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FINRA Investor Complaint Form

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Filing ID: 1442381 (Please retain this number for further inquiries regarding this form)

Submitted Date and Time: 12/31/2010 6:42 PM

NOTE: For your security, and to protect against others seeing your submission, please close all web browser windows as soon as you are done with this page.

FINRA is responsible for determining whether brokerage firms and associated persons are in compliance with the federal securities regulations and FINRA Rules. If a determination is made to initiate an investigation, a FINRA examiner may contact you to obtain further information or documentation about your complaint.

FINRA investigations are conducted for the purpose of protecting all public investors. Information about our investor complaint program and FINRA's role in investigating investor complaints is available online in our Investor Complaint Program brochure at <http://www.finra.org/complaint/InvestorBrochure>.

Please understand that we are not representing you individually in this matter. There is no assurance that any action will result in the return of funds or securities to you. If you feel you are entitled to monetary relief, you may wish to initiate an individual action, such as mediation or arbitration. FINRA provides a forum for resolving individual disputes through FINRA Dispute Resolution.

Filing a complaint through the Investor Complaint Center is not the same as submitting an arbitration claim online. To start an arbitration or mediation, please visit the Arbitration & Mediation section of the FINRA Web site at: <http://www.finra.org/ArbitrationMediation/index.htm>. Information on how to start an arbitration or mediation can be found on the FINRA Web site at: <http://www.finra.org/ArbitrationMediation/index.htm>.

You should print this page for your records.

Type of Complaint: Investment adviser/financial planner

Account information:

Brokerage Firm Name: TRIAD ADVISORS, INC. (CRD Number: 25803)

Brokerage Firm Name: MUTUAL OF OMAHA INVESTOR SERVICES, INC. (CRD Number: 611)

Salesperson Involved: Yes

Name of individual involved: DANIEL DAVILA (CRD Number: 1686004)

Address: 7207 McNeil Dr, Suite #6
Austin, Texas 78729
UNITED STATES

Phone number: 512-258-6637

Customer Information:

Anonymous Complaint: No

Your Name: Mr. Alan Lyle Hamilton

Address: 9902 Childress Dr
Austin , Texas 78753
UNITED STATES

Work Phone: 512-832-6384

Home Phone: 512-507-8813

Fax Number:

E-Mail Address: ecologicalal@gmail.com

Served in Military: No

Age Range: 55-64

Complaint Details:

Security Type: Annuity - Fixed Equity Indexed

Security Symbol:

Security Name: Mutual of Omaha

Dates of Transaction or Activity: From: 12/31/1999 To: 12/31/2010

Problem(s) Reported: Primary: Lost or stolen funds/securities Secondary: Unsuitable recommendations

Amount in Dispute:

Account Type:

Complaint Summary: see all reference evidence at www.probaitcourt.com with login=FINRA and password=licensedcrooks
I thought all of my mother's assets in the Estate Trust, which became Irrevocable on the death of my father in April 2004, were safely invested at Mutual of Omaha, in "Ultra-Secure Annuities". Instead, in Sept 2008, I was informed by the Estate probate attorney Wayne Gronquist, and then by Danny Davila, the Estate CPA hired by my sister after my father's death, that Mutual of Omaha had pre-released all the annuities to my sister in 2004, \$800,000+, shortly after my father's death. Even in 2008, no paperwork was given to me by Danny Davila, who just said, "Your mother and sister were broke, so I just got her money back for her. With no surrender fees either. They only did it cause I have a license," he bragged and added, "Police never look into these kinds of things." In January 2009, Mutual of Omaha sent me the paperwork (see at www.probaitcourt.com). In it is a letter written by Danny Davila and my sister, making up a bunch of reasons why they should pre-release the annuities to my sister, based on a DPOA with my name spelled wrong, supposedly signed by my mother. Brian Dudley was one of my mother's best friends, so they certainly wanted him out of the way, as well as myself. The forged DPOA also removed the 2 doctors certifications required DPOA recorded by my mother at the Travis County Clerks office. A copy of the DPOA from the County Clerks Office is at www.probaitcourt.com. I was not notified of anything until Sept 2008, though I called both Danny Davila and Mutual of Omaha.
In Sept 2008, after my sister's confession to stealing \$800,000 to the Estate attorney Wayne Gronquist, and a meeting with Danny Davila to discuss the theft, Danny Davila and my sister then filed fraudulent taxes right before I became executor. They then tried to get me to sign fraudulent taxes after becoming executor. Rather than demand paperwork from Danny Davila and my sister, in writing, my attorney Wayne Gronquist, charged me \$14,000+, to agree with everything Danny Davila said to do. Danny Davila demanded I sign fraudulent taxes. I refused and Danny

Davila refused to give me any paperwork on the Estate in his file, including even looking at the 2002 and 2003 taxes before being asked to sign an "amended 2004 tax form", which was fraudulent. Finally, on April 14, 2009, while Danny Davila was April 15th exhausted, I stopped by and was able to copy Danny Davila's entire Hamilton Estate file. And what I've found in there is shocking. An email from Austin attorney Brad Seals, with the stealing annuities from a little old lady plan in writing (see at www.probaitcourt.com).

The end result was all the money was gone from the mother's bank account within 2 years, when she ended up dead in the sister's care, after requesting to go into a nursing home, for which she had long-term care insurance to do. The sister lied to me for 3 weeks after my mother died, telling me that my mother was "sleeping", and had my mother cremated before an autopsy could be done. On top of all this, my sister says she wired all the money via Western Union, to a psychic who put her under a spell. But you can see in the paperwork that Mutual of Omaha sent us, Danny Davila named himself the successor DPOA should Sylvia fail to perform her duties, and he did nothing. When I called Danny Davila in 2005, to check if everything was ok, he told me he hadn't talked to my mother and sister in 2 years and had no idea what was going on. In 2006, I went to the Adult Protective Service and Wayne Gronquist, who had looked over my mother's Trust papers for her, and nothing was done. In 2008, I asked Wayne Gronquist and Danny Davila for the annual reports for the trust and the corresponding tax paperwork, which I have found out since then is called a K1. To this day I have never received a K1 from the 2004, 2005, and 2006 tax work that Danny Davila was insisting I pay him \$2000 for, before being allowed to look at it. Danny Davila has stymied any investigation into what happened, rather than assisted strangely enough, as his website says he is a Forensic Accountant. Strangely, everyone wants to submit fraudulent taxes and not tell the police, even though they all say they were ripped off by a psychic. I have never met Brad Seals, but apparently he was the one who started the chain of events with Danny Davila, designed to "avoid probate", with no due diligence by Mutual of Omaha to ask the other named beneficiary if he had been informed of what was going on. That's all it would have taken to prevent this robbery: one certified letter to the other named beneficiary, whose name was spelled incorrectly on a DPOA they had received. How many red flags does it take to show fraud? No due diligence was performed and if it had been "arson" and they were to benefit, I'm sure Mutual of Omaha would have investigated rather than covered up the crime. This is no doubt a systemic problem.

Documentation Available:

Description of Additional Documentation:

All of the documents are at www.probaitcourt.com. login with username=FINRA and password=licensedcrooks

Actions you have taken:

Firm Contact:

Have you complained to the Firm? Yes

Details of complaint to the Firm: see www.probaitcourt.com login with username=FINRA with password=licensedcrooks

Other Regulatory Contact:

Have you contacted other regulators? No

Arbitration:

Have you filed an arbitration claim? No

Legal Action Taken:

Have you taken legal action? No

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