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elcome to the second annual edition of the *Life Settlement Industry Outlook*. Based on last year's highly successful piece, this year's edition has been expanded to include even more forward-thinking insight from industry professionals.

Designed as a resource tool for brokers, providers, producers, accountants, attorneys, estate planners, financial planners, and charitable trust officers, the 2006 edition provides an inside look at where the industry is heading, including discussions on the top issues, insight from industry professionals, and valuable facts, figures, and projections.

In preparation for this issue, invitations were sent to life settlement professionals in order to obtain insight into trends and developments for the upcoming year. The responses proved to very interesting. This year's edition offers insight and advice from twenty-eight industry experts, which more than triples the number of entries from last year's publication. Their depth of experience is broad including backgrounds in accounting, finance, insurance, law, life settlements, marketing, and technology, and includes designations like: ASA, CFA, CFP, ChFC, CLU, CPA, CSA, FCA, MAAA, MBA, and JD, along with titles such as: director, vice president, CEO, and principal.

In addition to invitations being sent out, a survey was also sent out to a diverse group of agents, brokers, and advisors to help determine the most important issues and gain a greater understanding of the various audiences. The results proved to be insightful and offered a clear indicator as to the most important issues for the upcoming year.

Overall, we are very excited and pleased with the information we have assembled, and would like to thank all participants for sharing their thoughts on where the life settlement industry is heading in 2006. §

Sincerely,

Nate Evans President and CEO

PS. A complimentary copy of this report has been made available for you to download. Please visit www.MapleLifeFinancial.com to receive your copy today.

# 2005 Year in Review

A LOOK BACK AT THE EVER-CHANGING LIFE SETTLEMENT INDUSTRY

he past year brought about many exciting changes from increased scrutiny by legislators to the introduction of new products and services. Here's a highlight of the top developments.

#### Premium Financing | January

Although marketing efforts for premium financing began in the last quarter of 2004, the interest and demand really started taking off in 2005. Supporters of premium financing claim that the policy holder benefits from this type of arrangement because it allows other assets to remain invested that might otherwise be liquidated to pay for the premiums. Critics say this practice alters the purpose of life insurance. Some insurers are concerned that if there is a decrease in the percentage of lapsing policies due to these transactions, their profits will suffer.

### Blogs & Live Chats | February

As life settlements become more of a commonplace, the number of industry-related blogs is increasing. Longwood, FL based Life Settlement Professionals has a blog which began in February that discusses information, news, and strategies for life settlements. Readers can post comments about articles and read the opinions left by others.

Live online chats are also becoming more popular as a way to communicate ideas and recent developments concerning the life settlement industry. Columbia, MD based Sovereign Funding Group provides a live chat to help answer finance related questions. Their chat capabilities were improved in June to offer more features to users.

> You can visit these sites at: www.lifesettlementpro.com/news and www.sovereignfunding.com/blog/index.html.

## Life Settlement Studies | March, May

Bernstein Research Call published a study in March that predicted the life settlement market to increase tenfold over the next couple of years. The report, titled *Life Insurance Long View-Life Settlements Need Not Be Unsettling*, claims that a key component to the growth prediction is that business is conducted responsibly. The report also warned that poor sales tactics could impede growth and lead to increased litigation. Deloitte Consulting and The University of

Connecticut published *The Life Settlements Market: An Actuarial Perspective on Consumer Economic Value*, sparking a fire of controversy in the life settlement industry this past May. The study discussed three options available to a policy holder with impaired mortality: surrender the policy to the life insurance company, sell the policy in the secondary market, or retain the policy until death. The study claimed the Intrinsic Economic Value (IEV) earned by holding the policy to maturity will always be higher than the Life Settlements Value (LSV), so policy holders should be advised to explore other creative options in order to preserve their policy.

The study, sponsored by life insurer MassMutual generated many responses including those by the Viatical and Life Settlement Association of America (VLSAA), Darwin M. Bayston, and Roger Annin. Responding shortly after the study was released, the VLSAA issued a press statement discounting the study as flawed and not applicable to the industry as a whole. Kennesaw, GA based Darwin M. Bayston, Managing Director of Life Settlement Consulting & Management, LLC, and Overland Park, KS based Roger Annin, senior vice president and principal of Lewis & Ellis Inc., Actuaries and Consultants both issued comprehensive technical rebuttals which highlighted the study's use of unrealistic hypothetical assumptions which ultimately created an unfair comparison of the IEV and LSV.

Online Life Settlement Auctions | April Cleveland, OH based LifeX and San Diego, CA based Simex have made life settlement transactions faster and easier to complete even for advisors with minimal life settlement experience. Both companies provide a user friendly platform for exchanges that help extract the most value from an unwanted life insurance policy, since numerous buyers are competing with each other in web-based, real-time auctions. They are praised for incurring lower transaction costs and being less paper-intensive compared to manual transactions.

## Legislation | July

The most notable legislative change occurred in the state of Florida, where in July the state legislature amended its current settlement law to require life expectancy providers to be licensed with the state. Meanwhile, Colorado also instituted new legislation requiring brokers to be licensed beginning in January. A new provider license requirement also began in the state of Georgia in November, and a no-fee-required Declaration form in the state of Indiana must now be completed, signed, and returned to the Indiana Department of Insurance. Overall, five bills became effective this year, and fourteen life settlement legislative bills are currently pending as we wrap up 2005.

#### Life Settlement Ratings | August

In August the Scope Group, an independent rating agency, announced a new rating service for life settlement brokers. With ratings ranging from AAA which represents outstanding quality to D representing very low quality, brokers can have their company, management and processes, and risk control evaluated, analyzed, and rated by the Scope Group. In addition to broker ratings life settlement servicing companies can also get rated. Standard and Poor's (S&P) offers ratings for life settlement servicers based on their organization, loan/asset administration. and financial position. Ratings range from Strong, Above Average, Average, Below Average, to Weak. High ratings, such as those earned by Maple Life Financial, from agencies like Scope and S&P are more than just status symbols—they help distinguish the best companies.

### FASB Updates | October

FASB Technical Bulletin 85-4, Accounting for Purchases of Life Insurance, was reviewed. The appropriateness of the current cash surrender method was questioned since many feel it does not reflect the investment nature of life settlements. With the advent of life settlements, life insurance has been viewed as an underused asset. In October the FASB made the decision to permit investments in life settlement contracts to be measured either under the investment method or at fair value. Investments using these two different methods should be kept separate from each other on the face of the balance sheet and income statement and must follow the specific guidelines set by the FASB.

> For more details about the updates visit: www.fasb.org/project/life settlements.shtml.

READY, AIM, FIRE — A GOOD

MANTRA FOR BUSINESS

PROFESSIONALS TO PRACTICE



ccording to our team of experts, 2006 promises to be another banner vear for the life settlement industry. Continued growth will result in an estimated \$431 billion of life insurance owned by seniors being pursued by advisors, agents, and brokers, and \$19 billion in estimated face amount ultimately being purchased by life settlement providers.1 Increased scrutiny will take place as the industry matures and receives greater attention from institutional investors. Standardization of fees, utilization of advanced screening tools, implementation of greater cost efficiencies, and the demand for more transparency will be some of the driving factors forcing many companies to change the way they do business or lose significant market share. In addition to institutional investors, regulators will also pay closer attention to the life settlement industry throughout the new year, particularly relating to life expectancy calculations, consumer advocacy, and financial reporting issues. All of these changes will lay the groundwork for the development of new and exciting products and services, some of which we are already beginning to see. Let's take a closer look at what industry experts have to say.

### Continued Growth

High growth statistics for the life settlement industry have been widely reported. This trend is nothing new and will continue to be the norm for levels of production and numbers of new entrants. What is new, however, is the emergence of a new market segment beginning to show signs of movement.

As more professionals enter the marketplace. their sales and marketing efforts will make progress in educating the senior marketplace. This new breed of finance and web savvy seniors will turn to their trusted advisors for advice and viable options for underperforming policies, says Ron Peck, Principal of Fearless Wealth of Redwood City, CA. Sean McNealy, Co-President of Orlando, FL based Advanced Settlements agrees, saying "the tremendous growth in the life settlement marketplace can be attributed to four words: value to the senior." He goes on to explain saving "the dollar amount that seniors are receiving in excess of the cash surrender value for unwanted policies is a compelling statistic that is difficult to dispute."

Fueled by these statistics an increasing number of agents and advisors will continue to enter the field in 2006. Production will explode, says Bill Crust, Founder and President of Kansas City. MO based Viatical Settlements, Inc. Crust predicts there will be a 250-300% increase in life settlement transactions. Because these new entrants' lack time and experience, demand for life insurance experts will rise, contends Harry Beck, Executive Vice President of San Francisco, CA based Provada. Due to this demand Beck believes the number of Brokerage General Agencies (BGA's) offering life settlements will increase; so will the number of Broker-Dealer firms examining the suitability of life settlements in certain circumstances, believes Scott Kirby, Co-President of Orlando, FL based Advanced Settlements. Kirby explains this move will result from the pressure raised by registered reps who currently may be prohibited from pursuing such transactions despite having qualified and willing clients. Similarly, insurance carriers, although traditionally opposed to the industry, are beginning to take steps towards the industry says Michael Frank, President and Actuary of Port Chester, NY based Aquarius Capital. Frank reports that his company has fielded more than a dozen inquiries from carriers and reinsurers interested in investing opportunities, which may lead to the creation of a new market segment where carriers like AIG and CNA operate as funders.

Speaking of investors, as the surge of global demand for life insurance policies as investment vehicles continues, there may be a shortage of qualified policies in the short term, shares Mark Knudson, President of Boise, ID based Life Settlements 101. To offset this potential imbalance, Boris Ziser, Partner of the law firm Brown Rudnick Berlack Israels LLP suggests that new products will be developed or product lines extended. One example may be the new direction Life Insurance Settlement Policies (LISP) are heading. Valerie Greenberg, Principal of Oak Park, MI based Valerie Greenberg and Associates explains, "a pool of strategically selected policies creating a financial instrument actuarially designed to perform in concert with a financial transaction can be used to cocollateralize large projects, while also serving a growth instrument." She points out that using a pool of customized LISP lowers financial risk because of the actuarial certainty of policies maturing, which is further enhanced by the law of large numbers.

# 2006 Life Settlement Industry Outlook

A LOOK FORWARD AT THE TRENDS AND ISSUES IMPACTING THE LIFE SETTLEMENT INDUSTRY

#### **Increased Scrutiny**

Rapid growth and analysis by rating agencies and investing companies have caused the life settlement industry to be placed under a microscope, especially by state regulators and national organizations.

Last year marked a significant level of scrutiny received by the life settlement industry due largely in part to the requirements associated with institutional investors and rating agencies such as Standard & Poor's and the Scope Group. Demands for providers to standardize fees, implement cost efficiencies, and employ greater transparency when conducting transactions have forced many companies to reexamine the ways in which they do business. As part of this process, Gary Wessely, Executive Vice President of Sales and Marketing of Westlake Village, CA based Life Advisors believes many questions will be raised because funders are seeking solutions to lower costs, purchasers are exploring new segments, agents are examining fiduciary responsibilities, and brokers are considering the pros/cons of being a volume or value based business.

Significant changes will occur in 2006 relating to accounting guidelines set forth by the Financial Accounting Standards Board (FASB). Darwin Bayston, Managing Director of Kennesaw. GA based Life Settlement Consulting & Management explains saying, "the new FASB changes will be viewed as a watershed event. Pension funds, endowments. and foundations will now consider life settlements as an attractive asset class." Bayston believes this will result in an unprecedented unveiling of sophisticated valuation and portfolio analysis and management models and techniques. He also believes there will be intensive analysis of mortality and life expectancy estimates and their impact on investment returns. Agreeing, Stephen Ziegler, Attorney for Ft. Lauderdale, FL based Murray, Simmons & Ziegler, believes that regulators will focus their attention on life expectancy providers, as was the case in Florida for 2005. Ziegler contends that other states such as California, New York, or Texas may soon follow Florida's approach and adopt similar regulation. He also believes this will lead to numerous issues regarding consumer protection and privacy of medical information.



> Contributing Life Settlement Industry Experts

As the industry approaches a decade of expansion and begins to mature, the gathering of reliable statistics from providers and brokers in the supply chain will be necessary, says Matt Ganovsky, Co-President of Orlando, FL based Advanced Settlements. Ganovsky believes that one of the most compelling statistics that garners attention from both detractors and supporters, is the amount seniors are receiving in excess of the cash surrender value. Sue Blake, President of Scottsdale, AZ based National Living Settlement agrees by saying there will be a nationwide demand for greater standards and accountability as is the case in her home state of Arizona.

# New Development

Because of this demand by investors and regulators for standards, consistency, and transparency, new products, services, and business sectors will enter the market. Some of these new developments are already demonstrating early signs of success.

One such product generating a lot of buzz is premium finance. As a short term solution for the purchase of large life policies by seniors, premium finance is definitely a hot topic, or as Alex Sirotkin, President and CEO of Brooklyn, NY based Integrity Life Settlements, says a "hot potato." According to Sirotkin, carriers and marketers are currently at odds regarding the subject. "At the root of it all is the carriers' pervasive fear that tax

advantages afforded to the life insurance death benefit will be revoked in response to malevolence uncovered within the ranks. At the other end of the spectrum is the slickness and short-sightedness of one-off marketers who frequently make over-the-top claims." He believes that the sooner the industry starts talking about the facts, the sooner premium finance will have a legitimate and permanent role within the industry.



Another group of products promising growth, are two to five year old policies, suggests Robert Finfer, President of Bethesda, MD based Integrity Settlement Group. Finfer believes that although sales of single and second-to-die policies will continue to be a steady source of revenue, this new group will be the trend for the next 24 months due to the replacement of those policies with better and more affordable insurance products.

Technology is quickly making a major impact on life settlement industry services, particularly relating to website tools and auctions. iPipeline is a Exton, PA online content provider that supplies website tools for life settlement providers, brokers, agents, and advisors. Larry Berran, President and CEO, explains by saying that iPipeline's platform provides distributors with a solution to control agent relationships, while making it easier for agents to process business. Benefits include standardization and distribution of content, forms, and marketing material.

Life-X and Simex are other examples of new online services both of whom offer life settlement auction websites. "Web-based. real-time auctions are an ideal way to extract the most value from an unneeded life insurance policy," says Jim Cavoli, CEO of Cleveland, OH based Life-X. Cavoli continues by saying the speed and efficiency of open, forward auctions will eliminate weeks, and in some cases months, from each negotiated settlement, while delivering scale and transparency to the market. Josh Jenkins, Co-Founder of Simex, a San Diego, CA based company adds "transparency and disclosure give clients and those keeping an eye on our industry an increased confidence about life settlement transactions."

As the many uses for life settlements continue to be discovered, new sectors will continued to be pursued. One sector that will receive attention in 2006 is Trust Owned Life Insurance (TOLI). According to Randy Whitelaw, Managing Director of St. Louis, MO based Trust Asset Consultants, there are thousands of TOLI policies that are unneeded, unsuitable, and underperforming due to changes in trust objectives, future tax law uncertainties, and declining insurance policy crediting rates and returns; hence, many TOLI policies require restructure.

What can trust officers do to capitalize on this trend? Ionathan Proby, Managing Partner of Hollywood, FL based Institutional Life Settlement Advisors recommends officers regularly re-examine trust assets to make sure they are consistent with their original intent. Proby also reminds officers to be cognizant when performing a 1035 exchange because in some cases a life settlement may offer a greater value.

Charitable organizations are a primary sector that life settlement professionals are turning to. Why? Because according to Marlene Frith, Marketing Director for Orlando, FL based Advanced Settlements, life settlements and charitable giving share a common

element: high net worth seniors. Frith explains "planned giving staff at non-profits tell us that they often cash in life insurance policies immediately upon receipt, and some have declined to accept policies due to the maintenance involved." She continues by saying that "we are seeing an increased level of activity as wealth managers and planned giving staff understand the utility of a life settlement." In one example Frith outlined, they assisted a major university with a life settlement transaction on a \$1.6 million policy that resulted in a \$600,000 offer.

In summary, 2006 promises continued growth. Production levels will increase as well as the number of entrants joining the life settlement market. BGA's and BD's will also make moves during the new year, as well as carriers. Global demand by institutional investors may lead to temporary shortages in qualified policies. The industry will continue to be under a magnifying glass by rating agencies, institutional investors, and regulators focusing on standards, transparency, life expectancy providers, and consumer privacy issues. This will result in new products, services, and sectors being developed. ?

<sup>1</sup> Bernstein Research Call Report, March 2005.

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# Sales & Marketing Strategies

A LOOK AT SALES AND MARKETING STRATEGIES TO IMPACT YOUR BOTTOM LINE

ow that we've heard from our team of experts on where the industry is heading in 2006, let's take a look at some tips they've offered to help you keep up.

#### Working with Professionals

Robert Christensen, Principal of Barrington, IL based R.R. Christensen Insurance Services proclaims that life settlements have brought back excitement to his marketing efforts. which is an impressive testament coming from a professional with thirty years in the life insurance and employee benefit arena who has seen more than his share of so-called "hot" products. Christensen believes it's important to work with professionals to help ensure positive results throughout the sales process. Jeffery Levine, Managing Partner of Farmington, MI based Financial Options Group adds that when executed properly, a life settlement transaction provides a win/win situation for all parties involved.

But what is the best way to proceed? According to Laurence Herman, President of Oak Brook, IL based Herman Agency, there are many factors an advisor must consider when analyzing a client's existing life insurance coverage. Is the policy underperforming, should it be replaced via a Section 1035, or sold for more than the surrender value to a life settlement provider? If sold, is it best to deposit the full amount of the after-tax proceeds into the new policy as a lump-sum deposit or purchase a life contingent immediate annuity? Herman recommends advisors utilize the expertise of Brokerage General Agencies (BGA's) who are skilled in all of these different areas. Mark Naimy, Marketing Director of Colorado Springs, CO based CIGI Direct Insurance Services, points out that BGA's can also offer conversions and sales of new policies, both of which play a part in the life settlement

transaction process. James Cavoli, CEO of Cleveland, OH based Life-X and Life Settlement Insights adds that good BGA's also offer better screening tools and help streamline the process, which translates to quicker, more profitable transactions and increased customer satisfaction. Steven Arenson, Partner of Winnetka, IL based The Norseman Group agrees, explaining that the most successful transactions are when a single broker is chosen who controls the entire process from start to finish. This way Arenson believes a level of trust is formed. He cautions against the use of multiple brokers for single cases due to low closing ratios, irregular fee structures, redundancies in processing and communication, and unnecessary risk that occur. His advice to agents and advisors entering the market, is to run the due diligence, choose one broker, then let them earn your business. ?

### TIPS ON CHOOSING A LIFE SETTLEMENT BROKER

#### Bv Iordana Balsam

The key to finding a good life settlement broker is to look for the following qualities:

- Relationships: Brokers' strong relationships with multiple institutional buyers provides
  direct access to the highest bidders for clients' policies. Sophisticated brokers get the job
  done ethically, legitimately, and in an expedient and efficient manner.
- Options: Although many brokers and agents claim to be independent, a truly independent broker is one that works with the entire spectrum of funding sources—opening the door for better offers to policy sellers.
- **Negotiation:** Brokers offer strong negotiation skills by understanding the market value in shopping a policy around. By acting as a key middleman, the broker understands the importance of negotiation and masters the entire bidding process.
- Competitiveness: Funders prefer to work with sophisticated, well-informed brokers as it helps them to understand the marketplace and affords them the opportunity to be as competitive as possible.

- Look for an independent broker with established relationships to institutional funders offering E&O insurance coverage.
- Ask for references, both from funders as well as their clients.
- Verify that the broker is licensed in the states that pertain to your clients.
- Review the broker's website for convenient ways to download materials or forms.
- Clarify with the broker their policy for sending out for medical records.
- **Regulation:** It should not be difficult in the coming year to find a licensed broker because the growth in state regulation ensures that brokers need to be licensed on a state-by-state basis and those requirements are increasing.
- Convenience: Many established advisors do not necessarily have the time or the resources to do life settlements on a one time basis, and will depend more and more on the help of an experienced brokerage firm to make the process as easy as possible. Sophisticated life settlement brokers provide marketing tools and a seamless life settlement process so the fiduciary representative can present a complete package to their clients.
- **Price:** A good broker will pay for and order the policy owner's complete medical records to expedite the transaction and simplify the advisor's job. There should be no cost incurred to anyone but the settlement broker. Then the broker's real job begins: negotiating the highest possible offer in the most organized and expedient way.

It's a bottom line business, and a talented broker will strive to get the most money possible for the agent and the policy owner. And the bottom line is: To get the most money for your client. It's that simple.  $\circ$ 

# **Industry Survey Results**

A LOOK AT RECENT LIFE SETTLEMENT INDUSTRY SURVEYS

wo life settlement industry surveys were prepared for 2006, one by Maple Life Financial and the other by The Agent's Sales Journal.

Sent out to agents, brokers, and advisors the Maple Life Financial survey sought to determine the most important issues and gain a greater understanding of the various audiences. Visit www.MapleLifeFinancial.com for full results. The Agent's Sales Journal survey was sent out to independent and captive agents and sought to gauge awareness, measure activity, and determine needs. Results will be published in the March edition of The Agent's Sales Journal, along with ASJ's Guide to Life Settlements. Both surveys provide financial service professionals a look at the current state of the life settlement industry. Take a look at some highlights to see how you compare.

Surveys' Highlights			
% of Responde	MAPLE LIFE FINANCIAL	% OF RESPONDEN	AGENT'S SALES JOURNA
76%	Know about life settlements	61%	Yes—would discuss life settlements with eligible
54%	Have clients who have surrendered a life insurance		clients
	policy	82%	Have not completed a life settlement transaction
25%	Have completed a life		
	settlement transaction	60%	Don't know enough about subject—reason why not
26%	Baby boomers—most		
	important issue for 2006	26%	Finding prospects—greatest challenge
26%	Awareness—greatest barrier		
	preventing new entrants	48%	Education & training— greatest need

INDUSTRY OUTLOOK

- STRATEGIES

  INDUSTRY SURVEY RESULTS
  - INDUSTRY OUTLOOK

    SALES & MARKETING
  - 2006 LIFE SETTLEMENT
    - YEAR IN REVIEW

An inside look at where the industry is heading, including discussions on the top issues, insight from industry professionals, and valuable facts, figures, and projections.

TAKING A CLOSER LOOK—
THE 2006 LIFE SETTLEMENT INDUSTRY OUTLOOK

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