

Galloway Johnson Exposes Suspected Staged Accident Leading to Criminal Indictments

At the 2018 Annual Convention, James Prather, an associate LSLA member of Galloway Johnson spoke about a case he and Bowman Fetzer of Galloway were defending in which the personal injury claimants were suspected of staging an 18-wheeler accident and then bringing suit against the trucking company seeking in excess of 1.5 million dollars in damages. The civil case has now resolved. But, based in large part upon the evidence developed in the civil case, the United States District Court in New Orleans has brought indictments against the plaintiffs, as well as the individual suspected in staging the accident with the plaintiffs. These indictments were issued on October 24, 2019.

Through the use of cellphone records, cellphone tower data, police body camera footage and cross examination, the defense lawyers were able to establish that the entire accident was likely staged. According to the evidence developed in the civil case and the indictment, the claimants met with an individual prior to the accident who actually drove the claimant's vehicle into the 18-wheeler. One of the claimants then got in the car with the other claimants and phoned the NOPD claiming that the 18-wheeler was at fault in the accident. Three of the claimants went on to have spine surgery due to the injuries they allegedly suffered, running up medical expenses of over \$750,000 and seeking well over one million dollars in compensation damages. Cellphone records proved that they had actually telephoned the co-conspirator prior to the accident and lied under oath about the facts of the accident when deposed by defense counsel. The cellphone records further showed that the plaintiffs' attorney had also communicated with the co-conspirator both before and after the accident.

The indictment charges six counts of fraud in connection with the scheme and, if convicted, the criminal defendants face the maximum penalty of approximately 25 years in prison and/or fines of up to \$250,000.00 per count.

The indictment further alleges that the claimants were treated by physicians who they were directed to by their attorney and that at least one of the claimants underwent neck surgery because her attorney told her that she would get more money through the civil lawsuit if she had surgery. Finally, the indictment alleges that the claimant's attorney actually paid \$7,500.00 to the co-conspirator who is believed to have orchestrated the fraud and drove the claimant's vehicle into the tractor trailer.

This indictment and prosecution is the first of what is suspected to be several that concern staged tractor trailer accidents in the greater New Orleans area that have been reported in the local press. Further details concerning the civil litigation that led to this indictment and the investigative efforts of the LSLA associate member Galloway Johnson can be obtained from James Prather or Bowman Fetzer of Galloway Johnson.

The press release from the Department of Justice can be found at <https://www.justice.gov/usao-edla/pr/five-indicted-insurance-fraud-scheme-involving-staged-accident>.