

# NATI NEWSWIRE

## SENIOR SAFETY ISSUES

### **The attorney general accused two California businesses of targeting the elderly using scare tactics and false claims**

Minn., By [Susan Feyder](#), Star Tribune

By all accounts, Steven Shimek's elderly parents are the last people who should have a living trust. Most of their income comes from Social Security, and they already have a will covering the rest of their modest assets, said Shimek, a retired St. Paul police officer.

So he was shocked when he found that they had been targeted by an aggressive sales campaign for living trusts and had bought one for \$2,500. Shimek said the seller refused to respond to his inquiries about the sale to his 90-year-old father and 85-year-old mother, who both suffer from dementia and live in an assisted-care facility.

"My mother had forgotten that she had even written the check," Shimek said.

A lawsuit filed Wednesday against two California companies that sold the living trust to Shimek's parents and as many as 2,000 other older Minnesotans is the latest move by Minnesota Attorney General Lori Swanson against companies that she contends have illegally marketed millions of dollars in investments to the elderly.

In January, Swanson's office sued Allianz Life Insurance, accusing it of deceiving thousands of elderly people into making investments in deferred annuities that could lock up their money far beyond their life expectancies.

Allianz has denied the allegations.

At a news conference Wednesday that included Shimek, Swanson said her latest suit -- against American Family Legal Plan and Heritage Marketing - is part of a broader focus by her office on companies that illegally target older Minnesotans. The extent of the two companies' activities in Minnesota is still being determined, but Swanson said about \$4 million in trusts may have been sold in the state, while total annuity sales could be as much as \$50 million.

According to Swanson's lawsuit, the elderly were targeted through direct mailings that claimed American Family Legal and Heritage Marketing had special expertise in estate planning and could advise people about how to avoid estate taxes and probate fees.

Those who responded to the mailings were visited in their homes by sales agents posing as estate planners, who sold the living trust plans for \$2,000 or more. The agents received commissions of \$600 to \$800 for each living trust they sold, the suit says.

Swanson said the sales agents would exaggerate the financial impact of probate and estate taxes to scare people into buying the plans, which she said were boilerplate living trusts not tailored to the buyers' needs. Swanson said that many people don't realize that their estates don't have to go through probate if they have less than \$20,000 in assets.

Further, probate "can be a simple procedure," she said. The lawsuit said that when sales agents delivered trust plan documents to buyers, the agents also tried to sell them \$25,000 annuities.

Swanson said the suit, filed in Hennepin County District Court, seeks to stop the two companies from doing business in Minnesota and to get restitution for people who bought the investments.

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### **Daughter ordered to repay millions**

*Zeke MacCormack Express-News—Texas*

An Alamo Heights woman has been directed to return roughly \$20 million to her elderly mother, Lillian Glasser, whose estate was the subject of bitter family feuding in and out of Texas and New Jersey courts.

Glasser, 86, was described as thrilled by the ruling of Judge Alexander Waugh of New Jersey's Middlesex County. The judge's order hammered the daughter, Suzanne Mathews, and denied her bid to be appointed as Glasser's guardian.

After a two-year legal battle, a New Jersey judge resolves the case of a woman whose daughter held her captive in Alamo Heights as the family fought over her independence and her \$25 million fortune.

Last week, the judge:

- Ordered Lillian Glasser's daughter to return about \$20 million to her mother.
- Invalidated a December 2002 will drafted with the help of her daughter.
- Left in force an earlier will that treats Glasser's two children equally.
- Ordered the dissolution of a limited family partnership created by Glasser's daughter with \$24 million of her money.
- Appointed Glasser a new personal guardian, Joseph Cantanese, her court-appointed attorney at the trial.

## Nelson TRIAD Program Helps Area Seniors Feel Safe at Home

By ALICIA PETSKA *The News Virginian* Wednesday, March 28, 2007

LOVINGSTON - Last year, Mabel Sanders fell down while walking through her Nelson County home. The 62-year-old, who uses a walker, couldn't get back up on her own and there was no one else in the house. But she wasn't scared.

"I just pushed my little button," the Lovingston woman said, "and people were there that quick."

Sanders is one of more than 100 Nelson seniors equipped with a Personal Emergency Dialer, a small electronic pendant that can be used to call 911. Distributed by the senior safety group TRIAD and installed by the Sheriff's Office, the devices offer the elderly extra security while still allowing them their independence.

In Sanders' case, the PED summoned not only rescue workers but also her neighbors, relaying to them a pre-recorded plea for help. The dialers supplied under the Nelson program will call up to six numbers when activated, organizers said.

"It used to be I was scared to be alone," said Sanders. "I didn't know if I was going to fall or something. But with this thing, I don't worry anymore. I'm just me."

On Tuesday, Nelson officials celebrated the installation of the 100th PED unit in their community, gathering at the Lovingston senior center for a lunchtime ceremony.

Sheriff's Lt. David Brooks, a TRIAD committee member who installs the PEDs, was on hand to answer questions about the devices.

"For a lot of people, this means they can live independently a little bit longer," he said. "They don't want to give up their independence."

Brooks is currently running for the office of sheriff, seeking to replace the retiring incumbent. When announcing his candidacy last month, he included strengthening the department's work with seniors as one of his priorities. At the moment, he is the only declared candidate in that race.

Nelson volunteers said they hope to provide more area seniors with PEDs, which they are proud to provide for a low one-time charge rather than the monthly fee system more commonly employed elsewhere.

Those interested in receiving more information about the PED program should call Jonae Buckley, of the Jefferson Area Board for Aging, at 434-263-7014.

Those living in the Waynesboro-Staunton area can inquire about local programs with the Valley Program for Aging Services at 1-800-868-8727.

## Suspect in theft pleads not guilty

Harris is accused of burglary and elder financial abuse.

By Reporter Staff TheReporter.Com

An Antioch man arrested on suspicion of bilking hundreds of thousands of dollars from elderly homeowners pleaded not guilty Monday in Solano County Superior Court.

Defendant Walter Prince Harris, 43, made his plea Monday afternoon before Superior Court Commissioner Barbara James. She accepted the plea and scheduled 10:30 a.m. April 10 for a preliminary hearing. In addition, she set 9 a.m. Monday for a readiness conference in the matter.

Harris is held on \$1 million bail and, at the request of defense attorney Barry Newman, James also scheduled a bail reduction hearing for 8:30 a.m. Thursday. All proceedings will be heard by Solano County Superior Court Judge Dwight C. Ely.

Fairfield police arrested Harris on suspicion of grand theft, burglary, financial elder abuse and money laundering on March 22 following a lengthy investigation into financial scams whereby Bay Area investors reportedly were taken for an estimated \$1 million or more.

Some of the offers involved amorphous cash "investments" for the victims, whereas others involved refinancing a victim's home with a promise to profitably invest the equity, according to Fairfield Police Lt. Al Bagos.

Harris remains in Solano County Jail custody.

### Funding Opportunity for your Program

RMS and NATI provide funding opportunities for Triads, Domestic Violence organizations, and other projects.

To participate, RMS requests that your organization collect used cell phones and contact them at:

**911CellphoneBank.com or terrih@sheriffs.org**

RMS pays for shipping phones to them and returns usable cell phones to: law enforcement, senior programs, and domestic violence organizations—to provide cell phones to those in need in your community. Salable phones are recycled, with funds being returned to your organization. Contact RMS or NATI today.

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