

## Rates rise for the Athene BCA product suite!

Effective May 29, 2020

Great news! New money rates are rising on Athene® BCA® 2.0 and Athene® Velocity. Rate grids with current and new rates can be found below.

Your organization may not offer all products shown. Please contact your Independent Distribution Company for product availability.

These changes will be effective with a contract date on or after **May 29, 2020**. The contract effective date is the date the contract has been deemed in good order and all funds received. While we cannot reissue contracts, any pending business will receive the new rates if the contract date is on or after the rate change effective date.

Revised materials will be available on <u>Athene Connect</u> beginning **May 29, 2020**. Be sure to use up-to-date materials when offering Athene annuities. You may experience slight processing delays on any print orders in the days before or after a rate change effective date.

## Participation Rates

BCA 6 2.0	Annual Strategy Charge		2-year Participation Rate	
	Current	New	Current	New
S&P 500⊚ Index	1.75%	No change	35%	38%
	0.00%	No change	10%	13%
Shiller Barclays CAPE⊚ US Index	1.75%	No change	57%	67%
	0.00%	No change	18%	23%
Shiller Barclays Global Index	1.75%	No change	120%	122%
	0.00%	No change	35%	37%
Merrill Lynch RPM Indexтм	1.75%	No change	130%	132%
	0.00%	No change	45%	47%
	1.75%	No change	120%	122%

Wisdom Tree Siegel Strategic Value Indexтм	0.00%	No change	35%	37%
Minimum Interest Credit			3.00%	No change

BCA 8 2.0	Annual Strategy Charge		2-year Participation Rate	
	Current	New	Current	New
S&P 500⊚ Index	1.75%	No change	37%	40%
	0.00%	No change	11%	14%
Shiller Barclays CAPE⊚ US Index	1.75%	No change	60%	70%
	0.00%	No change	20%	25%
Shiller Barclays Global Index	1.75%	No change	125%	127%
	0.00%	No change	40%	42%
Merrill Lynch RPM Indexтм	1.75%	No change	135%	137%
	0.00%	No change	50%	52%
Wisdom Tree Siegel Strategic Value Indexтм	1.75%	No change	125%	127%
	0.00%	No change	40%	42%
Minimum Interest Credit			4.00%	No change

BCA 10 2.0	Annual Strategy Charge		2-year Participation Rate	
	Current	New	Current	New
S&P 500⊚ Index	1.75%	No change	38%	41%
	0.00%	No change	13%	16%
Shiller Barclays CAPE⊚ US Index	1.75%	No change	62%	72%
	0.00%	No change	23%	28%
Shiller Barclays Global Index	1.75%	No change	130%	132%
	0.00%	No change	45%	47%
Merrill Lynch RPM Indexтм	1.75%	No change	140%	142%
	0.00%	No change	55%	57%
Wisdom Tree Siegel Strategic Value	1.75%	No change	130%	132%
Indexтм	0.00%	No change	45%	47%

Minimum Interest Credit 5.00% No change

BCA 12 2.0	Annual Strategy Charge		2-year Participation Rate	
	Current	New	Current	New
S&P 500⊚ Index	1.75%	No change	43%	46%
	0.00%	No change	17%	20%
Shiller Barclays CAPE⊚ US Index	1.75%	No change	70%	80%
	0.00%	No change	30%	35%
Shiller Barclays Global Index	1.75%	No change	150%	152%
	0.00%	No change	60%	62%
Merrill Lynch RPM Indexтм	1.75%	No change	160%	162%
	0.00%	No change	70%	72%
Wisdom Tree Siegel Strategic Value Indexтм	1.75%	No change	150%	152%
	0.00%	No change	60%	62%
Minimum Interest Credit			6.00%	No change

Athene Velocity	Annual Strategy Charge		2-year Participation Rate	
	Current	New	Current	New
S&P 500⊚ Index	1.75%	No change	38%	41%
	0.00%	No change	13%	16%
Shiller Barclays CAPE⊚ US Index	1.75%	No change	62%	72%
	0.00%	No change	23%	28%
Shiller Barclays Global Index	1.75%	No change	130%	132%
	0.00%	No change	45%	47%
Merrill Lynch RPM Indexтм	1.75%	No change	140%	142%
	0.00%	No change	55%	57%
Wisdom Tree Siegel Strategic Value	1.75%	No change	130%	132%
Indexтм	0.00%	No change	45%	47%

- Visit MyAnnexus.com for product information and to run an illustration.
- Please see the <u>rate card and state approval map</u> for additional details.



Thank you for your business. At Athene, unconventional thinking powers great client value. For product and sales support, please contact your Independent Distribution Company.

Rates are subject to change at any time.

The Athene BCA 2.0 [ANN19 (01/19), ANN19CS06(01/19), ANN19CS08 (01/19), ANN19CS10 (01/19), ANN19CS12 (01/19)]; The Athene Velocity [ANN19 (01/19), ASP19CS (01/19)]; the Athene Velocity Income Rider [ASPIR (01/19), ASPIRRS (01/19)]; the Family Endowment Rider [PBEDB (01/19), PBEDBRS (01/19)]; the Balanced Allocation Lifetime Income Rider [ANNIRS (01/19), ANNIRSRS (01/19), ANNIRFRS (01/19), ANNIRFRS (01/19)] or state variations are issued by Athene Annuity and Life Company, West Des Moines, IA. Product features, limitations and availability vary; see Certificate of Disclosure for full details. Products not available in all states.

The "S&P 500®" is a product of S&P Dow Jones Indices LLC, a division of S&P Global, or its affiliates ("SPDJI") and has been licensed for use by Athene Annuity and Life Company. Standard & Poor's® and S&P® are registered trademarks of Standard & Poor's Financial Services LLC, a division of S&P Global ("S&P"); Dow Jones® is a registered trademark of Dow Jones Trademark Holdings LLC ("Dow Jones"); and these trademarks have been licensed for use by SPDJI and sublicensed for certain purposes by Athene Annuity and Life Company. It is not possible to invest directly in an index. Athene Annuity and Life Company's Products are not sponsored, endorsed, sold or promoted by SPDJI, Dow Jones, S&P, any of their respective affiliates (collectively, "S&P Dow Jones Indices"). S&P Dow Jones Indices do not make any representation or warranty, express or implied, to the owners of the Athene Annuity and Life Company's Products or any member of the public regarding the advisability of investing in securities generally or in Athene Annuity and Life Company's Products particularly or the ability of the S&P 500eto track general market performance. Past performance of an index is not an indication or guarantee of future results. S&P Dow Jones Indices' only relationship to Athene Annuity and Life Company with respect to the S&P 500® is the licensing of the Index and certain trademarks, service marks and/or trade names of S&P Dow Jones Indices and/or its licensors. The S&P 500® is determined, composed and calculated by S&P Dow Jones Indices without regard to Athene Annuity and Life Company's Products. S&P Dow Jones Indices have no obligation to take the needs of Athene Annuity and Life Company or the owners of Athene Annuity and Life Company's Products into consideration in determining, composing or calculating the S&P 500®. S&P Dow Jones Indices are not responsible for and have not participated in the determination of the prices, and amount of Athene Annuity and Life Company's Products or the timing of the issuance or sale of Athene Annuity and Life Company's Products or in the determination or calculation of the equation by which Athene Annuity and Life Company's Products are to be converted into cash, surrendered or redeemed, as the case may be. S&P Dow Jones Indices has no obligation or liability in connection with the administration, marketing or trading of Athene Annuity and Life Company's Products. There is no assurance that investment products based on the S&P 500® will accurately track index performance or provide positive investment returns. S&P Dow Jones Indices LLC is not an investment or tax advisor. A tax advisor should be consulted to evaluate the impact of any tax-exempt securities on portfolios and the tax consequences of making any particular investment decision. Inclusion of a security within an index is not a recommendation by S&P Dow Jones Indices to buy, sell, or hold such security, nor is it considered to be investment advice.

NEITHER S&P DOW JONES INDICES NOR THIRD PARTY LICENSOR GUARANTEES THE ADEQUACY, ACCURACY, TIMELINESS AND/OR THE COMPLETENESS OF THE S&P 500® OR ANY DATA RELATED THERETO OR ANY

COMMUNICATION, INCLUDING BUT NOT LIMITED TO, ORAL OR WRITTEN COMMUNICATION (INCLUDING ELECTRONIC COMMUNICATIONS) WITH RESPECT THERETO. S&P DOW JONES INDICES SHALL NOT BE SUBJECT TO ANY DAMAGES OR LIABILITY FOR ANY ERRORS, OMISSIONS, OR DELAYS THEREIN. S&P DOW JONES INDICES MAKES NO EXPRESS OR IMPLIED WARRANTIES, AND EXPRESSLY DISCLAIMS ALL WARRANTIES, OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR USE OR AS TO RESULTS TO BE OBTAINED BY ATHENE ANNUITY AND LIFE COMPANY, OWNERS OF THE ATHENE ANNUITY AND LIFE COMPANY'S PRODUCTS, OR ANY OTHER PERSON OR ENTITY FROM THE USE OF THE S&P 500® OR WITH RESPECT TO ANY DATA RELATED THERETO. WITHOUT LIMITING ANY OF THE FOREGOING, IN NO EVENT WHATSOEVER SHALL S&P DOW JONES INDICES BE LIABLE FOR ANY INDIRECT, SPECIAL, INCIDENTAL, PUNITIVE, OR CONSEQUENTIAL DAMAGES INCLUDING BUT NOT LIMITED TO, LOSS OF PROFITS, TRADING LOSSES, LOST TIME OR GOODWILL, EVEN IF THEY HAVE BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES, WHETHER IN CONTRACT, TORT, STRICT LIABILITY, OR OTHERWISE. THERE ARE NO THIRD-PARTY BENEFICIARIES OF ANY AGREEMENTS OR ARRANGEMENTS BETWEEN S&P DOW JONES INDICES AND ATHENE ANNUITY AND LIFE COMPANY, OTHER THAN THE LICENSORS OF S&P DOW JONES INDICES.

Barclays Capital Inc. and its affiliates ("Barclays") is not the issuer or producer of the Products referenced herein and Barclays has no responsibilities, obligations or duties to purchasers in these Products. The Shiller Barclays CAPE® US Sector Risk Controlled 10% USD Total Return Index and the Shiller Barclays Global Index (collectively, the "Indices") are trademarks owned by Barclays Bank PLC and licensed for use by Athene Annuity and Life Company ("Athene") as the issuer of one or more fixed indexed annuities (the "Product(s)"). Barclays only relationship with Athene in respect of the Indices is the licensing of the Indices, which is determined, composed and calculated by Barclays without regard to Athene or the Product(s) or the owners of the Product(s). While Athene may for itself execute transaction(s) with Barclays in or relating to the Indices in connection with the Product(s), purchasers acquire the Product(s) from Athene and purchasers neither acquire any interest in the Indices nor enter into any relationship of any kind whatsoever with Barclays upon making a purchase of the Product(s). The Product(s) are not sponsored, endorsed, sold or promoted by Barclays. Barclays does not make any representation or warranty, express or implied regarding the advisability of purchasing the Product(s) or the ability of the Indices to track corresponding or relative market performance. Barclays has not passed on the legality or suitability of the Product(s) with respect to any person or entity. Barclays is not responsible for and has not participated in the determination of the timing of, prices at, or quantities of the Product(s) to be issued. Barclays has no obligation to take the needs of Athene or the owners of the Product(s) or any other third party into consideration in determining, composing or calculating the Indices. Barclays has no obligation or liability in connection with administration, marketing of the Product(s).

The Shiller Barclays CAPE® US Sector Risk Controlled 10% USD Total Return Index and the Shiller Barclays Global Index (collectively, the "Indices") have been developed in part by RSBB, LLC, the research principal of which is Robert J. Shiller. RSBB, LLC is not an investment advisor and does not guarantee the accuracy and completeness of the Indices or any data or methodology either included therein or upon which they are based. RSBB, LLC shall have no liability for any errors, omissions or interruptions therein and makes no warranties expressed or implied, as to the performance or results experienced by any party from the use of any information included therein or upon which it is based, and expressly disclaims all warranties of the merchantability or fitness for a particular purpose with respect thereto, and shall not be liable for any claims or losses of any nature in connection with the use of such information, including but not limited to, lost profits or punitive or consequential damages even, if RSBB, LLC is advised of the possibility of same.

The licensing agreement between Athene and Barclays is solely for the benefit of Athene and Barclays and not for the benefit of the owners of the Product(s) or other third parties.

BARCLAYS SHALL HAVE NO LIABILITY TO THE ISSUER, PURCHASERS OR TO OTHER THIRD PARTIES FOR THE QUALITY, ACCURACY AND/OR COMPLETENESS OF THE INDICES OR ANY DATA INCLUDED THEREIN OR FOR INTERRUPTIONS IN THE DELIVERY OF THE INDICES. BARCLAYS MAKES NO WARRANTY, EXPRESS OR IMPLIED, AS TO RESULTS TO BE OBTAINED BY THE ISSUER, THE PURCHASERS OR ANY OTHER PERSON OR ENTITY FROM THE USE OF THE INDICES OR ANY DATA INCLUDED THEREIN. BARCLAYS MAKES NO EXPRESS OR IMPLIED WARRANTIES, AND HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR USE WITH RESPECT TO THE INDICES OR ANY DATA INCLUDED

THEREIN. BARCLAYS RESERVES THE RIGHT TO CHANGE THE METHODS OF CALCULATION OR PUBLICATION, OR TO CEASE THE CALCULATION OR PUBLICATION OF THE INDICES, AND BARCLAYS SHALL NOT BE LIABLE FOR ANY MISCALCULATION OF OR ANY INCORRECT, DELAYED OR INTERRUPTED PUBLICATION WITH RESPECT TO THE INDICES. BARCLAYS SHALL NOT BE LIABLE FOR ANY DAMAGES, INCLUDING, WITHOUT LIMITATION, ANY SPECIAL, INDIRECT OR CONSEQUENTIAL DAMAGES, OR ANY LOST PROFITS AND EVEN IF ADVISED OF THE POSSIBILITY OF SUCH, RESULTING FROM THE USE OF THE INDICES OR ANY DATA INCLUDED THEREIN OR WITH RESPECT TO THE PRODUCT(S).

None of the information supplied by Barclays and used in this publication may be reproduced in any manner without the prior written permission of Barclays Capital, the investment banking division of Barclays Bank PLC. Barclays Bank PLC is registered in England No. 1026167. Registered office 1 Churchill Place London E14 5HP.

Athene Annuity and Life Company's Product ("Product") is not sponsored, endorsed, sold or promoted by Merrill Lynch, Pierce, Fenner & Smith Incorporated or its affiliates ("BofA Merrill Lynch"). BofA Merrill Lynch has not passed on the legality or suitability of, or the accuracy or adequacy of descriptions and disclosures relating to, the Product, nor makes any representation or warranty, express or implied, to the owners of Product or any member of the public regarding the Product or the advisability of purchasing the Product, particularly the ability of the Merrill Lynch RPM Index<sub>TM</sub> ("Index") to track performance of any market or strategy. Athene Annuity and Life Company ("Licensee") is licensing certain trademarks and trade names and the Index or components thereof. The Index is determined, composed and calculated by BofA Merrill Lynch without regard to the Licensee or the Product or its holders. BofA Merrill Lynch has no obligation to take the needs of the Licensee or the holders of the Product into consideration in determining, composing or calculating the Index. BofA Merrill Lynch is not responsible for and has not participated in the determination of the timing of, prices of, or quantities of the Product to be issued or in the determination or calculation of the equation by which the Product is to be priced, sold, or purchased, or redeemed. BofA Merrill Lynch has no obligation or liability in connection with the administration or marketing of the Product.

BOFA MERRILL LYNCH DOES NOT GUARANTEE THE ACCURACY AND/OR THE COMPLETENESS OF THE INDEX OR ANY DATA INCLUDED THEREIN AND BOFA MERRILL LYNCH SHALL HAVE NO LIABILITY FOR ANY ERRORS, OMISSIONS, UNAVAILABILITY, OR INTERRUPTIONS THEREIN. BOFA MERRILL LYNCH MAKES NO WARRANTY, EXPRESS OR IMPLIED, AS TO RESULTS TO BE OBTAINED BY LICENSEE, HOLDERS OF THE PRODUCT OR ANY OTHER PERSON OR ENTITY FROM THE USE OF THE INDEX OR ANY DATA INCLUDED THEREIN. BOFA MERRILL LYNCH MAKES NO EXPRESS OR IMPLIED WARRANTIES AND EXPRESSLY DISCLAIMS ALL WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR USE, WITH RESPECT TO THE INDEX OR ANY DATA INCLUDED THEREIN. WITHOUT LIMITING ANY OF THE FOREGOING, IN NO EVENT SHALL BOFA MERRILL LYNCH HAVE ANY LIABILITY FOR ANY SPECIAL, PUNITIVE, INDIRECT, INCIDENTAL, CONSEQUENTIAL DAMAGES, OR LOST PROFITS, EVEN IF NOTIFIED OF THE POSSIBILITY OF SUCH DAMAGES.

"BofA Merrill Lynch®" and the "Merrill Lynch RPM Index™ "are trademarks of Merrill Lynch, Pierce, Fenner & Smith Incorporated or its affiliates and have been licensed for use by Athene Annuity and Life Company.

The Merrill Lynch RPM Indextm is the property of BofA Merrill Lynch, which has contracted with S&P Opco, LLC (a subsidiary of S&P Dow Jones Indices LLC) to calculate and maintain the Index. The Index is not sponsored by S&P Dow Jones Indices or its affiliates or its third-party licensors (collectively, "S&P Dow Jones Indices"). S&P Dow Jones Indices will not be liable for any errors or omissions in calculating the Index. "Calculated by S&P Dow Jones Indices" and the related stylized mark(s) are service marks of S&P Dow Jones Indices and have been licensed for use by Licensee.

The WisdomTree Siegel Strategic Value Index<sub>TM</sub> (the "Index") is the exclusive property of Canadian Imperial Bank of Commerce (Canadian Imperial Bank of Commerce, together with its affiliates, "CIBC"). CIBC has engaged Bloomberg Finance L.P. ("Bloomberg") to maintain and to make certain calculations related to the Index. "Canadian Imperial Bank of Commerce", "CIBC", and "Index" (collectively, the "CIBC Marks") are trademarks or service marks of CIBC. CIBC has licensed use of the CIBC Marks to Athene Annuity and Life Company ("Athene") for use in one or more fixed indexed

annuities offered by Athene (the "Product(s)"). CIBC is not the issuer of the Products and its sole contractual relationship with Athene is to license the Index and the CIBC Marks to Athene.

CIBC, Jeremy Siegel ("Siegel"), senior research advisor to WisdomTree Investments, Inc. ("WisdomTree"), and WisdomTree each contributed to the development of the Index without considering the needs of Athene or any annuitant. "WisdomTree®" is a registered trademark of WisdomTree. WisdomTree and Siegel have licensed certain rights to CIBC to use their names in connection with the Index and the inclusion of such names in the Index should not be considered or relied upon as a recommendation by WisdomTree or Siegel regarding the use or suitability of the Index. None of CIBC, WisdomTree, Bloomberg or Siegel are affiliated with each other or control or are controlled by each other. None of CIBC, Bloomberg, Siegel or WisdomTree or any other third-party licensor (collectively, the "Index Parties") to CIBC is acting, or has been authorized to act, as an agent of Athene or has in any way sponsored, promoted, solicited, negotiated, endorsed, offered, sold, issued, supported, structured or priced the Products or provided investment advice or any other advice to Athene or any annuitant. The Index Parties are not the issuer of the Products. Purchasers of the Products neither acquire an interest in the Index nor enter into any relationship of any kind whatsoever with the Index Parties.

No Index Party has passed on the legality or suitability of, or the accuracy or adequacy of the descriptions and disclosures relating to, any Product, including those disclosures with respect to the Index. The Index Parties make no representation whatsoever, whether express or implied, as to the advisability of purchasing, selling or holding any product linked to the Index, including the Products, or the ability of the Index to meet its stated objectives, including meeting its target volatility. The Index Parties have no obligation to, and will not, take the needs of Athene or any annuitant into consideration in determining, composing or calculating the Index. The selection of the Index as a crediting option under the Products does not obligate Athene to invest annuity premiums in the components of the Index.

THE INDEX PARTIES MAKE NO REPRESENTATION OR WARRANTY WHATSOEVER, WHETHER EXPRESS OR IMPLIED, REGARDING THE INDEX, ITS DEVELOPMENT AND HAVE NO RESPONSIBILITIES, OBLIGATIONS OR LIABILITIES WITH RESPECT TO ITS INCEPTION, ADJUSTMENT, MAINTENANCE, OPERATION OR CALCULATION. AND HEREBY EXPRESSLY DISCLAIM ALL WARRANTIES (INCLUDING, WITHOUT LIMITATION, THOSE OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR USE OR THE ADVISABILITY OF ANY PERSON PURCHASING ANY PRODUCT), WITH RESPECT TO THE INDEX OR ANY DATA INCLUDED THEREIN OR RELATING THERETO, AND IN PARTICULAR DISCLAIM ANY GUARANTEE OR WARRANTY AND SHALL HAVE NO LIABILITY AS TO THE QUALITY, ACCURACY, ADEQUACY, TIMELINESS, COMPLETENESS OR AVAILABILITY OF THE INDEX OR ANY DATA INCLUDED THEREIN, THE RESULTS OBTAINED FROM THE USE OF THE INDEX AND/OR THE COMPOSITION OF THE INDEX AT ANY PARTICULAR TIME ON ANY PARTICULAR DATE OR OTHERWISE. THE INDEX PARTIES SHALL NOT BE LIABLE (WHETHER IN NEGLIGENCE OR OTHERWISE) TO ANY PERSON FOR ANY ERROR OR OMISSION IN THE INDEX OR IN THE CALCULATION OF THE INDEX, AND THE INDEX PARTIES ARE UNDER NO OBLIGATION TO ADVISE ANY PERSON OF ANY ERROR THEREIN, OR FOR ANY INTERRUPTION IN THE CALCULATION OF THE INDEX. NO INDEX PARTY SHALL HAVE ANY LIABILITY TO ANY PARTY FOR ANY ACT OR FAILURE TO ACT BY THE INDEX PARTIES IN CONNECTION WITH THE DETERMINATION, ADJUSTMENT OR MAINTENANCE OF THE INDEX. WITHOUT LIMITING THE FOREGOING, IN NO EVENT SHALL AN INDEX PARTY HAVE ANY LIABILITY FOR ANY DIRECT DAMAGES, LOST PROFITS OR SPECIAL, INCIDENTAL, PUNITIVE, INDIRECT OR CONSEQUENTIAL DAMAGES, EVEN IF NOTIFIED OF THE POSSIBILITY OF SUCH DAMAGES.

No Index Party is a fiduciary or agent of any purchaser, seller or holder of any Product, or has made any representation or warranty, express or implied, regarding the advisability of purchasing, selling or holding any Product or the ability of the Index to track corresponding or relative market performance. No Index Party shall have any liability with respect to any Product in which an interest crediting option is based on the Index, nor for any loss relating to any Product, whether arising directly or indirectly from the use of the Index, its methodology, or otherwise. Any obligation to invest annuity premiums received under the Products are determined solely by Athene.

No purchaser, seller or holder of any Product, or any other person or entity, should use or refer to any trademark or tradename of any Index Party to sponsor, endorse, market or promote any Product without first contacting CIBC. Under

no circumstances may any person or entity claim any affiliation with CIBC or any Index Party without the prior written permission of CIBC and such Index Party.

BLOOMBERG is a trademark or service mark of Bloomberg. Bloomberg and its affiliates are not affiliated with Athene or CIBC. Bloomberg's association with CIBC is to act as the administrator and calculation agent of the Index, which is the property of CIBC. Bloomberg does not guarantee the timeliness, accurateness, or completeness of any data or information relating to the Index. Bloomberg makes no warranty, express or implied, as to the Index, any data or values relating thereto or any financial product or instrument linked to, using as a component thereof or based on the Index ("Index Products") or results to be obtained therefrom, and expressly disclaims all warranties of merchantability and fitness for a particular purpose with respect thereto. To the maximum extent allowed by law, Bloomberg, its licensors, and its and their respective employees, contractors, agents, suppliers, and vendors shall have no liability or responsibility whatsoever for any injury or damages—whether direct, indirect, consequential, incidental, punitive, or otherwise—arising in connection with the Index, any data or values relating thereto or any Index Products—whether arising from their negligence or otherwise.

In calculating the level of the Index, the index methodology deducts a maintenance fee of 0.20% per year, calculated daily. This fee will reduce the level of the Index and thus the amount of interest, if any, that will be credited to any Product. Furthermore, while the volatility control applied by CIBC may result in less fluctuation in rates of return as compared to indices without volatility controls, it may also reduce the overall rate of return as compared to other indices not subject to volatility controls.