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ATTORNEY GENERAL

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Schuette: Emmet County Attorney Allegedly Stole \$100,000 from Elderly Woman with Alzheimer's *Petoskey Lawyer Charged with Embezzlement from Vulnerable Adult*

LANSING — Michigan Attorney General Bill Schuette announced felony criminal charges against Michael Aho Kennedy, 67, of Petoskey, for allegedly embezzling funds from a client suffering from Alzheimer's disease.

"Scammers targeting our Greatest Generation can devastate our parents and grandparents who worked hard to provide for their families and grow their life savings," said Schuette. "This is theft, plain and simple, and I will not tolerate abuse of any kind against vulnerable seniors."

Case Background

In 2012, the victim's family received an inquiry from the Internal Revenue Service (IRS) pertaining to the investments Kennedy had selected for the victim's living trust. It is believed that Kennedy's embezzlement began in 2006; however, due to the statute of limitations Attorney General investigators could only go back as far as 2009 into Kennedy's records. The investigation found that Kennedy allegedly made a number of discrete transactions siphoning funds from the victim's trust, and made multiple deposits into his office checking account. During this same period, the victim was diagnosed with Alzheimer's disease and later passed away in August of this year. Financial records indicate that the entire trust was drained, an amount in excess of \$100,000.

Kennedy [was disbarred on March 13, 2015](#) by the State of Michigan Attorney Discipline Board.

Kennedy was arraigned Monday, October 5, 2015 at 2 p.m. before Magistrate Kerry Zahner in Emmet County District Court. He is charged with one count of Embezzlement from a Vulnerable Adult of over \$100,000 and one count of Embezzlement by a trustee of over \$100,000, both are 20-year felonies. Kennedy was assigned a \$100,000 cash bond.

ATTORNEY GENERAL SCHUETTE: PROTECTING VULNERABLE ADULTS

Schuette's Consumer Protection Team provides free presentations for Michigan Seniors on a variety of topics, including how to avoid financial exploitation. To request a free presentation, please sign up at www.michigan.gov/ag or call the Attorney General's Consumer Programs Team toll-free at 877-765-8388.

Schuette offers the following tips to Michigan Seniors to protect their money and avoid financial exploitation:

- Stay connected to your community. Social isolation increases your risk of becoming a victim of abuse. Find out about community programs or social activities in your neighborhood.
- Put all financial instructions in writing. This protects you and reduces the likelihood of misunderstandings. Keep records of all transactions.
- Before you assign a power of attorney, be sure you understand the authority you are giving to your agent. Know the person to whom you are giving this authority. Write in the agreement whether the agent will be paid or not, and if so, how much.
- Be cautious of joint accounts. Both parties are equal owners of the account and both have equal access to the money.
- Ask someone to review your financial agreements. Your attorney, accountant, or a bank employee can detect changes in your financial activity that may signal a problem. You can also ask a trusted friend or relative to review your monthly statements.
- Ask a bank employee, a trusted family member, or a social worker or other professional for help when you are unsure about financial matters.

To report suspected financial abuse of a Michigan vulnerable adult, citizens should call the Attorney General's Health Care Fraud Hotline, 1-800-24-ABUSE (1-800-242-2873).

A criminal charge is merely an accusation, and the defendants are presumed innocent until and unless proven guilty.

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