

BEFORE THE HEARING BOARD  
OF THE  
ILLINOIS ATTORNEY REGISTRATION  
AND  
DISCIPLINARY COMMISSION

In the Matter of:

**RICHARD MICHAEL RUGGIERO,**

Attorney-Respondent,

Commission No. 2021PR00078

No. 6211359

**ATTORNEY-RESPONDENT'S VERIFIED ANSWER AND AFFIRMATIVE  
DEFENSES TO ADMINISTRATOR, JEROME LARKIN'S, ARDC COMPLAINT**

NOW COMES the Attorney-Respondent, **RICHARD MICHAEL RUGGIERO** (hereinafter "Ruggiero") and for his Verified Answer and Affirmative Defenses pursuant to ARDC Rules 231 through 233, 735 ILCS 5/2-610 and all local and Supreme Court Rules, to **ADMINISTRATOR, JEROME LARKIN'S, ARDC Complaint**, states as follows:

**ANSWER TO COUNT I**

1. Ruggiero admits the allegations as set forth in Paragraph One (1) that he is the owner of Ruggiero Law Group, LLC but denies that his practice focuses on residential real estate matters and calls for strict proof thereof.
2. Ruggiero admits the allegations as set forth in Paragraph Two (2).

3. Ruggiero admits the allegations as set forth in Paragraph Three (3).
4. Ruggiero admits the allegations as set forth in Paragraph Four (4).
5. Ruggiero admits the allegations as set forth in Paragraph Five (5).
6. Ruggiero admits the allegations as set forth in Paragraph Six (6) as to the Trusts as set forth in Paragraph Two (2).
7. Ruggiero admits the allegations as set forth in Paragraph Seven (7).
8. Ruggiero admits the allegations as set forth in Paragraph Eight (8).
9. Ruggiero denies the allegations as set forth in Paragraph Nine (9) and calls for strict proof thereof.
10. Ruggiero admits the allegations as set forth in Paragraph Ten (10), though he does not recall the exact date the account was opened and the account number and calls for strict proof thereof.
11. Ruggiero admits the allegations as set forth in Paragraph Eleven (11) that monies were transferred into the account number as set forth in Paragraph Ten (10), but he does not recall the exact date the account was opened, and the monies transferred and calls for strict proof thereof.
12. Ruggiero admits the allegations as forth in Paragraph Twelve (12) that the Cumberland property was sold on approximately May 14, 2019, and the money was wired to the account number set forth in Paragraph Ten (10), but

denies the remaining allegations as set forth in Paragraph Twelve (12) and calls for strict proof thereof.

13. Ruggiero denies the allegations as set forth in Paragraph Thirteen (13) and calls for strict proof thereof.
14. Ruggiero denies the allegations as set forth in Paragraph Fourteen (14) and calls for strict proof thereof.
15. Ruggiero denies the allegations as set forth in Paragraph Fifteen (15) and calls for strict proof thereof.
16. Ruggiero denies the allegations as set forth in Paragraph Sixteen (16) and calls for strict proof thereof.
17. Ruggiero denies the allegations as set forth in Paragraph Seventeen (17) and calls for strict proof thereof.
18. Ruggiero denies the allegations as set forth in Paragraph Eighteen (18) and calls for strict proof thereof.
19. Ruggiero denies the allegations as set forth in Paragraph Nineteen (19) and calls for strict proof thereof.
20. Ruggiero continues to investigate the allegations as set forth in the Complaint and reserves the right to amend his Answer, make any dispositive motions and/or present evidence, at any time up to and including any hearing of this matter.

## AFFIRMATIVE DEFENSES

Ruggiero, upon information and belief, and pursuant to ARDC Rules 231 through 233, 735 ILCS 5/2-610 and any and all local and Supreme Court Rules, asserts the following as its Affirmative Defenses:

- A. That Lena De Benedetto did not prepare or leave a Will.
- B. That Lena De Benedetto, by subsequent instrument and/or statements to her Trust, did not intend for the Charities as named in the Complaint, or any other charity, to be gifted or benefit under her Trust, and indeed intended for Ruggiero to be the sole beneficiary under her Trust, as the evidence will show.
- C. That as a result of the above, the provisions of Lena De Benedetto's Trust leaving the named Charities, or other charities, gifts or benefits are void or voidable in point of law.
- D. That Lena De Benedetto intended for Ruggiero to act as Trustee; that Ruggiero always acted properly according to her wishes, and he did so in an individual capacity, as the evidence will show.
- E. That Ruggiero has been licensed to practice law in the State of Illinois for over 29 years, has an exemplary record and has had no disciplinary Complaints or proceedings brought against him by the ARDC. Further,

Ruggiero has had no complaints filed against him by any clients since approximately 1995, which were immediately dismissed after Ruggiero filed his two (2) week response.

- F. The Answering Defendant continues to investigate the allegations as set forth in Complaint and reserves the right to amend his Affirmative Defense(s) and/or make any dispositive motions and/or present evidence at any time up to and including the hearing of this matter.

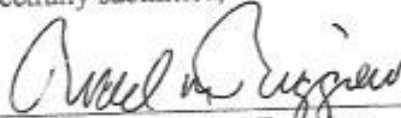
#### **RULE 231 DISCLOSURE**

Ruggiero, upon information and belief and pursuant to ARDC Rule 231, asserts as follows:

1. That Ruggiero has not been admitted to practice law before any courts or agencies as set forth in Rule 231 (a); and
2. That Ruggiero has not received any other professional license or certificate as set forth in Rule 231 (b).

**WHEREFORE**, the Answering Attorney-Respondent, **RICHARD MICHAEL RUGGIERO**, requests that judgment be entered in his favor, that the Complaint be dismissed with prejudice, and that no recommendation for discipline is warranted.

Respectfully submitted,

By:   
Richard Michael Ruggiero

RUGGIERO LAW GROUP, LLC/  
RICHARD M. RUGGIERO  
805 Lake St., #314  
Oak Park, Illinois 60301  
Telephone: 708.609.9163  
Email: [rmruggiero.law@gmail.com](mailto:rmruggiero.law@gmail.com)  
Cook County Attorney No. 30581

**CERTIFICATION**

Under penalties of perjury as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters, the undersigned certifies that he verily believes the same to be true.

  
Richard Michael Ruggiero

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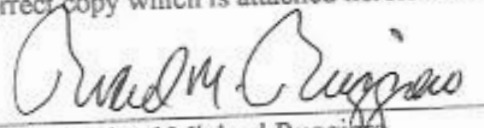
**No. 6211359**

To:

Richard Gleason  
Counselor for the Administrator  
Illinois ARDC  
130 east Randolph Drive, Suite 1500  
Chicago, Illinois 60601  
Telephone: (312)565-2600  
Email: rgleason@iadc.org  
Email: ARDCeService@iadc.org  
**Via electronic email**

**NOTICE OF FILING**

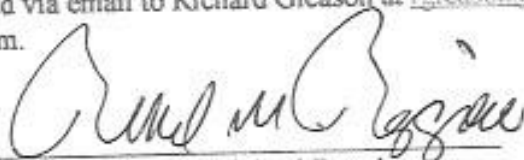
You are hereby notified that on October 19, 2021, the undersigned, an attorney, did this day electronically file with the Illinois ARDC at the email addresses above, Attorney - Respondent's Answer and Affirmative Defense(s) to the ARDC's Complaint, a true and correct copy which is attached hereto and served upon you.

  
Richard Michael Ruggiero



### PROOF OF SERVICE

On October 19, 2021, the undersigned, an attorney on oath state that I served this notice and true and correct copies of the above documents through the approved e-filing system and via email to Richard Gleason at [rgleason@iarde.org](mailto:rgleason@iarde.org) on or before the hour of 5:00 p.m.



Richard Michael Ruggiero

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