BEFORE THE
STATE OF WISCONSIN
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF SECURITIES

In the Matter of
RICHARD G. HEINERT,

Respondent.

PETITION FOR ORDER

File No. S-03277(EX)

The staff of the State of Wisconsin Department of Financial Institutions, Division of Securities, Bureau of Registration & Enforcement has conducted an investigation in this matter pursuant to sec. 551.56, Wis. Stats., and as a result thereof alleges as follows:

1. Mutual Benefits Corp. ("MBC") is a foreign business entity with a last known business address of 200 E. Broward Blvd., 10th Flr., Ft. Lauderdale, FL 33301.

2. Richard G. Heinert ("Heinert ")(DOB 3/27/40) is an individual who at all times material hereto has been a Wisconsin-licensed insurance agent (License #2391248), and an agent of MBC, with a last known business address of 1504 N. Randall Ave., PO Box 1325, Janesville, WI 53547-1325.

3. During the period from October 2002 through September 2003, Heinert offered and sold to six persons in Wisconsin investments in viatical settlements through MBC.

4. Upon information and belief, the investors had no responsibility for any aspect of the investment in the viatical settlements.

5. Since the viatical settlements were investments in a common enterprise with the expectation of profits to be derived from the essential managerial efforts of others, they are investment contracts as defined by section DFI-Sec. 1.02(6)(a), Wis. Adm. Code, and are therefore securities as defined by sec. 551.02(13), Wis. Stats.

6. The investment contracts have never been registered for offer and sale in Wisconsin pursuant to Ch. 551, Wis. Stats.

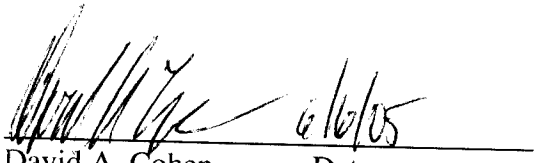
7. Heinert has violated sec. 551.21(1), Wis. Stats., by offering and selling unregistered securities in Wisconsin.

8. In connection with the offers of the securities described above, Heinert transacted business in Wisconsin as an "agent" for MBC, as that term is defined by sec. 551.02(2), Wis. Stats.

9. At no time has Heinert been licensed as a securities agent for MBC, pursuant to Ch. 551, Wis. Stats.

10. Heinert has violated sec. 551.31(1), Wis. Stats., by transacting business in Wisconsin as a securities agent without a license.

Therefore, the staff of the Bureau of Registration & Enforcement petitions the Administrator of the Division of Securities for the issuance of the attached Order pursuant to Ch. 551, Wis. Stats.



David A. Cohen Date
Supervising Attorney
Bureau of Registration & Enforcement