

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**ALBERT G. HILL, III ,**

Plaintiff,

vs.

**CRAIG WATKINS, ALBERT G. HILL,  
JR., LYDA HILL, ALINDA WIKERT,  
LISA BLUE BARON, CHARLA  
ALDOUS, STEPHEN MALOUF,  
MICHAEL LYNN, JEFFREY  
TILLOTSON, DONNA  
STRITTMATTER, STEPHANIE  
MARTIN, TERRI MOORE, HOYT  
HOFFMAN, MO BROWN, RANDALL  
THOMPSON, EDITH SANTOS, DAVID  
PICKETT, ALBERT HILL TRUST, TY  
MILLER, and BRANCH BANKING &  
TRUST COMPANY,**

Defendants

**Case No. 3:17-cv-494**

**FIRST AMENDED COMPLAINT**

NOW COMES the Plaintiff, Albert G. Hill, III alleging as follows based on information and belief:

**Introduction**

1. On February 21, 2013, the Highland Park Police Department responded to a residential burglary alarm and discovered four investigators and a prosecutor from the Dallas County District Attorney's Office had broken into the home of Albert G. Hill III and Erin N. Hill. The local police did not intervene because the investigators said they entered the home pursuant

to a search warrant, but in reality the investigators had no search warrant. Instead, the investigators entered the home at the personal direction of then-District Attorney Craig Watkins.

2. Mr. Hill might have never learned about the break-in but for the fact that a friend's wife witnessed the event and notified Mr. Hill, who then began asking questions of local police. Mr. Hill discovered that Mr. Watkins had used the investigators as an armed goon squad to solve a burgeoning legal and political problem. To wit, Mr. Watkins had been bribed by some of Mr. Hill's family members and their cohorts to frame Mr. Hill and ensure his defeat in various ongoing civil lawsuits in state and federal court, but that scheme was beginning to unravel and Mr. Watkins was desperate to cover his tracks.

3. In exchange for the bribes, Mr. Watkins had already obtained indictments of the Hills on March 29, 2011 and March 31, 2011 on bogus charges of mortgage fraud. The criminal case was falling apart, however, and by February 14, 2013 a state district judge sought to compel Mr. Watkins's testimony about his malicious prosecution of the Hills. Mr. Watkins refused to testify, and the state court ordered him to appear again on March 7, 2013. Mr. Watkins sent his investigators into the Hill's home on February 21, 2013 in a desperate (but unsuccessful) attempt to gain leverage against the Hills before that March 7, 2013 hearing. A video surveillance recorder was stolen from the home by Mr. Watkins's goons, and its location is unknown to this day. The state court dismissed all charges against Mr. Hill on March 7, 2013 because of egregious misconduct by Mr. Watkins and his staff, but prosecutors appealed and those appeals are still pending. Mr. Watkins's former chief investigator, meanwhile, was wiretapped by the FBI and pleaded guilty to accepting a \$200,000.00 bribe in another case. (The former chief investigator, Anthony L. Robinson, is now cooperating in the FBI's investigation of widespread

public corruption in Mr. Watkins's office and throughout the Dallas County Courthouse.)

3. Mr. Watkins's crimes were, unfortunately, only a small segment in a series of crimes. In 2009, at the age of 39, Mr. Hill learned that his great-grandfather, H.L. Hunt, Jr., had established a trust for Mr. Hill four days after Mr. Hill was born. Mr. Hill was the first great-grandchild of Mr. Hunt, a billionaire and one of the wealthiest men in the United States, and Mr. Hunt bequeathed most of his assets into the trust for Mr. Hill. After Mr. Hunt's death in 1974, and after Mr. Hill's relatives learned that most of Mr. Hunt's fortune would go to Mr. Hill, they began parceling up Mr. Hunt's fortune among themselves, acting as if Mr. Hill's birth trust did not exist. When Mr. Hill learned about the birth trust in 2009, his own father (and other relatives) launched a scorched-earth legal and political campaign to discredit and destroy Mr. Hill lest he recover some of the billions that they had stolen. Among other things, Mr. Hill's relatives and their allies lavished millions of dollars on socialites, opinion-makers, and public officials in Dallas, including Mr. Watkins and various local judges, in an effort to protect themselves from the consequences of their crimes. This was not surprising, as Mr. Hill's family members have lied, cheated, and bribed their way out of trouble for decades.

4. While H.L. Hunt made his money in the oil business, the wealth of subsequent generations has increased through fraud, money laundering and tax evasion. The Hunt/Hill family keeps much of its cash in offshore banks, and the vast majority of the family's wealth resides in a complex web of trusts with undefined assets. The family moves assets from one trust to another with little or no paper trail, often for the purpose of avoiding federal income taxes. Many of the defendants in this case are the subject of ongoing federal investigations into the Hunt/Hill family and Dallas County public corruption. Most of the attorney defendants have

been interviewed by the FBI, and they have asserted their Fifth Amendment rights to remain silent. Likewise, most of the Dallas County District Attorney's Office employees who burglarized Mr. Hill's home have been interviewed by the FBI. The federal investigation now includes this Court and some of its judicial officers.

5. Mr. and Mrs. Hill moved to Atlanta to get away from the harassment and political corruption in Dallas, but the reign of terror continues to this day, so Mr. Hill has filed this case to put an end to it.

### **Jurisdiction and Venue**

6. The Court has jurisdiction under 28 U.S.C. § 1331 because the Plaintiff brings federal claims. The Court has diversity jurisdiction under 28 U.S. Code § 1332 because the Plaintiff resides in Georgia and the Defendants reside in other states, and the amount in controversy exceeds \$75,000.00. Venue is proper in the Northern District of Texas under 18 U.S. Code § 1965. Furthermore, most of the Defendants reside in Dallas County, and most of the events relevant to this lawsuit occurred in Dallas County.

### **Parties**

7. Plaintiff Albert G. Hill III (hereinafter "Al III") is a resident of Atlanta, Georgia.

8. Defendant Craig Watkins is a resident of Dallas County, Texas and the former District Attorney of Dallas County.

9. Defendant Albert G. Hill, Jr. (hereinafter "Junior") is a resident of Dallas County, Texas and the father of Al III.

10. Defendant Lyda Hill is a resident of Dallas County, Texas. She is the sister of Junior and the aunt of Al III.

11. Defendant Alinda Wikert is a resident of Dallas County, Texas. She is the sister of Junior and the aunt of Al III.

12. Defendant Lisa Blue Baron (hereinafter "Blue") is an attorney who resides in Dallas County, Texas. She formerly represented the Plaintiff.

13. Defendant Charla Aldous is an attorney who resides in Dallas County, Texas. She formerly represented the Plaintiff.

14. Defendant Stephen Malouf is an attorney who resides in Dallas County, Texas. He formerly represented the Plaintiff.

15. Defendant Michael Lynn is an attorney who resides in Dallas County, Texas. He has represented Junior, and his wife is Chief Judge Barbara M.G. Lynn of this Court.

16. Defendant Jeffrey Tillotson is an attorney who resides in Dallas County, Texas. He is Defendant Michael Lynn's law partner.

17. Defendant Donna Stritmatter is an attorney who resides in Dallas County, Texas. She was an assistant district attorney under Defendant Watkins. She personally participated in the burglary of the Plaintiff's home.

18. Defendant Stephanie Martin is an attorney who resides in Dallas County, Texas. She was an assistant district attorney under Defendant Watkins.

19. Defendant Terri Moore is an attorney who resides in Dallas County, Texas. She was the first assistant district attorney under Defendant Watkins.

20. Defendant Hoyt Hoffman is a resident of Dallas County, Texas who worked as an investigator for Defendant Watkins. He personally participated in the burglary of the Plaintiff's home.

21. Defendant Mo Brown is a resident of Dallas County, Texas who worked as an investigator for Defendant Watkins. He personally participated in the burglary of the Plaintiff's home.

22. Defendant Randall Thompson is a resident of Dallas County, Texas who worked as an investigator for Defendant Watkins. He personally participated in the burglary of the Plaintiff's home.

23. Defendant Edith Santos is a resident of Dallas County, Texas who worked as an investigator for Defendant Watkins. She personally participated in the burglary of the Plaintiff's home.

24. Defendant David Pickett is the trustee of the Albert Hill Trust. He personally participated in the burglary of the Plaintiff's home.

25. Defendant Albert Hill Trust ("AHT") is a trust that was organized under the laws of the State of Texas in 1945. The Plaintiff is a beneficiary of that trust.

26. Defendant Ty Miller is a financial adviser to Junior. He formerly served as the president of Bank One.

27. Defendant Branch Banking and Trust Company ("BB&T") is a national bank headquartered in Winston Salem, North Carolina.

28. Defendant Ivan Irwin is the former trustee of the Albert Hill Trust.

29. Defendant Justin Campbell is an attorney and a partner in Campbell Harrison & Dagley LLP.

30. Defendant Robin Harrison is an attorney and a partner in Campbell Harrison & Dagley LLP.

31. Defendant John Dagley is an attorney and a partner in Campbell Harrison & Dagley LLP.

32. Defendant Campbell Harrison & Dagley LLP is a limited liability partnership organized under the laws of Texas. The firm, along with Defendants Campbell, Harrison, and Dagley, are herein described as the “CHD Defendants.”

33. Defendant Joy Waller is the personal assistant of Junior.

### FACTS

34. The Plaintiff incorporates by reference the September 21, 2016 Opinion of the Texas Court of Criminal Appeals in *State of Texas v. Albert G. Hill, III*, 499 S.W.3d 853, as if fully set forth herein.

35. The Plaintiff incorporates by reference ALBERT G. HILL, III'S SUPPLEMENTAL MOTION PURSUANT TO FED. R. CIV. P. 60(B) TO VACATE GLOBAL SETTLEMENT AGREEMENT AND FINAL JUDGMENT IN LIGHT OF THE HONORABLE REED O'CONNOR'S RECUSAL OR, IN THE ALTERNATIVE, FOR LEAVE TO TAKE DISCOVERY (“MOTION TO VACATE”), filed June 28, 2013 in this Court in *Albert G. Hill, III v. Margaret Keliher, et al.*, Case No. 3:07-cv-02020 (N.D. Tex.), as if fully set forth herein. A true and correct copy is attached as Exhibit 1.

36. The Plaintiff incorporates by reference the FIRST AMENDED COMPLAINT (Doc. 471-2) in *Albert G. Hill, III v. Margaret Keliher*, Case No. 3:07-cv-02020 (N.D. Tex.). A true and correct copy is attached as Exhibit 2.

37. The Plaintiff incorporates by reference the RICO CASE STATEMENT (Doc. No. 483) in *Albert G. Hill, III v. Margaret Keliher*, Case No. 3:07-cv-02020 (N.D. Tex.). A true and correct copy is attached as Exhibit 3.

38. This complaint and its incorporated documents discuss events that occurred before and after the general settlement agreement (“GSA”) and the final order in Case No. 3:07-cv-02020. The Plaintiff does not bring claims for events that have been released by the GSA or final order, but he discusses those earlier events to establish a pattern of conspiracy and racketeering. The Plaintiff alleges that the racketeering enterprise described in the FIRST AMENDED COMPLAINT and the RICO CASE STATEMENT continued unabated following the execution of the GSA and the entry of the final order, and that it is ongoing even now.

39. The Plaintiff had a very strong relationship with his paternal grandmother, Margaret Hunt Hill, and he became a beneficiary of her trust, the Margaret Hunt Hill Trust (“MHH”), upon her death in 2007. Margaret Hunt Hill was the mother of Defendants Junior, Wikert, and Lyda Hill, but she had a strained relationship with her three children. At her insistence, Defendants Junior, Wikert, and Lyda Hill executed disclaimers to their interest in her trust in lieu of her general power of appointment, thereby allowing those interests to pass on to her grandchildren, including the Plaintiff, tax free. After her death, however, Defendants Junior, Wikert, and Lyda Hill pretended that those disclaimers did not exist, and they refused to account for the assets belonging to the Plaintiff. The Plaintiff filed Case No. 3:07-cv-02020 later that year after his father and his father's two sisters refused to account for their stewardship of assets belonging to him.

40. Information regarding the Plaintiff's H.L. Hunt birth trust (as well as other trusts) was contained in sealed records from his parents' 1979 divorce, and it was stored under lock and key in the Dallas County Courthouse. While Defendant Blue was representing the Plaintiff in Case No. 3:07-cv-02020, she informed him that she had obtained the sealed divorce records, but

she did not explain how she obtained them. In a February 1, 2010 email to the Plaintiff, Defendant Malouf, and others, Defendant Blue wrote as follows under the subject heading “Pajama time”: *“I have the divorce file. I’m taking to the house. It’s MINE hahahaha. No one else’s hahahahaha.”* Defendant Blue never shared the records with the Plaintiff even though he was her client. A few months later the relationship between the Plaintiff and Defendant Blue became adversarial. To this day, Defendant Blue has not shared the records with the Plaintiff, nor has she returned them to the courthouse. The Plaintiff alleges on information and belief that Defendant Blue blackmailed Junior and other family members with the stolen records, which Junior then paid her to hide or destroy, because those records would show just how badly the Plaintiff’s birth trust was looted by his own family.

41. Defendants Aldous and Malouf were aware that their law partner, Defendant Blue, was bribing Defendant Watkins in order to gain leverage in the litigation against the Plaintiff, and they advised Blue in that regard and ratified and approved her criminal acts on behalf of their law firm. Similarly, Defendant Lynn knew that his law partner, Defendant Tillotson, was bribing Defendant Watkins, and he advised Tillotson and ratified and approved his criminal acts on behalf of their law firm.

42. Judge Reed O’Connor took his oath of office shortly after the Plaintiff filed Case No. 3:07-cv-02020, and the case was soon assigned to Judge O’Connor. Defendants Junior, Wikert, and Lyda Hill and other Hunt/Hill family members feared that the Plaintiff would learn that he owned Hunt Petroleum Corporation outright, so they immediately undertook plans to sell the company and whitewash its true ownership via layered transactions. In 2008, Junior and other relatives began negotiations to sell Hunt Petroleum to XTO Energy, which in turn was

negotiating a sale to ExxonMobil Corporation.

43. Hunt Petroleum was sold to XTO on June 10, 2008 for \$4.2 billion dollars, and XTO was sold to ExxonMobil in December of 2009 for \$41 billion. The \$4.2 billion sales price was only 1.2 times the company's cashflow, *i.e.*, far below its market value. Furthermore, an XTO analyst boasted to investors that Hunt Petroleum's holdings in the Haynesville Shale alone were worth \$5 billion all by themselves, *but those properties were not included in the valuation of the company*. In other words, XTO got at least \$5 billion worth of mineral rights at no additional cost. And after the sales contract with XTO was completed, the Plaintiff's relatives inexplicably *gave* XTO an additional \$1 billion worth of properties at no additional cost. Perhaps most telling, XTO had been valued at roughly \$20 billion before its purchase of Hunt Petroleum, but shortly after XTO purchased Hunt Petroleum, Exxon was willing to pay \$41 billion for XTO. This suggests that Hunt Petroleum was worth closer to \$20 billion. The Plaintiff alleges that Junior, Defendant Wikert, Defendant Lyda Hill and other relatives sold Hunt Petroleum at a steep discount because they knew that they did not own it, and they needed to launder the title to the company and its assets.

44. One of the attorneys who represented Junior in Case No. 3:07-cv-02020 was Defendant Michael Lynn. While that case was pending, the Plaintiff obtained unequivocal evidence that Junior lied and fabricated false documents about a disclaimer to the MHH trust that Junior had executed in 2005. The disclaimer was significant because any disclaimed interest would pass to the Plaintiff and his two sisters. Defendant Waller, the longtime personal assistant of Junior, backdated a 2007 document to make it appear that the document had been executed in 2005. The Plaintiff has personally seen a tightly-secured room on the 50<sup>th</sup> floor of Thanksgiving

Tower where his father and Defendant Waller kept old typewriters, vintage pens, a color copier, and old paper stock for the purposes of fabricating documents. Defendant Waller had been a notary public as well as Junior's personal assistant for decades, and she keeps all of her expired notary seals from previous decades in the secure room, precisely so she can purport to notarize signatures on backdated documents. In a February 2010 court order, Judge O'Connor found that Junior and Defendant Waller had perjured themselves and that Defendant Lynn suborned perjury regarding the disclaimer, which would have given the Plaintiff a larger percentage interest in the trust.

45. In April of 2010, Judge O'Connor ordered Case No. 3:07-cv-02020 to trial in two weeks, but Junior and Defendant Lynn did not want to go to trial. In an attempt to buy more time, Junior and Defendant Lynn manufactured a claim that they had a conflict with one another and therefore Defendant Lynn should be permitted to withdraw from the case. At a hearing on Defendant Lynn's motion to withdraw, one of Defendant Lynn's law partners told Judge O'Connor that Defendant Lynn should be permitted to withdraw because he and his client (*i.e.*, Junior) *had destroyed documents together*. Judge O'Connor then permitted Defendant Lynn and his firm to withdraw from representing Junior. Immediately after the hearing and near the back of the courtroom, Defendant Lynn told various attendees that he was going across the hallway to "Barbara's" office to celebrate with champagne. He was referring to the office of his wife, Chief U.S. District Judge Barbara Lynn. Whereas most attorneys would be ashamed to withdraw from a case on the grounds of their own criminal misconduct, Defendant Lynn was actually proud of himself. And whereas an attorney who suborned perjury, destroyed documents, and obstructed justice would normally be referred to the State Bar of Texas and criminal prosecutors by the

presiding judge, no such referral ever happened. Defendant Lynn knew that he was untouchable because of his wife's position with the Court, and indeed he has been untouchable thus far.

46. In May of 2010, Judge O'Connor summoned the Plaintiff and Mrs. Hill into his chambers ex parte and pressured them to settle their claims against the defendants in Case No. 3:07-cv-02020. At the time of the ex parte meeting, Judge O'Connor and his wife owned between \$1.2 and \$5.5 million in ExxonMobil stock and his wife was a senior attorney for ExxonMobil, but he did not disclose that information to the Plaintiff. As explained above, the Plaintiff's relatives were in negotiations at that very time to sell Hunt Petroleum to XTO Energy, which in turn was being purchased by ExxonMobil. In other words, Judge O'Connor had a serious financial conflict of interest which he did not disclose. Under pressure from Judge O'Connor, the Plaintiff and his wife reluctantly agreed to settle Case No. 3:07-cv-02020 on May 5, 2010. Specifically, Judge O'Connor threatened adverse rulings if the Plaintiff did not settle his claims in Case No. 3:07-cv-02020. Under that threat, Defendants Blue, Malouf, and Aldous told the Plaintiff that he needed to release all of his potential claims against ExxonMobil and XTO even though ExxonMobil and XTO were not parties to the case. The same Defendants also pressured the Plaintiff to agree that numerous public documents in the electronic case file should be sealed, including documents about the fraud on the court perpetrated by Junior, Defendant Waller, and Defendant Lynn. Unbeknownst to the Plaintiff at that time, Defendants Blue, Malouf and Aldous had already switched sides and were working to advance the interests of Junior. And Judge O'Connor still had not disclosed his financial interest in ExxonMobil to the Plaintiff.

47. The settlement agreement was signed by all parties in May of 2010, but Judge O'Connor did not enter a final order until several months thereafter. At a November 2010

meeting in Judge O'Connor's chambers, Junior pointed his finger toward Judge O'Connor, told him that one hundred million dollars would be lost if the final order was not signed before the end of the year, and warned him that there would be “consequences” if such a loss occurred. Whereas most federal judges would have sanctioned anyone who made such a threat, Judge O'Connor simply signed the final order as directed. In that final order, he expanded the protections for ExxonMobil, XTO, and other non-parties, even though none of the parties asked him to do so.

48. One of the attorneys who represented the Plaintiff before Judge O'Connor was Mike Lanier. After ExxonMobil's role in the purchase of Hunt Petroleum (via XTO) became public, Mr. Lanier consulted with a legal ethics professor at the University of Texas Law School, and that professor advised Mr. Lanier that his ownership of ExxonMobil stock required him to withdraw from representing the Plaintiff. At a hearing on Mr. Lanier's motion to withdraw, Judge O'Connor told Mr. Lanier that he should only file the professor's written report if it cleared him to represent the Plaintiff. Judge O'Connor said if the report advised Mr. Lanier to withdraw from representing the Plaintiff, then Mr. Lanier should not file the report but should simply withdraw from representing the Plaintiff. This seemed backwards to Mr. Lanier, who filed the report with the Court anyway and then withdrew. In retrospect, it is now clear that Judge O'Connor did not want a document in the record that would highlight his own conflicts of interest. Even after that document was filed, however, Judge O'Connor did not disclose his ownership of ExxonMobil stock nor his wife's employment as a senior attorney for the company, and he certainly did not recuse himself.

49. At a November 2010 hearing, one of the Plaintiff's attorneys informed the Court

that the Plaintiff intended to appeal the final order in Case No. 3:07-cv-02020. With a troubled look on his face, Judge O'Connor turned to the defendants' side of the courtroom and asked, "What are we going to do about this?" That sentence was later omitted from the court reporter's transcript. While Case No. 3:07-cv-02020 was pending, Junior and his lawyers met ex parte with Judge O'Connor, a fact that Judge O'Connor even acknowledged on the record. On information and belief, the Plaintiff alleges that Junior and other Defendants colluded with Judge O'Connor to produce an outcome that was favorable to ExxonMobil and, by extension, to Junior and the Plaintiff's other relatives.

50. After the Plaintiff discovered Judge O'Connor's conflicts of interest, he filed a motion to disqualify Judge O'Connor from Case No. 3:07-cv-02020, but Judge O'Connor denied the motion. The Plaintiff appealed his decision to the U.S. Court of Appeals for the Fifth Circuit, but the Fifth Circuit denied the appeal without an explanation. The Plaintiff then petitioned the U.S. Supreme Court, and that court granted certiorari. Faced with the prospect of public exposure, Judge O'Connor suddenly recused himself *sua sponte*, depriving the Supreme Court of jurisdiction and thereby keeping the high court from writing a damning opinion about his misconduct.

51. In addition to the appeal, the Plaintiff filed a judicial misconduct complaint against Judge O'Connor with the Fifth Circuit. Judge Edith Jones, who was the chief judge at the time, dismissed the complaint without an investigation. The Plaintiff then appealed to the Fifth Circuit Judicial Conference, but the conference voted unanimously to reject the appeal. The unanimous vote was significant, because it prevented the Plaintiff from appealing to the Judicial Conference of the United States.

52. Following a mediation conference in February of 2010, during which the Plaintiff rejected a settlement offer from Junior, Junior had told the Plaintiff, "I will see you in jail." Unbeknownst to the Plaintiff, Junior and Defendant Lynn, Defendant Tillotson and Defendant Pickett had already made plans to get the Plaintiff indicted on trumped-up charges of mortgage fraud. Shortly after the settlement of Case No. 3:07-cv-02020, Defendant Blue, Defendant Aldous and Defendant Malouf became involved in a dispute with the Plaintiff over attorney fees. They turned against the Plaintiff, joined forces with Junior, and bribed Defendant Watkins to indict the Plaintiff and his wife, each of whom were ultimately indicted.

53. In early 2013, the Plaintiff moved to dismiss the criminal charges on the grounds of prosecutorial misconduct. State District Judge Lena Levario held hearings on the Plaintiff's motion in February and March of that year. As detailed in *State of Texas v. Albert G. Hill, III*, 499 S.W.3d 853, the evidence of bribery and misconduct was overwhelming, and Judge Levario ordered the charges dismissed.

54. Magistrate Judge Renee Toliver was assigned to Case No. 3:07-cv-02020 while Judge O'Connor was presiding, and she is still assigned to various cases between the Plaintiff and his family members. Judge Toliver is a personal friend of Defendant Moore and Judge O'Connor, and they all previously worked together as prosecutors in the Tarrant County District Attorney's Office.

55. Judge Levario's findings were particularly damaging to Defendant Moore. After Judge Levario found that Defendant Watkins, et al. had maliciously prosecuted the Plaintiff, Judge Toliver began trying to counter those findings in parallel proceedings in her courtroom. Specifically, Judge Toliver began making factual findings that contradicted the factual findings

of Judge Levario. Even now, Defendant Watkins and his former employees are arguing in this case that the prior findings of Judge Levario are somehow trumped by the subsequent findings of Judge Toliver, and that the latter findings somehow establish *res judicata* over the former. These events do not appear to be a coincidence. As noted above, Judge Toliver is a personal friend of Judge O'Connor and Defendant Moore, the latter of whom was implicated by Judge Levario in the malicious prosecution of the Plaintiff.

56. During proceedings before Judge Levario, the Plaintiff obtained the phone records of Defendant Blue, and those records show an interesting pattern. Defendant Blue repeatedly made phone calls to Defendant Moore, followed by apparent calls from Defendant Moore to her friend, Judge Toliver. Defendant Blue also met with Judge Toliver and Judge O'Connor *ex parte* several times, and Defendant Moore likewise met with Judge Toliver *ex parte*. During that time period, Defendant Blue was suing the Plaintiff for attorney's fees in the case before Judge Toliver, the same case in which Judge Toliver was contravening the factual findings of Judge Levario. Unbeknownst to Defendant Blue, Defendant Moore, and Judge Toliver, their phone calls were being recorded by the FBI. The Plaintiff alleges that Defendant Blue and Defendant Moore were corruptly influencing Judge Toliver to make findings adverse to the Plaintiff, and that Judge Toliver was partially motivated by a desire to protect her friends, Defendant Moore and Judge O'Connor.

57. Other public officials in Dallas County, both state and federal, have been subjected to the corrupting influence of the Defendants and their cronies. While Case No. 3:07-cv-02020 was proceeding before Judge O'Connor, for example, the Plaintiff was battling Junior, Defendant Wikert, and Defendant Lyda Hill (among other relatives) in Dallas County Probate

Court. One of the judges assigned to that case was Judge Robert Price. As with Defendant Watkins, members of the Hunt/Hill family channeled large campaign donations to Judge Price. Not surprisingly, Judge Price consistently made rulings adverse to the Plaintiff. Furthermore, Judge Price failed to disclose that he was a member of the Texas Delta Investment Club along with Robert Thomas, the attorney who was representing the Plaintiff's opposing parties before Judge Price. Likewise, Judge Price failed to disclose that Defendant Ivan Irwin, one of the defendants in the parallel case before Judge O'Connor, was a member of the investment club.

58. While the probate case was pending, the Plaintiff received a tip that Judge Price left the doors and glove box of his Cadillac unlocked for the purpose of receiving bribes. Out of curiosity, the Plaintiff located Judge Price's Cadillac in the county parking garage. Sure enough, the doors and the glove box were unlocked. Furthermore, members of the Hunt / Hill family directed large investments to Judge Price's son-in-law, who worked at a large investment firm. As a result of those payments, Judge Price was able to live rent-free in a large house in Highland Park that was titled in his daughter's name.

59. Following the burglary of the Plaintiff's home in 2013, he filed an action in Dallas County District Court to obtain pre-suit discovery about the break-in. The case was assigned to Judge Carlos Cortez, and Judge Cortez thereafter began receiving large campaign donations from the Defendants and their allies, including Defendant Tillotson. Defendant Tillotson made these donations at the behest of Defendant Lynn, who was still working as an agent for Junior. Given the Plaintiff's past experiences with bribed officials like Defendant Watkins, the Plaintiff non-suited his claims before Judge Cortez because he knew he could not get a fair trial. Judge Cortez was subsequently voted out of office following various revelations about the judge's corruption

and criminal activity, including published reports suggesting that Judge Cortez may have converted some of the campaign funds for personal use.

60. At a February 24, 2013 hearing before Judge Levario, criminal defense attorney and former federal prosecutor Terrence Hart appeared as counsel for Defendant Blue. According to the transcript of that hearing, he said, “Your Honor, yesterday we got information that there is a federal investigation that involves several of the parties that are involved in this case. Ms. Blue is one of them.” Some time after that hearing, around March or April of 2013, Defendant Blue or Mr. Hart asked Assistant U.S. Attorney Shamoil Shipchandler of the Eastern District of Texas to write a letter exonerating Defendant Blue, *i.e.*, stating that she was no longer the subject of a federal investigation. Mr. Shipchandler wrote such a letter and it was filed in the case pending before Judge Toliver. He was not authorized to write the letter, and it was factually untrue, namely because the FBI was (and is) still investigating Defendant Blue. Shortly after Mr. Shipchandler wrote the letter, he left the U.S. Attorney's Office and accepted a job with Mr. Hart's law firm. The Plaintiff alleges that the job offer was a *quid pro quo* for Mr. Shipchandler's favorable letter.

61. While Defendant Malouf was representing the Plaintiff in federal court, he also represented the Plaintiff in some of the related probate court proceedings. During those proceedings, the Plaintiff learned that another trust in which he was a beneficiary, namely the Margaret Hunt Hill 1988 Trust (“Gallo Trust”), had been plundered by Junior, Defendant Waller, and trustee Don Donnelly. As part of his money laundering scheme, Junior would send large sums of the Gallo Trust's money to the Cayman Islands on the premise that the trust could get higher overnight interest rates. Large sums of “clean” money were sent from the United States,

then slightly larger amounts of “dirty” money were returned from the Caymans. During that period, Junior, Defendant Waller and Mr. Donnelly looted approximately \$18 million from the trust.

62. In 2010, Defendant Malouf had a meeting in chambers with Judge John Peyton, Jr. and the attorneys representing Junior, Defendant Walker, and Mr. Donnelly in the probate case. Without consulting his client (*i.e.*, the Plaintiff), Defendant Malouf negotiated a Rule 11 agreement to have himself appointed as the trustee of the Gallo Trust in lieu of Mr. Donnelly. As part of the same agreement, Defendant Malouf released Junior, Defendant Walker, and Mr. Donnelly from all claims of liability, again without consulting his client. On information and belief, the Plaintiff alleges that Defendant Malouf was bribed by Junior to release all claims of liability.

63. Among the attorneys who represented the Plaintiff in Case No. 3:07-cv-02020 and the probate proceedings were Defendants Justin Campbell, John Dagley and Robin Harrison, all partners in Defendant Campbell Harrison & Dagley LLP. While representing Al Hill and Erin Hill in 2008, these Defendants secretly met with representatives of Junior and other relatives without disclosing those meetings to their clients. In a 2009 deposition in Judge Martin Hoffman's chambers, Defendants Dagley and Harrison advised the court that Erin Hill was asserting her Fifth Amendment right not to testify. Mrs. Hill was furious when she found out, because they did not consult with her before making this representation, and in fact Mrs. Hill had no intention to assert her Fifth Amendment rights (because she had nothing to hide). During a break during her testimony, Defendants Dagley and Harrison advised Erin Hill to change her testimony and testify falsely that the Plaintiff had advised her about the contents of a mortgage

application application that she allegedly signed (*i.e.*, the mortgage application that subsequently led to the indictment of her and the Plaintiff). In reality, she had not signed the mortgage application and she had no reason to testify falsely, so she refused to change her testimony. Similarly, Defendants Dagley and Harrison advised the Plaintiff to assert his Fifth Amendment rights and refuse to testify, but the Plaintiff rejected the advice because he had nothing to hide. The Plaintiff later realized that his own lawyers, *i.e.*, the CHD Defendants, were trying to sabotage his civil case and set him up for criminal liability. As of 2009, Junior and Defendant Pickett already were planning to get the Plaintiff and Mrs. Hill indicted, but that fact was not known to the Plaintiff or Mrs. Hill. Thereafter, the Plaintiff was advised by a federal investigator that he should not trust his own attorneys. On information and belief, the FBI already knew from various wiretaps that the CHD Defendants had been bribed by Junior.

64. After a fee dispute arose between the Plaintiff and the CHD Defendants in 2012, those Defendants hired Defendant Thomas Wright to represent them in the resulting litigation. The Plaintiff later learned that Defendant Wright was paid to represent the MHH Trust, yet he was also representing the CHD Defendants. Accordingly, Defendant Wright had a fiduciary duty to the MHH Trust, of which the Plaintiff is a beneficiary, yet he advanced the interests of the CHD Defendants by trying to collect a judgment against the Plaintiff's interest in the MHH Trust. Defendant Wright never disclosed his conflict of interest to the Plaintiff, and the Plaintiff alleges that Defendant Wright used insider MHH information to help deprive the Plaintiff of his interest in the MHH Trust. In other words, Defendant Wright was using his fiduciary relationship with MHH to undermine the interests of the Plaintiff, a trust beneficiary.

65. Defendant Ivan Irwin formerly served as the trustee of Defendant AHT, and

Defendant David Pickett is the current trustee. While serving as trustee, both men also served as employees of companies controlled by Junior, and they consistently acted for the benefit of Junior rather than the AHT or its beneficiaries. Defendant Irwin, for example, personally participated in business ventures along with the AHT, notwithstanding the conflict of interest. Defendant Pickett has done the same. Rather than grow the corpus of the AHT, Defendant Pickett and Defendant Irwin have diverted much of the corpus to Junior, notwithstanding the interest of other beneficiaries. Both men have served as lieutenants in Junior's ongoing criminal enterprise.

66. Acting at the behest of Junior, Defendant Miller sought confidential financial information about the Plaintiff in 2011 from Defendant BB&T. According to handwritten notes that Defendant Martin took during her tenure as a prosecutor, Defendant Miller sought financial documents from BB&T for the purpose of inducing Defendant Watkins's office to file criminal charges against the Plaintiff. Defendant Miller told BB&T why he was seeking the documents, and without any notice to or permission from the Plaintiff, BB&T produced the Plaintiff's confidential financial information to Defendant Miller, who then turned it over to Defendant Martin. Among the financial records delivered to Defendant Martin were draft loan applications in the Plaintiff's name that included false and misleading information. The Plaintiff, however, had nothing to do with drafting the applications, never signed them, and certainly never submitted them to BB&T. Nonetheless, Defendant Martin testified that the fabricated documents helped persuade prosecutors to file charges against the Plaintiff.

67. To its credit, BB&T subsequently terminated all of the employees who released the Plaintiff's confidential information. Nonetheless, BB&T has subsequently and repeatedly

breached its fiduciary obligations to the Plaintiff. BB&T controls trust funds that are held for the benefit of both Junior and the Plaintiff, namely the Margaret Hunt Trust Estate (“MHTE”). The trust allows BB&T to make discretionary distributions to Junior based on the net income of the trust, with the corpus payable to Al III upon the death of Junior. Instead of growing the trust, however, BB&T has steadily distributed all profits to Junior every year even though he has no need for the income.

68. Defendants Strittmatter, Hoffman, Brown, Thompson, and Santos personally participated in the burglary of the Plaintiff's home on or about February 21, 2013. Defendant Watkins directed his staff to break into the home, and Defendants Martin and Moore assisted in the scheme. Defendant Pickett conspired with the other Defendants and helped induce them to break into the home, and he appeared on site at the time of the burglary. Defendant Pickett was acting on behalf of Defendant AHT when he conspired with the other Defendants.

69. Several months after the indictment of the Plaintiff, then-Assistant District Attorney Debra Smith was assigned to prosecute the criminal charges. Ms. Smith informed her colleagues and supervisors that the charges against Erin Hill were baseless, and she sought and received permission to dismiss those charges. Ms. Smith further informed her colleagues and supervisors that none of the charges against the Plaintiff could be proven except perhaps one, and that case was very weak. In a phone call recorded by the FBI, Defendant Blue called Defendant Watkins and angrily berated him for dismissing the criminal charges. Around the same time, Defendants Lyda Hill and Alinda Wilkert donated \$200,000 to the Dallas County DA's office for the alleged purpose of creating an animal cruelty prosecution unit. In reality, Defendants Hill and Wilkert were creating a pretext for removing Ms. Smith from the criminal case against the

Plaintiff. Sure enough, Defendant Watkins transferred Ms. Smith to the new animal cruelty prosecution unit, then he fired her a short time later on fabricated charges that she mishandled a case. Mr. Watkins then assigned the case against the Plaintiff to a prosecutor who was willing to continue the malicious prosecution scheme.

69. Following the burglary of the Plaintiff's house in 2013, and as a result of all the multi-million dollar judgments against the Plaintiff described in Exhibit 1, Defendant Pickett purported to take custody of the house on behalf of AHT, and a receiver was appointed for purposes of selling the house. In reality, the house was owned by the Plaintiff and Erin Hill outright, not by AHT. Junior and Defendant Pickett fabricated AHT's claim of ownership as a means of gaining control of the house and, by extension, the Plaintiff. Junior and Defendant Pickett also fabricated the claim of ownership to cover up the burglary in 2013, namely by claiming that Defendant Pickett had authority as trustee to permit others to enter the house. That claim is false, however, because even if AHT partially owned the house (which it did not), neither it nor Defendant Pickett had the right to possess or control the property.

70. Around the time of the burglary, Defendant Pickett colluded with Junior to remove hundreds of thousands of dollars worth of furniture and fixtures from the home without notice to the Plaintiff or the receiver, resulting in a lower sales price. Junior was able to purchase the house from the receiver in January 2017 for \$3.2 million as a result of the missing furniture. The missing items were then returned to the home and Junior listed it for sale on February 21, 2017 at \$3.9 million.

71. After successfully stealing billions of dollars from the Plaintiff as set forth above, Junior and other Defendants have kept trying to bankrupt and destroy the Plaintiff. There are

plenty of reasons for their animosity, including the fact that the Plaintiff revealed his family's longstanding tax-fraud schemes to the Internal Revenue Service. Junior, Defendant Lyda Hill, Defendant Wikert and other relatives will likely lose hundreds of millions of dollars in unpaid taxes, fines, and penalties as a result of the disclosures. Meanwhile, the criminal prosecution of the Plaintiff is ongoing, notwithstanding the blistering September 21, 2016 Opinion from the Texas Court of Criminal Appeals. All of the Defendants have conspired to assist or have actively assisted the malicious prosecution of the Plaintiff on bogus criminal charges. The burglary of the Plaintiff's home was an integral part of that scheme.

### **Federal Claims**

#### **Racketeering**

72. For the reasons described above and in the RICO CASE STATEMENT, the Defendants are liable for treble damages and attorney fees because they violated 18 U.S.C. § 1961.

#### **Civil rights violations**

73. For the reasons described above, the Defendants conspired to violate and did violate the First, Fourth, and Fourteenth Amendment rights of the Plaintiff. Mr. Hill therefore brings claims under 42 U.S.C. §1983 and 42 U.S.C. §1985. Mr. Hill asks the Court to stay his civil rights claims until the criminal case against him is favorably terminated.

### **State Claims**

#### **No official capacity claims under state law**

74. Notwithstanding anything else in this complaint, the Plaintiff does not bring any state-law claims against any Defendants for acting in their official capacities as government

employees. Instead, the Plaintiff only asserts state-law claims against the Defendants in their individual capacities, namely for acts occurring outside the scope or authority of their respective offices.

Breach of fiduciary duty

75. All of the Defendants either breached their fiduciary duties to the Plaintiff or conspired with other Defendants to breach their fiduciary duties to the Plaintiff. Defendant Watkins and his former employees had fiduciary duties as public officials, as did all of the judges named herein. Furthermore, the trustees had duties to the Plaintiff as a beneficiary, and the Plaintiff's attorneys likewise had fiduciary duties to represent his interests faithfully. The Plaintiff therefore brings common-law claims for breach of fiduciary duty for the breach of these obligations.

Tortious interference

76. The Defendants have tortiously interfered with the business relationships, contracts, and inheritance rights of the Plaintiff. The Plaintiff therefore brings common-law claims for tortious interference.

Fraud

77. The Defendants defrauded the Plaintiff or conspired with others to defraud the Plaintiff. The Plaintiff brings claims for common-law fraud as well as statutory fraud.

Civil conspiracy

78. All of the Defendants participated in a civil conspiracy to harm the Plaintiff, namely by participating in the tortious and illegal acts described above.

Equitable relief

79. The Plaintiff seeks injunctive relief against the Defendants.

**REQUEST FOR RELIEF**

The Plaintiffs seek actual damages, punitive damages, treble damages, equitable relief, attorney fees, and all other costs and fees which they may lawfully recover.

THE PLAINTIFF DEMANDS A JURY TRIAL.

Respectfully submitted,

**/s/ Ty Clevenger**

Ty Clevenger<sup>1</sup>  
Texas Bar No. 24034380  
21 Bennett Avenue #62  
New York, New York 10033  
(979) 985-5289 Phone  
(979) 530-9523 Fax  
[tyclevenger@yahoo.com](mailto:tyclevenger@yahoo.com)

**/s/ John E. Leslie**

John E. Leslie  
State Bar No. 12231400  
JOHN LESLIE | PLLC  
1805 West Park Row Drive, Suite C  
Arlington, Texas 76013  
(817) 505-1291 Phone  
(817) 505-1292 Fax  
[arlingtonlaw@aol.com](mailto:arlingtonlaw@aol.com)

**ATTORNEYS FOR ALBERT G. HILL, III**

---

<sup>1</sup> Ty Clevenger submitted an application for admission *pro hac vice* via Priority Mail on June 14, 2017.

**CERTIFICATE OF SERVICE**

I certify that a copy of this document and its attachments were filed with the Court's electronic court filing system on June 14, 2017, which should result in automatic notification to all counsel of record.

**/s/ Ty Clevenger**  
\_\_\_\_\_  
Ty Clevenger