

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

In the Matter of
JOHN R. WIEMERI,

PETITION FOR ORDER

Respondent.

File No. S-05057(EX)

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

1. John R. Wiemer ("Wiemer") is an individual whose date of birth is November 22, 1941, a last known home address of 3718 Birdsong Lane, Janesville, Wisconsin 53548 and a last known business address of 144 Depot Street, P.O. Box 188, Footville, Wisconsin 53537, and who at all times material hereto was an insurance agent licensed by the State of Wisconsin, Office of the Commissioner of Insurance;
2. Mutual Benefits Corporation ("Mutual Benefits") is a Florida corporation with its corporate headquarters at 2881 East Oakland Park Boulevard, Suite 200, Fort Lauderdale, Florida 33306;
3. Upon information and belief, at all times material hereto the business of Mutual Benefits was the sale of viatical settlement contracts;
4. According to information provided to the staff of the Division by Wiemer, and staff of the court-appointed Receiver of the assets of Mutual Benefits, during the period of 2003, Wiemer, on behalf of Mutual Benefits, offered and sold to at least three persons in Wisconsin viatical settlement contracts of Mutual Benefits;
5. The viatical settlement contracts of Mutual Benefits are investment contract securities as defined by DFI-Sec 1.02(6)(a), Wis. Adm. Code and sec. 551.02(13), Wis. Stats.;
6. The viatical settlement contracts have never been registered for offer and sale in Wisconsin pursuant to Ch. 551, Wis. Stats.;
7. Wiemer has violated sec. 551.21(1), Wis. Stats., by offering and selling unregistered securities to persons in Wisconsin;
8. In connection with the offers and sales of the securities described above, Wiemer transacted business in Wisconsin as a securities "agent," as that term is defined by sec. 551.02(2), Wis. Stats.;

