

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

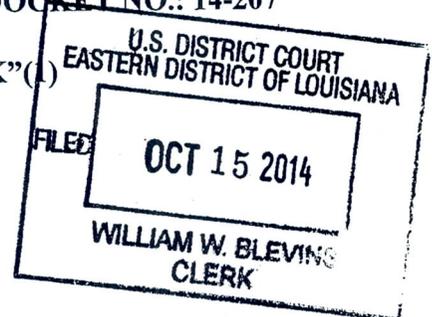
v.

CASEY THONN

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CRIMINAL DOCKET NO.: 14-207

SECTION: "K"(1)



FACTUAL BASIS

If this case were to proceed to trial, the United States would prove, beyond a reasonable doubt, through credible testimony and reliable evidence, the following factual summary:

On or about April 20, 2010, an explosion and fire occurred on the Deepwater Horizon, an oil rig in the Gulf of Mexico. The Deepwater Horizon rig was under contract with British Petroleum ("BP"), a company whose activities included oil exploration and production in the United States and elsewhere and whose subsidiaries included BP Exploration and Production, Inc. ("BP Exploration").

As a result of the incident, various entities acted as claims processing and payment centers. On or about March 2, 2012, BP reached a settlement agreement with plaintiffs in *In Re: Oil Spill by the rig OIL Rig "Deepwater Horison" in the Gulf of Mexico, on April 20, 2010*, a class action lawsuit pending in United States District Court for the Eastern District of Louisiana (10-MDL-2179 "J"). On or about June 4, 2012, as a result of the settlement agreement, all claims for losses sustained by individuals and organizations were then directed to the court-authorized claims process center known as the Deepwater Horizon Economic Claims Center ("DHECC").

On or about June 24, 2012, the defendant, **CASEY THONN**, a resident of the Eastern District of Louisiana, submitted a Seafood Compensation Program Claim (Shrimp Vessel Owner

Claim designated as "Claim 19690") claiming compensation payable from the DHECC. On or about June 24, 2012, **CASEY THONN**, submitted a Seafood Compensation Program Claim (Shrimp Boat Captain Claim designated as "Claim 19691") claiming compensation payable from the DHECC.

First, on or about November 1, 2012, **CASEY THONN** received an eligibility notice for Claim 19690 in the amount of \$864.78, based on trip ticket data from the Louisiana Department of Wildlife and Fisheries ("LDWF") Trip Ticket Database. Next, on or about November 6, 2012, **CASEY THONN** received an eligibility notice for Claim 19691 in the amount of \$885.58, based on trip ticket data from the Louisiana Department of Wildlife and Fisheries ("LDWF") Trip Ticket Database.

In turn, beginning in or near December, 2012, and continuing to in or near May, 2013, **CASEY THONN** intentionally defrauded the Deepwater Horizon Economic Claims Center ("DHECC") in order to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises.

First, on or about December 3, 2012, **CASEY THONN** submitted a Request for Reconsideration of his original eligibility notice as to Claim 19690, requesting his compensation be recalculated based on a false Federal tax return **CASEY THONN** provided to the DHECC which claimed he received \$156,000 of gross revenue in 2009. This fraudulent submission increased the defendant's compensation from \$864.78 to \$166,652.10.

Next, on or about December 3, 2012, **CASEY THONN** submitted a Request for Reconsideration of his original eligibility notice as to Claim 19691, requesting his compensation be recalculated based on a false Federal tax return **CASEY THONN** provided to the DHECC

which claimed he received \$156,000 of gross revenue in 2009. This fraudulent submission increased the defendant's compensation from \$885.58 to \$190,350.25.

On or about March 5, 2013, in the Eastern District of Louisiana, and elsewhere, **CASEY THONN** did cause to be transmitted by means of wire communication in interstate commerce, certain writings, signals, and sounds; that is **CASEY THONN** caused interstate wire communications to occur between Louisiana and other states when his false and fraudulent submission caused an interstate wire communication, consisting of an electronic wire payment in the amount of \$166,652.10 for Claim 19690, to be sent from the Settlement Trust at JPMorgan Chase Bank to his attorney's trust account at Whitney National Bank. All in violation of Title 18, United States Code, Section 1343.

On or about May 6, 2013, in the Eastern District of Louisiana, and elsewhere, **CASEY THONN** did cause to be transmitted by means of wire communication in interstate commerce, certain writings, signals, and sounds; that is **CASEY THONN** caused interstate wire communications to occur between Louisiana and other states when his false and fraudulent submission caused an interstate wire communication, consisting of an electronic wire payment in the amount of \$190,350.25 for Claim 19691, to be sent from the Settlement Trust at JPMorgan Chase Bank to his attorney's trust account at Whitney National Bank.

In total, **CASEY THONN'S** criminal conduct resulted in an illegal gain of \$355,251.99.

In summary, all of the evidence introduced at trial would establish the elements of the offense and prove the defendant's guilt beyond a reasonable doubt.

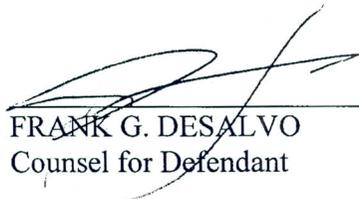
READ AND APPROVED:



CASEY THONN
Defendant



MATTHEW M. COMAN
Assistant U.S. Attorney
Deputy Chief, Criminal Division



FRANK G. DESALVO
Counsel for Defendant