

**STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT**

In Re: MetLife Investors USA Insurance Company

Docket No.: INS No. 09-006-EP

SETTLEMENT AGREEMENT AND ORDER

This Settlement Agreement and Order ("Agreement") is made this *10th* day of *March* 2009 between the New Hampshire Insurance Department ("Department") and MetLife Investors USA Insurance Company ("Respondent").

WHEREAS, the Department issued an Order to Show Cause and Notice of Hearing ("Show Cause Order") dated February 6, 2009 against Respondent. The Show Cause Order was issued to determine whether the Respondent should be found in violation of Ins. 401.04(h);

WHEREAS, the matter was scheduled for hearing on April 14, 2009, but prior to hearing the parties entered into settlement negotiations; and

WHEREAS, the parties have agreed to resolve this matter without hearing in order to bring finality to the disputed issues.

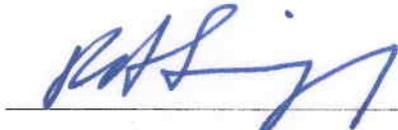
NOW THEREFORE, for purposes of settling the above-referenced matter and in lieu of further administrative proceedings the Department and Respondent have reached an agreement as follows:

1. The foregoing recitals are hereby adopted, incorporated into and made a part of this Settlement Agreement and Order.
2. The Respondent knowingly waives its right to be heard at a hearing in this matter.
3. The Respondent agrees to pay Richard Cimics ("Mr.Cimics") the amount of \$54,524.53 (Fifty-Four Thousand, Five Hundred, Twenty-Four Dollars and Fifty-Three Cents), which represents Mr. Cimics' original deposit of \$59,807.46 minus his total withdrawals of \$5,282.93.
4. By entering into this Settlement Agreement and Order, the Department and the Respondent intend to resolve all issues relating to the matters raised in the Show Cause Order and this Settlement Agreement and Order shall be deemed a complete settlement and full and final resolution, and is in lieu of any other action that could have been taken by the Department relating to all matters raised in the Show Cause Order.
5. By entering into this Settlement Agreement and Order, the Respondent is not admitting any of the allegations set forth in the Show Cause Order. The Respondent is

entering this Settlement Agreement and Order for the purpose of purchasing its peace avoiding any further administrative proceedings in connection with the allegations set forth in the Show Cause Order.

IT IS SO ORDERED.

NEW HAMPSHIRE INSURANCE DEPARTMENT

Date: 4-10-09  _____
Roger A. Sevigny, Commissioner

METLIFE INVESTORS USA INSURANCE CO.

Date: _____  _____
Name (print): Michael K. Farrell
Title: President