



## DEPARTMENT OF THE ATTORNEY GENERAL

### News Release

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GOVERNOR

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#### **ATTORNEY GENERAL SUES FOR "ABUSE" IN STATE'S FIRST ELDER PROTECTION CASE**

HONOLULU - Attorney General Mark J. Bennett announced that the Department of the Attorney General, through its Medicaid Fraud Control Unit, has filed a suit for injunctive relief and monetary damages against a man accused of financial exploitation of an elderly Honolulu couple. It is the first lawsuit to be filed under the State's "Dependent elder abuse" civil penalty statute, HRS § 28-94.

The complaint alleges that Aldon Arquette met the couple on TheBus, befriended them, and became their insurance agent in very short order in 2003. Shortly thereafter, Arquette assumed the role of the couples' financial advisor, and by year's end he had improperly secured power of attorney and fraudulently created a revocable trust. Arquette conducted questionable real estate transactions on behalf of the couple, and enabled his sister to collect commissions on the sale and purchase of at least four properties during the course of a year and a half. Additionally, Arquette removed substantial sums of money from front-loaded securities and placed them in long term low yield annuities although one spouse was gravely ill and died and the surviving spouse was in her nineties. He secured substantial commissions from the financial transactions.

In 2003, the State Legislature authorized the Attorney General to bring suits on behalf of elderly dependent adults who, at the hands of their caregivers, suffer abuse including financial exploitation. The statute permits, and the suit asks for, injunctive relief to wrest control over the estate from Arquette, and unspecified penalties that could amount to more than one million dollars.

Attorney General Bennett stated: "This case will serve notice on unscrupulous individuals who prey on the elderly that we will utilize every tool at our disposal to maintain the safety and welfare of our most vulnerable citizens, and that we will seek to impose substantial penalties on those who violate the trust that they have garnered through deception and greed".

Bennett encourages those with information about fraudulent activity involving elder financial exploitation or abuse to contact the Medicaid Fraud Control Unit at (808) 586-1058.

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