

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

VS.

NO. 3:08-CV137-A-A

\$425,000.00 IN UNITED STATES
CURRENCY

DEFENDANT

**VERIFIED CLAIM OF WM. ROBERTS WILSON, JR. AND
ROBERTS WILSON, JR., P.C.**

COME NOW Wm. Roberts Wilson, Jr. and Roberts Wilson, Jr., P.C., (hereinafter collectively referred to as "Claimants") and pursuant to the provisions of 18 USC §921, 18 USC §982, 21 USC §853(n), and Supplemental Rule G, file this verified claim to the above styled defendant property. In support of this verified claim, Claimants would show unto the Court the following:

1. Claimants do hereby make a claim for the \$425,000.00 which is the defendant in the above styled and numbered cause.

FACTUAL BASIS

2. Joseph C. Langston, former counsel for Richard F. Scruggs, Richard F. Scruggs, P.A. and Scruggs Legal, P.A. in the matter of *Wm. Roberts Wilson, Jr. and Wm. Roberts Wilson, Jr., P.A. vs. Richard F. Scruggs, Richard F. Scruggs, P.A. and Scruggs Legal, P.A.*, Cause No. 251-94-582-CIV in the Circuit Court of Hinds County, Mississippi, has admitted to conspiring with Richard F. Scruggs, Richard F. Scruggs, P.A., Scruggs Legal, P.A., Scruggs Law Firm, Edward J. Peters, Timothy Balducci, Steve Patterson and others in an attempt to bribe and otherwise influence corruptly Hinds County Circuit Judge Bobby B. DeLaughter in exchange for a ruling favorable to Richard F.

Scruggs, Richard F. Scruggs, P.A. and Scruggs Legal, P.A.

3. On or about January 7, 2008 Joseph C. Langston pled guilty to attempting to corruptly influence Judge DeLaughter. *U.S. v. Langston*, No. 1:08cr003 in the United States District Court for the Northern District of Mississippi, Western Division. He was ultimately was sentenced in December 2008 by Hon. Mike Mills for his crime. Langston in his plea and in affidavit attached and filed herein as Exhibit "A" stated that Peters was a member of this conspiracy.

4. According to the Information filed against Joseph C. Langston, to which he subsequently pled guilty, the facts surrounding the illicit conspiracy to bribe and otherwise influence corruptly the Hinds County Circuit Court and in particular, to influence corruptly Circuit Court Judge Bobby B. DeLaughter to rule in favor of Richard F. Scruggs, Richard F. Scruggs, P.A. and Scruggs Legal, P.A. were that Langston, working with [Tim] Balducci and Steven A. Patterson, retained the services of Ed Peters, a close personal friend of Judge DeLaughter to communicate to DeLaughter that in consideration of a favorable ruling in the Wilson case Scruggs could arrange for DeLaughter to be considered for a U.S. District Judge appointment. For his services, Langston agreed to pay Peters \$50,000 in cash up front and further agreed that Peters would receive 1/3 of any additional compensation or fee received from Scruggs pursuant to the conspiracy.

Based on a "reverse contingency fee" assignment, Peters received an additional \$950,000 for his services. After hiring Peters, Langston, Timothy R. Balducci, and Steven A. Patterson were in regular contact with Peters either by phone or by facsimile concerning the case; and the three traveled regularly from the Northern District of Mississippi to Jackson, Mississippi to meet with Peters in person to discuss issues concerning the Wilson litigation and Peters' covert and illicit contacts with DeLaughter. These facts are also set forth in paragraphs 8 and 9 of the Verified

Petition filed by the United States of America herein.

5. Timothy R. Balducci, also a former counsel for Richard F. Scruggs, Richard F. Scruggs, P.A. and Scruggs Legal, P.A. in the matter of *Wm. Roberts Wilson, Jr. and Wm. Roberts Wilson, Jr., P.A. vs. Richard F. Scruggs, Richard F. Scruggs, P.A. and Scruggs Legal, P.A.*, Civil Action No. 251-94-582-CIV in the Circuit Court of Hinds County, First Judicial District, Mississippi, admitted to conspiring with Richard F. Scruggs, Richard F. Scruggs, P.A., Scruggs Legal, P.A., the Scruggs Law Firm, Edward J. Peters, Steve Patterson, Joseph C. Langston and others to bribe and influence corruptly the Circuit Court by approaching the judicial officer presiding over this case, to-wit: Hinds County Circuit Judge Bobby B. DeLaughter.

6. As a direct result of and in furtherance of the scheme of corruption, Hinds County Circuit Court Judge Bobby B. DeLaughter held that no further funds were owed to Wilson over and above the monies already belatedly paid to him by Richard F. Scruggs, Richard F. Scruggs, P.A. and Scruggs Legal, P.A.

7. Hinds County Circuit Court Judge Bobby B. DeLaughter, after stripping Wilson's claims of any additional monetary value, sarcastically observed that he had reduced the matter to a trial for "bragging rights," to-wit:

So I'm granting that request on each of those, which leaves us with a trial by jury to determine bragging rights.

8. Ultimately, rather than conducting a trial for the predetermined "negative" amount previously proclaimed, Circuit Court Judge Bobby B. DeLaughter, who had been corruptly influenced and bribed to render a result favorable to Richard F. Scruggs, Richard F. Scruggs, P.A. and Scruggs Legal, P.A., ruled from the bench in favor of Richard F. Scruggs, Richard F. Scruggs,

P.A. and Scruggs Legal, P.A. holding that Wilson should take nothing. The ruling that Wilson take nothing additional was a direct and proximate result of the conspiracy to influence corruptly Judge DeLaughter, a conspiracy whose goal was directly carried out by Edward J. Peters.

9. As stated in the Affidavit of Joseph C. Langston, attached hereto as Exhibit "A," the "reverse contingency agreement" resulted in Peters' receiving from such arrangement an additional \$950,000.00 or a total of \$1,000,000. This \$1,000,000 represented one-third of the amount that Scruggs had allegedly been willing to pay to Wilson but contractually obligated himself to pay to Langston, Peters, and others if such monies claimed by Wilson were saved as a result of the conspiracy. In other words, Langston contended that while Scruggs would have been willing to pay an additional \$3,000,000.00 to Wilson to settle the case, since the conspiracy to bribe Hinds County Circuit Court Judge Bobby B. DeLaughter by Peters and Langston was successful and a judgment in favor of Richard F. Scruggs, Richard F. Scruggs, P.A. and Scruggs Legal, P.A. was entered in the amount of zero additional dollars, Scruggs agreed to pay the \$3,000,000.00 to the conspirators instead.¹ Thereafter, Joseph C. Langston divided this "reverse contingency fee" with Edward J. Peters by paying Edward J. Peters an additional \$950,000.00 bringing his total share of the "fee" to \$1,000,000, all pursuant to agreements entered between Scruggs, Joseph C. Langston, Edward J. Peters and others in the event they could succeed in their criminal conspiracy to influence corruptly

¹Although the agreement was for \$3,000,000.00 to be paid to Langston, Scruggs ultimately offset other claimed credits against Langston's \$3,000,000.00. Nevertheless, Peters' take from the illicit scheme was \$1,000,000.00 (\$50,000.00 cash up front and \$950,000.00 later) of which \$425,000.00 is the Defendant in the instant case.

the Hinds County Circuit Court.

10. Accordingly, the \$425,000.00 of U.S. Currency, the defendant in this action, is the remaining portion of the \$1,000,000.00 derived by Edward J. Peters (\$50,000.00 at the beginning of Edward J. Peters's participation and \$950,000.00 after the entry of zero judgment) for his participation in the illicit conspiracy to influence corruptly Hinds County Circuit Court Bobby B. DeLaughter. In summary, the \$425,000 forfeited by Peters was the remainder of his share of monies to which Wilson was entitled but which were wrongfully and illegally taken from him by Peters' corrupt activities.

11. The rightful owners of the money herein, are the above named claimants, Wm. Roberts Wilson, Jr. and Wm. Roberts Wilson, Jr., P.A. who are victims of the criminal conspiracy alluded to in this Verified Petition.

WHEREFORE, PREMISES CONSIDERED, the claimants, upon a hearing hereof request that this Honorable Court enter its order (1) declaring that they are the rightful owners of and entitled to the \$425,000.00 of U.S. currency that has been seized herein, and retain the money that belongs to them in accordance with procedures outlined in 18 USC §982, 21 USC §853 and Federal Rule of Criminal Procedures 32.2; (2) awarding claimants their attorneys fees; and (3) awarding such other relief as the Court deems equitable.

Respectfully submitted, this the 30th day of January, 2009.


WM. ROBERTS WILSON, JR.

ROBERTS WILSON, JR., P.C.

BY: [Signature]
ITS President

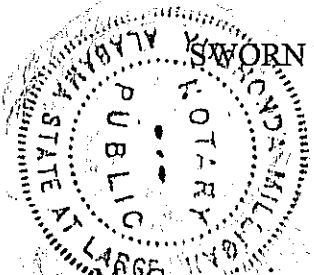
STATE OF Alabama
COUNTY OF Fuscaloosa

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Wm. Roberts Wilson, Jr., who being by me first duly sworn states on his oath that the matters and facts set forth in the Verified Claim above are true and correct as therein stated to the best of his information and belief. Wm. Roberts Wilson, Jr. further states on his oath that he has signed this Verified Claim on behalf of himself, individually, and on behalf of Roberts Wilson, Jr., P.C. after being first duly authorized by Roberts Wilson, Jr., P.C.

[Signature]
WM. ROBERTS WILSON, JR.

SWORN TO AND SUBSCRIBED BEFORE ME, this the 30th day of January, 2009.

[Signature]
NOTARY PUBLIC



My Commission Expires: 12/5/2011

PRESENTED FOR AND ON BEHALF OF CLAIMANTS BY:

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