

U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
FILED JAN 30 2020
CAROL L. MICHEL
CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	CRIMINAL NO. 19-219
	*	
v.	*	SECTION: "L"
	*	
DAMIAN K. LABEAUD	*	
a/k/a Damian Kevin Lebeaud	*	
a/k/a Damien K. Lebeaud	*	
LUCINDA THOMAS	*	
MARY WADE	*	
JUDY WILLIAMS	*	
a/k/a Judy Lagarde	*	
DASHONTAE YOUNG	*	
GENETTA ISREAL	*	
MARIO SOLOMON	*	
LARRY WILLIAMS	*	

* * *

FACTUAL BASIS AS TO LARRY WILLIAMS

Should this matter have gone to trial, the government would have proved through the introduction of reliable testimony and admissible tangible exhibits, including documentary evidence, the following to support the allegations charged by the government in Count 1 of the Superseding Indictment now pending against the defendant, **LARRY WILLIAMS**, charging him with a violation of Title 18, United States Code, Section 371, namely, conspiracy to commit wire fraud. The Defendant, along with his co-conspirators and others, beginning in approximately June 2017 and continuing through approximately December 2018, in the Eastern District of Louisiana, and elsewhere, conspired to commit wire fraud in connection with a staged accident that occurred on June 12, 2017 in which the Defendant was a passenger.

Prior to June 12, 2017, the Defendant and Damian Labeaud agreed on a plan in which

AUSA	<u>BK</u>
Defendant	<u>W</u>
Defense Counsel	<u>gw</u>

Labeaud would intentionally collide with a tractor-trailer with the Defendant in the vehicle at the time of the staged collision. As part of this agreement, following the staged accident, the Defendant would attempt to recover monetary damages from the owner and insurer of the tractor-trailer in connection with purported injuries suffered as a result of the staged accident. Labeaud told the Defendant that he had an attorney, Attorney A, who would handle everything regarding a potential recovery in connection with the staged accident.

On June 10, 2017, the Defendant, who had borrowed a 2005 Chevrolet Trailblazer (“Trailblazer”) drove with his co-conspirators, Genetta Isreal and Anita Scott from Houston, Texas to New Orleans, Louisiana for the purpose of having Labeaud drive the Trailblazer and stage an accident that the Defendant and Labeaud had previously discussed. On June 12, 2017, the Defendant, Isreal, and Scott met Labeaud in the Trailblazer in New Orleans. Labeaud drove the Trailblazer to the Danzinger Bridge and parked the Trailblazer in the eastbound far right-lane on Chef Menteur Highway waiting to locate a tractor-trailer with which Labeaud would stage an accident.

At approximately 11:30 A.M., Labeaud located and intentionally collided with a 2015 Peterbilt tractor-trailer owned by Southeastern Motor Freight, Inc. (“SMF”), which was driving east on Chef Menteur Highway. Immediately after the accident, Labeaud exited the Trailblazer and left the scene of the accident. The Defendant switched into the driver’s seat of the Trailblazer to make it appear as though the Defendant was driving the vehicle at the time of the accident. Immediately after the accident, on June 12, 2017, the Defendant, Isreal, and Scott contacted the New Orleans Police Department (“NOPD”) to report the accident. The NOPD arrived on the scene shortly thereafter and the Defendant lied to NOPD officers stating that he had been the driver of

the Trailblazer at the time of the accident. At no time did the Defendant tell NOPD officers that Labeaud had been the driver of the Trailblazer at the time of the accident.

After the accident, Labeaud contacted Attorney A and arranged a meeting at Attorney A's office. Labeaud, the Defendant, Isreal, and Scott went to Attorney A's office in order to sign the necessary paperwork to retain Attorney A to represent the Defendant, Isreal, and Scott in connection with seeking monetary damages from the owner and insurer of the 2015 Peterbilt tractor-trailer in connection with the staged accident that had taken place on June 12, 2017. The Defendant, Isreal, and Scott all hired Attorney A to represent them.

On June 12, 2018, Attorney B, an attorney who worked with Attorney A, filed a personal injury lawsuit on behalf of the Defendant, Isreal, and Scott against SMF and its insurers, Hudson Specialty Insurance Company and Napa River Insurance Services ("NAPA"), in the Civil District Court for the Parish of Orleans in the State of Louisiana ("the Larry Williams Lawsuit"). The allegations in the Larry Williams Lawsuit were false in that they did not contain information about how Labeaud intentionally caused the June 12, 2017 accident with the 2015 Peterbilt tractor-trailer. Furthermore, the Larry Williams Lawsuit falsely alleged that the Defendant had been the driver of the Avalanche during the accident and omitted material information about how the Defendant had agreed to stage the accident with Labeaud. On June 27, 2018, an employee of SMF in Jefferson, Louisiana sent an email that traveled across state lines to an employee of NAPA in Indianapolis, Indiana that attached the Larry Williams lawsuit.

Moreover, Attorney A told the Defendant that he would get more money through the lawsuit if he had surgery. To increase the value of the Larry Williams Lawsuit, at Attorney A's direction, the Defendant underwent shoulder surgery performed by Physician B referred by

Attorney A. On September 20, 2018, the Defendant was deposed in connection with the Larry Williams Lawsuit. The Defendant lied during that deposition and omitted key material facts. Namely, the Defendant provided false testimony about the circumstances of the June 12, 2017 accident and covered-up the fact that Labeaud had been the driver in this staged accident. During the course of the Larry Williams lawsuit, Attorney B made a settlement demand attempting to resolve the case.

In sum, the Government's evidence would prove the defendant, **LARRY WILLIAMS**, conspired to commit wire fraud by causing the filing of the Larry Williams Lawsuit seeking monetary damages that was premised on falsehoods in connection with the June 12, 2017 staged automobile accident, providing false information during the course of the Larry Williams Lawsuit in an effort to recover monetary damages against the owner and operator of the 2015 Peterbilt tractor-trailer, and causing the use of interstate wire communications to facilitate his recovery with this staged accident.

Limited Nature of Factual Basis

This proffer of evidence is not intended to constitute a complete statement of all facts known by **LARRY WILLIAMS**, and/or the government. Rather, it is a minimum statement of facts intended to prove the necessary factual predicate for his guilty plea. The limited purpose of this proffer is to demonstrate that there exists a sufficient legal basis for the plea of guilty to the charged offense by **LARRY WILLIAMS**.

The above facts come from an investigation conducted by, and would be proven at trial by credible testimony from, *inter alia*, Special Agents and forensic examiners from the Federal Bureau of Investigation and admissible tangible exhibits in the custody of the FBI.

READ AND APPROVED:



LARRY WILLIAMS
Defendant



GARY WAINWRIGHT
Counsel for Defendant



BRIAN M. KLEBBA
Assistant United States Attorney