

IN THE  
9th JUDICIAL DISTRICT COURT

PARISH OF RAPIDES  
STATE OF LOUISIANA

NO: 166,755

DONALD W. ABSHIRE AND THE OTHER  
PETITIONERS NAMED HEREIN

VS.

THE STATE OF LOUISIANA, THROUGH THE DEPARTMENT OF  
INSURANCE OF THE STATE OF LOUISIANA AND THE DEPARTMENT OF  
INSURANCE OF THE STATE OF LOUISIANA;  
THE STATE OF LOUISIANA, THROUGH THE OFFICE OF FINANCIAL  
INSTITUTIONS OF THE STATE OF LOUISIANA AND THE OFFICE OF  
FINANCIAL INSTITUTIONS OF THE STATE OF LOUISIANA; AND STANDARD  
ANALYTICAL SERVICE, INC.

FILED & RECORDED  
R.L. ORBART  
CLERK OF COURT  
92 JUN 12 PM 3 52  
BY  
BY CLERK'S ORDER  
RAPIDES PARISH LA.  
DIVISION

FILED: \_\_\_\_\_  
DEPUTY CLERK

THIRD AMENDMENT TO PETITION FOR DAMAGES

NOW INTO COURT, through the undersigned counsel, come the  
Petitioners referenced in Paragraph 1 below ("Petitioners"), all being either  
persons of the full age of majority or entities authorized by law to  
maintain legal actions, and all being either policyholders, annuity holders,  
noteholders, equity owners, or holders of some other financial interest in,  
or effected by, Public Investors Life Insurance Company and/or Midwest  
Life Insurance Company, and/or Public Investors, Inc., who respectfully  
represent that the Petitioners desire to further amend the original Petition  
for Damages filed in this matter as follows:

1.

By amending and adding hereto, as additional Petitioners, those  
additional persons and entities listed on the document attached hereto as  
Exhibit G, which is incorporated by reference herein for all purposes. All  
persons and entities previously named as Petitioners by original Exhibit A,  
Exhibit E to the First Amendment to the Petition for Damages filed herein  
and Exhibit F to the Second Amendment to the Petition for Damages filed

herein shall remain as Petitioners for all purposes in this action, and original Exhibit A, Exhibit E and Exhibit F are also incorporated herein for the purpose of identifying Petitioners in this action.

2.

By amending and supplementing all reference to the term "Petitioners" in the original Petition for Damages, in the First Amendment to Petition for Damages and in the Second Amendment to Petition for Damages, so that the term will include all those persons and entities listed on original Exhibit A, Exhibit E to the First Amendment to Petition for Damages, Exhibit F to the Second Amendment to Petition for Damages and the Exhibit G to this Third Amendment to Petition for Damages.

3.

By amending and supplementing the Prayer for relief to include an identical prayer on behalf of all persons and entities listed on original Exhibit A, Exhibit E attached to the First Amendment to Petition for Damages, Exhibit F attached to the Second Amendment to Petition for Damages and the Exhibit G attached to this Third Amendment to Petition for Damages.

4.

By reiterating, re-averring and re-alleging each and every other allegation and prayer of the original Petition, the First Amendment to Petition for Damages and the Second Amendment to Petition for Damages (which are all incorporated herein, including all exhibits thereto), except as amended, altered and supplemented by this Third Amendment to Petition for Damages.

Wherefore, Petitioners pray that this Third Amendment to Petition for Damages be filed and that both the original Petition, the First Amendment to Petition for Damages and the Second Amendment to Petition for Damages be altered, amended and/or supplemented accordingly, and that the Defendants be served with a certified copy of this Third Amendment to Petition for Damages and duly cited to appear and answer same and that the acts and omissions of Defendants, as described herein, entitle the Petitioners to a judgment against the Defendants jointly, severally and in solido, as follows:

- (a) Rescinding their purchases of insurance policies, annuities, notes and any other interest held by any equity owners, or holders of some other financial interest, as the case may be, awarding them restitution of all monies tendered and consideration paid therefor, and ordering legal interest from the date the consideration was paid by each Petitioner; and
- (b) Alternatively, for all damages, including, but not limited to, the following:
- (i) Loss of insurability by certain Petitioners who became uninsurable over an extended period of time during which Defendants continued to engage in acts and omissions as herein alleged, and concealment by the Defendants of the financial condition of the insurance companies named herein;
  - (ii) Loss of payment of insurance and annuity proceeds and other amounts due and payable, as a consequence of the occurrence of events covered by insurance and annuity contracts between certain Petitioners and the insurance companies referred to herein;
  - (iii) Loss of cash values and any other amounts (together with any and all additions thereto, including, but not limited to, dividends and interest) accrued under and in accordance with insurance and annuity contracts between certain Petitioners and the insurance companies referred to herein;
  - (iv) Loss of premiums and any other consideration paid for all insurance and annuity contracts that were in fact worthless when purchased or which became worthless during such time periods that the companies named herein were hopelessly insolvent and during which time period such insolvency was concealed by the Defendants and/or such companies were misrepresented by the Defendants to be solvent thereby causing and/or inducing Petitioners to pay said premiums;
  - (v) Loss of principal and any other consideration invested in annuity contracts and income and additions accrued and accumulated on said amount or amounts invested in annuity contracts issued by the insurance companies referred to herein to certain Petitioners;
  - (vi) Loss of principal and any other consideration invested in notes and other securities, instruments, and contracts together with all

income and additions accrued and accumulated on or in connection with same) between certain Petitioners and companies referred to herein;

- (vii) Impairment of the financial condition and credit worthiness of certain Petitioners;
- (viii) Losses of homes, farms, businesses, income, profits and any and all immovable and movable property by certain Petitioners resulting from the financial ruin of these certain Petitioners due to the failure and collapse of the companies named herein;
- (ix) Damages to financial standing and reputation of certain of the Petitioners;
- (x) Pain, suffering, embarrassment, humiliation, emotional distress, and mental anguish resulting from the financial chaos and ruin experienced by the Petitioners;
- (xi) Loss of principal, dividends, and interest in connection with any interest of any equity owners, or holders of some other financial interest in, or effected by, Public Investors Life Insurance Company and/or Midwest Life Insurance Company, and/or Public Investors, Inc.
- (xii) Any and all other damages of every nature and kind suffered and to be suffered by Petitioners as a consequence of the acts and omissions of the Defendants.

Petitioners also pray for Judgment against the Defendants jointly, severally, and in solido for attorney's fees, judicial interest, costs, and all expenses of these proceedings and for any and all other general and equitable relief.

WHEREFORE, the Petitioners pray that there be judgment for monetary damages in their favor and against the Defendants, and for such other and further relief as law, equity and the nature of the case may require.

The Petitioners respectfully pray for a trial by jury, to the full extent permitted by law.

Respectfully submitted, this 12th day of June, 1992.

David P. Smith

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John Gregory Odom

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ATTORNEYS FOR THE PETITIONERS

**PLEASE SERVE:**

**THE STATE OF LOUISIANA** through the Department of Insurance by serving James H. "Jim" Brown, its Commissioner, Baton Rouge, Louisiana.

**DEPARTMENT OF INSURANCE OF THE STATE OF LOUISIANA** by serving James H. "Jim" Brown, its Commissioner, Baton Rouge, Louisiana.

**THE STATE OF LOUISIANA**, through the Commissioner of the Office of Financial Institutions by serving Larry L. Murray, its Commissioner, Baton Rouge, Louisiana.

**OFFICE OF FINANCIAL INSTITUTIONS OF THE STATE OF LOUISIANA**, by serving Larry L. Murray, its Commissioner, Baton Rouge, Louisiana.

**STANDARD ANALYTICAL SERVICE, INC.**, by serving John B. La Macchia, Jr., First National Bank, 7707 Forsyth, St. Louis, MO 63105.

**STANDARD ANALYTICAL SERVICE, INC.**, through the Secretary of State for

the State of Louisiana, Baton Rouge,  
Louisiana.

**STANDARD ANALYTICAL SERVICE,  
INC.**, through their attorney of record,  
Herschel E. Richard, Jr., Cook, Yancey,  
King & Galloway, 1700 Commercial  
National Tower, Shreveport, LA 71120-  
2260.

**THE STATE OF LOUISIANA** by  
serving its Attorney General, Richard  
Ieyoub, Baton Rouge, Louisiana.

FIRST NAME	LAST NAME	ADDRESS	CITY	ST	ZIP	PARISH
Church of God in Christ, Western Louisiana		P. O. Box 2906	Lafayette	LA	70506	Lafayette
Gerald G.	Albin	4661 West Lake Circle North	Littleton	CO	80123	Arapahoe
Gerald	Albin	4661 West Lake Circle North	Littleton	CO	80123	Arapahoe
Dianne G.	Albin	4661 West Lake Circle North	Littleton	CO	80123	Arapahoe
Gerald	Albin	4661 W. Lake Circle N.	Littleton	CO	80123	Cheyenne
Faustina	Balthazar	HC 66, Box 970	Natchez	LA	71456	Natchitoches
Frances S.	Balthazar	HC 66, Box 970	Natchez	LA	71456	Natchitoches
Carroll A.	Balthazar	HC 66, Box 970	Natchez	LA	71456	Natchitoches
Joyce	Bonner	Rt. 3, Box 930	Ruston	LA	71270	Lincoln
Dorothy	Bonner	1515 Sikes Street	Ruston	LA	71270	Lincoln
Dorothy E.	Bonner	1515 Sikes Street	Ruston	LA	71270	Lincoln
James L.	Bonner, Jr.	Rt. 3, Box 930	Ruston	LA	71270	Lincoln
James L.	Bonner, Sr.	1515 Sikes Street	Ruston	LA	71270	Lincoln
Myrtle	Butler	143 Neco Town Road	New Iberia	LA	70560	Iberia
Harris K.	Butler	533 Welham Loop	LaPlace	LA	70068	St. John the Baptist
Harris	Butler	533 Welham Loop	LaPlace	LA	70068	St. John the Baptist
Brenda	Butler	533 Welham Loop	LaPlace	LA	70068	St. John the Baptist
Felton	Butler	143 Neco Town Road	New Iberia	LA	70560	Iberia
Harris K.	Butler, Jr.	533 Welham Loop	LaPlace	LA	70068	St. John the Baptist
Harris Knox	Butler, Jr.	533 Welham Loop	LaPlace	LA	70068	St. John the Baptist
John H.	Campbell	96 Chestnut Street	North Andover	MA	08145	Essex
John H. & Louise M.	Campbell	96 Chestnut Street	North Andover	MA	01845	Essex
Louise M.	Campbell	96 Chestnut Street	North Andover	MA	08145	Essex
Bobby	Cato	2817 Crestwood	Kilgore	TX	75662	Gregg
Patsy	Cato	2817 Crestwood	Kilgore	TX	75662	Gregg
Bobby M.	Cato	2817 Crestwood	Kilgore	TX	75662	Gregg
Joyce R.	Causey	1612 Hwy. 165 S.	Columbia	LA	71418	Caldwell
Zana Taliancich	Curley	P. O. box 558	Empire	LA	70050	Plaquemines
Kelly	Curley	P. O. box 558	Empire	LA	70050	Plaquemines
Ernest Lanier	Edwards	66 N. Wren Street	New Orleans	LA	70124	Orleans
Ernest	Edwards	66 N. Wren Street	New Orleans	LA	70124	Orleans
Ernest L.	Edwards	2317 Waverly Drive	Bossier City	LA	71111	Bossier
Cynthia H.	Edwards	66 N. Wren Street	New Orleans	LA	70124	Orleans
Wanda Beth	Edwards	2317 Waverly Drive	Bossier City	LA	71111	Bossier
Ernest L.	Edwards	66 N. Wren Street	New Orleans	LA	70124	Orleans
Wanda Beth	Edwards	601 Poydras, 22nd Floor	New Orleans	LA	70130	Orleans
Laura	Edwards	66 N. Wren Street	New Orleans	LA	70124	Orleans
Wanda B.	Edwards	2317 Waverly Drive	Bossier City	LA	71111	Bossier
Kathryn	Edwards	66 N. Wren Street	New Orleans	LA	70124	Orleans
Emily	Edwards	66 N. Wren Street	New Orleans	LA	70124	Orleans
Ernest L.	Edwards	601 Poydras, 22nd Floor	New Orleans	LA	70130	Orleans
Carol	Frederic	211 E. Worten	Gonzales	LA	70737-4232	Ascension
Frank	Frederic	211 E. Worten	Gonzales	LA	70737-4232	Ascension
Frank P.	Frederic	211 E. Worten	Gonzales	LA	70737-4232	Ascension
Resa A.	Frederic	211 E. Worten	Gonzales	LA	70737-4232	Ascension
Resa Ann	Frederic	211 E. Worten	Gonzales	LA	70737-4232	Ascension
Carol G.	Frederic	211 E. Worten	Gonzales	LA	70737-4232	Ascension
Inga M.	Frederic	211 E. Worten	Gonzales	LA	70737-4232	Ascension
Corine	Hill	1118 Melanie Lane	West Monroe	LA	71291	Ouachita
Corine S.	Hill	1118 Melanie Lane	West Monroe	LA	71291	Ouachita
Elma	Martinez	1517 Lillian Ave.	Plaquemine	LA	70764	Iberville
Martha F.	Martinez	59009 Bayou Jacob Rd.	Plaquemine	LA	70764	Iberville
Everett J.	Martinez	59005 Bayou Jacob Rd.	Plaquemine	LA	70764	Iberville

FIRST NAME	LAST NAME	ADDRESS	CITY	ST	ZIP	PARISH
Martha Faye C.	Martinez	59005 Bayou Jacob Rd.	Plaquemine	LA	70764	Iberville
Everett	Martinez	59005 Bayou Jacob Rd.	Plaquemine	LA	70764	Iberville
Martha Faye	Martinez	59005 Bayou Jacob Rd.	Plaquemine	LA	70764	Iberville
Martha C.	Martinez	59005 Bayou Jacob Rd.	Plaquemine	LA	70764	Iberville
Everett J.	Martinez, Sr.	59005 Bayou Jacob Rd.	Plaquemine	LA	70764	Iberville
Everett Joseph	Martinez, Sr.	59005 Bayou Jacob Rd.	Plaquemine	LA	70764	Iberville
William C.	Milton	Rt. 3, Box 736	Kenwood	LA	70444	Tangipahoa
Margaret H.	Milton	Rt. 3, Box 736	Kenwood	LA	70444	Tangipahoa
William C.	Milton, Jr.	Rt. 3, Box 736	Kenwood	LA	70444	Tangipahoa
Cynthia	Nicklyn	110 East Baldwin Lake Drive	Greenville	MI	48838	Montcalm
James C.	Nicklyn	110 East Baldwin Lake Drive	Greenville	MI	48838	Montcalm
Cynthia	Nicklyn	110 E. Baldwin Lake Dr.	Greenville	MI	48838	Montcalm
Bruce	Odom	308 Town & Country Road	Alexandria	LA	71302	Rapides
Rosalie Hammett	Richardson	700 West Bonaire Drive	Lafayette	LA	70506	Lafayette
George R.	Richardson	700 West Bonaire Drive	Lafayette	LA	70506	Lafayette
George Robert	Richardson	700 West Bonaire Drive	Lafayette	LA	70506	Lafayette
Rosalie H.	Richardson	700 West Bonaire Drive	Lafayette	LA	70506	Lafayette
Frances Elkins	Robinson	Rt. 1, Box 111	Bienville	LA	71008	Bienville
Ralph	Robinson	Rt. 1, Box 111	Bienville	LA	71008	Bienville
Joseph Dean	Robinson	Rt. 1, Box 111	Bienville	LA	71008	Bienville
Olanda P.	Scott	Rt. 2, Box 292	Baker	LA	70714	East Baton Rouge
Ronald	Scott	Rt. 2, Box 292	Baker	LA	70714	East Baton Rouge
Thelma D.	Scott	Rt. 2, Box 292	Baker	LA	70714	East Baton Rouge
Thelma Davis	Scott	Rt. 2, Box 292	Baker	LA	70714	East Baton Rouge
Olanda Planche	Scott	Rt. 2, Box 292	Baker	LA	70714	East Baton Rouge
Olanda	Scott	Rt. 2, Box 292	Baker	LA	70714	East Baton Rouge
Ronald Clyde	Scott	Rt. 2, Box 292	Baker	LA	70714	East Baton Rouge
Ronald C.	Scott	Rt. 2, Box 292	Baker	LA	70714	East Baton Rouge
Srecka Glamuzina	Taliancich	P. O. Box 558	Empire	LA	70050	Plaquemines
Andrew J.	Taliancich	P. O. box 558	Empire	LA	70050	Plaquemines
John Ivan	Taliancich	P. O. Box 558	Empire	LA	70050	Plaquemines
Srecka G.	Taliancich	P. O. box 558	Empire	LA	70050	Plaquemines
Srecka	Taliancich	P. O. box 558	Empire	LA	70050	Plaquemines
Ivan J.	Taliancich	P. O. box 558	Empire	LA	70050	Plaquemines
Joseph M.	Taliancich	P. O. box 558	Empire	LA	70050	Plaquemines
Zana	Taliancich	P. O. box 558	Empire	LA	70050	Plaquemines
Ivan	Taliancich	P. O. box 558	Empire	LA	70050	Plaquemines
Kathleen A.	Vigil	904 San Juan St.	Trinidad	CO	91082-2317	Las Animas
Kathleen A.	Vigil	904 San Juan Street	Trinidad	CO	81082-2317	Las Animas
Marcia K.	Vigil-Kunich	145 Century Drive Apt. 5401	Alexandria	VA	22304-5791	Alexandria
Lydia	White	118 W. Lincoln Rd.	Ville Platte	LA	70586	Evangeline
Frances	Williams	Rt. 1, Box 111	Bienville	LA	71008	Bienville
Frances R.	Williams	Rt. 1, Box 111	Bienville	LA	71008	Bienville
Adrian James	Williams, III	143 Meco Town Road	New Iberia	LA	70560	Iberia
Johnny R.	Williams, Jr.	Rt. 1, Box 111	Bienville	LA	71008	Bienville
Dorothy B.	Youman	3400 N. Thomas St.	Arlington	VA	22207	Arlington
Kevin Clarke	Youman	3400 N. Thomas St.	Arlington	VA	22207	Arlington
Harold R.	Youman, Jr.	3400 N. Thomas St.	Arlington	VA	22207	Arlington
Harold Raymond	Youman, Jr.	3400 N. Thomas St.	Arlington	VA	22207	Arlington



IN THE  
9th JUDICIAL DISTRICT COURT  
PARISH OF RAPIDES  
STATE OF LOUISIANA

NO: 166,755

DIVISION " "

DONALD W. ABSHIRE AND THE OTHER  
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INSTITUTIONS OF THE STATE OF LOUISIANA AND THE OFFICE OF  
FINANCIAL INSTITUTIONS OF THE STATE OF LOUISIANA; AND STANDARD  
ANALYTICAL SERVICE, INC.

FILED: \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CLERK

ORDER

Let the foregoing Third Amendment to Petition for Damages be filed  
as prayed for.

Alexandria, Louisiana, this the \_\_\_\_ day of June, 1992.

\_\_\_\_\_  
JUDGE

David Smith

6-16-92

IN THE  
9th JUDICIAL DISTRICT COURT  
PARISH OF RAPIDES  
STATE OF LOUISIANA

NO: 166,755

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THE STATE OF LOUISIANA, THROUGH THE DEPARTMENT OF  
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FINANCIAL INSTITUTIONS OF THE STATE OF LOUISIANA; AND STANDARD  
ANALYTICAL SERVICE, INC.

FILED: \_\_\_\_\_  
DEPUTY CLERK

ORDER

Let the foregoing Third Amendment to Petition for Damages be filed  
as prayed for.

Alexandria, Louisiana, this the 16 day of June, 1992.

*Robert Stewart*  
\_\_\_\_\_  
JUDGE

RECORDED  
INDEXED  
BY  
JUN 16 PM 11 22  
BY  
ORDER  
RAPIDES PARISH LA.

STATE OF LOUISIANA  
CLERK OF COURTS  
IN FAITH WHEREOF, WITNESS MY HAND  
AND SEAL OF OFFICE, AT ALEXANDRIA, LA,  
LOUISIANA, THIS 17 DAY OF June - 7 -  
A. D. 1992. ROBERT L. STEWART  
CLERK OF COURTS  
BY *Robert Stewart*  
CLERK OF COURTS