

In The News

Trucking Industry Journal Reports Akerman Defense Win in Federal White-Collar Prosecution

September 21, 2022

FBI Tactics Questioned by Winning Akerman Litigator

Transport Topics, a leading trucking and logistics trade journal, reported on an Akerman litigation team's courtroom triumph on behalf of client Bobby Peavler, former chief financial officer of Celadon Group Inc., an Indianapolis-based trucking and transport company.

Peavler, represented by litigation partners Michael Kelly and Sergio Acosta, based in Washington and Chicago respectively, was accused by Federal prosecutors of conspiring to overstate the value of the company's used truck inventory to shareholders almost three years prior to Celadon declaring bankruptcy in December 2019. But the Department of Justice dropped the charges in August of this year, after Kelly and Acosta demonstrated that the FBI had provided false testimony about what Peavler said in an interview and had identified evidence showing Peavler's innocence.

Transport Topics wrote in the September 21st report: "The government should change the way that it investigates its cases," said Michael Kelly, one of Peavler's attorneys, and a partner in the Washington, D.C., firm of Akerman LLP. "The Department of

Justice should record its interviews in every case and not rely on FBI agents to write a summary of what was said.

In this case, an inaccurate summary led an FBI agent to testify falsely in an evidentiary hearing. Those types of mistakes are too dangerous and can lead to an innocent man being convicted. Taping interviews is the best way to follow the facts wherever they lead — which should be the DOJ's mission in every case.”

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