much in order to come up with $12,000 monthly income. Can you set aside $4,000 per month? Plan limits only allow you to max out at $17,000 per yr. It's impossible to generate that kind of income within a 401k, IRA, or Roth IRA.

Efficient Money: What if you could eliminate losses, eliminate taxes on w/d, and eliminate brokerage fees, do you think that would help? Of course! Over thirty (30) yrs. you will accumulate approximately 25-30% more money. That's a good start, but its not the total picture. Due to the fact you can't lose, your money is stable. You can withdraw more because you've eliminated losses and volitility. Would that help increase your w/d rate? Yes. Efficient retirement accounts allow you to w/d 3-5 times more income than a 401k or IRA. That is the solution.

To learn more about Efficient Retirement Accounts, contact Gregg Henderson at 206-354-1321 or email at

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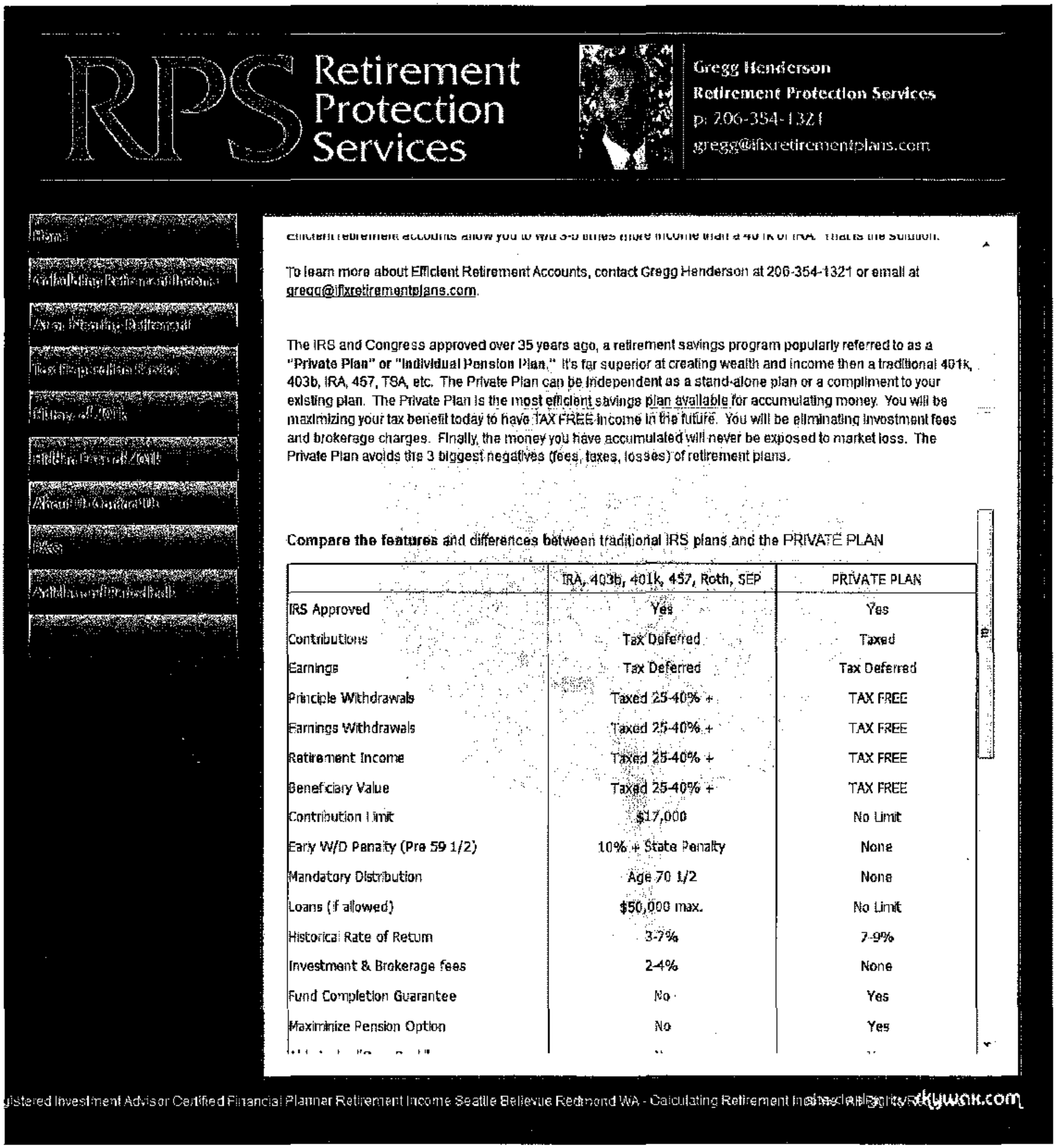

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The IRS and Congress approved over 35 years ago, a retirement savings program popularly referred to as a **"Private Plan" or "Individual Pension Plan."** It's far superior at creating wealth and income then a traditional 401k, 403b, IRA, 457, TSA, etc. The Private Plan can be independent as a stand-alone plan or a compliment to your existing plan. The Private Plan is the most efficient savings plan available for accumulating money. You will be maximizing your tax benefit today to have TAX FREE income in the future. You will be eliminating investment fees and brokerage charges. Finally, the money you have accumulated will never be exposed to market loss. The Private Plan avoids the 3 biggest negatives (fees, taxes, losses) of retirement plans.

**Compare the features and differences between traditional IRS plans and the PRIVATE PLAN**

| | IRA, 403b, 401k, 457, Roth, SEP | PRIVATE PLAN |
|---|---|---|
| IRS Approved | Yes | Yes |
| Contributions | Tax Deferred | Taxed |
| Earnings | Tax Deferred | Tax Deferred |
| Principle Withdrawals | Taxed 25-40% + | TAX FREE |
| Earnings Withdrawals | Taxed 25-40% + | TAX FREE |
| Retirement Income | Taxed 25-40% + | TAX FREE |
| Beneficiary Value | Taxed 25-40% + | TAX FREE |
| Contribution Limit | $17,000 | No Limit |
| Early W/D Penalty (Pre 59 1/2) | 10% + State Penalty | None |
| Mandatory Distribution | Age 70 1/2 | None |
| Loans (if allowed) | $50,000 max. | No Limit |
| Historical Rate of Return | 3-7% | 7-9% |
| Investment & Brokerage fees | 2-4% | None |
| Fund Completion Guarantee | No | Yes |
| Maximinize Pension Option | No | Yes |

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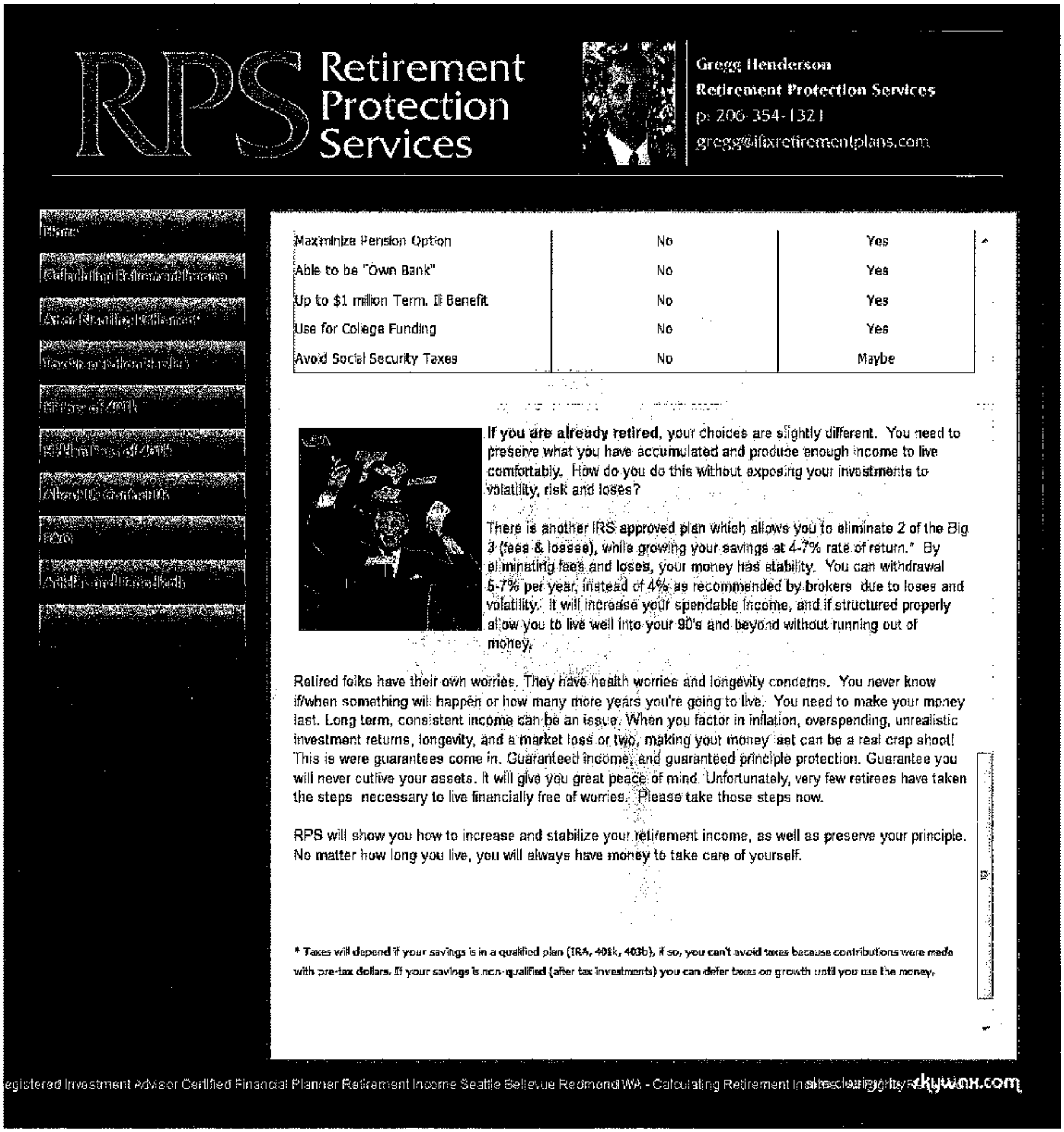

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| | | |
|---|---|---|
| Maximize Pension Option | No | Yes |
| Able to be "Own Bank" | No | Yes |
| Up to $1 million Term. Ill Benefit | No | Yes |
| Use for College Funding | No | Yes |
| Avoid Social Security Taxes | No | Maybe |

**If you are already retired**, your choices are slightly different. You need to preserve what you have accumulated and produce enough income to live comfortably. How do you do this without exposing your investments to volatility, risk and loses?

There is another IRS approved plan which allows you to eliminate 2 of the Big 3 (fees & losses), while growing your savings at 4-7% rate of return.* By eliminating fees and loses, your money has stability. You can withdrawal 5-7% per year, instead of 4% as recommended by brokers due to loses and volatility. It will increase your spendable income, and if structured properly allow you to live well into your 90's and beyond without running out of money.

Retired folks have their own worries. They have health worries and longevity concerns. You never know if/when something will happen or how many more years you're going to live. You need to make your money last. Long term, consistent income can be an issue. When you factor in inflation, overspending, unrealistic investment returns, longevity, and a market loss or two, making your money last can be a real crap shoot! This is were guarantees come in. Guaranteed income, and guaranteed principle protection. Guarantee you will never outlive your assets. It will give you great peace of mind. Unfortunately, very few retirees have taken the steps necessary to live financially free of worries. Please take those steps now.

RPS will show you how to increase and stabilize your retirement income, as well as preserve your principle. No matter how long you live, you will always have money to take care of yourself.

* Taxes will depend if your savings is in a qualified plan (IRA, 401k, 403b), if so, you can't avoid taxes because contributions were made with pre-tax dollars. If your savings is non-qualified (after tax investments) you can defer taxes on growth until you use the money.

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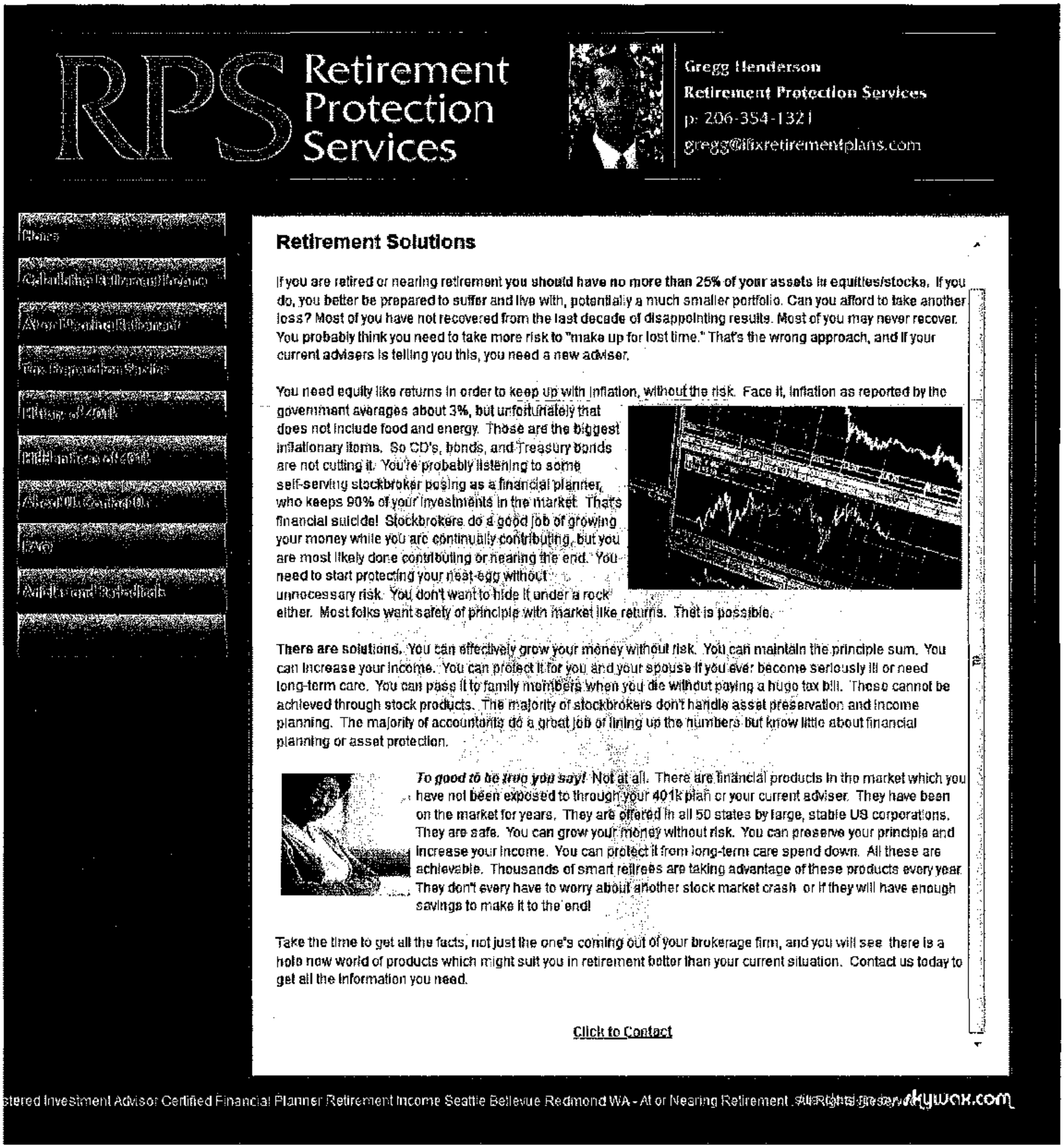

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## Retirement Solutions

**If you are retired or nearing retirement you should have no more than 25% of your assets in equities/stocks.** If you do, you better be prepared to suffer and live with, potentially a much smaller portfolio. Can you afford to take another loss? Most of you have not recovered from the last decade of disappointing results. Most of you may never recover. You probably think you need to take more risk to "make up for lost time." That's the wrong approach, and if your current advisers is telling you this, you need a new adviser.

You need equity like returns in order to keep up with inflation, without the risk. Face it, inflation as reported by the government averages about 3%, but unfortunately that does not include food and energy. Those are the biggest inflationary items. So CD's, bonds, and Treasury bonds are not cutting it. You're probably listening to some self-serving stockbroker posing as a financial planner, who keeps 90% of your investments in the market. That's financial suicide! Stockbrokers do a good job of growing your money while you are continually contributing, but you are most likely done contributing or nearing the end. You need to start protecting your nest-egg without unnecessary risk. You don't want to hide it under a rock either. Most folks want safety of principle with market like returns. That is possible.

There are solutions. You can effectively grow your money without risk. You can maintain the principle sum. You can increase your income. You can protect it for you and your spouse if you ever become seriously ill or need long-term care. You can pass it to family members when you die without paying a huge tax bill. These cannot be achieved through stock products. The majority of stockbrokers don't handle asset preservation and income planning. The majority of accountants do a great job of lining up the numbers but know little about financial planning or asset protection.

***To good to be true you say!*** Not at all. There are financial products in the market which you have not been exposed to through your 401k plan or your current adviser. They have been on the market for years. They are offered in all 50 states by large, stable US corporations. They are safe. You can grow your money without risk. You can preserve your principle and increase your income. You can protect it from long-term care spend down. All these are achievable. Thousands of smart retirees are taking advantage of these products every year. They don't every have to worry about another stock market crash or if they will have enough savings to make it to the end!

Take the time to get all the facts, not just the one's coming out of your brokerage firm, and you will see there is a hole new world of products which might suit you in retirement better than your current situation. Contact us today to get all the information you need.

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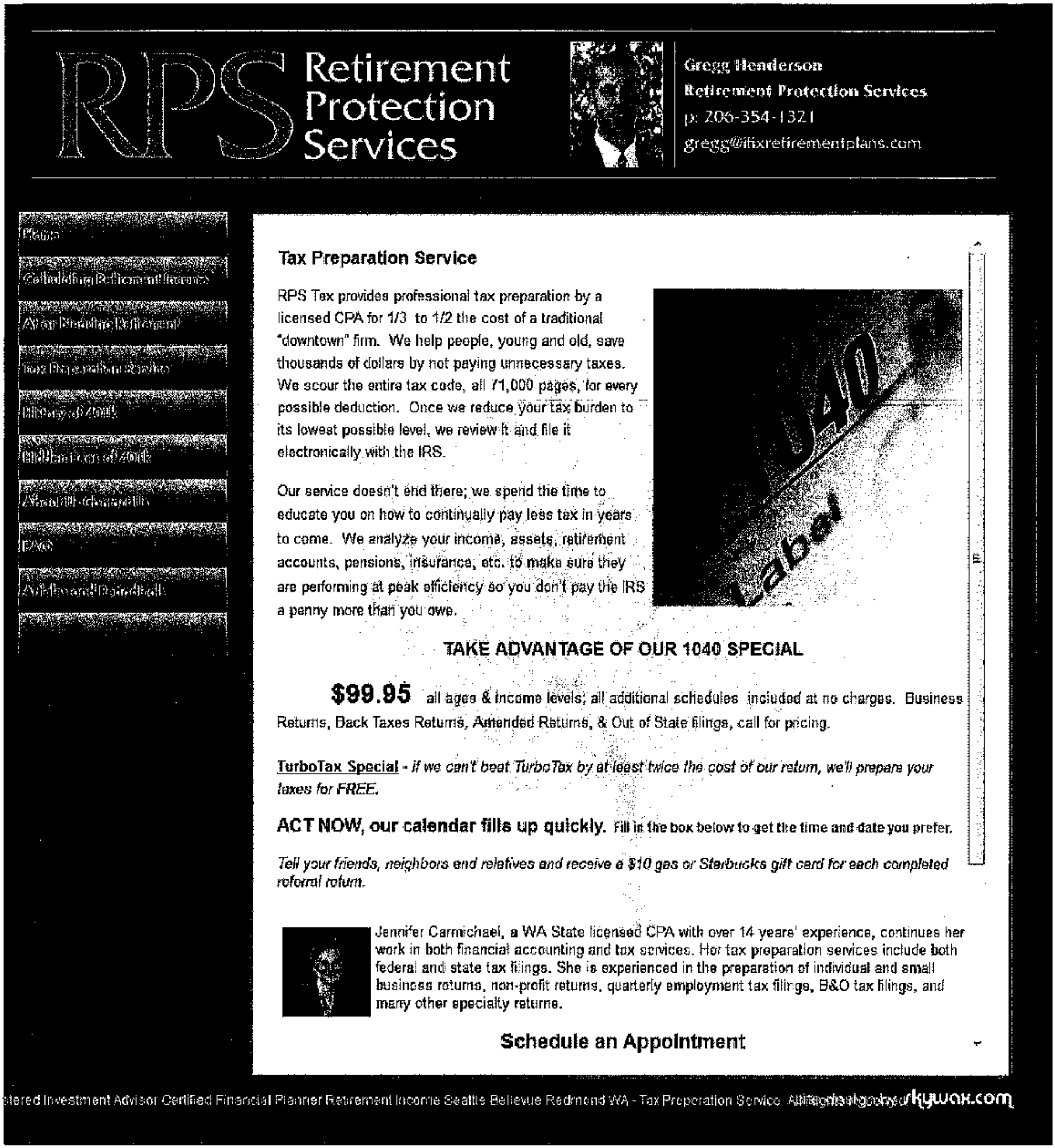

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## Tax Preparation Service

RPS Tax provides professional tax preparation by a licensed CPA for 1/3 to 1/2 the cost of a traditional "downtown" firm. We help people, young and old, save thousands of dollars by not paying unnecessary taxes. We scour the entire tax code, all 71,000 pages, for every possible deduction. Once we reduce your tax burden to its lowest possible level, we review it and file it electronically with the IRS.

Our service doesn't end there; we spend the time to educate you on how to continually pay less tax in years to come. We analyze your income, assets, retirement accounts, pensions, insurance, etc. to make sure they are performing at peak efficiency so you don't pay the IRS a penny more than you owe.

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**ACT NOW, our calendar fills up quickly.** Fill in the box below to get the time and date you prefer.

*Tell your friends, neighbors and relatives and receive a $10 gas or Starbucks gift card for each completed referral return.*

Jennifer Carmichael, a WA State licensed CPA with over 14 years' experience, continues her work in both financial accounting and tax services. Her tax preparation services include both federal and state tax filings. She is experienced in the preparation of individual and small business returns, non-profit returns, quarterly employment tax filings, B&O tax filings, and many other specialty returns.

### Schedule an Appointment

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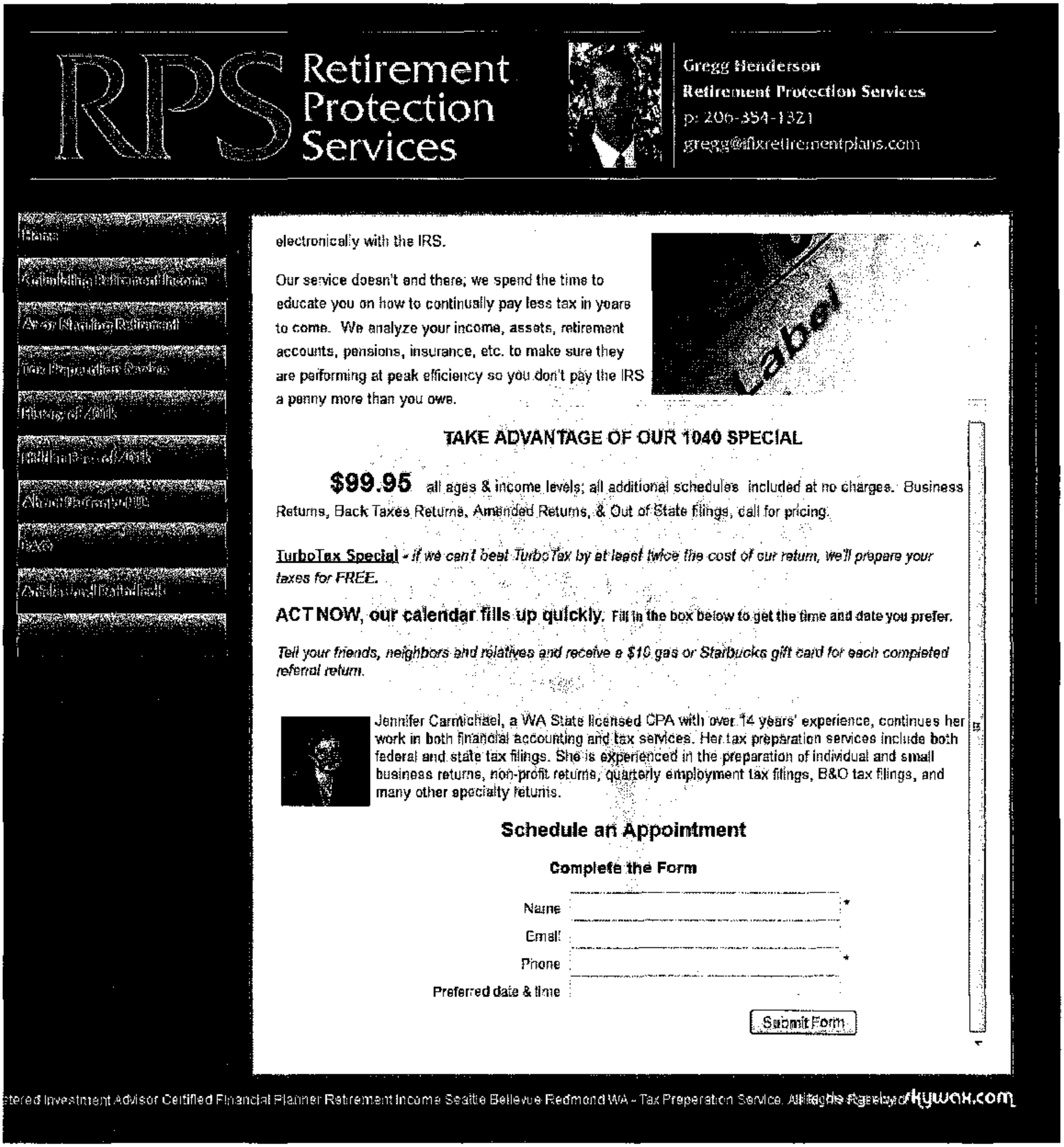

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electronically with the IRS.

Our service doesn't end there; we spend the time to educate you on how to continually pay less tax in years to come. We analyze your income, assets, retirement accounts, pensions, insurance, etc. to make sure they are performing at peak efficiency so you don't pay the IRS a penny more than you owe.

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**Complete the Form**

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Email
Phone *
Preferred date & time

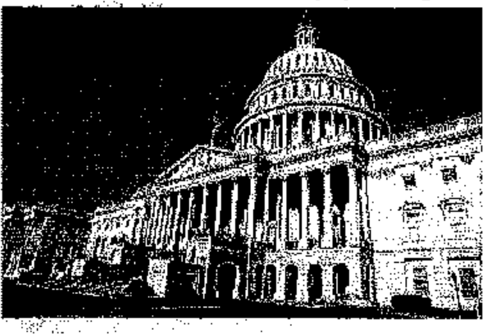
tered Investment Advisor Certified Financial Planner Retirement Income Seattle Bellevue Redmond WA - Tax Preperation Service. [illegible] skywax.com

**Gregg Henderson**
**Retirement Protection Services**
p: 206-354-1321
gregg@ifixretirementplans.com

## History of the 401k Plan

The 401k's (also including 457 & 403b) roots go back to the 1950s when banks wanted to give their high paid executives bonuses as deferred compensation, instead of cash, therefore not have to pay income tax on the bonus money. Instead it was treated as an employee contribution to the profit sharing plan, and the tax was deferred. These cash bonuses were called CODA (cash or deferred arrangement). In 1956 & reaffirmed in a 1963 court ruling, the IRS ruled CODA's were acceptable and could maintain their tax deferred status.

In late 1972, under pressure from the federal government due to lost tax revenue, the IRS proposed regulation to again tax CODA contributions. From this proposed regulation came the Employee Retirement Income Security Act of 1974 (ERISA). This law mainly contained sweeping changes in the regulation of pension plans, it also had many new regulations on profit sharing plans and what would eventually become 401k plans. It chopped CODA plans off at the knees. Any CODA plan going forward was not eligible for tax deferral.



In 1978, Congress, unhappy with the uncertainty surrounding CODAs, added an obscure subsection (k) to section 401 of the Internal Revenue Code. It allowed profit sharing plans to adopt CODAs subject to rules requiring restrictions on distributions during employment and all contributions are vested immediately. The law would take effect in early 1980 under the impression that very few employers would add a 401(k) feature to their current pension or retirement plan. Congress estimated the loss in tax revenue would be "negligible."

In 1980, while trying to streamline a client's profit-sharing plan, a Philadelphia benefits consultant named Ted Benna realized that the code could be used to create an easy, tax-friendly vehicle for employees to save for retirement. Section 401(k) would allow participants to invest in stocks and bonds, often with matching funds from employers--all at a lower cost to the company compared to the pension plans they were currently funding. This would save corporations hundreds of millions of dollars in current and future unfunded pension liabilities. In 1980 the Dow Jones Industrial Average was approx. 800.

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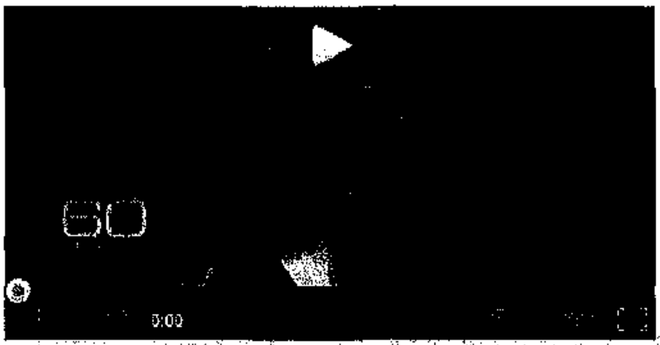
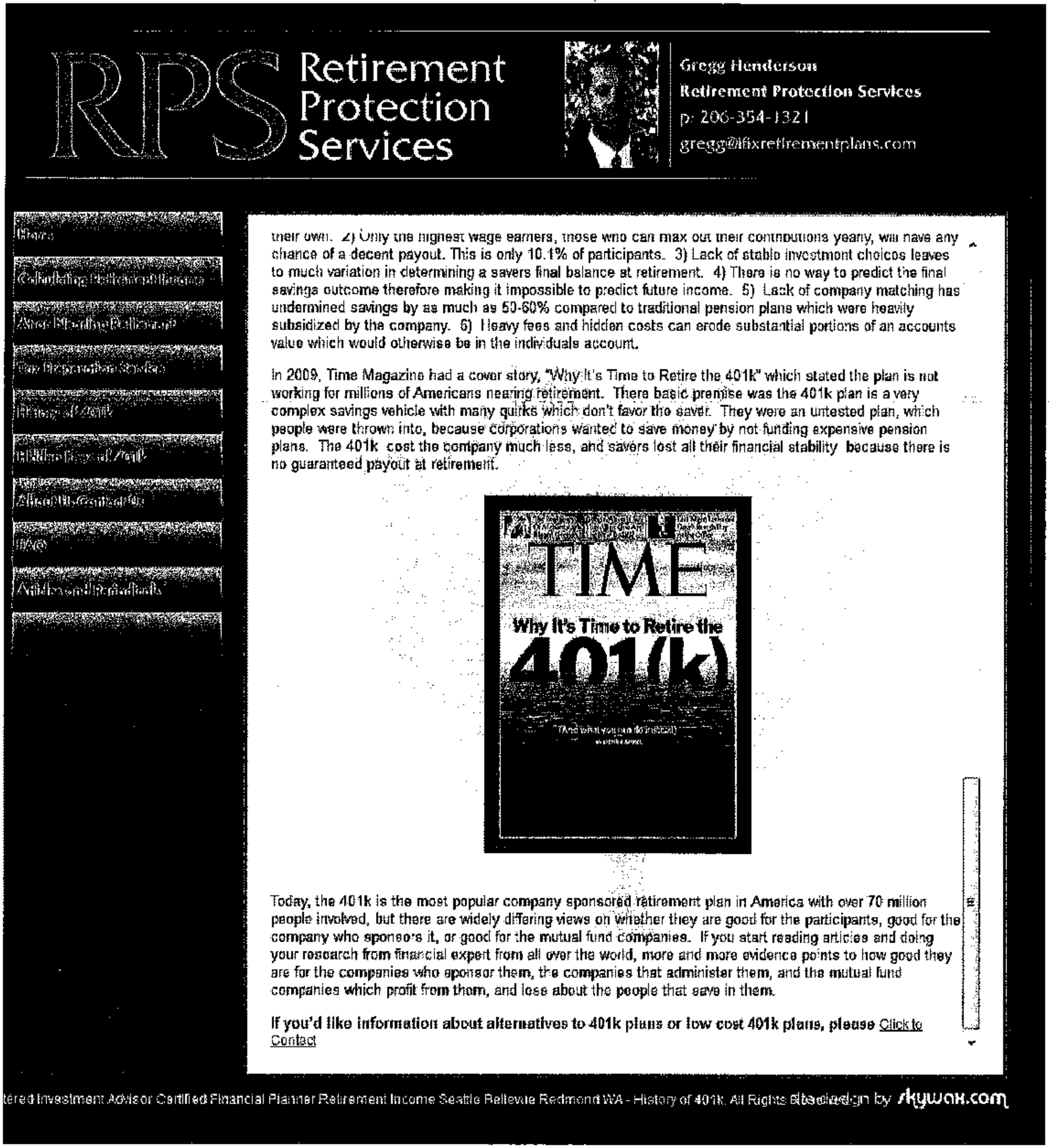


By 1983 over 50% of all major US corporations had implemented or were in the process of implementing a 401k plan. 68.9% of US households had a pension retirement plan in place, compared to 12.2% having tax deferred plans. By 1998 pensions had dropped to 43.5%, as deferred plans had jumped to 58.9%. Companies were allowed to offer contributions to employees in the form of company stock, which cost the company virtually nothing. A massive push was on to exit pension retirement plans due to their high cost. Companies had figure out it cost them 8% of an employee's wage to fund a pension, but as little as 0-2% to fund a 401K, depending on matching contributions.

The 401k, 403b, & 457 accounts helped spark a financial industry boom, funneling billions from under retirement savers' mattresses into mutual funds and the stock market. With billions of dollars a year flowing into 401k accounts, it couldn't stand stagnant so it was invested in funds, which artificially drove up prices beyond any kind of historical norms. By the year 2000, the Dow Jones Industrial Average peaked at 11,700. This unprecedented grow (14.5 fold increase in 20 yrs) had never been seen before.

Since 2000, the money continues to poor into 401k plans yet the markets have failed many savers especially those nearing retirement. Retirement planners started scrutinizing the 401k after the market collapse of 2000-02 regarding participants investment choices or lack thereof, investment fees and all the hidden cost associated with 401ks, how the big mutual fund companies were the biggest beneficiary of the 401k boom, yet these issues didn't get much traction when the markets rebounded between 2003-07.

In a report done in March 2007, prior to the massive stock market drop from Oct. '07-March '09, for the Committee on Education and Labor for the US House of Representatives, brought several major flaws to light regarding 401k plans. 1) 401k plans were never intended to be a primary savings vehicle for retirement due to the limitations on contributions. The majority of works don't earn enough to properly fund these accounts on their own. 2) Only the highest wage earners, those who can max out their contributions yearly, will have any chance of a decent payout. This is only 10.1% of participants. 3) Lack of stable investment choices leaves



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their own. 2) Only the highest wage earners, those who can max out their contributions yearly, will have any chance of a decent payout. This is only 10.1% of participants. 3) Lack of stable investment choices leaves to much variation in determining a savers final balance at retirement. 4) There is no way to predict the final savings outcome therefore making it impossible to predict future income. 5) Lack of company matching has undermined savings by as much as 50-60% compared to traditional pension plans which were heavily subsidized by the company. 6) Heavy fees and hidden costs can erode substantial portions of an accounts value which would otherwise be in the individuals account.

In 2009, Time Magazine had a cover story, "Why It's Time to Retire the 401k" which stated the plan is not working for millions of Americans nearing retirement. There basic premise was the 401k plan is a very complex savings vehicle with many quirks which don't favor the saver. They were an untested plan, which people were thrown into, because corporations wanted to save money by not funding expensive pension plans. The 401k cost the company much less, and savers lost all their financial stability because there is no guaranteed payout at retirement.

Today, the 401k is the most popular company sponsored retirement plan in America with over 70 million people involved, but there are widely differing views on whether they are good for the participants, good for the company who sponsors it, or good for the mutual fund companies. If you start reading articles and doing your research from financial expert from all over the world, more and more evidence points to how good they are for the companies who sponsor them, the companies that administer them, and the mutual fund companies which profit from them, and lose about the people that save in them.

**If you'd like information about alternatives to 401k plans or low cost 401k plans, please** Click to Contact

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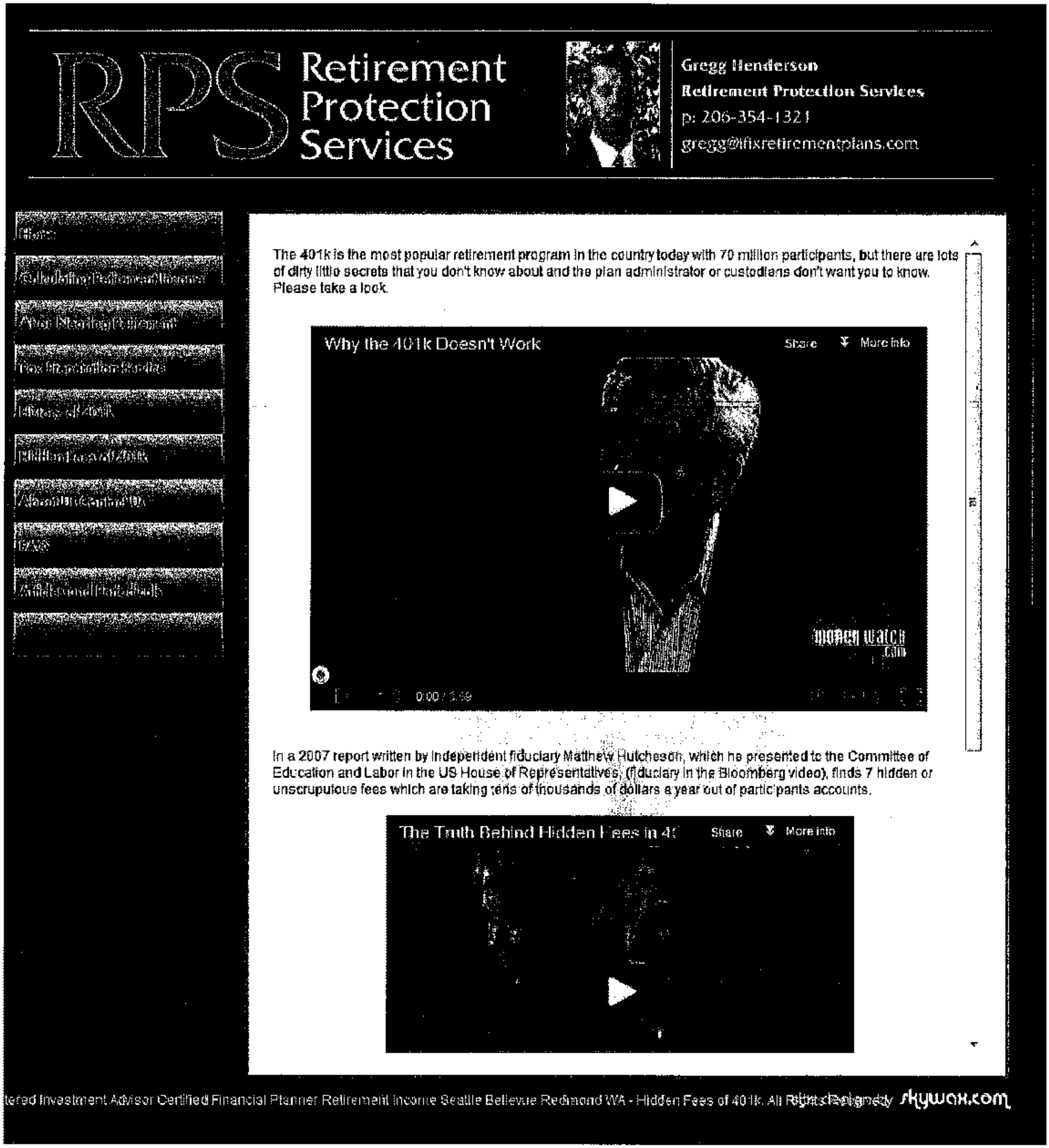

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The 401k is the most popular retirement program in the country today with 70 million participants, but there are lots of dirty little secrets that you don't know about and the plan administrator or custodians don't want you to know. Please take a look.

In a 2007 report written by independent fiduciary Matthew Hutcheson, which he presented to the Committee of Education and Labor in the US House of Representatives, (fiduciary in the Bloomberg video), finds 7 hidden or unscrupulous fees which are taking tens of thousands of dollars a year out of participants accounts.

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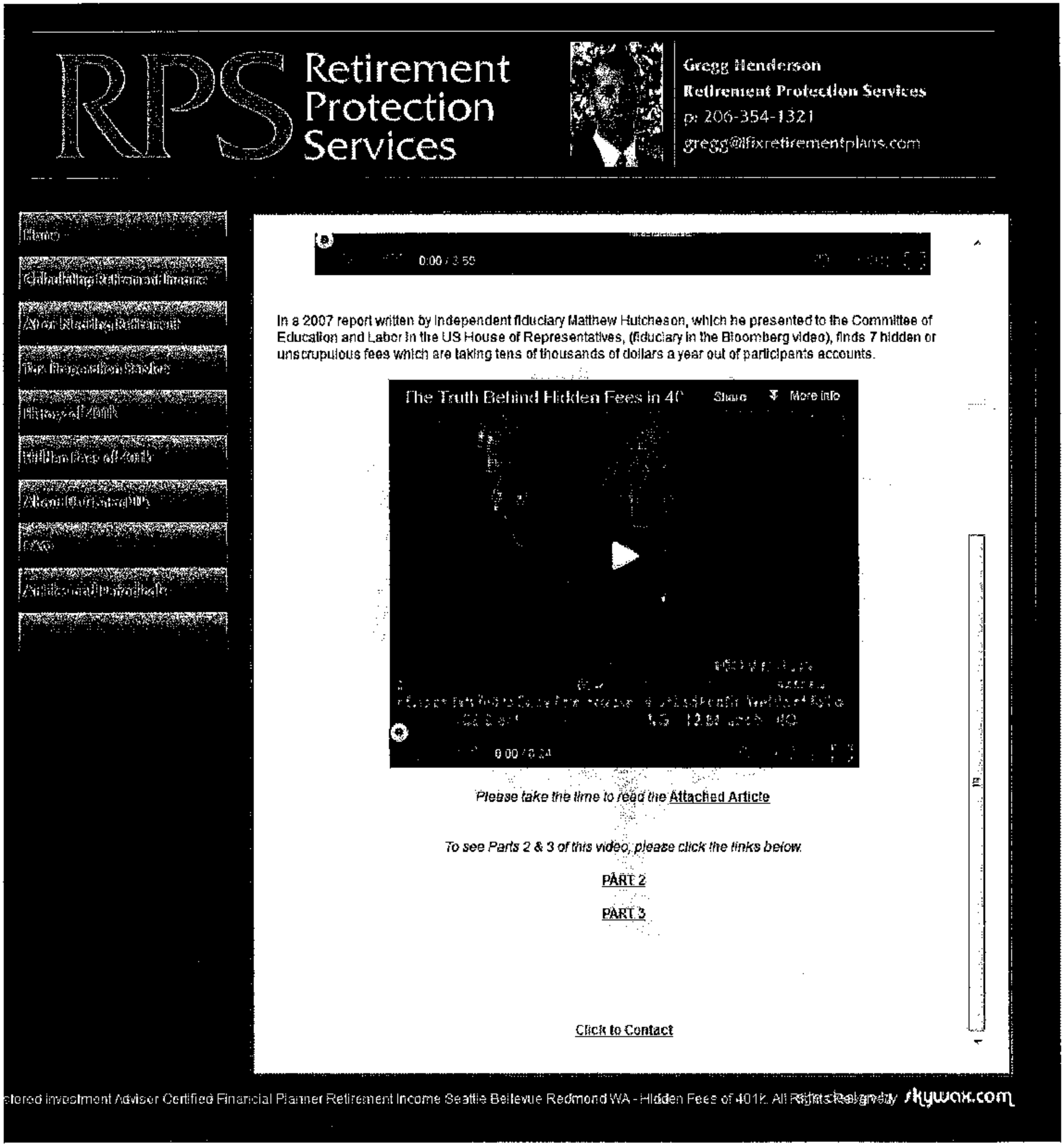

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*Please take the time to read the* Attached Article

*To see Parts 2 & 3 of this video, please click the links below.*

PART 2

PART 3

Click to Contact

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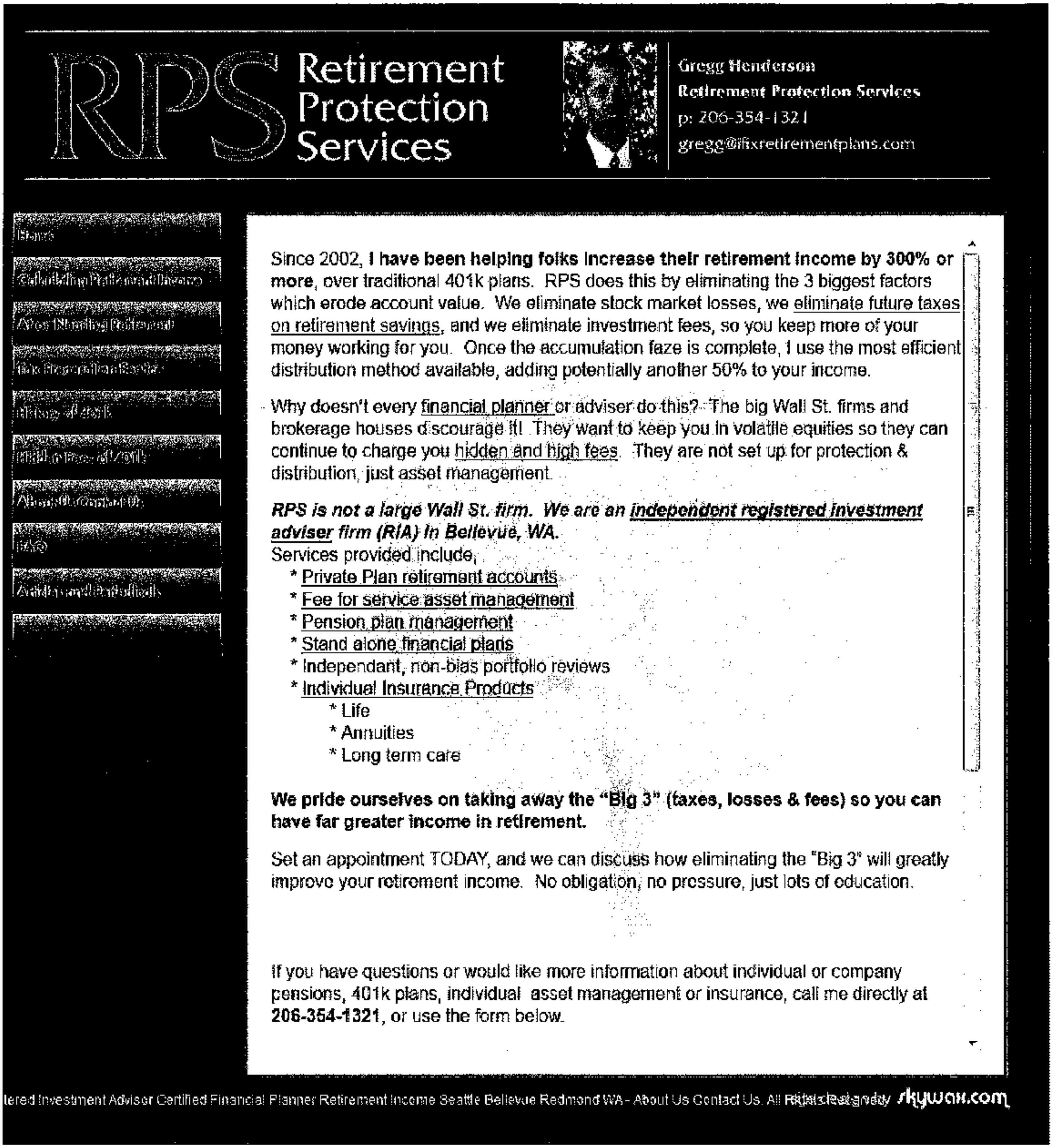

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Since 2002, **I have been helping folks increase their retirement income by 300% or more**, over traditional 401k plans. RPS does this by eliminating the 3 biggest factors which erode account value. We eliminate stock market losses, we eliminate future taxes on retirement savings, and we eliminate investment fees, so you keep more of your money working for you. Once the accumulation faze is complete, I use the most efficient distribution method available, adding potentially another 50% to your income.

Why doesn't every financial planner or adviser do this? The big Wall St. firms and brokerage houses discourage it! They want to keep you in volatile equities so they can continue to charge you hidden and high fees. They are not set up for protection & distribution, just asset management.

***RPS is not a large Wall St. firm. We are an independent registered investment adviser firm (RIA) in Bellevue, WA.***
Services provided include,
- Private Plan retirement accounts
- Fee for service asset management
- Pension plan management
- Stand alone financial plans
- Independant, non-bias portfolio reviews
- Individual Insurance Products
    - Life
    - Annuities
    - Long term care

**We pride ourselves on taking away the "Big 3" (taxes, losses & fees) so you can have far greater income in retirement.**

Set an appointment TODAY, and we can discuss how eliminating the "Big 3" will greatly improve your retirement income. No obligation, no pressure, just lots of education.

If you have questions or would like more information about individual or company pensions, 401k plans, individual asset management or insurance, call me directly at **206-354-1321**, or use the form below.

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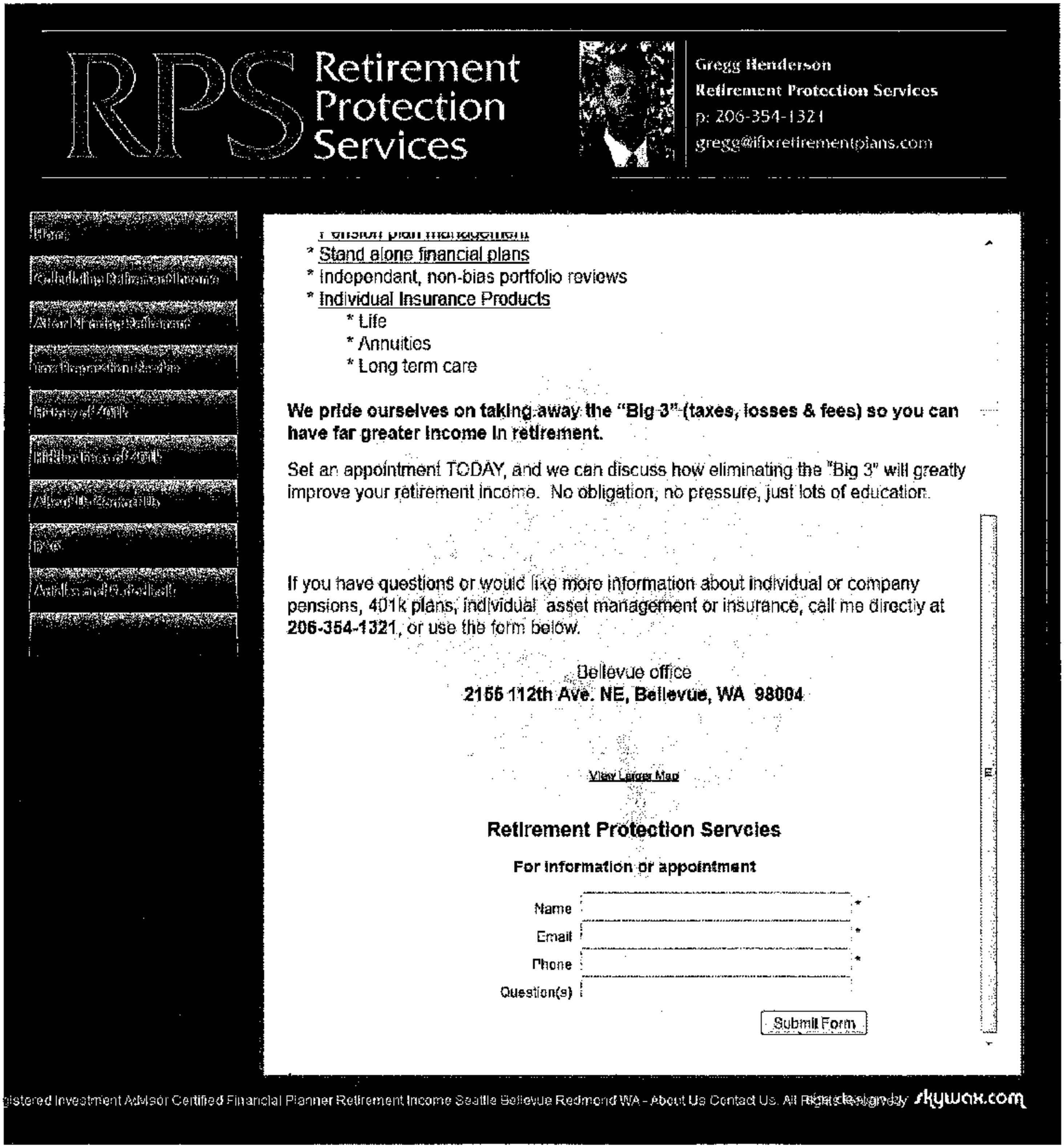

RPS Retirement Protection Services

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* Pension plan management
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If you have questions or would like more information about individual or company pensions, 401k plans, individual asset management or insurance, call me directly at **206-354-1321**, or use the form below.

Bellevue office
**2155 112th Ave. NE, Bellevue, WA 98004**

View Larger Map

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**For information or appointment**

| | |
|---|---|
| Name | * |
| Email | * |
| Phone | * |
| Question(s) | |

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Web site under constructions

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**Singer, Alan (OIC)**

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**From:** Edmonds, Jerry [jedmonds@williamskastner.com]
**Sent:** Friday, June 01, 2012 11:31 AM
**To:** Singer, Alan (OIC)
**Cc:** Gregg Henderson (safeinvestment@hotmail.com)
**Subject:** FW: HENDERSON - Edits to "reasons to keep license" text

Mr. Henderson authorized me to send this statement (primarily drafted by him) which he asks you and others at the OIC staff to consider at your earliest opportunity:

1. I had not remembered the events of over three years ago as they appear from the recordings. I did not believe I had made it appear as though I was Mr. Falcone, but it is clear to me now that I did.
2. I now admit my mistake and am extremely regretful of my actions
3. I've helped the OIC in the past bring to light bad agents and agencies (Albert Hawks, Bankers Life & Casualty)
4. I've never done this before and will never do this again.
5. I'm an honest person that made a bad choice.
6. People do strange things when they are under financial pressure.
7. I love the industry. I truly believe I'm doing good by helping families protect themselves through insurance products.
8. I'm ethical. I have walked away from many people that wanted me to do illegal things through insurance.
9. I'm a family guy and community guy.
10. I volunteer at 2 different agencies. Both were over 100 hrs. each last yr.
11. I've been a mentor within my community.
12. I'm truly embarrassed at this situation. I have lost a lot of sleep over this.
13. I have successfully served many many clients over the years and hope that my good work will not be overshadowed by this one isolated event.
14. I wish to resolve this by agreement as soon as possible so I can continue to support my family.

Jerry Edmonds for Gregg Henderson

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## Investment Adviser Representative Public Disclosure Report

# GREGG ALAN HENDERSON

CRD# 5596061

Report #52451-33243, data current as of Sunday, July 15, 2012.

## IAPD Information about Investment Adviser Representatives

IAPD offers information on all current-and many former-Investment Adviser Representatives. Investors are strongly encouraged to use IAPD to check the background of Investment Adviser Representatives before deciding to conduct, or continue to conduct, business with them.

- **What is included in a IAPD report?**
  IAPD reports for individual Investment Adviser Representatives include information such as employment history, professional qualifications, disciplinary actions, criminal convictions, civil judgments and arbitration awards.

  It is important to note that the information contained in an IAPD report may include pending actions or allegations that may be contested, unresolved or unproven. In the end, these actions or allegations may be resolved in favor of the Investment Adviser Representative, or concluded through a negotiated settlement with no admission or finding of wrongdoing.

- **Where did this information come from?**
  The information contained in IAPD comes from the Investment Adviser Registration Depository (IARD) and FINRA's Central Registration Depository, or CRD®, (see more on CRD below) and is a combination of:

    - information the states require Investment Adviser Representatives and firms to submit as part of the registration and licensing process, and
    - information that state regulators report regarding disciplinary actions or allegations against Investment Adviser Representatives.

- **How current is this information?**
  Generally, Investment Adviser Representatives are required to update their professional and disciplinary information in IARD within 30 days.

- **Need help interpreting this report?**
  For help understanding how to read this report, please consult NASAA's IAPD Tips page http://www.nasaa.org/IAPD/IARReports.cfm.

- **What if I want to check the background of an Individual Broker or Brokerage firm?**
  To check the background of an Individual Broker or Brokerage firm, you can search for the firm or individual in IAPD. If your search is successful, click on the link provided to view the available licensing and registration information in FINRA's BrokerCheck website.

- **Are there other resources I can use to check the background of investment professionals?**
  It is recommended that you learn as much as possible about an individual Investment Adviser Representative or Investment Adviser firm before deciding to work with them. Your state securities regulator can help you research individuals and certain firms doing business in your state. The contact information for state securities regulators can be found on the website of the North American Securities Administrators Association http://www.nasaa.org.

User Guidance

www.adviserinfo.sec.gov

# Investment Adviser Representative Report Summary

## GREGG ALAN HENDERSON (CRD# 5596061)

The report summary provides an overview of the Investment Adviser Representative's professional background and conduct. The information contained in this report has been provided by the Investment Adviser Representative, investment adviser and/or securities firms, and/or securities regulators as part of the states' investment adviser registration and licensing process. The information contained in this report was last updated by the Investment Adviser Representative, a previous employing firm, or a securities regulator on **01/11/2010**.

## CURRENT EMPLOYERS

**RETIREMENT PROTECTION SERVICES WEALTH MANAGEMENT LLC**
IARD# 152522
2155 - 112TH AVE NE
BELLEVUE, WA 98004
Registered with this firm since: 01/13/2010

## QUALIFICATIONS

This Investment Adviser Representative is currently registered in **1** jurisdiction(s).

Is this Investment Adviser Representative currently suspended with any jurisdiction? **No**

**Note:** Not all jurisdictions require IAR registration or may have an exemption from registration.
Additional information including this individual's qualification examinations and professional designations is available in the Detailed Report.

## REGISTRATION HISTORY

This Investment Adviser Representative was previously registered with the following Investment Adviser firms:

| FIRM (IARD#) - LOCATION | REGISTRATION DATES |
|---|---|
| REDHAWK WEALTH ADVISORS, INC. (IARD# 146616) - SAMMAMISH, WA | 10/03/2008 - 01/11/2010 |

For additional registration and employment history details as reported by the individual, refer to the Registration and Employment History section of the Detailed Report.

## DISCLOSURE INFORMATION

Disclosure events include certain criminal charges and convictions, formal investigations and disciplinary actions initiated by regulators, customer disputes and arbitrations, and financial disclosures such as bankruptcies and unpaid judgments or liens.

Are there events disclosed about this Investment Adviser Representative? **No**

# Investment Adviser Representative Qualifications

## REGISTRATIONS

This section provides the states and U.S. territories in which the Investment Adviser Representative is currently registered and licensed, the category of each registration, and the date on which the registration became effective. This section also provides, for each firm with which the Investment Adviser Representative is currently employed, the address of each location where the Investment Adviser Representative works.

This individual is currently registered with 1 jurisdiction(s) through his or her employer(s).

## Employment 1 of 1

| | |
|---|---|
| Firm Name: | **RETIREMENT PROTECTION SERVICES WEALTH MANAGEMENT LLC** |
| Main Address: | 2155 - 112TH AVE NE<br>BELLEVUE, WA 98004 |
| Firm IARD#: | 152522 |

| U.S. State/ Territory | Status | Date |
|---|---|---|
| Washington | Approved | 01/13/2010 |

### Branch Office Locations

This individual does not have any registered Branch Office where the individual is located.

# Investment Adviser Representative Qualifications

## PASSED INDUSTRY EXAMS

This section includes all required state securities exams that the Investment Adviser Representative has passed. Under limited circumstances, an Investment Adviser Representative may attain registration after receiving an exam waiver based on a combination of exams the Investment Adviser Representative has passed and qualifying work experience. Likewise, a new exam requirement may be grandfathered based on an Investment Adviser Representative's specific qualifying work experience. Exam waivers and grandfathering are not included below.

This individual has passed the following exams:

| Exam | Category | Date |
|---|---|---|
| Uniform Investment Adviser Law Examination (S65) | Series 65 | 09/15/2008 |

## PROFESSIONAL DESIGNATIONS

This section details that the Investment Adviser Representative has reported **0** professional designation(s).

No information reported.

# Investment Adviser Representative Registration and Employment History

## PREVIOUSLY REGISTERED WITH THE FOLLOWING INVESTMENT ADVISER FIRMS

This section indicates that state registration records show this Investment Adviser Representative previously held registrations with the following firms:

| Registration Dates | Firm Name | IARD# | Branch Location |
|---|---|---|---|
| 10/03/2008 - 01/11/2010 | REDHAWK WEALTH ADVISORS, INC. | 146616 | SAMMAMISH, WA |

## EMPLOYMENT HISTORY

Below is the Investment Adviser Representative's employment history for up to the last 10 years.

**Please note that the Investment Adviser Representative is required to provide this information only while registered and the information is not updated after the Investment Adviser Representative ceases to be registered, with a state regulator. Therefore, an employment end date of "Present" may not reflect the Investment Adviser Representative's current employment status.**

| Employment Dates | Employer Name | Employer Location |
|---|---|---|
| 11/2009 - Present | RETIREMENT PROTECTION SERVICES WEALTH MANAGEMENT LLC | SAMMAMISH, WA |
| 01/2007 - Present | RETIREMENT PROTECTION SERVICES, LLC | SAMMAMISH, WA |
| 09/2008 - 01/2010 | REDHAWK WEALTH ADVISORS, INC. | SAMMAMISH, WA |
| 05/2005 - 05/2007 | AFLAC | SEATTLE, WA |
| 08/2002 - 05/2005 | BANKERS LIFE | BELLEVUE, WA |

## OTHER BUSINESS ACTIVITIES

This section includes information, if any, as provided by the Investment Adviser Representative regarding other business activities the Investment Adviser Representative is currently engaged in either as a proprietor, partner, officer, director, employee, trustee, agent, or otherwise. This section does not include non-investment related activity that is exclusively charitable, civic, religious, or fraternal and is recognized as tax exempt.

RETIREMENT PROTECTION SERVICES, LLC; INVESTMENT RELATED; 20900 NE 42ND ST, SAMMAMISH, WA 98074; INSURANCE SERVICES; MEMBER/INSURANCE AGENT; 01/2007; GREATER THAN 50% OF TIME SPENT IN THIS BUSINESS

# End of Report

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