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U.S. DISTRICT COURT  
EASTERN DISTRICT OF LA.

2019 OCT 24 P 1:22

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

**FELONY**

**INDICTMENT FOR CONSPIRACY TO COMMIT  
WIRE FRAUD, WIRE FRAUD, AND NOTICE OF FORFEITURE**

UNITED STATES OF AMERICA

\*

CRIMINAL NO. **19-219**

v.

\*

SECTION: **SECT. LMAG. 1**

DAMIAN K. LABEAUD

\*

VIOLATIONS: 18 U.S.C. § 371

a/k/a Damian Kevin Lebeaud

\*

18 U.S.C. § 1343

a/k/a Damien K. Lebeaud

\*

18 U.S.C. § 2

LUCINDA THOMAS

\*

MARY WADE

\*

JUDY WILLIAMS

\*

a/k/a Judy Lagarde

\*

DASHONTAE YOUNG

\*

The Grand Jury charges that:

**COUNT 1**

(Conspiracy to Commit Wire Fraud)

**A. AT ALL TIMES MATERIAL HEREIN:**

1. Defendant **DAMIAN LABEAUD**, a/k/a **Damian Kevin Lebeaud**, a/k/a **Damien K. Lebeaud** ("LABEAUD") resided in New Orleans, Louisiana.
2. Defendants **LUCINDA THOMAS** ("THOMAS"), **MARY WADE** ("WADE"), **JUDY WILLIAMS**, a/k/a **Judy Lagarde** ("WILLIAMS"), and **DASHONTAE YOUNG** ("YOUNG") resided in Houma, Louisiana.

3. Attorney A was a personal injury attorney licensed to practice in Louisiana and maintained an office in New Orleans, Louisiana.
4. The intersection of Chef Menteur Highway and Downman Road was located in the Eastern District of Louisiana.
5. Southern Refrigerated Transport, Inc. ("SRT") was an interstate commercial trucking company headquartered in Texarkana, Arkansas.
6. Covenant Transportation Group ("Covenant"), headquartered in Chattanooga, Tennessee, was the parent company that owned SRT.
7. Covenant and SRT were insured by IQS Insurance Risk Retention Group, Inc.
8. Chase Bank ("Chase") was the U.S. consumer banking business of JP Morgan Chase & Co., a global financial services firm with operations worldwide.
9. Negotiated Chase checks that were deposited or cashed were converted into an electronic image and then electronically sent to one of three Chase data centers located in Michigan, Illinois, or Delaware.
10. Covenant maintained a bank account with Chase.
11. IberiaBank ("Iberia") was a domestic financial holding company with approximately 190 bank branch offices located throughout the south.
12. Iberia operated a branch location at 2401 Canal Street in New Orleans, Louisiana, in the Eastern District of Louisiana.
13. Cashed or deposited Iberia checks resulted in electronic wire communications from Louisiana to the Federal Reserve in Atlanta, Georgia.
14. Attorney A maintained a bank account with Iberia.

15. On or about March 6, 2018, Attorney A filed a Petition for Damages in the Civil District Court for the Parish of Orleans, State of Louisiana (“CDC”), Case No. 2018-2189, on behalf of **WILLIAMS** and **WADE** (“Williams & Wade Lawsuit”).

16. On or about March 8, 2018, the Williams & Wade Lawsuit was removed to the U.S. District Court for the Eastern District of Louisiana and assigned Civil Action No. 18-2472, Section “A.”

17. On or about June 5, 2018, Attorney A filed a Petition for Damages in CDC, Case No. 2018-5540, on behalf of **THOMAS** (“Thomas Lawsuit”).

18. On or about June 8, 2018, the Thomas Lawsuit was removed to the U.S. District Court for the Eastern District of Louisiana and assigned Civil Action No. 18-6113, Section “A.”

**B. THE CONSPIRACY:**

Beginning at a time unknown, and continuing until the date of this Indictment, in the Eastern District of Louisiana and elsewhere, the defendants, **DAMIAN LABEAUD, LUCINDA THOMAS, MARY WADE, JUDY WILLIAMS,** and **DASHONTAE YOUNG,** and others known and unknown to the Grand Jury, willfully and knowingly did combine, conspire, confederate, and agree to devise a scheme and artifice to defraud and to obtain money and property from insurance companies and interstate trucking companies by means of materially false and fraudulent pretenses, representations, and promises, by use of interstate wire transmissions, in violation of Title 18, United States Code, Section 1343.

**C. THE SCHEME TO DEFRAUD:**

It was part of the scheme and artifice to defraud that, on or about June 6, 2017, **THOMAS, WADE, WILLIAMS,** and **YOUNG** drove **THOMAS’** 2009 Chevrolet Avalanche (“Avalanche”) from Houma, Louisiana, to a Burger King restaurant located on Chef Menteur Highway in New

Orleans where they met with **LABEAUD** and agreed to stage an automobile accident in order to obtain money through fraud.

It was further part of the scheme and artifice to defraud that **THOMAS, WADE, WILLIAMS,** and **YOUNG** agreed to allow **LABEAUD** to drive **THOMAS'** Avalanche.

It was further part of the scheme and artifice to defraud that **LABEAUD** drove **THOMAS, WADE, WILLIAMS,** and **YOUNG,** in the Avalanche, to locate another vehicle to collide with in the area of Chef Menteur Highway and Downman Road.

It was further part of the scheme and artifice to defraud that, at approximately 12:30 P.M., **LABEAUD,** while driving east on Chef Menteur Highway, observed a 2017 Freightliner tractor-trailer operated by SRT merging onto Chef Menteur Highway, and that **LABEAUD** intentionally collided with the SRT tractor-trailer.

It was further part of the scheme and artifice to defraud that **LABEAUD** exited **THOMAS'** Avalanche after the collision and told **THOMAS** to get behind the wheel of the Avalanche to make it appear that **THOMAS** was driving the vehicle at the time of the staged accident.

It was further part of the scheme and artifice to defraud that **THOMAS, WADE, WILLIAMS,** and **YOUNG** contacted the New Orleans Police Department ("NOPD") to report that they had been in an automobile accident.

It was further part of the scheme and artifice to defraud that **THOMAS** falsely reported to the NOPD that she had been the driver of the Avalanche and that the tractor-trailer had struck her vehicle.

It was further part of the scheme and artifice to defraud that **LABEAUD** and another individual known to the Grand Jury returned to the scene of the staged accident and made a false

statement to the NOPD that **LABEAUD** had witnessed the accident and claimed the driver of the SRT tractor-trailer had been at fault.

It was further part of the scheme and artifice to defraud that **LABEAUD** contacted Attorney A and arranged a meeting with **LABEAUD**, Attorney A, **THOMAS**, **WADE**, **WILLIAMS**, and **YOUNG** at the Raising Cane's restaurant ("Cane's") on Chef Menteur Highway.

It was further part of the scheme and artifice to defraud that Attorney A met with **LABEAUD**, **THOMAS**, **WADE**, **WILLIAMS**, and **YOUNG** after they finished with NOPD at the scene of the staged accident in order to discuss Attorney A's representation of **THOMAS**, **WADE**, **WILLIAMS**, and **YOUNG**.

It was further part of the scheme and artifice to defraud that Attorney A paid **LABEAUD** \$7,500.00 on the day of the staged accident.

It was further part of the scheme and artifice to defraud that Attorney A demanded approximately \$1,000,000.00 per plaintiff in settlement for **THOMAS**, **WILLIAMS**, and **WADE**.

It was further part of the scheme and artifice to defraud that on or about March 6, 2018, Attorney A filed the Williams & Wade Lawsuit in CDC.

It was further part of the scheme and artifice to defraud that on or about June 5, 2018, Attorney A filed the Thomas Lawsuit in CDC.

It was further part of the scheme and artifice to defraud that **WADE**, **WILLIAMS**, and **THOMAS** were purportedly treated by doctors who are known to the Grand Jury at the direction of Attorney A.

It was further part of the scheme and artifice to defraud that **THOMAS** underwent neck surgery because Attorney A told her that she would get more money through the lawsuit if she had the surgery.

It was further part of the scheme and artifice to defraud that **THOMAS, WADE, and WILLIAMS** each provided false testimony in depositions taken in conjunction with the lawsuits filed by Attorney A.

**D. OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY:**

The below listed Overt Acts all occurred on or about June 6, 2017, unless noted otherwise.

1. In the morning, **THOMAS, WADE, WILLIAMS, and YOUNG** drove **THOMAS'** Avalanche from Houma, Louisiana to New Orleans where they met **LABEAUD**.
2. At approximately 10:58 A.M., **LABEAUD** called Attorney A.
3. At approximately 12:03 P.M., **WADE** called **LABEAUD**.
4. **THOMAS, WADE, WILLIAMS, and YOUNG** agreed to allow **LABEAUD** to drive **THOMAS'** Avalanche in order to stage an auto accident.
5. At approximately 12:30 P.M., **LABEAUD**, while driving east on Chef Menteur Highway, intentionally collided with the SRT tractor-trailer.
6. After the staged accident, **LABEAUD** instructed **THOMAS** to get behind the wheel of the Avalanche to make it appear that **THOMAS** was driving the vehicle at the time of the staged accident.
7. **LABEAUD** fled the scene of the staged accident and rendezvoused with an individual known to the Grand Jury who picked **LABEAUD** up in a silver Chevrolet Silverado pick-up truck.

8. After the staged accident, **THOMAS, WADE, WILLIAMS, and YOUNG** contacted the NOPD to report that they had been in an automobile accident.
9. At approximately 12:44 P.M., Attorney A sent a text message to **LABEAUD**.
10. At approximately 1:06 P.M., **THOMAS** called **LABEAUD**.
11. At approximately 1:06 P.M., **LABEAUD** called **THOMAS**.
12. At approximately 1:27 P.M. and 1:36 P.M., **WADE** called **LABEAUD**.
13. At approximately 1:34 P.M., NOPD responded to the scene of the alleged accident and, shortly thereafter, **THOMAS** falsely reported to the NOPD that she had been the driver of the Avalanche and that the SRT tractor-trailer struck her vehicle.
14. At approximately 1:35 P.M., **WADE** called **LABEAUD** again.
15. At approximately 1:36 P.M. and 1:43 P.M., **LABEAUD** called Attorney A.
16. At approximately 1:45 P.M., **LABEAUD** returned to the scene of the staged accident with an individual known to the Grand Jury and made a false statement to the NOPD that he witnessed the accident and claimed that the driver of the tractor-trailer had been at fault.
17. At approximately 1:58 P.M., Attorney A called **LABEAUD**.
18. At approximately 3:06 P.M., **LABEAUD** called Attorney A.
19. **LABEAUD** contacted Attorney A and arranged a meeting with him, **THOMAS, WADE, WILLIAMS, and YOUNG** at the Cane's restaurant on Chef Menteur Highway.
20. Attorney A met with **LABEAUD, THOMAS, WADE, WILLIAMS, and YOUNG** after they finished with NOPD at the scene of the staged accident in order to discuss Attorney A's representation of **THOMAS, WADE, WILLIAMS, and YOUNG**.
21. Attorney A paid **LABEAUD** \$7,500.00 on the day of the staged accident.

22. On or about June 7, 2017, **LABEAUD** cashed a \$7,500.00 check he received from Attorney A.
23. After or about July 5, 2017, **THOMAS** negotiated a \$500.00 check she received from Covenant.
24. After or about November 27, 2017, Attorney A deposited a \$20,000.00 settlement check for **YOUNG** that Attorney A received from Covenant.
25. On or about March 6, 2018, Attorney A filed the Williams & Wade Lawsuit in CDC.
26. On or about June 5, 2018, Attorney A filed the Thomas Lawsuit in CDC.
27. On or about September 13, 2018, **THOMAS, WADE,** and **WILLIAMS** each provided false testimony in depositions taken in conjunction with the lawsuits filed by Attorney A.
28. On or about April 9, 2019, **THOMAS, WADE,** and **WILLIAMS** each provided false testimony in depositions taken in conjunction with the lawsuits filed by Attorney A.
29. After or about June 7, 2019, **THOMAS** negotiated a \$7,500.00 settlement check she received from Covenant.
30. After or about June 7, 2019, **WADE** negotiated a \$7,500.00 settlement check she received from Covenant.
31. After or about June 7, 2019, **WILLIAMS** negotiated a \$7,500.00 settlement check she received from Covenant.

All in violation of Title 18, United States Code, Section 371.



**COUNTS 2 - 6**  
(Wire Fraud)

**A. AT ALL TIMES MATERIAL HEREIN:**

The allegations contained in Parts A, C, and D of Count 1 are hereby re-alleged and incorporated herein by reference.

**B. THE OFFENSE:**

On or about the dates and in the approximate amounts listed below, in the Eastern District of Louisiana and elsewhere, the defendants, **DAMIAN LABEAUD, LUCINDA THOMAS, MARY WADE, JUDY WILLIAMS, and DASHONTAE YOUNG**, for the purpose of executing the scheme and artifice to defraud set forth in Part C of Count 1, caused to be transmitted by means of a wire communication in interstate and foreign commerce the writings, signs, signals, pictures, and sounds described below:

<b>COUNT</b>	<b>DESCRIPTION OF USE OF WIRE</b>
<b>2</b>	Check No. 49134, dated July 5, 2017, from Covenant's Chase account to <b>THOMAS</b> , in the amount of \$500.00, and negotiated after July 5, 2017.
<b>3</b>	Check No. 50047, dated November 27, 2017, from Covenant's Chase account to <b>YOUNG</b> and Attorney A, in the amount of \$20,000.00, and deposited into Attorney A's Iberia account after November 27, 2017.
<b>4</b>	Check No. 609228, dated June 7, 2019, from Covenant's Chase account to <b>THOMAS</b> , in the amount of \$7,500.00, and negotiated after June 7, 2019.
<b>5</b>	Check No. 609229, dated June 7, 2019, from Covenant's Chase account to <b>WADE</b> , in the amount of \$7,500.00, and negotiated after June 7, 2019.
<b>6</b>	Check No. 609230, dated June 7, 2019, from Covenant's Chase account to <b>WILLIAMS</b> , in the amount of \$7,500.00, and negotiated after June 7, 2019.

All in violation of Title 18, United States Code, Sections 1343 and 2.

**NOTICE OF WIRE FRAUD FORFEITURE**

1. The allegations of Counts 1 - 6 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States

of America pursuant to the provisions of Title 18, United States Code, Sections 371, 1343, and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

2. As a result of the offenses alleged in Counts 1 - 6, the defendants, **DAMIAN LABEAUD, LUCINDA THOMAS, MARY WADE, JUDY WILLIAMS, and DASHONTAE YOUNG**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c), any and all property, real or personal, which constitutes or is derived from proceeds traceable to violations of Title 18, United States Code, Sections 371 and 1343.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 371, 1343, and 981(a)(1)(C),  
made applicable through Title 28, United States Code, Section 2461(c).

A TRUE BILL:



FOREPERSON

PETER G. STRASSER  
UNITED STATES ATTORNEY

A handwritten signature in black ink, appearing to read 'B. M. Klebba', written over a horizontal line.

BRIAN M. KLEBBA  
Assistant United States Attorney

EDWARD J. RIVERA  
SHIRIN HAKIMZADEH  
Assistant United States Attorneys

JARED L. HASTEN  
Trial Attorney, U.S. Department of Justice

New Orleans, Louisiana  
October 24, 2019