

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION**

BRYAN KNIGHT	§	C.A. NO. 6:15-cv-01808
	§	
VS.	§	JUDGE RICHARD T. HAIK
	§	
MARK KNIGHT, JASON KINCH, COREY JACKSON and RUSSELL MANUEL	§ § §	MAGISTRATE WHITEHURST
	§	JURY TRIAL REQUESTED

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**PLAINTIFF’S THIRD SUPPLEMENTAL, RESTATED,  
AND AMENDING COMPLAINT**

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COMES NOW BRYAN KNIGHT, hereinafter sometimes referred to as “Plaintiff,” complaining of MARK KNIGHT, JASON KINCH, COREY JACKSON, RUSSELL MANUEL, *HEATHER KNIGHT BILLEAUD*, and *PATRICIA KNIGHT* hereinafter sometimes collectively referred to as “Defendants,” and would respectfully show unto the Court and Jury the following:

**I. Parties**

1. BRYAN KNIGHT is a Louisiana citizen who resides in Lafayette, Louisiana.
2. Defendant MARK KNIGHT is a Louisiana citizen who resides in Lafayette, Louisiana. MARK KNIGHT may be served with the summons and complaint at 534 Beaulieu Drive, Lafayette, Louisiana 70508.
3. Defendant JASON KINCH is a Louisiana citizen who resides in Lafayette, Louisiana. JASON KINCH may be served with the summons and complaint at 4040 Ambassador Caffery Pkwy., Lafayette, Louisiana 70508.
4. Defendant COREY JACKSON is a Louisiana citizen who resides in Youngsville, Louisiana. COREY JACKSON may be served with the summons and complaint at 225 Amberwood Dr., Youngsville, Louisiana 70592.

5. Defendant RUSSELL MANUEL is a Louisiana citizen who resides in Lafayette, Louisiana. RUSSELL MANUEL may be served at 210 W. St. Mary Blvd., Lafayette, Louisiana 70506.
6. *Defendant HEATHER KNIGHT BILLEAUD is a Louisiana citizen who resides in Lafayette, Louisiana. She is the daughter of Mark Knight. HEATHER KNIGHT BILLEAUD may be served with the summons and complaint at 534 Beaulieu Drive, Lafayette, Louisiana 70508.*
7. *Defendant PATRICIA KNIGHT is a Louisiana citizen who resides in Lafayette, Louisiana. She is the wife of Mark Knight. PATRICIA KNIGHT may be served with the summons and complaint at 534 Beaulieu Drive, Lafayette, Louisiana 70508.*

All Defendants are co-conspirators in the scheme and the conspiracy to deprive Plaintiff of his federal and state constitutional and civil rights as more fully described herein.

## **II. Jurisdiction**

8. Jurisdiction is proper in federal court because this case arises under the Constitution and laws of the United States under 28 U.S.C. §1331 (federal question). Specifically, this matter involves civil rights violations under 28 U.S.C. §1343 and 42 U.S.C. § 1983. Further, causes of action stated herein arise under federal RICO laws, 18 U.S.C. §§ 1961-1968. Lastly, this Honorable Court also has Supplemental Jurisdiction under 28 U.S.C. § 1367 over all Louisiana state law claims that are asserted.

## **III. Venue**

9. Venue is proper in the Western District of Louisiana because a substantial amount of the acts giving rise to this suit occurred in Lafayette, Louisiana and the Western District of Louisiana.

## **IV. Factual Background**

10. Bryan Knight and Defendant Mark Knight are brothers. They, along with another sibling, own an equal share in a business started by their father, popularly known as Knight

Oil Tools. In 1972, the company originated as Knight Specialties in Morgan City, Louisiana. Through growth and acquisitions, the company became Knight Oil Tools in 1984. Over several decades, the company has grown and divided into many wholly owned affiliates and subsidiaries and successors in interest. Today, the parent company of all Knight Oil Tools affiliates, subsidiaries, and successors in interest is Knight Energy Holdings, LLC, popularly known today as Knight Oil Tools. Upon information and belief, Knight Energy Holdings, LLC, and its affiliated companies and subsidiaries and successors in interest, include, but are not limited to Robinson Tubular Services, Inc.; Advanced Safety and Training Management, LLC; Tri-drill, LLC; The Knight Family Foundation; Knight Companies, LLC; Knight Well Services, LLC; Knight Aviation, LLC; Knight Resources, LLC; HMC Leasing, LLC; Knight Energy Holdings, LLC; Knight Dutch Holdings, LLC; Knight Oil Tools, LLC; Knight International Argentina, LLC; Knight Oil Tools (Australia) PTY LTD; Knight Oil Tools Colombia SAS; KOT Knight Oil Tools International for Oilfield Services Limited; Knight Oil Tools Holland BV; Knight Oil Tools Norway AS; Knight Oil Tools Middle East DMCC; Knight International Acquisitions, LLC; Knight Security, LLC; Hanaz, LLC; Knight Manufacturing, LLC; Workforce International, LLC; Rayne Properties, LLC; Knight Information Systems, LLC; Hub City Iron Works, Inc.; Knight Hunting Club, Inc.; Le Chevalier, LLC; Knight International, LLC; Ironhorse Technologies, LLC; HMC Investments, LLC; and Knight Research & Development, LLC. are collectively referred to hereinafter as “Knight Oil.” Under their father’s leadership and management the business became very profitable. At some point after their father’s death in 2002, Defendant Mark Knight took over as CEO of the business.

11. *Most recently*, Knight Oil provides complete rental, fishing, manufacturing packages, drilling jars, inspection, hardbanding and safety training to the oil and gas industry – worldwide. Knight Oil conducts activities all over the United States, in states including, but not limited to Louisiana, North Dakota, Montana, Wyoming, Utah, Colorado, New Mexico, Texas, Oklahoma, Arkansas, Mississippi, Alabama, and Alaska. Knight Oil also conducts activities internationally in many countries, some of which include Western Australia, Colombia, Iraq, The Netherlands, Norway, and United Arab Emirates. Knight Oil is directly engaged in the production, distribution, and acquisition of goods or services in interstate and indeed international commerce.

*11(a). As a result of the events complained of herein, the intentional actions of all defendants complained of herein, and the actions of Mark Knight with regard to Knight Oil and its affiliates' funds in relation to the events made the subject of this litigation, Knight Oil went into Chapter 11 Bankruptcy in 2017. The company has re-emerged under a reorganization plan with new ownership interests. Plaintiff lost a substantial ownership stake in the company as a result of the bankruptcy.*

12. After assuming the position of CEO of Knight Oil in 2002, Defendant Mark Knight began engaging in a course of lavish and uncontrolled spending for his personal benefit, *including but not limited to utilizing Knight Oil's money, resources, and employees for maintenance, upkeep, and improvements to his personal home, recreational properties, and immovable properties, as well as that of his children and in-laws. Mark Knight also directed the use of Knight Oil monies, resources, and employees for the benefit of other businesses he and his children operated.* Plaintiff Bryan Knight voiced his objections and concerns over the excessive spending and waste.

13. At some juncture Defendant Mark Knight attempted to gain the majority of Plaintiff's interest in Knight Oil, seeking a controlling interest in the business and also to silence any further opposition to his lavish spending from the Plaintiff. MARK KNIGHT and Plaintiff initiated and have remained in an ongoing legal dispute and negotiations in these regards for several years now.

14. After Plaintiff refused to transfer the majority of his ownership interest to Defendant Mark Knight and after Plaintiff had complained about the excessive, wasteful spending, Defendant Mark Knight concocted a scheme to silence Plaintiff and obtain the majority of Plaintiff's ownership interest in Knight Oil. The main thrust of the scheme was to have Plaintiff arrested on felony drug charges.

15. To accomplish his goal, prior to June 4, 2014, Defendant Mark Knight enlisted the help of and conspired with Louisiana State Trooper Corey Jackson, Lafayette Parish Sheriff's Deputy Jason Kinch, who was assigned to the Lafayette Sheriff's Metro Narcotics Task Force, an employee of Knight Oil, Russell Manuel, *his daughter, HEATHER KNIGHT BILLEAUD, and his wife, PATRICIA KNIGHT; all five (5)* of whom are named defendants herein. This association-in-fact constitutes an enterprise under federal RICO laws. The enterprise in this case is the association-in-fact of the individual Defendants with Knight Oil, a legitimate business. Each member of the enterprise plays a different role in the scheme. Each also acts in the ordinary course of affairs as separate individuals, outside of the RICO scheme in this case. Knight Oil engages in oil industry service, exploration, and development activities outside of the RICO enterprise. The individual Defendants also engage in their individual activities outside of the enterprise. However, the pattern of racketeering activity in

this case was conducted by the Defendants in concert with each other in a coordinated and organized fashion, in order to carry out the scheme.

16. The association-in-fact had several purposes. One purpose was to generate genuine criminal charges against Plaintiff through a pattern of racketeering/criminal activities and false pretenses, thereby placing Plaintiff in a situation which would be conducive to Mark Knight acquiring Plaintiff's interest in Knight Oil. Acts in furtherance of this purpose took place from *the winter of 2013/ 2014, when the law enforcement defendants were first contacted about the scheme* and continued until well after the Defendants were arrested and even after the filing of the original complaint in this matter, June 3, 2015.

17. Another purpose of the association-in-fact was to have Knight Oil provide the funds and resources necessary to carry out the scheme, including to fund the bribes paid to KINCH and JACKSON for their role in the scheme; to fund the sums paid to MANUAL for his role in the scheme; and to pay for the equipment utilized in the scheme as well as the gifts given to the co-conspirators in further consideration for their roles in the scheme.

18. Another purpose of the association-in-fact was to generate false "business expenses" for Knight Oil by classifying and reporting all of the equipment utilized in the scheme and the funds paid for criminal services provided by the co-conspirators as business expenses of Knight Oil. This cloaked the scheme with false legitimacy and upon information and belief, resulted in falsified expenses reported by Knight Oil for tax purposes.

*18(a). Because at the time of the scheme, Plaintiff was a 1/3 owner of Knight Oil and its affiliates, the monies, resources, bribes, gifts, labor, and equipment, illicitly paid for by Knight Oil at the behest of Mark Knight in furtherance of the scheme resulted in the absurd consequence of Plaintiff unwittingly contributing 1/3 of the monies used to fund the illegal*

*scheme aimed at harming him. This illicit use of Plaintiff's monies against him was a theft and directly resulted in financial harm to the Plaintiff.*

19. Another purpose of the association-in-fact was a coordinated effort by all Defendants to cover up and perpetuate the actions described herein through, submitting false reports to law enforcement, planting drugs, intentional omissions, intentional destruction and spoliation of evidence, witness tampering, witness intimidation, falsifying business records, falsifying business expenses, extortion, threatening Plaintiff with financial ruin as more fully stated herein, *and even as recently as April 17, 2019, perjury.*

20. Each of the individuals who were enlisted to help Defendant Mark Knight was promised and received substantial consideration for their help. *Specifically, Mark Knight promised to pay MANUAL, KINCH, and JACKSON an initial small sum to initiate the plan, a "deposit" of sorts. If their actions resulted in the arrest of Plaintiff, MANUAL JACKSON and KINCH were promised a larger sum, a "contingency award", for the success of the scheme. The promise of money on the front end and the promise of an award contingent upon success of the scheme are both illegal bribes under federal and state law, thus rendering every action based upon these promises illegal. PATRICIA KNIGHT and HEATHER KNIGHT BILLEAUD each stood to benefit from their father/husband respectively, gaining a controlling interest in Knight Oil, particularly as direct beneficiaries of the wealth and control their father/husband stood to gain. Both women had in the past benefitted either directly or through a business from their father's role with Knight Oil. PATRICIA KNIGHT and HEATHER KNIGHT BILLEAUD were both fully aware of the scheme, its intended purpose and goal, actively participated in the scheme, and both stood to benefit by way of their father/husband gaining a controlling interest in Knight Oil. Accordingly, both*

*HEATHER KNIGHT BILLEAUD and PATRICIA KNIGHT were fully complicit in the scheme made the subject of this litigation and were co-conspirators with the others. Each of the defendants was aware of Defendant Mark Knight's goals and each one of them conspired with the other named defendants herein to accomplish those goals. The expenses and costs in accomplishing these goals were paid for in whole or in part by Knight Oil, a legitimate enterprise. Furthermore, as stated herein, Knight Oil's resources and employees were utilized in carrying out the scheme.*

21. As early as *the winter of 2013/2014*, Defendants began to implement their plans to coerce Plaintiff into transferring his interest in Knight Oil to Mark Knight through the scheme.

21(a). *RUSSELL MANUAL was called in to meet with Mark Knight to discuss what Mark Knight wanted (the scheme), and Mark Knight directed MANUAL to contact some of "friends" in law enforcement to assist with facilitating Plaintiff's arrest.*

21(b). *At this meeting or later as Kinch and Jackson became involved, Mark Knight promised to pay MANUAL, KINCH, and JACKSON an initial small sum to initiate the plan, a "deposit" of sorts. **If** their actions resulted in the arrest of Plaintiff, MANUAL, JACKSON, and KINCH were promised a larger sum, a "contingency award", for the success of the scheme.*

21(c). *On the date of the meeting, MANUAL was directed prior to his meeting with Mark Knight to meet with HEATHER KNIGHT BILLEAUD in her office, at which time HEATHER KNIGHT BILLEAUD expressed her own desire to see, and thus requested that MANUAL and his friends in law enforcement have the Plaintiff arrested, "beat up", or "worse." HEATHER KNIGHT BILLEAUD had a shared interest in seeing Plaintiff's share*

*of the company turned over to her father as such a transfer of wealth and voting interest would ultimately enure to her own benefit.*

*21(d). Indeed, HEATHER KNIGHT BILLEAUD has benefitted substantially from the improper use of Knight Oil funds, resources, and labor for maintenance and improvements to her personal home, personal property, and her businesses.*

*21(e). Initially, the defendants set up a surveillance program on Plaintiff, hoping to catch him committing an unlawful act and use their police power to make a pre-textual stop. Again, Mark Knight promised to pay MANUAL, KINCH, and JACKSON an initial small sum to initiate the plan, a “deposit” of sorts. If their actions resulted in the arrest of Plaintiff, MANUAL JACKSON and KINCH were promised a larger sum, a “contingency award”, for the success of the scheme. Unbeknownst to Plaintiff, and without his consent, one or more of the conspirator defendants installed a GPS tracking device on Plaintiff’s personal vehicle.*

*21(f). HEATHER KNIGHT BILLEAUD participated in the scheme as a co-conspirator in several ways. Particularly, using her perceived authority at Knight Oil, she obtained Plaintiff’s cell phone records from Knight Oil to obtain information about who Plaintiff communicated with, his schedule, and where he could be expected to be found at any given time with the intent of contributing to the effort to see Plaintiff unlawfully arrested. HEATHER KNIGHT BILLEAUD was in regular contact with MANUAL throughout the scheme regarding the activities of MANUAL, KINCH, and JACKSON and assisted them with information regarding the Plaintiff’s whereabouts and anticipated whereabouts and who he was in contact with, all with the intent of catching him committing an unlawful act and using their police power to make a pre-textual stop and arrest.*

21(g). *After the scheme was complete, HEATHER KNIGHT BILLEAUD assisted in and/or facilitated in the payment of bribes to MANUAL, KINCH, and JACKSON for the success of the operation in seeing Plaintiff wrongfully arrested.*

21(h). *PATRICIA KNIGHT participated in the scheme as a co-conspirator in several ways as well. Particularly, she personally surveilled the Plaintiff's home and other places Plaintiff frequented and reported information she saw to MANUAL for his use in the scheme. PATRICIA KNIGHT also gathered and obtained information about Plaintiff, his friends, his girlfriend, and others Plaintiff consorted with and shared this information with MANUAL for his use in the scheme and to assist the others in successfully achieving the goal of the scheme. PATRICIA KNIGHT also had KINCH and/or JACKSON "run" license plates on vehicles and run criminal background checks on individuals she believed were associated with Plaintiff, all in connection with the scheme referenced herein, again with the intent of contributing to the effort to see Plaintiff unlawfully arrested. PATRICIA KNIGHT was in regular contact with MANUAL throughout the scheme regarding the activities of MANUAL, KINCH, and JACKSON and assisted them with information regarding the Plaintiff's whereabouts and anticipated whereabouts and who he was in contact with, all with the intent of catching him committing an unlawful act and using their police power to make a pretextual stop and arrest.*

21(i). *PATRICIA KNIGHT had a shared interest with her husband, Mark Knight, in seeing Plaintiff's share of the company turned over to her husband as such a transfer of wealth and voting interest would ultimately enure to her own benefit.*

21(j). *Indeed, PATRICIA KNIGHT has benefitted from the improper use of Knight Oil funds, resources, and labor for maintenance and improvements to her personal home and other property(ies).*

21(k). By way of the foregoing, Defendants committed, attempted to commit, and otherwise conspired to commit criminal trespass, and criminal mischief. Further, the Defendants' actions, performed with gross indifference, constituted a conscious, willful, wanton, intentional violation of Plaintiff's constitutional rights to privacy and to be free from unreasonable searches and seizures.

22. Prior to June 4, 2014, the Defendants, acting in collusion, unsuccessfully attempted to force Plaintiff out of his residence in order to make a pre-textual stop of his vehicle by cutting the electrical line to the residence air conditioner. The attempt was thwarted when one of the co-conspirators, *Russel Manual*, received an electric shock while cutting the line. By way of the foregoing, Defendants committed, attempted to commit, and otherwise conspired to commit criminal trespass, criminal mischief, and criminal destruction of property.

22(a). *At some point during the surveillance, Defendants observed that Plaintiff from time to time would utilize his mother, Ann Knight's vehicle. Defendants thus placed an additional GPS tracker on Ann Knight's vehicle, in the event the opportunity would arise for a pre-textual stop while Plaintiff drove his mother's vehicle.*

22(b). *After the GPS unit had been placed on Ann Knight's vehicle, the vehicle was involved in an auto accident while being operated by another driver. Due to the accident, the vehicle was impounded in a wrecker's yard in Lafayette. All Defendants feared that inspections of the wrecked vehicle might reveal the presence of the GPS unit, prompting un-*

wanted questions about why the vehicle was being tracked, potentially exposing the scheme. Accordingly the Defendants jointly decided that the GPS unit needed to be removed from Ann Knight's wrecked vehicle.

22(c). Removing the unit proved problematic though because the vehicle was impounded. Accordingly, KINCH went to the wrecker's office in uniform, driving a marked unit, flashed his badge and credentials, and provided a false narrative to the wrecker service about investigating the accident to illicitly gain access to the vehicle in the wrecker's yard. Once there, KINCH removed the GPS unit from Ann Knight's vehicle.

22(d). This action was taken in furtherance of the scheme and was intended to help conceal the Defendant's illegal conduct and the scheme itself.

23. After several weeks of illegal surveillance that was unfruitful, defendants decided to accelerate the timetable by obtaining illegal drugs and planting them on Plaintiff's vehicle in a magnetic box. The plan was suggested by KINCH to MANUAL. MANUAL advised that he would need to clear this idea with Mark Knight. MANUAL thus communicated the plan to plant drugs on Plaintiff's vehicle to Mark Knight who quickly approved of the plan. Once planted they would know when Plaintiff was on the road driving. When Plaintiff got on the road driving his vehicle, Defendant Jason Kinch would be notified who would then coordinate with the Lafayette Sheriff's Metro Narcotics Task Force for the unlawful arrest of Plaintiff for felony narcotics possession.

24. Thereafter, and prior to June 4, 2014, one or more of the named defendants purchased and/or obtained illegal drugs consisting of cocaine, methadone pills, and Lortab pills and placed them in a magnetic box under Plaintiff's vehicle. These illegal drugs are recognized as Schedule II narcotics under Louisiana law. Per the suggestion of KINCH

*and/or JACKSON, the drugs were intentionally separated into individual bags in appropriate quantities to ensure that a “intent to distribute” charge could be made against Plaintiff. This was done with the knowledge, consent and/or acquiescence of all of the named co-conspirators. Prior to June 4, 2014, the illegal drugs were “planted” on the Plaintiff’s private vehicle by MANUAL. Once the drugs were planted, all defendants, were made aware of this fact and all acted accordingly pressing forward with the scheme.*

*24(a). After the drugs were planted, all defendants actively conspired with one another to attempt to have the Plaintiff stopped by law enforcement while on the road so that he could be arrested under a pre-textual stop, per the scheme.*

*24(b). In the weeks prior to June 4, 2014, PATRICIA KNIGHT and HEATHER KNIGHT BILLEAUD summoned RUSSELL MANUAL to a meeting at a picnic table at MARK and PATRICIA KNIGHT’s home to inquire of the progress of the scheme and to vent their frustration that Plaintiff had not yet been arrested. Both PATRICIA KNIGHT and HEATHER KNIGHT BILLEAUD chastised MANUAL for his failure to succeed up to that point and admonished him, demanding that the arrest happen prior to the wedding of Zac Knight, the youngest of Mark and Patricia Knight’s children, scheduled for late June of 2014. Again, HEATHER KNIGHT BILLEAUD requested that MANUAL and his friends in law enforcement, KINCH and JACKSON, arrest, beat up, or do worse to the Plaintiff. Each of the women were aware of KINCH and JACKSON’s involvement and each were aware that drugs had been planted on Plaintiff’s vehicle at this time.*

*24(c). Again, the Defendants were unsuccessful until an opportunity arose in which the Defendants knew that the Plaintiff would be on the road and where, specifically, on the date of a scheduled mediation between Bryan Knight, Mark Knight, and their sister over*

*ongoing legal disputes related to MARK KNIGHT's continued efforts to obtain Plaintiff's interest in Knight Oil.*

*24(d). The date of mediation presented an opportune time for the unlawful arrest to be set up because all Defendants knew where the Plaintiff would be and when he would be on the road. Importantly, MARK KNIGHT was going to be in the mediation with the Plaintiff, so he would be able to communicate to his co-conspirators exactly when the Plaintiff would be on the road leaving the mediation.*

*24(e). Accordingly, the date was set by all Defendants for the unlawful arrest to take place. All defendants were aware that it was set to occur on this date, and all conspired with one another to ensure the success of the scheme on this date.*

*25. The date of mediation came, June 4, 2014, and as expected, Plaintiff was in attendance with his attorney. When the mediation had concluded for the day and several times during the mediation, Defendant Mark Knight communicated Plaintiff's whereabouts to Defendants Russell Manuel and State Trooper Corey Jackson while they sat in parking lots outside of the mediation conducting surveillance and/or drove around together waiting for Plaintiff to leave the mediation and operate his vehicle. Prior to planting the drugs during discussions amongst the co-conspirators, Defendant Corey Jackson commented that they should wait until Plaintiff enters St. Martin Parish because he would likely receive a longer jail sentence if arrested in that parish. Upon information and belief, Defendant Trooper Jackson also commented that Plaintiff frequently goes to New Orleans and that "maybe he just won't come back one day."*

*26. On the date of mediation, June 4, 2014, Mark Knight provided information to MANUAL and JACKSON via cell phone/ text message on Plaintiff's whereabouts from the*

mediation location and an anonymous call to the Metro Narcotics hotline was made reporting that Plaintiff's vehicle was carrying illegal narcotics underneath the vehicle. Immediately thereafter, MANUAL and JACKSON contacted Defendant Sheriff's Deputy Jason Kinch by telephone to coordinate Plaintiff's arrest by Metro Narcotics. Deputy Kinch was in Florida at the time on vacation. Using one phone, Deputy Kinch made the call from Florida to Metro Narcotics to make the stop and arrest while on a simultaneous conference call on another phone with the co-conspirators, Jackson and Manuel, who were following plaintiff while he operated his vehicle. The co-conspirators, Kinch, Jackson, and Manuel, were communicating real time on their cell phones while Kinch gave real time information of Plaintiff's location to the stop and arresting officer. At all times pertinent, both TROOPER JACKSON and DEPUTY KINCH as police officers had a sworn duty and legal duty to uphold the law. They both had a legal duty to report the truth when reporting information to other officers within the law enforcement agencies. By not reporting that Bryan Knight was being set up for an arrest, they failed to communicate the truth, thus perpetrating a fraud by their silence when they had a legal duty to speak and/or by knowingly relaying false information in connection therewith. Both the dispatcher and the arresting officer relied upon the fraud in making the stop and arrest, unless they were also part of the conspiracy.

27. Bryan Knight was in fact stopped by the police. His vehicle was scarcely searched and the drugs were immediately found. He was arrested and charged with the unlawful possession of the narcotics that had been planted by the Defendants.

28. Within weeks/ months of the Plaintiff's arrest, and in connection with the scheme, conspiracy and enterprise stated above, Mark Knight issued payments to MANUAL, JACKSON, and KINCH in the form of money and gifts as payment for their illicit services

in the successful arrest of the Plaintiff. Upon information and belief, MANUAL received a lump sum payment in excess of \$60,000 for his role in the scheme. *KINCH received a sum of approximately \$10,000 and additional gifts of guns and equipment for his role in the scheme. Upon information and belief, JACKSON also received approximately \$17,500 along with gifts of guns and equipment.* Significant portions of the money and gifts referenced were paid or provided through Knight Oil, a legitimate enterprise.

*28(a). Shortly after the arrest on the bogus charges, Mark Knight and/or one of his family members had Plaintiff fired from his job with Knight Oil due to the arrest, causing Plaintiff to suffer lost wages and lost earning capacity.*

*28(b). Mark Knight instructed RUSSELL MANUAL to draw up a fraudulent invoice directed to Knight Oil for a sale of non-existent oil field equipment that never happened and to make the invoice out for the sum of money MANUAL intended to receive for his role in the scheme (over \$60,000). MANUAL followed MARK KNIGHT's orders and submitted the invoice to Knight Oil. Mark Knight personally approved the payment of the invoice by Knight Oil. This sum was thus illicitly reported as expenses for tax purposes by Knight Oil, unbeknownst to Knight Oil itself, but well known to Mark Knight, with malicious intent.*

*28(c). Defendants MANUAL, KINCH, and JACKSON all intentionally failed to report the monies they received for tax purposes and engaged in expenditures of the money in a calculated way to avoid detection by the IRS and otherwise to launder the illicit monies. Mark Knight had actual and/or constructive knowledge of this by way of making payments of large sums of money in cash and through gifts unto MANUAL, KINCH, and JACKSON. Each's intent in shrouding the payments in secrecy in this manner was intended to conceal the activities of all involved in the scheme and the scheme itself.*

29. At some point, an employee of Knight Oil became aware of the scheme and enterprise referenced herein. After Bryan Knight's arrest, one or more of the defendants became aware of this employee's knowledge of the scheme. MANUAL requested KINCH and/or JACKSON to threaten the employee. Apparently both could not or would not do so, so on March 6, 2015, MANUAL expressly threatened this employee with bodily harm to he and his family if *he did not maintain the information as secret, destroy the information, or if he went to the authorities*. This act of extortion and witness intimidation was perpetrated in furtherance of the scheme and enterprise referenced herein and in order to protect all Defendants from criminal prosecution. In addition, Mark Knight, individually and on behalf of his co-conspirators has through the device of criminal extortion threatened the plaintiff herein with dire economic consequences in the event he continues prosecuting this litigation and/or fails to dismiss same. This threat has been made on several occasions since the filing of the original complaint in this matter, June 3, 2015.

*29(a). As recently as April 17, 2019, COREY JACKSON committed perjury while under probation in a deposition taken in this case, testifying that he had no knowledge that the drugs had been planted on the Plaintiff's vehicle in 2014. This act of perjury is yet another attempt by JACKSON to conceal his role in this scheme and to avoid the consequences of his actions related thereto. Thus, this act of perjury was in furtherance of the scheme as it was intended to protect JACKSON and his co-defendants and further conceal their actions and motives associated with the scheme.*

30. Knowing the drugs that were found were not placed there by him, Plaintiff believed that someone had set him up, but he could not prove it. Plaintiff knew he was facing a lengthy jail sentence. During the period of time when Plaintiff was fighting these criminal

charges, his older brother, Defendant Mark Knight, told him he could “take care” of the charges if Plaintiff would cooperate with him with regards to transferring his interest in the family business to MARK KNIGHT. Mark Knight’s offer to “take care” of the charges in exchange for the transfer of business interest was yet another act in furtherance of the overall scheme and enterprise complained of herein.

31. Finally, in 2015 a witness, *the Knight Oil employee who had been threatened by MANUAL*, came forward *to law enforcement* with hard evidence showing that Plaintiff had been set up by two police officers, an employee of the family business and his own brother, *sister-in-law, and niece*. Plaintiff first learned the identity of the individuals who had set him up for the arrest in March 2015. The drug charges were dismissed by the La. 15<sup>th</sup> Judicial District Attorney’s office and racketeering charges were filed against the named defendants herein.

32. All of the acts alleged herein were committed and performed with the knowledge, acquiescence and/or consent of all the defendants. Further, MARK KNIGHT, *HEATHER KNIGHT BILLEAUD*, *PATRICIA KNIGHT*, and RUSSELL MANUAL conspired with TROOPER JACKSON and DEPUTY KINCH under color of state law to deprive Plaintiff of his rights, privileges and immunities secured him by the United States and the Louisiana Constitutions.

33. This suit has become necessary because of the egregious, despicable conduct perpetrated by defendants which were intended to cause harm to Plaintiff Bryan Knight. In addition to the multiple civil wrongs committed against Bryan Knight, defendants committed multiple criminal acts, including but not limited to, (a) criminal conspiracy, (b) bribery of police officers/ public bribery, (c) acceptance of those bribes, (d) trespassing with the intent to

break and enter a residence and/or trespass to commit felony malicious conduct/ criminal mischief, (e) trespass to install a GPS, which also constitutes an unlawful search and seizure and invasion of privacy, (f) extortion, (g) purchase and possession of illegal narcotics to plant on Plaintiff's vehicle, (h) racketeering, (i) use of interstate wire communications to accomplish their goals, (j) witness intimidation/ tampering, (k) money laundering, (l) tax fraud/ evasion, (m) prohibited acts, Schedule II, (n) corrupt influencing, (o) perjury in a federal case, and all attendant inchoate offenses associated with the foregoing, including conspiracy, attempt, and inciting a felony. These criminal acts perpetrated by all defendants in collusion constitute predicate acts under federal RICO laws and establish a pattern of racketeering activity starting well over a year ago and continuing after defendants' arrest and after this suit was filed. Most recently, after it became apparent that new capital would be required to be infused into Knight Oil because of Mark Knight's lavish spending, mismanagement and theft of corporate assets, Mark Knight refused to allow investors to conduct their due diligence unless plaintiff herein dismissed his suit against him. This conduct amounts to a felony under Louisiana law. *These actions coupled with the taint of illegal activities by Mark Knight and his family utilizing Knight Oil as a tool for the scheme ultimately contributed to Knight Oil having to declare bankruptcy in 2017.*

34. The Defendants' past and continuing interrelated criminal conduct which took place over the course of many months and continues to this day as complained of herein demonstrates a pattern of racketeering activity and establishes a threat of continued racketeering activity

## **V. Civil Rights Violations**

35. Plaintiff adopts by reference and incorporates herein for all purposes the allegations contained in paragraphs 1-32 of this Complaint.

36. The conduct described above constitutes a violation of 42 U.S.C. §1983 and §1985. These civil rights violations were a proximate cause, or, alternatively a producing cause of Plaintiff's damages.

#### **VI. Federal and State RICO claims**

37. Plaintiff adopts by reference and incorporates herein for all purposes the allegations contained in paragraphs 1-32 of this Complaint.

38. As alleged herein, the purpose and shared goals of Defendants in the scheme alleged herein was for MARK KNIGHT to acquire or maintain an interest in or control of Knight Oil, a legitimate enterprise, through a pattern of racketeering activity. *HEATHER KNIGHT BILLEAUD and PATRICIA KNIGHT shared this interest with their father/husband and stood to personally benefit from MARK KNIGHT obtaining a controlling interest in the company.*

39. Mark Knight utilized Knight Oil's money, resources, equipment, and even an employee to engage in the criminal scheme complained of in this matter. MARK KNIGHT as an officer of Knight Oil at the time and RUSSELL MANUAL as an employee of Knight Oil participated in and conducted the affairs of Knight Oil through the pattern of racketeering activity alleged herein.

40. All defendants conspired to have MARK KNIGHT acquire and maintain an interest in Knight Oil through a pattern of racketeering and also conspired with MARK KNIGHT, HEATHER KNIGHT BILLEAUD, and RUSSELL MANUAL as an officer and

employees of Knight Oil, respectively, to conduct the affairs of Knight Oil through a pattern of racketeering activity.

41. Knight Oil Tools is a lawful business having offices in several states. It is the lawful “enterprise” through which defendants conducted their illegal acts. The illegal acts committed by defendants were funded in whole or in part through Knight Oil Tools.

42. The “predicate” criminal acts are detailed in paragraph thirty-one (31), which has been incorporated herein for all purposes.

43. The “pattern of racketeering activity” is described in paragraphs 1-32 of this complaint, which have been incorporated herein for all purposes. These multiple predicate acts all took place within a ten (10) year period.

44. Defendants have violated RICO in that they (1) conspired to violate RICO, (2) sought to acquire or maintain an interest in or control of an enterprise through a pattern of racketeering activity, and (3) by conducting or participating in the conduct of an enterprise’s affairs through a pattern of racketeering activity.

45. The conduct described above constitutes a violation of federal RICO laws, 18 U.S.C. §§ 1961-1968 as well as Louisiana state RICO laws. These violations were a proximate cause, or, alternatively a producing cause of Plaintiff’s damages.

46. In addition to his compensatory damages, Plaintiff is entitled to and hereby seeks treble damages, costs, and attorneys fees against Defendants under federal and state RICO laws.

## **VII. Malicious Prosecution/ *Abuse of Process***

47. Plaintiff adopts by reference and incorporates herein for all purposes the allegations contained in paragraphs 1-32 of this Complaint.

48. The conduct of Defendants caused Plaintiff to be arrested and charged with a crime he did not commit. Defendants intended this result and are liable to Plaintiff for malicious prosecution and abuse of process. *Further, Defendants employed legal process in a manner which had the illegal activities never surfaced, would have been technically correct, but for a wrongful and malicious purpose to obtain an unjustifiable end or an object which it was not the purpose of the particular process employed to effect- namely, Defendants sought to use Plaintiff's arrest through lawful yet tainted process, but to obtain a controlling interest in Knight Oil for Mark Knight.* This malicious prosecution *and abuse of process* was a proximate cause, or, in the alternative a producing cause of Plaintiff's damages.

#### **VIII. False Imprisonment**

49. Plaintiff adopts by reference and incorporates herein for all purposes the allegations contained in paragraphs 1-32 of this Complaint.

50. The conduct of Defendants described above caused Plaintiff to be arrested and detained. Once again, this was the intent of the defendants. This false imprisonment was a proximate cause, or, in the alternative a producing cause of Plaintiff's damages.

#### **IX. Intentional Infliction of Mental Anguish**

51. Plaintiff adopts by reference and incorporates herein for all purposes the allegations contained in paragraphs 1-32 of this Complaint.

52. The conduct of Defendants described herein was intended to cause Plaintiff to suffer mental anguish and, in fact, Plaintiff did suffer mental anguish. Defendant's conduct was a proximate cause, or, in the alternative a producing cause of Plaintiff's damages.

#### **X. Conspiracy**

53. Plaintiff adopts by reference and incorporates herein for all purposes the allegations contained in paragraphs 1-32 of this Complaint.

54. Each of the defendants conspired together to commit the acts described above. By virtue of this conspiracy, they are all jointly and severally liable for the damages caused.

### **XI. Actual Damages**

55. Plaintiff adopts by reference and incorporates herein for all purposes the allegations contained in paragraphs 1-52 of this Complaint.

56. The conduct of the Defendants has caused Plaintiff to suffer mental anguish and incur legal debt for the handling of the criminal matter. In addition, Plaintiff incurred the costs of posting a bond in order to gain release from jail pending his criminal trial. In addition, he incurred costs for the property damage when the electrical line was cut to his residence.

57. Defendants' conduct has likewise caused significant injury to plaintiff's property interests in Knight Oil and all related family business ventures.

58. Upon information and belief, Defendants have intentionally destroyed, alienated, or secreted information and evidence necessary for Plaintiff to prosecute his claims in this matter when they had a duty to preserve such evidence. Plaintiff accordingly claims damages for Defendants' intentional spoliation of evidence and further prays for an adverse presumption and any other general or equitable relief to which he is or may be entitled.

59. Plaintiff requests the jury to award such damages as they deem just and fair to compensate Plaintiff for his actual damages.

### **XII. Attorneys Fees**

60. Plaintiff adopts by reference and incorporates herein for all purposes the allegations contained in paragraphs 1-52 of this Complaint.

61. Plaintiff has retained counsel to represent him in this action and has agreed to compensate counsel a reasonable fee. Plaintiff requests that he be awarded reasonable and necessary legal fees pursuant to 42 U.S.C. § 1988 and 18 U.S.C. §§ 1961-1968 as well as Louisiana state RICO laws.

### **XIII. Punitive Damages**

62. Plaintiff adopts by reference and incorporates herein for all purposes the allegations contained in paragraphs 1-52 of this Complaint.

63. The defendants herein intended to violate the civil rights of Plaintiff and deprive him of his civil liberties. Their conduct was egregious and shocking to the conscience. Plaintiff requests that punitive damages be awarded in an amount sufficient to deter such unlawful and anti-social conduct in the future and to set an example for the community that such intentional and malicious conduct will not be tolerated in this community.

### **XIV. Treble Damages**

64. Plaintiff adopts by reference and incorporates herein for all purposes the allegations contained in paragraphs 1-52 of this Complaint.

65. The pattern of racketeering activity in this case was conducted by the Defendants in concert with each other in a coordinated and organized fashion, in order to carry out the scheme. Their conduct was egregious and shocking to the conscience. Plaintiff requests that treble damages be awarded under federal and state RICO laws.

### **XV. Additional Remedies**

66. Plaintiff adopts by reference and incorporates herein for all purposes the allegations contained in paragraphs 1-52 of this Complaint.

67. In addition to the damages referenced above, if the damages are to slight in view of the gravity and egregious nature of Defendants' conduct, Plaintiff would ask the Court to fashion a remedy pursuant to its broad discretionary powers under the Civil Rights provisions.

68. *Plaintiff would also request that defendants be divested of all sums of money paid to or received by them as a result of the illegal activities complained of herein and that those sums be awarded to the Plaintiff.*

69. Finally, Plaintiff requests that Defendants be ordered to pay Plaintiff all sums they expected or hoped to receive by virtue of their illegal and egregious conduct.

70. Plaintiffs re-aver and re-allege each and every allegation of their original Complaint [Doc. 1] First, *and Second* Supplemental and Amending Complaints [Doc. 7] as if stated herein *in extenso*.

WHEREFORE, PREMISES CONSIDERED, Bryan Knight prays that each of the Defendants be summoned to appear and answer herein and that upon final hearing hereof, Plaintiff have and recover from the Defendants jointly and severally the actual and additional damages described herein together with punitive damages, attorneys fees and such other and further relief, both general and special, at law and in equity to which he may show himself justly entitled. Plaintiff further prays that this matter be tried by jury.

Respectfully submitted,

*/s/ Steve A. Bryant*

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*ATTORNEYS FOR PLAINTIFF BRYAN  
KNIGHT*

**CERTIFICATE OF SERVICE**

I hereby certify that on June 10, 2019 a copy of the foregoing pleading was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to all counsel of record by operation of the court's electronic filing system. I also certify that I have emailed this filing to the following non-CM/ECF participants: Jason Kinch and Russell Manual.

*/s/ Gordon Schoeffler*

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GORDON SCHOEFFLER- La Bar # 29412