



# ELDER JUSTICE

## LUNCH & LEARN

**AWARENESS, PREVENTION & INNOVATION IN THE AGE OF COVID-19**

The logo for "ELDER JUSTICE LUNCH & LEARN" features a stylized sunburst of colorful lines (yellow, orange, red, teal, grey) above the text. "ELDER JUSTICE" is in a large, bold, black sans-serif font, and "LUNCH & LEARN" is in a smaller, black sans-serif font below it.

# ELDER JUSTICE

LUNCH & LEARN



**Nicole Howell** (Facilitator)  
Executive Director  
Empowered Aging

## Welcome & Introductions



# YOUR TOOLBOX...



Type in your question or comment



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# CLOSED CAPTIONING IS AVAILABLE



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ASL available via Zoom video feed





**ELDER JUSTICE**  
LUNCH & LEARN

Mark your calendars for the **third Thursday of every month** through July 2022!

Each session is scheduled from **12 to 1 PM** PST.



**Sponsor**



**Planning Partners**





**Mark Redmond, Esq.**  
Elder Abuse Attorney

## **Collaborating with Elder Abuse Attorneys in the Private Sector**





# Elder Abuse Civil Litigation

Mark A. Redmond, Esq.

Law Offices of Mark A. Redmond, PC

(877) 529-6305

[www.MarkRedmondLaw.com](http://www.MarkRedmondLaw.com)





# Background

- 29<sup>th</sup> Year as attorney
- Licensed California & Washington state
- Civil litigation on behalf elders and their families
- Former Certified Long Term Care Ombudsman
- Elder physical abuse cases & financial abuse cases



# Guiding Questions

- Why are elders targeted?
- Why doesn't anyone prosecute these cases?
- What are examples of scams and successful cases?
- Where does recovery money come from?
- What can be done next time you hear about elder fraud?



# Why are Elders Targeted?

- Lifetime of savings
- Generation believes trust
- Reluctant use internet for “due diligence”
- Lonely
- Physical frailty can cause overestimating decision making
- Afraid to admit their “mistakes”



# Why Don't Cases Get Prosecuted?

- Examples of scams
- Underreported
- Criminal perspective – intent, proof
- Civil perspective – not economically viable, collectability problems



# Recovering From a Co-Conspirator: Lee Loomis, Loomis Wealth Solutions

- Investment opportunity
  - Real estate
  - Promised 12% return
  - “Equity harvest” your existing home equity
  - Also buy life insurance for tax advantages
- Life Insurance company seeking bought
- Issuing policies without doing suitability analysis
- Everyone getting same policy amounts
- Co-conspirator liability



# Recovering From State Bar Fund

## James Walker, Senior Care Advocates

- Attorney selling fear abatement
- Exaggerated % people needing snf, cost and time in snf
- Sold same thing to everyone for \$10,000-\$20,000
- Bogus advice and “Lifetime Services”
- Prosecuted, disbarred



# Recovering from California DRE Seth Depiano

- Fraudulent RE investments
- Ponzi scheme
- California Department of Real Estate
  - Paid by license renewals
  - \$250,000 cap
  - Highly technical requirements
  - Often hired by victims who tried to submit claims on their own



# Recovering from Government Settlements: Western Union & MoneyGram

- Fraudsters love wire transfers
- Typical frauds include fake lottery, prizes, inheritances, emergencies, investments and romance scams
- Wire transfer companies know about fraud
- Government prosecutes get large funds
- Problem getting money to victims
- Problem victims no longer have their proof
- We helped recover \$4m+ for victims





# How to Help Victims?



- Internet research
- Urge fraud victims or families to talk with a civil attorney
- Civil attorney questions:
  - Experience representing seniors?
  - Past results?
  - No cost and risk-free contingency basis?



### **Video Series – Financial Abuse**

- Warning signs elder fraud
- Suggestions how to avoid
- Suggestions what to do if it happens to you

### **Video Series – Elder Physical Abuse**

- Ten most common forms
- How avoid
- How investigate



# Recognizing Common Forms of Elder Neglect

- Bedsores
- Falls
- Medication Errors
- Wandering
- Suicides
- Wrongful Deaths



## Helpful Investigation Efforts

- Seek Evidence of Systemic Failings
- Insufficient Staffing
  - Total number staff hours available
  - Acuity of residents
  - Turnover/supervision problems
- Prior similar incidents or citations



## If Suggesting a Civil Attorney...

Attorney Website Test – If Elder Abuse Litigation Is Not At Least 80% of Their Practice Pick Another Attorney



# Contact Information



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Elder Abuse Attorney

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# Q&A DISCUSSION



Type in your question or comment



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## RECOGNIZING RESIDENTS' RIGHTS

**OCTOBER 21ST  
12 - 1 PM PST**



A FREE VIRTUAL EVENT!



**WHO WILL OUR GUEST BE?**



The logo features a stylized sunburst or fan shape composed of several vertical lines of varying lengths and colors, including orange, yellow, teal, and grey.

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**THANK YOU!**

