

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

*

CRIMINAL NO. 20-92

v.

*

SECTION: "R"

CORNELIUS GARRISON

*

DONIESHA GIBSON

CHANDRIKA BROWN

*

ISHAIS PRICE

AISHA THOMPSON

*

DEWAYNE DEWAYNE COLEMAN

DONISESHA LEE

*

a/k/a Donisha Lee

DONREION LEE

*

ERICA LEE THOMPSON

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* * *

FACTUAL BASIS AS TO ISHAIS PRICE

Introduction

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 Indictment now pending against the defendant, **ISHAIS PRICE** ("**PRICE**"), charging her with a violation of Title 18, United States Code, Section 371, namely, conspiracy to commit mail fraud. The Defendant, along with her co-conspirators and others, beginning at a time unknown and continuing through the date of the Indictment, in the Eastern District of Louisiana, and elsewhere, conspired to commit mail fraud in connection with staged accidents, including one that occurred on October 15, 2015.

Background

The intersection of Interstate 10 eastbound and Interstate 510 was located in the Eastern District of Louisiana. Hotard Coaches, Inc. d/b/a Hotard Bus Lines ("Hotard") was a commercial bus carrier, incorporated in Louisiana and headquartered in New Orleans, Louisiana. All Aboard America! Inc Holdings ("All Aboard"), incorporated in Colorado and headquartered in Lakewood, Colorado, was the parent company that owned Hotard. Hotard and All Aboard were insured by Lancer Insurance Company ("Lancer"). Lancer, incorporated in Illinois, was headquartered in Long Beach, New York. Hotard and All Aboard had a deductible of \$100,000.00 for vehicle accidents, and Lancer provided insurance coverage for Hotard and All Aboard.

The Offense

At a time unknown but prior to October 15, 2015, Cornelius Garrison ("Garrison") contacted Doniesha Gibson ("Gibson") while her car was being repaired to see if she was interested in staging an automobile accident in order to obtain money through fraud. Gibson was in need of money at the time and agreed. Garrison then asked Gibson to recruit others to participate in the fraud. Gibson reached out to Chandrika Brown ("Brown") and **PRICE**, two friends/former co-workers, and was able to have them agree to participate in the staged accident in order to obtain money through fraud. Gibson, Brown, and **PRICE** drove Gibson's Dodge Avenger and picked up Garrison.¹ Gibson, Brown, and **PRICE** agreed to allow Garrison to drive Gibson's Dodge Avenger in order to stage an automobile accident. At approximately 6:13 P.M., Garrison, while

¹ Gibson's minor child was also in the Dodge Avenger at the time.

driving east on Interstate 10, intentionally collided with the Hotard bus near Interstate 510 in New Orleans East.

After the staged accident, Garrison instructed Gibson to get behind the wheel of the Dodge Avenger to make it appear that Gibson was driving the vehicle at the time of the staged accident. Gibson, Brown, and **PRICE** contacted the New Orleans Police Department ("NOPD") to report that they had been in an automobile accident. At approximately 6:28 P.M., NOPD responded to the scene of the alleged accident and, shortly thereafter, Gibson falsely reported to the NOPD that she had been the driver of the Dodge Avenger and that the Hotard bus struck her vehicle while it was changing lanes.

After the staged accident, Garrison advised Gibson, Brown, and **PRICE** to claim that they were injured and to seek medical treatment. Garrison directed **PRICE** to use a certain attorney, but **PRICE** wound up selecting her own. Gibson and Brown sought medical treatment with doctors and healthcare providers, even though neither of them was injured.

On or about April 4, 2016, a Petition for Damages was filed in the First City Court for the City of New Orleans ("FCC"), on behalf of State Farm Fire & Casualty Company As Subrogee for Gibson against Hotard, All Aboard, and Lancer ("State Farm/Gibson Lawsuit") relating to a staged accident that occurred on October 15, 2015, between a Hotard bus and a vehicle owned by Gibson. On or about June 16, 2016, a Petition for Intervention was filed on behalf of Gibson in the State Farm/Gibson Lawsuit, wherein it was alleged that Gibson suffered personal injuries. On or about September 29, 2016, Attorney A filed a Petition for Damages in the Civil District Court for the Parish of Orleans, State of Louisiana ("CDC"), on behalf of Garrison against Hotard, All Aboard, and Lancer ("Garrison Lawsuit"). On or about October 17, 2016, a Petition for Damages

was filed on behalf of **PRICE** and Brown against Hotard, All Aboard, and Lancer ("Price and Brown Lawsuit"). The lawsuits filed by Gibson, **PRICE**, Brown, and Garrison sought to recover damages from Hotard, All Aboard, and Lancer for the alleged actions of the Hotard bus driver. Hotard, All Aboard, and Lancer utilized a law firm based in Lafayette, Louisiana, to provide legal representation with respect to the staged accident that occurred on October 15, 2015, between the Hotard bus and a vehicle owned by Gibson. On or about December 5, 2016, an Unopposed Motion to Transfer the State Farm Lawsuit to CDC was signed by an FCC judge and the matter was reallocated to CDC. On or about August 12, 2017, Attorney B filed a Motion to Substitute Garrison's counsel in the Garrison Lawsuit. On or about October 6, 2017, Attorney A withdrew from representing Garrison, and Attorney A filed a Petition for Intervention in order to protect his/her fees.

On January 29, 2017, Garrison's substitute counsel submitted a settlement demand by facsimile to Hotard, All Aboard, and Lancer's counsel. On February 10, 2017, Brown and **PRICE**'s counsel submitted a settlement demand the United States Postal Service to Hotard, All Aboard, and Lancer's counsel. On December 11, 2017, Gibson's counsel submitted a settlement demand via email to Hotard, All Aboard, and Lancer's counsel.

On July 31, 2017, counsel for Hotard, All Aboard, and Lancer mailed correspondence from 825 Lafayette St., Lafayette, LA 70502, via the U.S. Postal Service to counsel for Brown and **PRICE**, at ***, New Orleans, LA, 70130, containing two settlement checks: (1) payable to Brown and her attorney, in the amount of \$5,000.00, and (2) payable to **PRICE** and her attorney, in the amount of \$12,500.00. On January 8, 2018, counsel for Hotard, All Aboard, and Lancer mailed correspondence from 825 Lafayette St., Lafayette, LA 70502, via U.S. Postal Service to counsel

for Gibson, at ***, New Orleans, LA, 70131, containing a settlement check payable to Gibson and her attorney, in the amount of \$10,000.00. Lastly, on August 13, 2018, counsel for Hotard, All Aboard, and Lancer mailed correspondence from 825 Lafayette St., Lafayette, LA 70502, via the U.S. Postal Service to Attorney B, ***, Kenner, LA, 70062, containing a settlement check payable to Garrison and his attorneys in the amount of \$650,000.00.

The government would introduce incriminating statements made by Gibson to the Federal Bureau of Investigation ("FBI") on February 11, 2020. In this FBI interview, Gibson admitted to participating in a staged automobile accident that occurred on October 15, 2015, involving herself, Brown, **PRICE**, and Garrison. According to Gibson, she was approached by Garrison for the purpose of participating in a staged accident for the purpose of making money. Gibson recruited Brown and **PRICE**, two friends/former co-workers, and they all knew that the purpose of the staged accident was to fraudulently obtain money from the insurance company.

Gibson told the FBI that on the day of the staged accident, she picked up Brown and **PRICE** in her car, a Dodge Avenger. They then picked up Garrison, who took over as the driver. Gibson said that Garrison drove her Dodge Avenger along the Interstate 10 until he intentionally drove the Dodge Avenger into the Hotard bus. Then, according to Gibson, she and Garrison switched seats to make it appear as though Gibson was the driver.

Thereafter, Garrison also told Gibson, Brown, and **PRICE** to make false statements to the NOPD about how the accident occurred. Garrison also advised Gibson, Brown, and **PRICE** to falsely claim that they had been injured in the staged accident. Gibson filed a false police report with the NOPD in which she claimed to be the driver at the time of the staged accident. Garrison directed **PRICE** to use a certain attorney, but **PRICE** wound up selecting her own.


In addition, the government would introduce video evidence from the Hotard bus showing the Dodge Avenger intentionally strike the bus as it was traveling on the I-10, along with eyewitness testimony from the occupants of the Hotard bus.

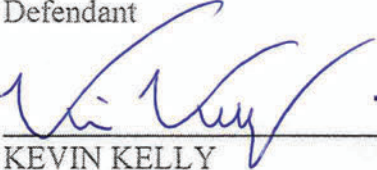
Limited Nature of Factual Basis and Conclusion

This proffer of evidence is not intended to constitute a complete statement of all facts known by PRICE, and/or the government. Rather, it is a minimum statement of facts intended to prove the necessary factual predicate for her 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 PRICE.

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 FBI investigation and admissible tangible exhibits in the custody of the FBI.

READ AND APPROVED:

 3/8/20
ISHAIS PRICE (Date)
Defendant

 3/18/22
KEVIN KELLY (Date)
Counsel for Defendant

 3/18/22
EDWARD J. RIVERA (Date)
Assistant United States Attorney