

SCRUGGS AND LOTT

Lotus is right—the indictment against Dickie Scruggs is pretty damning. Here's the bit everyone is keying on, from a conversation between Timothy Balducci and Judge Lackey:

"my relationship with Dick [Scruggs] is such that he and I can talk very private [sic] about these kinds of matters and I have the fullest confidence that if the court, you know, is inclined to rule ... in favor ... everything will be good..."

"The only person in the world outside of me and you that has discussed this is me and Dick [Scruggs]." "...We, uh, like I say, it ain't but three people in the world that know anything about this ... and two of them are sitting here and the other one ... the other one, uh, being Scruggs ... he and I, um, how shall I say, for over the last five or six years there, there are bodies buried that, that you know, that he and I know where ... where are, and, and, my, my trust in his, mine in him and his in mine, in me, I am sure are the same."

We are talking Mississippi, I guess.

That said, I've got a couple of questions.

First, why was Zach Scruggs indicted? Best as I can tell, his involvement in this amounts to receiving the order they allegedly bribed Judge Lackey for and handing off the check—along with cover documents designed to hide the bribe. Given that Zach Scruggs is not alleged to have been involved with creating the cover documents, it is possible he did not know the check was for a bribe. And, his participation in one conversation in which Balducci said, "we paid for this ruling; let's be sure it says what we want it to say." Which, again, does not necessarily reflect knowledge of a bribe. Maybe they've got more evidence that Zach Scruggs was

involved, but it's not in the indictment.

Second, what did the search on Monday net? The search warrant apparently named a specific document.

FBI agents were barring all but employees from the office Tuesday during the search, which began at 10:30 a.m. and stretched into the afternoon.

"It is a search warrant for a thing, a document," said Langston, an Oxford attorney who represents the firm. "I don't think anyone has made an allegation that the Scruggs Law Firm has done anything improper or illegal. I think that the federal authorities will probably learn when they complete their investigation that whatever the allegation of wrongdoing is, that the Scruggses were not involved."

And it took a long time to find it, from 10:30 into the afternoon, if they in fact did find it.

Most of the evidence described in the indictment involves phone and email traffic (and it appears the judge wore a wire for some of the conversations he was involved in). Plus, it appears that Balducci flipped at some point (which might be why Zach Scruggs got indicted). So presumably, they had all of this through wiretaps and recordings going back months. They wouldn't need to search for the order itself, as Judge Lackey would have had a copy. So what was the document described in the search warrant? Or does it pertain to something further, something that didn't make it into yesterday's indictment?

Finally, Trent. Recall that Trent sued State Farm over his own Katrina settlement. Turns out, the Scruggs law firm represented Trent in that suit. This whole State Farm litigation is a mess, with suit inside suit inside contempt case and so on. Is Trent's one of the suits involved? Did he get directly involved in this?