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OFFICE OF
INSURANCE REGULATION
Docketed by: CW



OFFICE OF INSURANCE REGULATION

KEVIN M. McCARTY
DIRECTOR

IN THE MATTER OF:

ROBIN HOOD INTERNATIONAL, LTD, INC.

ROBIN HOOD GROUP, INC.

CASE NO.: 67017-03-CO

JEANNIE B. COOK a/k/a BARBARA J. COOK

KRISTAN J. FEWKES

MICHAEL FEWKES

FEWKES MANAGEMENT CORPORATION,

COREY LAMA, and

CORNERSTONE ESCROW CORPORATION

Respondents.

IMMEDIATE FINAL ORDER

TO:

Robin Hood International, Ltd, Inc.
300 Village Square Crossing, Suite 202
Palm Beach Gardens, FL 33410

Robin Hood International, Ltd, Inc.
529 West Liberty Street, Suite 351
Wauconda, IL 60084

Robin Hood Group, Inc.
14153 U.S. Highway One
Juno Beach, FL 33408

Jeannie B. Cook
100 Uno Lago Drive, #203
Juno Beach, FL 33408

Kristan J. Fewkes
100 Uno Lago Drive, #203
Juno Beach, FL 33408

Michael Fewkes
100 Uno Lago Drive, #203
Juno Beach, FL 33408

Fewkes Management Corporation
100 Uno Lago Drive, #203
Juno Beach, FL 33408

Corey Lama
100 Uno Lago Drive, #203
Juno Beach, FL 33408

Cornerstone Escrow Corporation
7 E. Bijou, Suite 217
Colorado Springs, CO 80903

THIS CAUSE having come on to be heard by and through the Director of the Office of Insurance Regulation of the Financial Services Commission, against the afore-referenced entities and individuals and having been fully informed in the premises, it is hereby,

FOUND as follows:

1. The Office of Insurance Regulation, hereinafter referred to as the OFFICE, has jurisdiction over the parties and the subject matter pursuant to § 120.569(2)(n) [Decisions which affect substantial interest], § 624.307 (General Powers), § 626.901 (Representing or aiding unauthorized insurer prohibited), § 626.9912 (Viatical Settlement Provider license required; application for license), § 626.9916 (Viatical Settlement broker license required; application for license), § 626.9927 (Unfair trade practices; cease and desist), and § 626.99285 (Applicability of Insurance Code), *Florida Statutes*. As a result of the alleged violations by the Respondents of

the Florida Insurance Code, the OFFICE has caused an investigation to be made of the insurance-related activities of the Respondents.

2. Pursuant to § 626.9912, *Florida Statutes*, a person may not perform the functions of a viatical settlement provider or enter into or solicit a viatical settlement contract without first having obtained a license from the Office of Insurance Regulation.

3. A viatical settlement provider is defined by Florida Statute 626.9911 (6) as a person who, in this state, from this state, or with a resident of this state, effectuates a viatical settlement contract.

4. Pursuant to § 626.9916, *Florida Statutes*, a person may not perform the functions of a viatical settlement broker without first having obtained a license from the Department of Financial Services.

5. A viatical settlement broker is defined by Florida Statute 626.9911(4) as a person who, on behalf of a viator and for a fee, commission, or other valuable consideration, offers or attempts to negotiate viatical settlement contracts between a viator resident in this state and one or more viatical settlement providers.

6. Neither the former Department of Insurance for the State of Florida nor the OFFICE has issued any license to the Respondents.

7. Robin Hood International. Ltd, Inc. is a Illinois Corporation, located at 529 W. Liberty St., Suite 225, Wauconoa, IL. 60084. On or about November 8, 1996, Robin Hood International, Ltd, Inc. filed an application with the then State Treasurer/Insurance Commissioner for a license as a Viatical Settlement Provider. A Barbara J. Cook was listed as the Vice-President and a Robert L. Kieffer was listed as the President-Treasurer. These same individuals were also named as owning equal ownership of the corporate stock, fifty (50%) percent each. Although the

corporation was an Illinois corporation, it operated an office located at 17105 San Carlos Blvd., Suite A-6-127, Ft. Myers, Florida 33931. A copy of the application by said corporation is hereto attached as **Exhibit "A"**.

8. The Department of Insurance denied the application for licensure as a Viatical Settlement Provider on February 20, 1997. Many of the reasons for the denial, were, but not limited to, the failure of Jeannie Cook, the Vice-President of Robin Hood International, Ltd, Inc., to disclose material information about bankruptcies and a civil judgment. A copy of the denial letter is attached as **Exhibit "B"**.

9. Despite the denial of the application for Robin Hood International Ltd, Inc., the entity kept doing business in the State of Florida as a viatical settlement provider. As a result of the continuation of this business, the Department of Insurance issued a Notice of Intent to Issue Cease and Desist Order and Assess Penalties on May 8, 1997.

10. Robin Hood International Ltd, Inc., through corporate counsel, petitioned for an administrative hearing on May 29, 1997. However, on the 4th day of August 1997 the request for an administrative hearing, was withdrawn. As a result of the withdrawal of the request for a hearing, an Order to Cease and Desist was issued by the Department (n/k/a the OFFICE) on September 8, 1997. A copy of said Cease and Desist Order is hereby attached as **Exhibit "C"**. This Cease and Desist Order was never appealed.

11. On or about the 11th day of September, 1997, Barbara Jean Cook, as Vice-President of Robin Hood International, Ltd, signed an affidavit that the corporation had no pending viatical settlement agreement and was not aware of any threatened or actual claims, lawsuits or contingent liabilities of the corporation. This affidavit was executed in the effort of the

corporation to have its \$25,000 deposit returned to the corporation. A copy of this affidavit is attached as **Exhibit "D"**.

12. On or about November 9, 2000, the Articles of Incorporation for Robinhood Group, Inc. was filed with the Secretary of State for the State of Florida. The principal place of business was listed as 14153 U.S. Highway One, Juno Beach, FL 33408. Jeannie B. Cook was listed as the President and Treasurer and Kristan J. Fewkes was listed as the Vice-President and Secretary. The name of the corporation was later amended to Robin Hood Group, Inc. on or about March 24, 2003. A copy of the articles of incorporation and records filed with the Florida Secretary of State are attached as **Exhibit "E"**.

13. Currently Robin Hood Group, Inc. has a Web page held out to the general public. This Web page makes an admission that the current Robin Hood Group, Inc. entity is nothing more than a reorganization of the old Robin Hood International Ltd., Inc. A copy of the website materials are attached as **Exhibit "F"**.

14. Contained within the afore-described website, is a reference to an entity known as Cornerstone Escrow Corporation. This link in the Robin Hood Group, Inc. website refers to Cornerstone Escrow Corporation as acting as an escrow agent for Robin Hood Group, Inc.

15. The Web page for Robin Hood Group, Inc. assures consumers that it adheres to the standards set by the National Association of Insurance Commissioners Model Act #697-1 and #698-1. These standards actually require the Viatical Provider and the Viatical Broker to be licensed where it does business. By the very act of applying for a license as a Viatical Provider and a Viatical Broker, the Respondents knew that they were committing a misrepresentation to the consumer and as such, were violating Section 626.99275 of the Florida Statutes. Such a

violation is a criminal offense from a third degree felony to a first-degree felony, depending on the value of the insurance policy.

16. On or about May 31, 2002, Robin Hood Group, Inc. applied to the State of Florida, for a Viatical Settlement Broker License. A copy of said application is attached hereto as **Exhibit "G"**.

17. On September 12, 2002, the Department of Insurance denied the application for a license as a Viatical Settlement Broker to Robin Hood Group, Inc. A copy of said denial letter is hereto attached as **Exhibit "H"**. This letter of denial accused Robin Hood Group, Inc. and Robin Hood International Ltd, Inc. of performing the functions of a viatical settlement provider, or has entered into or solicited viatical settlement contracts without first having obtained a license from the Department. Further, the denial letter gave Jeannie Cook and Robin Hood Group, Inc. an opportunity to contest the findings of the Department. The afore-named Respondents failed to challenge the findings of the then Department of Insurance.

18. In August of 2002, the then Department of Insurance served investigative subpoenas upon Robin Hood International, Ltd, Inc., Robin Hood Group, Inc., Jeannie B. Cook, and Kristan J. Fewkes. A copy of said subpoenas is attached hereto as **Exhibit "I"**.

19. As a result of serving those investigative subpoenas, materials were discovered and admissions were made by Jeanie B. Cook and Kristan J. Fewkes that Robin Hood Group, Inc. was doing business from Florida as an unlicensed viatical provider and broker. A copy of the sworn affidavit of investigator Paul Newton is attached as **Exhibit "J"**.

20. According to the afore-described admissions by the Respondents, Fewkes Management Corporation was organized by Respondents Jeannie B. Cook and Michael Fewkes

to handle monies for Robin Hood Group, Inc. and to pay premiums on life insurance contracts.

Michael Fewkes is the son-in-law of Jeannie B. Cook. [See Exhibit "J"]

21. Present when the afore-described subpoenas were served upon Robin Hood Group, Inc., was Corey Lama. This individual is a son-in-law of Jeannie B. Cook and an employee of Robin Hood Group, Inc.

22. In May of 2003, an investigator with the Office requested from the web page of Robin Hood Group, Inc., information about selling his life insurance policy to Robin Hood Group, Inc., under a fictitious name. Kristan J. Fewkes sent an application package to said investigator for the purchase of his insurance policy. This package included pre-paid return envelopes to a Florida address. A copy of the materials sent and the supporting affidavit from the investigator is attached as Exhibit "K".

23. Jeannie B. Cook is the same individual as Barbara J. Cook listed on the corporate documents for Robin Hood International, Ltd., Inc.

24. Florida Statute 624.10 defines "transacting insurance" as including the solicitation or inducement, preliminary negotiations, effectuation of a contract of insurance and transaction of matters subsequent to effectuation of a contract of insurance and arising out of it.

25. The provisions of the Florida Statutes regulating Viatical Settlements, §§ 626.991 through 626.99295, and in particular § 626.99285, the former Department and now the OFFICE, has authority under § 624.310 (Enforcement), § 626.901 (Representing or aiding unauthorized insurer prohibited) and 626.989 (Investigation by department or Division of Insurance Fraud; compliance; immunity; confidential information; reports to division; division investigator's power of arrest) to regulate viatical settlement providers, viatical settlement brokers, viatical

settlement sales agents, viatical settlement contract, viatical settlement purchase agreements and viatical settlement transactions.

26. All of the named Respondents have solicited, induced, and negotiated viatical settlement contracts in every aspect from and within the state of Florida without any license to do so.

27. By transacting viatical business without a license, the Respondents have violated § 626.901, *Florida Statutes*. Additionally, § 626.902, *Florida Statutes* provides that any violation of § 626.901, *Florida Statutes*, by any person, is a felony.

28. By transacting viatical business without a license, the Respondents have violated § 626.9927, (unfair trade practices) *Florida Statutes*.

29. Pursuant to § 120.569(2)(n), *Florida Statutes*, the Director of the Office of Insurance Regulation finds that the continued transaction of insurance without a Viatical Settlement Provider and/or a Viatical Broker License by any of the Respondents, and the aiding and abetting of said entities and individuals, and the continued violations of the Florida Insurance Code, as cited herein, constitutes an immediate danger to the public welfare so as to require the issuance of this Immediate Final Order. Further, the Director of the Office of Insurance Regulation finds that the continued involvement of all of the Respondents to market and transact unauthorized viatical insurance business, not only presents an immediate grave danger to the public, but also is a willful, civil and criminal, violation of the Insurance Code pursuant to § 629.901, *Florida Statutes*.

Accordingly, **IT IS HEREBY ORDERED:**

A) Robin Hood Group, Inc., its predecessors or successors, Robin Hood International, Inc., Jeannie B. Cook, Kristan J. Fewkes, Michael Fewkes, Fewkes Management Corporation,

Corey Lama and Cornerstone Escrow Corporation, whether acting in the State of Florida as a viatical provider or broker, a purchasing group, retention group, an insurance agent, an insurance agency, an insurance adjuster, a third-party administrator, a managing general agent, or otherwise engaging in the business of insurance, either directly or indirectly through named and unnamed persons, entities, agents, or otherwise, shall forthwith CEASE AND DESIST from the transaction of any new viatical insurance business, including acting or holding itself out to be a viatical provider or viatical broker. Respondents, Robin Hood Group, Inc., its predecessor Robin Hood International, Inc., Jeannie B. Cook, Kristan J. Fewkes, Michael Fewkes, Fewkes Management Corporation, Corey Lama and Cornerstone Escrow Corporation, shall **CEASE AND DESIST** from transaction of any new or current viatical business of the Robin Hood Group, Inc, any or its predecessors, successors, assigns or any individual and or entity associated with Robin Hood Group, Inc.

B). Robin Hood Group, Inc., its predecessors or successors, Jeannie B. Cook, Kristan J. Fewkes, Michael Fewkes, Fewkes Management Corporation, Corey Lama and Cornerstone Escrow Corporation shall forthwith notify, in writing, each and every viator, policyholder, agent, investor, broker, salesperson, and other marketing outlet of the cessation of the Florida business of Robin Hood Group, Inc., its predecessors and successors, because they are unlicensed, and shall also inform such persons and entities that no further applications will be accepted nor contracts issued. All parties subject to this Order shall furnish for approval or edit a draft of such notification to the OFFICE within five (5) days of this Immediate Final Order. They shall thereafter, within five (5) days of receipt by mail or by fax of the OFFICE's approval or edits, mail such letter (in revised form if edited by the OFFICE) to all such agents, brokers, salespersons, and other marketing outlets, and shall immediately thereafter file the sworn

attestations of each officer, director, general partner, member, and limited partner of Robin Hood Group, Inc., its predecessors and successors, that there has been full compliance with this provision.

C). Robin Hood Group, Inc., its predecessors or successors, Jeannie B. Cook, Kristan J. Fewkes, Michael Fewkes, Fewkes Management Corporation, Corey Lama and Cornerstone Escrow Corporation shall, within fifteen (15) calendar days from the date hereof, deliver to the OFFICE a full and complete accounting of all life insurance contracts purchased, sold, negotiated and/or held out to investors since the inception of its operation in Florida; copies of all relevant contracts and documents relating to the sale, the purchases and the investments using viatical contracts; and a list of all persons or entities used to solicit the business in Florida and a list of all Florida policy holders and investors affected.

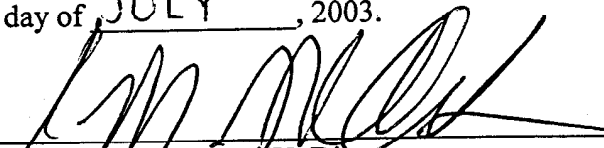
D). Subject to the other mandates of this Immediate Final Order, Robin Hood Group, Inc., its predecessors or successors, Jeannie B. Cook, Kristan J. Fewkes, Michael Fewkes, Fewkes Management Corporation, Corey Lama and Cornerstone Escrow Corporation shall continue to be responsible for the payment of any premiums due on life insurance policies sold and otherwise for the timely fulfillment of its contractual obligations to each person or entity affected by the conduct of the Respondents until all Florida claims by Florida policyholders and investors have been paid or until further action or order of the OFFICE to the contrary. For the protection of the public, and to preserve the books, records and assets of, Robin Hood Group, Inc., shall NOT take or permit any action that might waste, conceal or otherwise dispose of the assets, property, books, records, and accounts of Robin Hood Group, Inc.

E). The entry of this Immediate Final Order, or any amendment thereto, shall not be interpreted as having, nor shall it have, the effect of abrogating any statutory, common law, or

contractual rights of any person or entity affected by the sales, purchasing or investing of viatical contracts and life insurance policies.

F). The issuance of this Immediate Final Order and the procedural safeguards set forth herein are concluded to be fair under the circumstances due to the potential grave harm resulting from unauthorized insurance entities engaging in the business of insurance in Florida. As indicated in the Notice of Rights herein, the Respondents are afforded the opportunity to appeal this Order or to enjoin this Order pursuant to Section 120.569 (2)(n), Florida Statutes.

DONE and ORDERED this 31ST day of JULY, 2003.



KEVIN M. MCCARTY, Director
Office of Insurance Regulation



NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Fla.R.App.P. Review proceedings must be instituted by filing a petition or notice of appeal with the General Counsel of the Office of Insurance Regulation, acting as the Agency Clerk, at 612 Larson Building, Tallahassee, Florida 32399-4206, and a copy of the same with the appropriate district court of appeal, within thirty (30) days of rendition of this Order.

All correspondence or requests for hearing should contain the case number and/or style of the case as listed on page one of this order.

CERTIFICATE OF SERVICE

Robin Hood International, Ltd, Inc.
300 Village Square Crossing, Suite 202
Palm Beach Gardens, FL 33410

Robin Hood Group, Inc.
14153 U.S. Highway One
Juno Beach, FL 33408

Kristan J. Fewkes
100 Uno Lago Drive, #203
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7 E. Bijou, Suite 217
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529 West Liberty Street, Suite 351
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Corey Lama
100 Uno Lago Drive, #203
Juno Beach, FL 33408

I HEREBY CERTIFY that a true and correct copy of the foregoing Immediate Final Order has been sent to the Florida Secretary of State pursuant to § 626.909, *Florida Statutes* and by registered mail pursuant to § 626.907(1) & (2) this 31st day of July, 2003 to the above-referenced individuals and entities.

for Andrew Brangacci
Clifford A. Taylor
Senior Attorney
Division of Legal Services
Office Of Insurance Regulation
200 East Gaines Street, 6th Floor
Tallahassee, Florida 32399-0333
Telephone: 850/ 413-4143
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