

## David Siegal in Law360: GWB Defendants Face Tough Appeal Over Jury Instruction

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Former public officials found guilty Friday in the George Washington Bridge lane-closing trial seem poised to appeal over an instruction that jurors could convict them of conspiracy without finding that they intended to punish a mayor, but attorneys say that will be no easy task since the government didn't have to prove a motive.

That instruction handed down by U.S. District Judge Susan D. Wigenton was one of the most contentious issues in the trial of former Port Authority of New York and New Jersey executive William E. Baroni Jr. and Bridget Anne Kelly, a former aide to New Jersey Gov. Chris Christie, leading a defense attorney at one point to accuse the judge of "directing" a guilty verdict.

But attorneys said challenging the instruction in appealing the guilty verdict may be difficult, because prosecutors didn't need to prove a particular motive to secure convictions. Baroni and Kelly were convicted of conspiracy and related charges that they misused the resources of the Port Authority, committed wire fraud and deprived Fort Lee, N.J., residents of their civil right to travel freely by orchestrating the closure of access lanes to the bridge three years ago.

"In that respect, the defense may be fighting an uphill battle," said David Siegal, a former federal prosecutor and a partner with Haynes Boone LLP, who serves as co-chair of the firm's Government Enforcement and Litigation Practice Group.

**Excerpted from *Law360*. To read the full article, please [click here](#) (subscription required).**