



The United States Attorney's Office

Eastern District of Kentucky

PRESS RELEASE

September 3, 2008

Lexington, Ky. — Former Kentucky Transportation Cabinet Secretary William Nighbert, 57, road contractor Leonard Lawson, 69, both of Lexington, Ky. and one of Lawson's employees Brian Billings, 37, of Stanton, Ky. were indicted today for conspiracy theft from government agency receiving federal funds, bribery, and obstruction of justice.

The Indictment alleges that Nighbert and Lawson conspired with Kentucky Transportation Cabinet (KTC) employee James Rummage to divert confidential engineer estimates from the Cabinet to Leonard Lawson for his use in the bidding on road contracts. An engineer estimate is an internal document generated by cabinet personnel and used by the cabinet to determine how reasonable the bids are. The Indictment also alleges that Lawson paid James Rummage \$20,000 of bribe money for his assistance in the scheme and that Lawson funneled over \$67,000 to Nighbert disguised as payments on a consulting contract for a utility management company.

According to the indictment, on approximately eight occasions between June 2006 and August 2007, either Nighbert or Lawson directed James Rummage to obtain and deliver to Lawson the estimates for particular contracts. It further alleges that on four separate occasions, Lawson handed Rummage \$5,000 in cash.

In a related matter, the indictment alleges that during the investigation of the diversion and bribery, Nighbert, Lawson and his employee, Brian Billings, obstructed justice by trying to persuade James Rummage not to cooperate with authorities, suggesting what he should say to the grand jury, and encouraging him to take the fifth amendment.

James A. Zerhusen, United States Attorney for the Eastern District of Kentucky, Michelle McVicker, Special Agent in Charge, U.S. Department of Transportation, Jack Conway, Attorney General of Kentucky, Office of the Attorney General, Timothy D. Cox, Special Agent in Charge, Federal Bureau of Investigation, and Crit Luallen, Auditor of Public Accounts for the Commonwealth of Kentucky, jointly made the announcement today after a federal grand jury in Lexington, Ky. returned the indictment.

The investigation preceding the indictment was conducted by the Federal Bureau of Investigation and Office of the Attorney General of Kentucky, with assistance from the State Auditor's Office. The Indictment was presented to the grand jury by Assistant United States Attorney Kenneth Taylor.

The next court appearance for the defendants has not yet been set by the United States District Court in Lexington, Ky. Any sentence following conviction would be imposed by the court after consideration of the United States Sentencing Guidelines and the federal statute governing the imposition of sentences.

The indictment of a person by a grand jury is an accusation only, and that person is presumed innocent unless proven guilty.

