

# Victims' Voices

*Mr. Mickey Rooney Fights to Regain Quality of Life*

Mickey Rooney is a Hollywood legend whose illustrious career has spanned over nine decades. From his start in vaudeville as a toddler, Mr. Rooney has appeared in hundreds of films and on television and Broadway. He is still in demand for personal appearances and entertainment.

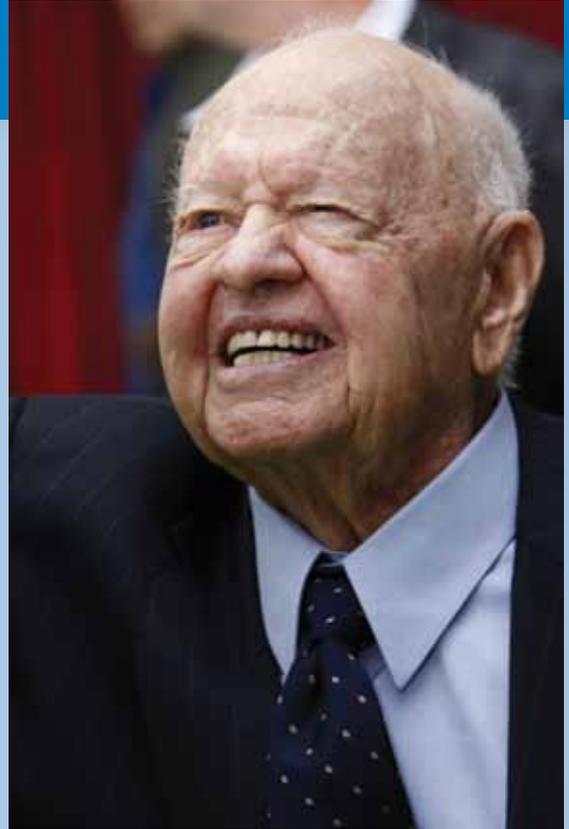
At age 91, Mr. Rooney remains mentally competent and physically able. Like many actors, Mr. Rooney has always relied on others to manage the business and financial aspects of his career. During the past decade, Mr. Rooney placed his confidence in his stepson Mr. Chris Aber, based on their family relationship and his initial trust and faith in him. Assuming the role of Mr. Rooney's agent in most, if not all, aspects of his life, Mr. Aber is alleged to have maintained a confidential fiduciary relationship with him.

Mr. Rooney, in a petition filed in the California state court, has accused Mr. Aber of naming himself as account owner and signatory on all Mr. Rooney's accounts.

The petition accuses Mr. Aber of regularly signing checks payable to himself for his personal expenses and transferring Mr. Rooney's income to personal accounts held by himself and his wife Ms. Christina Aber. Allegedly, unknown to Mr. Rooney, the couple arranged for ATM and credit cards for their use. In addition, Mr. Aber is accused of establishing a post office box under his exclusive control and arranging for Mr. Rooney's mail to be diverted there, thus preventing him from receiving his mail and being apprised of his finances.

Mr. Aber is further accused of failing to properly pay Mr. Rooney's bills and taxes, resulting in exorbitant credit card fees and interest rates, foreclosure notices, and

damaged credit. The petition alleges that, in a unique position of trust, Mr. Aber exploited Mr. Rooney's celebrity to fund an opulent lifestyle for himself and his family—at Mr. Rooney's expense. Mr. Aber is accused of scheduling the



entertainer's personal appearances and acting engagements, controlling negotiations and contract terms, and committing Mr. Rooney to appearances he would have refused, had he been consulted. Declining an appearance was not an option, as Mr. Rooney alleges that he was forced to honor these contracts.

Mr. Rooney's petition indicates that when he attempted to take control over his own affairs, he met with resistance and intimidation. Ordering one's groceries is a simple matter for most people. Mr. Rooney contends that Mr. Aber had conditioned him to accept groceries delivered only by himself or his wife, once every 3 or 4 weeks, sometimes with the groceries being dumped on his front lawn. In one instance, while Mr. Aber was on vacation, Mr. Rooney said that he was running low on food and contacted a nearby grocery store to establish an account for grocery delivery. According to Mr. Rooney, when Mr. Aber



discovered this, he instructed the store to cancel the account and discontinue communications with Mr. Rooney.

Seeing no other alternative, Mr. Rooney voluntarily sought to have a conservator appointed to oversee the protection of himself and his estate from fraud and undue influence. By the time the court appointed a conservator, Mr. Rooney owned a single pair of shoes, was missing all of his personal identification and medical insurance cards, and had no access to any of his own funds.

Attorneys for Mr. Rooney and his conservator, Michael R. Augustine, successfully filed for a restraining order against Mr. Aber, requiring him to stay away from Mr. Rooney and his home. They have also petitioned for breach of fiduciary duty, elder abuse, fraud, action to compel accounting, misappropriation of name and likeness, and violation of civil code section 3344 against both Mr. Aber and Ms. Aber, and two non-relatives.

*I know what many of you must be thinking. How could this happen to Mickey Rooney? Yet, as many of you know, elder abuse has no bounds. Rich or poor, famous, weak or strong; if there is something to be gained by people with a selfish agenda, they will attempt to strip you of any dignity and your rights.*

—Mickey Rooney

Mr. Rooney testified before the Senate Special Committee on Aging in March 2011. His archived webcast and written testimony are available on the Committee's Web site.

**Note:** The contents of this article are primarily derived from and summarize the Petition for Breach of Fiduciary Duties, Elder Abuse, and Fraud filed in the Superior Court of the State of California (Case No. BP 126970), on behalf of Mr. Rooney, and prepared remarks delivered by Mr. Rooney at a symposium on elder abuse.

*In my situation, the abuse involved family members. I was torn because I knew that if I spoke up it would create a great deal of turmoil for my family. Some family members would deny that we were anything but one big, happy family in public. Others would be outraged. And still others would seek retribution.*

*Eventually I did speak up. I did it because I could no longer live with the pain of the abuse. I want to put a spotlight on the problem and let those abusers know they are no longer going undetected.*

—Mickey Rooney

*I woke up each day to a chain of events that both saddened and frightened me. I could not believe what had become of my life. Since I have spoken out about the abuse I have silently endured, my life has changed tremendously.*

—Mickey Rooney