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Attorneys for the Plaintiff

**MONTANA THIRTEENTH JUDICIAL DISTRICT COURT,
 YELLOWSTONE COUNTY**

STATE OF MONTANA,

Plaintiff,

vs.

JACK WILLIAM LIGHT,

Defendant.

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Cause No.: 00-2453

SUSAN P. WATTERS

**MOTION & AFFIDAVIT FOR ORDER
 GRANTING LEAVE TO FILE
 INFORMATION DIRECTLY IN
 DISTRICT COURT**

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STATE OF MONTANA)
 :SS
 County of Lewis & Clark)

JESSE LASLOVICH, being first duly sworn, upon oath, deposes and says:

1. That he is a duly appointed, qualified, and acting Special Deputy County Attorney in and for the county of Yellowstone, state of Montana.
2. That the Defendant has committed an offense in Yellowstone County as

hereinafter set forth and, based upon information developed through an investigation conducted

Motion and Affidavit for Order Granting Leave to File Information Directly in District Court

STATE OF MONTANA v. JACK WILLIAM LIGHT

by law enforcement officers and criminal justice investigators, the Court should grant leave to file an Information directly in District Court pursuant to Mont. Code Ann. § 46-11-201, charging the above named Defendant with the offense of: COUNT ONE, INSURANCE FRAUD/THEFT by COMMON SCHEME, a FELONY, in violation of Mont. Code Ann. §§ 33-1-1202 and 45-6-301(6)(a).

3. That law enforcement officers and criminal justice investigators have made a full and careful investigation of all the facts and circumstances surrounding the commission of said offense, so far as they are known or ascertainable and Affiant believes it a proper case for the filing of an Information. For this reason and pursuant to Mont. Code Ann. § 46-11-201, Affiant respectfully moves the Court for leave to file said Information directly in District Court.

4. That the following information is submitted to establish probable cause for the filing of the foregoing charge:

a. On or about November 27, 1995, Jack William Light (Defendant) obtained disability income insurance from Thrivent Financial for Lutherans (Thrivent).

b. The Thrivent policy defines total disability as a disability which results from injury or sickness; which prevents a covered person from performing an occupation for wage or profit; and during which the person does no work for earned income.

c. On or about October 7, 2002, Defendant submitted his first claim to Thrivent, claiming that he was medically unable to perform his regular occupation as of May 31, 2002. Defendant provided his first Attending Physician's Statement (APS) from Dr. Simon Wall, who stated that the Defendant was medically unable to work due to Bipolar Disorder, Neurological Disorder, and Obsessive Compulsive Disorder.

Defendant represented to Thrivent that he was self-employed as a consultant from 1997 to May 31, 2002, earning \$1,333 per month.

d. Sometime after submitting his claim to Thrivent, Defendant submitted a claim for Social Security disability benefits to the Social Security Administration (SSA).

e. Contrary to the information Defendant gave to Thrivent, he represented to SSA in his work history report that he was unemployed from 2000 to 2002. There was also no indication from the Defendant to the SSA that he was a self-employed consultant. The Defendant also represented to the SSA that he was a bookkeeper for Teamsters Local 190 from July 1, 2002, to June 1, 2005.

f. On or about June 18, 2004, the Defendant, at Thrivent's request, submitted a report to Thrivent summarizing his work history. The Defendant failed to disclose that he was a bookkeeper for Teamsters Local 190 and unlike the information submitted to the SSA, repeated to Thrivent that he was a self-employed consultant from 1997 to 2002.

g. The Defendant also failed to disclose to Thrivent that he was the Executive Director of Big Sky Outreach from approximately June 1, 2005, to July 1, 2007. Big Sky Outreach obtained a grant from the U.S. Department of Justice to educate Montana teens about federal firearms laws and how they apply to juveniles. The Defendant received approximately \$130,065 for "contracted services" during the relevant time period.

h. From May 31, 2002, until August 5, 2007, the Defendant received an aggregated total of \$128,385.11 from Thrivent via checks and direct deposits. See Exhibit A attached.

i. On or about August 6, 2007, Thrivent requested that the Defendant provide Thrivent with his federal income tax returns from 2000 to 2006, to which Defendant never responded.

j. On or about September 6, 2007, Thrivent sent a letter to the Defendant explaining that based on the information Thrivent received from the Teamsters Local 190, the SSA, Defendant's medical providers, and the Defendant, Thrivent stopped his disability payments as of August 5, 2007, and demanded the \$128,385.11 Thrivent distributed to the Defendant from May 31, 2002, to August 5, 2007. The Defendant never responded.

k. On or about July 16, 2008, Thrivent, by and through its counsel, contacted the Commissioner of Securities and Insurance (CSI) about the Defendant's conduct and sent the CSI copies of pertinent documents.

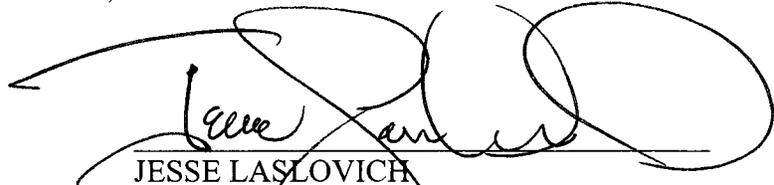
l. After failing to reach the Defendant on multiple occasions, on May 17, 2009, the Defendant emailed the CSI and informed CSI that he was out of the country until 2010.

m. On June 24, 2009, the Defendant voluntarily wrote a lengthy email to CSI admitting that he wrongfully collected the disability payments by saying, among other things, "What I have done was very stupid and I regret doing it. I have done very many stupid things in my life and this is one of the worse [sic]."

WHEREFORE, the undersigned moves the Court for an Order granting leave to file an Information directly in District Court charging the above named Defendant with the offense of

INSURANCE FRAUD/THEFT by COMMON SCHEME, a Felony, as more particularly set forth herein.

DATED this 20th day of AUGUST, 2009.


JESSE LASLOVICH
Special Deputy Yellowstone County Attorney

SUBSCRIBED and SWORN to before me this 20 day of August, 2009.



Notary Public for the State of Montana

Printed name DARLA SAUTTER

Residing at HELENA

My commission expires: 4/14/2010

(SEAL)