



Marjorie Miller <marjiemiller@gmail.com>

Open Season on the Elderly and their Annuities

1 message

Alan Hamilton <ecologicalal@gmail.com>

Thu, Mar 29, 2012 at 7:15 PM

To: ConsumerProtection@tdi.state.tx.us

Cc: Alan Hamilton <ecologicalal@gmail.com>, Marjorie Miller <marjiemiller@gmail.com>

To: ConsumerProtection@tdi.state.tx.us, Texas Department of Insurance Complaints

From: Alan Hamilton, Executor of the Maurine Hamilton Estate/Trust

Re: Annuity Insurance fraud, theft, murder and other crimes

Outline of events and location of documentation:

1) In September 2008, we were told by the Estate lawyer and the accountant, that \$800,000 of Mutual of Omaha annuities had been stolen from my mother's Estate.

2) In December 2008, we wrote Mutual of Omaha requesting information on the annuities and they sent us copies of a mysterious DPOA (Durable Power of Attorney) and letter they had received from the caretaker and the accountant in 2004. They said in their letter that this was why they had released the annuity money to the caretaker and accountant. After we requested an investigation, Mutual of Omaha employee Peggy Rodewald, wrote that they had given the money to Maurine Hamilton, not the caretaker and accountant, but that the caretaker had stolen an additional \$100,000 from Mutual of Omaha, which we now owed them. They then sent collections agencies after us to intimidate us, and refused to do any investigation, even though we wrote and told them that the actual and different DPOA is on file with the Travis County Clerk's Office, as required by law. Had this been a fire, it would be called arson, and an investigation would have been started immediately.

3) In 2008 and 2009 instead of uncovering the facts, the Estate lawyer, accountant and previous Executor (who had stolen the money), filed fraudulent tax reports to cover up the embezzlement. No stolen money was reported in the 2004 (or 2005 or 2006) taxes to the IRS and no K-1's were ever issued to the Estate/Trust beneficiaries, of which Alan Hamilton was one. When Alan Hamilton asked the Estate tax accountant (Danny Davila) for his K-1 in 2005, he told him that he had not talked to the caretaker and his mother in a couple of years. Yet investigation documents reveal that he filed tax extensions for them for 2004-2008, until Alan Hamilton became Executor in 2008.

4) In May 2009, we filed a Police Report with the Austin Police Department, though the Estate attorney and accountant said "that the Police never look into these kinds of things". Indeed, they did not. In Sept 2009, finally after much prodding, they assigned a detective who called and asked us to send all the evidence which we had already submitted to the police via email attachments, to the DA via regular postal mail. The detective refused to give us his email address. We bought a printer/copy/scanner machine to attempt to do this. We're talking hundreds of pages of paperwork. The Modis Operandi of this crime, is too much paperwork to read, follow or transmit. Perfect setting for White-Collar crime: \$800,000 missing from estate, with the suspicious death of the elderly woman in the care of her "caretaker", who stole the money. We had submitted to the Police, a bank receipt for \$150,000 wire out of the elderly woman's bank account, into the "caretakers" account, prior to the elderly woman's death, and yet, the police were hesitant. We were shocked. In the local newspaper, they bragged that the police had traced Paypal accounts to catch a bike thief. We had initial hope, but then figured this must be out of their league, and began searching for other government agencies which might be more familiar with White Collar crimes.

5) In March 2010, we contacted an IRS Whistleblower attorney, who looked at our stuff and said we needed to put it all together and submit it all at once to the IRS, because they didn't like it when you dribbled stuff in a little at a time. So we started scanning hundreds of pages of documents, and building the website www.ProBaitCourt.com to make the evidence accessible to all who needed to see it.

6) In December 2010, after looking at different financial regulatory agency's websites, we decided to file the complaint with FINRA, because we found that both Mutual of Omaha and Danny Davila, the accountant-broker were licensed by

FINRA. So we figured they would investigate this, and be able to enforce penalties. Danny Davila had bragged that "the only reason he was able to do it was because he had a license." As well, Danny Davila had been investigated and fined by them before, according to the online FINRA records. Their name, FINRA, stood for "Financial Industry Regulatory Authority", as well as their online complaint page said that if they were not the correct agency to handle the complaint, that they would pass it on to the correct agency. We figure this was the new singular portal complaint process which the Dodd-Frank Act was trying to achieve. **Notice that FINRA also specifically says NOT to submit the complaint to any other agencies, or it will slow down the process.** It is quoted below, from page 2 of the FINRA online complaint form:

"Other Types of Complaints:

If you are unsure of what type of complaint you have and choose to file it with FINRA, we will evaluate the complaint, and may pass it appropriate regulator if within FINRA's jurisdiction. Forwarding your complaint to other regulators may delay the process of investigating your complaint. You may wish to contact a FINRA District Office to discuss your complaint prior to completing this form to better understand which regulatory organization should address your complaint."

(original doc reference: see login instructions below)

<http://www.probaitcourt.com/probaitcourt/HamiltonEvidenceDVD/Communications/FINRA%20complaint/FINRA%20online%20complaint%20instructions.pdf>

7) FINRA did no investigation in all of 2010, with complete access to hundreds of pages of documents at www.ProBaitCourt.com. Though we asked many times, FINRA refused to notify any other agencies. In late 2010, we received a letter from FINRA saying they had "closed the investigation until they received more information." This seemed like a strange way to solve a crime.

8) After getting over the shock, depression and sense of futility from this ironic twist, we are now submitting it to the other relevant agencies ourselves, with this cover letter, and an investigator login account at www.ProBaitCourt.com. We are currently considering making www.ProBaitCourt.com public, but wondered if any of the agencies might want to do an undercover sting operation on what appears to be theft of the elderly by design.

9) The investigator login account for the Texas Department of Insurance is: username = TDI, password = licensedcrooks

Thank you for your attention on this matter,

Sincerely,

Alan Hamilton, Executor for the Maurine Hamilton Estate/Trust, and

Marjorie Miller, Alan's wife and the builder of website www.ProBaitCourt.com