

The attached is a model disclosure (“Model Disclosure”) that you may use for purposes of meeting the requirements of Department of Labor Prohibited Transaction Exemption 84-24 (“PTE 84-24”) for the period from June 9, 2017 through December 31, 2017 (“Transition Period”). DO NOT USE AFTER DECEMBER 31, 2017.

As you may know, the Department of Labor (“Department” or “DOL”) has issued a final regulation that redefines the term “investment advice” with respect to agents that sell insurance products to plans governed by the Employee Retirement Income Security Act of 1974 and individual retirement accounts and annuities (“IRAs”) as defined under sections 408(a) and (b) of the Internal Revenue Code of 1986. The Department recently extended the “Applicability Date” of the final regulation from April 10, 2017 to June 9, 2017. **On June 9, you will likely act as a fiduciary in connection with the distribution of our products to IRAs and those of other insurance companies.**

The Department also issued guidance with regard to how to address conflicts of interest during the Transition Period. The Department states that a fiduciary may rely on PTE 84-24 as it stands today plus comply with the Impartial Conduct Standards. This means that less disclosure is required under PTE 84-24 during the Transition Period than what will be required effective January 1, 2018 under PTE 84-24.

The attached Model Disclosure is intended to help in your efforts to meet the requirements of PTE 84-24 during the Transition Period. You will need to fill in the Model Disclosure with all relevant information, in as much detail as possible.

You are responsible for maintaining the signed Disclosure in your records; do not return it to Forethought.

You should contact your own legal and compliance advisers for purposes of determining whether to comply with PTE 84-24 or another PTE during the Transition Period and, in the event you intend to comply with PTE 84-24, what additional information should be included in the enclosed Model Disclosure. Additionally, you should consult with your legal and compliance advisers regarding compliance with the Impartial Conduct Standards.