

# CPM Wins Elder Abuse Jury Trial In San Mateo County Superior Court

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In April 2014, CPM attorneys **Niall P. McCarthy**, **Anne Marie Murphy** and **Eric J. Buescher** won an elder abuse jury trial in San Mateo County Superior Court.

CPM represented a family in a dispute about the estate of long time San Francisco resident Rudolph R. Cook. CPM alleged that the defendant Cyrus LaFarre, a neighbor of Mr. Cook's, had duped Mr. Cook into amending his estate plan and giving his money to Mr. LaFarre. After Mr. Cook passed away in March 2013, the family learned that Mr. LaFarre claimed that he had been left the majority of Mr. Cook's estate and had been named as the trustee of Mr. Cook's trust. The amendment to Mr. Cook's long time estate plan was procured in August 2012, and purported to give most of Mr. Cook's \$2M estate to the defendant.

CPM also presented evidence that the defendant and his wife had "borrowed" \$170,000 from Mr. Cook in the last 9 months of Mr. Cook's life, that the Defendant had obtained loans from other senior citizens, and that the Defendant's key witness had perjured himself on critical testimony.

In addition, CPM presented evidence to the jury that the key documents supporting the amendment were created by the defendant, and that the amendment was unknowingly signed by the decedent. Mr. LaFarre disclaimed all knowledge of the amendment and contended that he and Mr. Cook had a long-standing relationship and that they were like family.

The trial consisted of 36 witnesses, including four experts who focused on mental capacity, the defendant, numerous neighbors of Mr. Cook and Mr. LaFarre, and several relatives of Mr. Cook.

The case was difficult as Mr. Cook had passed away and much of the financial records and other documents had been destroyed, requiring CPM to prove the case based on circumstantial evidence. Despite that

## Attorneys

Niall P. McCarthy

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## Practice Areas

Elder Abuse

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difficulty, the jury unanimously determined that Mr. LaFarre had committed financial elder abuse. The jury found that the defendant had manipulated Mr. Cook in the last year of his life, causing Mr. Cook to give his life savings to the defendant.

“Fighting for those who most need our help is what plaintiff’s lawyers do every day. It was an honor to bring justice to this family,” said McCarthy.

The jury’s verdict was a complete victory for the decedent’s family and for CPM. Immediately upon reading of the verdict, Judge Grandsaert of San Mateo County court suspended Mr. LaFarre as trustee.

CPM wishes to congratulate their client, Virginia Williamson, for her perseverance and victory, and to thank her and her family for the opportunity to obtain justice for Rudy Cook.