
The Exploitation of Sherry Pratt

By Editor Test *Wed, Feb 17, 2010*

Identity theft does not begin to describe the harm done to a quadriplegic woman who died of bedsores in a Chicago nursing home.

Sherry Lynn Pratt, a quadriplegic 38-year-old African-American woman, was a bed-ridden patient in a Chicago nursing home when, in December 2007, her forsaken life became the only thing standing between a group of “investors” and some \$9.1 million in annuity death benefits.

Pratt died destitute in February 2008 of complications from neglected decubitus ulcers, or bedsores. But not before she served as the unwitting pawn in what her family’s lawyers describe as a multi-state conspiracy that also targeted at least six of the nation’s largest insurers.

Like the widely-reported lawsuits filed against attorney Joseph Caramadre and others in Providence, RI, by Western Reserve Life and Transamerica Life, the lawsuits that are filed or about to be filed in Illinois on behalf of Sherry Pratt’s family also involve “stranger-originated annuity transactions,” or STATs.

Advertisement Interviews with or documents provided by the Pratt family’s attorneys, Robert Auler of Urbana, Ill., and Peter C. King of Columbus, Ind., claim that, through offers of what amounted to small finder’s fees, representatives of a Daniel Zeidman of Long Island, NY, and the Esther Zeidman estate, procured Sherry Pratt’s signature on several annuity contracts during the winter of 2007-2008.

Pratt was the named the contracts’ annuitant, on whose life expectancy future annuity payments would be calculated and on whose death, if prior to annuitization, a death benefit would be paid to a designated beneficiary.

Others acting for Zeidman were said to be Menachem (Mark) Berger of Patient Financial Services, Abraham Gottesman and Akiva Greenfield. They allegedly approached a Chicago woman named Debra Flowers in October 2007 and enlisted her help, for compensation, in finding terminally ill nursing home patients.

Through a relative of Ms. Pratt, Ms. Flowers obtained Ms. Pratt’s signature, Social Security number, and other personal information, and sent it to people and companies identified as Richard Horowitz and Mark Firestone of Management Brokers Insurance Company, Beverly Hills, Calif., as well as to Global Risk Management LLC, CZ Planning Group, U.S. Planning Group, AM Consulting Inc., Marc Cohen, Abraham Gottesman, Asher Greenfield and Akiva Greenfield.

In due course, Daniel Zeidman and the Esther Zeidman estate of Boca Raton, Fl., purchased a number of variable annuity contracts using what was purported to be Sherry Pratt’s signature.

According to attorneys Auler and King, Zeidman invested \$975,000 in a MetLife annuity, \$950,000 in a New York Life annuity, \$2.95 million in an ING USA annuity, \$1.9 million in a Sun Life annuity, \$1.875

million in a Genworth Life annuity, and \$494,000 in an annuity issued by The Hartford.

[Given deadline pressures, RIJ was unable to seek or obtain confirmation from those six companies or from the other parties named here but instead relied on documentation from attorneys Auler and King. As a rule, companies do not comment on pending litigation. Attempts by telephone and e-mail to contact Daniel Zeidman and his attorney were unsuccessful.]

In late 2009, relatives of Sherry Pratt became aware of the contracts and contacted the insurance companies involved. In January 2009, MetLife filed a lawsuit in U.S. District Court, Eastern District of New York, indicating that it rescinded Zeidman's contract and asking the court to decide whether it should return the \$975,000 premium to Sherry Pratt's family or to Daniel Zeidman.

On behalf of the Pratt survivors, Auler has sued the Southshore Nursing and Rehabilitation Center of Chicago for neglect in the death of Ms. Pratt. He told RIJ that he believes that she "was allowed to die" prematurely of horrific and untreated bedsores for reasons not unconnected with the annuity contracts purchased in her name.

According to Auler, Pratt told a relative, "These people are trying to kill me," in reference to the failure by nursing home staff to treat her skin ulcers.

Under a little-used Illinois statute protecting individuals from the improper exploitation of their identity, Auler and King say they intend to ask the courts to turn the \$9.1 million in annuity premiums over to Sherry Pratt's survivors, as recompense for the misuse of her identity, and not to return it to Daniel Zeidman.

"Because Sherry Lynn Pratt or her estate is the only innocent or blameless party who has had no benefit whatsoever, and in equity, instead of refunding the money to any of the other parties, equity should direct it to the estate of Sherry Lynn Pratt," wrote attorney Auler, "not only because she deserved it for the use of her last remaining thing of value, her name and persona, but to discourage this type of transaction in the future, in that perpetrators would stand to lose the funds they cynically 'invested' in harvesting the rapidly vanishing lives of dying and innocent patients."

In late February 2009, the Zeidman Trust's attorney, Gary Guzzi of the Florida law firm of Akkerman Senterfitt, filed a response to MetLife's suit, asking that the \$975,000 be returned to the Zeidmans.

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