

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	No. 08 CR 888
v.	)	Hon. James B. Zagel
	)	
ROD BLAGOJEVICH	)	

**GOVERNMENT'S PROPOSED JURY INSTRUCTIONS  
AND VERDICT FORM**

The UNITED STATES OF AMERICA, by PATRICK J. FITZGERALD,  
United States Attorney for the Northern District of Illinois, respectfully submits  
the attached proposed jury instructions and verdict form, subject to modification  
at the conclusion of any defense case.

Respectfully submitted,  
PATRICK J. FITZGERALD  
United States Attorney

By: /s/ Debra Riggs Bonamici  
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Members of the jury, you have seen and heard all the evidence and the arguments of the attorneys. Now I will instruct you on the law.

You have two duties as a jury. Your first duty is to decide the facts from the evidence in the case. This is your job, and yours alone.

Your second duty is to apply the law that I give you to the facts. You must follow these instructions, even if you disagree with them. Each of the instructions is important, and you must follow all of them.

Perform these duties fairly and impartially. Do not allow sympathy, prejudice, fear, or public opinion to influence you.

Nothing I say now, and nothing I said or did during the trial, is meant to indicate any opinion on my part about what the facts are or about what your verdict should be.

GOVERNMENT INSTRUCTION NO. 1

Seventh Circuit Committee (1999) 1.01

The evidence consists of the testimony of the witnesses, the exhibits admitted in evidence, and stipulations.

A stipulation is an agreement between both sides that certain facts are true or that a person would have given certain testimony.

GOVERNMENT INSTRUCTION NO. 2

Seventh Circuit Committee (1999) 1.02

You are to decide whether the testimony of each of the witnesses is truthful and accurate, in part, in whole, or not at all, as well as what weight, if any, you give to the testimony of each witness.

In evaluating the testimony of any witness, you may consider, among other things:

- the witness's age;
- the witness's intelligence;
- the ability and opportunity the witness had to see, hear, or know the things that the witness testified about;
- the witness's memory;
- any interest, bias, or prejudice the witness may have;
- the manner of the witness while testifying; and
- the reasonableness of the witness's testimony in light of all the evidence in the case.

[You should judge the defendant's testimony in the same way that you judge the testimony of any other witness.]

GOVERNMENT INSTRUCTION NO. 3

Seventh Circuit Committee (1999) 1.03

You should use common sense in weighing the evidence and consider the evidence in light of your own observations in life.

In our lives, we often look at one fact and conclude from it that another fact exists. In law we call this “inference.” A jury is allowed to make reasonable inferences. Any inferences you make must be reasonable and must be based on the evidence in the case.

GOVERNMENT INSTRUCTION NO. 4

Seventh Circuit Committee (1999) 1.04

Some of you have heard the phrases “circumstantial evidence” and “direct evidence.” Direct evidence is evidence that, if you believe it, directly proves a fact. Circumstantial evidence is evidence that, if you believe it, indirectly proves a fact. The law makes no distinction between the weight to be given either direct or circumstantial evidence. You should decide how much weight to give to any evidence. All the evidence in the case, including the circumstantial evidence, should be considered by you in reaching your verdict.

GOVERNMENT INSTRUCTION NO. 5

Seventh Circuit Committee (1999) 1.05 (modified)

Certain things are not evidence. I will list them for you:

First, testimony that I struck from the record, or that I told you to disregard, is not evidence and must not be considered.

Second, anything that you may have seen or heard outside the courtroom is not evidence and must be entirely disregarded. This includes any press, radio, or television reports you may have seen or heard. Such reports are not evidence and your verdict must not be influenced in any way by such publicity.

Third, questions and objections by the lawyers are not evidence. Attorneys have a duty to object when they believe a question is improper. You should not be influenced by the fact that the lawyers made objections. If I sustained objections to questions the lawyers asked, you must disregard the question, and must not speculate on what the answers might have been.

Fourth, the lawyers' statements to you are not evidence. The purpose of these statements is to discuss the issues and the evidence. If the evidence as you remember it differs from what the lawyers said, your memory is what counts.

#### GOVERNMENT INSTRUCTION NO. 6

Seventh Circuit Committee (1999) 1.06 (modified)

Any notes you have taken during this trial are only aids to your memory. The notes are not evidence. If you have not taken notes, you should rely on your independent recollection of the evidence and not be unduly influenced by the notes of other jurors. Notes are not entitled to any greater weight than the recollections or impressions of each juror about the testimony.

GOVERNMENT INSTRUCTION NO. 7

*United States v. Rezko*, (05 CR 691) (St. Eve, J.)

*United States v. Marzook, et al.*, (03 CR 978) (St. Eve, J.)

It is proper for an attorney to interview any witness in preparation for trial.

GOVERNMENT INSTRUCTION NO. 8

Seventh Circuit Committee (1999) 1.07

You may find the testimony of one witness or a few witnesses more persuasive than the testimony of a larger number. You need not accept the testimony of the larger number of witnesses.

GOVERNMENT INSTRUCTION NO. 9

Seventh Circuit Committee (1999) 1.09

The indictment in this case is the formal method of accusing the defendant of an offense and placing them on trial. It is not evidence against the defendant and does not create any inference of guilt.

Defendant Rod Blagojevich is charged with: wire fraud (Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10); attempted extortion (Counts 11, 12, 16, and 19); conspiracy to commit extortion (Counts 14 and 18); soliciting bribes (Counts 13 and 17); and conspiracy to solicit and accept bribes (Counts 15 and 20).

The defendant has pleaded not guilty to each of the charges.

GOVERNMENT INSTRUCTION NO. 10

Seventh Circuit Committee (1999) 2.01

The defendant is presumed to be innocent of each of the charges. This presumption continues during every stage of the trial and your deliberations on the verdict.

The presumption of innocence is not overcome unless from all the evidence in the case you are convinced beyond a reasonable doubt that the defendant is guilty as charged. The government has the burden of proving the guilt of each defendant beyond a reasonable doubt.

This burden of proof stays with the government throughout the case. A defendant is never required to prove his innocence or to produce any witnesses or evidence at all.

GOVERNMENT INSTRUCTION NO. 11

Seventh Circuit Committee (1999) 2.03

The defendant has an absolute right not to testify. The fact that the defendant did not testify should not be considered by you in any way in arriving at your verdict.

GOVERNMENT INSTRUCTION NO. 12

Seventh Circuit Committee (1999) 3.01

You have heard evidence that before the trial witnesses made statements that may be inconsistent with the witnesses' testimony here in court. You may consider an inconsistent statement made before the trial to help you decide how believable the witness's testimony was here in court. If an earlier statement was made under oath, then you can also consider the earlier statement as evidence of the truth of whatever the witness said in the earlier statement.

GOVERNMENT INSTRUCTION NO. 13

Seventh Circuit Committee (1999) 3.09 (modified)

You have heard evidence that before the trial, the defendant made statements that may be inconsistent with his testimony here in court. You may consider an inconsistent statement by the defendant made before the trial to help you decide how believable the defendant's testimony was here in court, and also as evidence of the truth of whatever the defendant said in the earlier statement.

GOVERNMENT INSTRUCTION NO. 14

Seventh Circuit Committee (1999) 3.10 (modified)

You have heard testimony from Rajinder Bedi, John Johnston, Gerald Krozel, and John Wyma, who received immunity; that is, a promise from the government that any testimony or other information they provided would not be used against them in a criminal case.

You may give the testimony of Rajinder Bedi, John Johnston, Gerald Krozel, and John Wyma such weight as you feel it deserves, keeping in mind that it must be considered with caution and great care.

GOVERNMENT INSTRUCTION NO. 15

Seventh Circuit Committee (1999) 3.13 (modified)

You have heard testimony from John Harris and Alonzo Monk, who have pleaded guilty to offenses related to certain of the occurrences for which the defendant is now on trial. Their guilty pleas are not to be considered as evidence against the defendant.

John Harris and Alonzo Monk have also each received benefits from the government, including a promise by the government to recommend a reduced sentence in return for their truthful cooperation.

You may give the testimony of John Harris and Alonzo Monk such weight as you feel it deserves, keeping in mind that it must be considered with caution and great care.

GOVERNMENT INSTRUCTION NO. 16

Seventh Circuit Committee (1999) 3.13 (modified)

Certain summaries are in evidence. They truly and accurately summarize the contents of voluminous books, records or documents, and should be considered together with and in the same way as all other evidence in the case.

GOVERNMENT INSTRUCTION NO. 17

Seventh Circuit Committee (1999) 3.15

You have heard recorded conversations. These recorded conversations are proper evidence and you may consider them, just as any other evidence.

When the recordings were played during the trial, you were furnished transcripts of the recorded conversations prepared by government agents.

The recordings are the evidence, and the transcripts were provided to you only as a guide to help you follow as you listen to the recordings. The transcripts are not evidence of what was actually said or who said it. It is up to you to decide whether the transcripts correctly reflect what was said and who said it. If you noticed any difference between what you heard on the recordings and what you read in the transcripts, you must rely on what you heard, not what you read. And if after careful listening, you could not hear or understand certain parts of the recordings, you must ignore the transcripts as far as those parts are concerned.

Some of the transcripts you have received are marked at various points with asterisks. The asterisks indicate a portion of the conversation that has been properly removed pursuant to court order. You must not speculate regarding the content of any conversation, or any portion of a conversation, that has been removed and has not been presented to you.

I am providing you with the recordings and a computer. You are not required to play the recordings, in part or in whole. You may rely, instead, on

your recollections of these recordings as you heard and saw them at trial. I am also providing you with the copies of the transcripts that you had in court. You may, however, choose to listen to the audio recordings without the transcript.

GOVERNMENT INSTRUCTION NO. 18

Seventh Circuit Committee (1999) 3.17 (modified)

The indictment charges that the offenses were committed “on or about” certain dates. The government must prove that the offenses happened reasonably close to the dates alleged but is not required to prove that the alleged offenses happened on those exact dates.

GOVERNMENT INSTRUCTION NO. 19

Seventh Circuit Committee (1999) 4.04

When the word “knowingly” or the phrase “the defendant knew” is used in these instructions, it means that the defendant realized what he was doing and was aware of the nature of his conduct, and did not act through ignorance, mistake or accident. Knowledge may be proved by the defendant’s conduct, and by all the facts and circumstances surrounding the case.

GOVERNMENT INSTRUCTION NO. 20

Seventh Circuit Committee (1999) 4.06

To “attempt” means that the defendant knowingly took a substantial step toward the commission of the offense with the intent to commit that offense.

GOVERNMENT INSTRUCTION NO. 21

Seventh Circuit Committee (1999) 4.07

An offense may be committed by more than one person. The defendant's guilt may be established without proof that the defendant personally performed every act constituting the crime charged.

GOVERNMENT INSTRUCTION NO. 22

Seventh Circuit Committee (1999) 5.05

Any person who knowingly aids, counsels, commands, induces, or procures the commission of an offense may be found guilty of that offense. That person must knowingly associate with the criminal activity, participate in the activity, and try to make it succeed.

If the defendant knowingly caused the acts or omissions of another, the defendant is responsible for those acts as though he personally committed them.

GOVERNMENT INSTRUCTION NO. 23

Seventh Circuit Committee (1999) 5.06

In the effort to detect violations of the law, the law allows the government to use various deceptive and disguised investigative techniques, including covert wiretaps. These are permissible and recognized means of criminal investigation.

Any opinions you may hold regarding the use of such investigative techniques to detect unlawful activities are not to enter into your deliberations in any way.

#### GOVERNMENT INSTRUCTION NO. 24

*United States v. Marzook, et al.*, (03 CR 978) (St. Eve, J.) (modified)

*United States v. Armstead*, 02 CR 895 (Pallmeyer, J.) (modified)

*United States v. Solis*, 97 CR 814 (Manning, J.) (modified)

*United States v. Gajo*, 98 CR 100 (Gottschall, J.) (modified)

*United States v. Meachum*, 97 CR 169 (Norgle, J.) (modified)

*United States v. Filskov*, 96 CR 381 (Manning, J.) (modified)

*United States v. Patterson*, 95 CR 242 (Gettleman, J.) (modified)

*United States v. Carlisi*, 92 CR 1064 (Plunkett, J.) (modified)

*United States v. Shields*, 90 CR 1044 (Rovner, J.) (modified)

*United States v. Infelise*, 90 CR 87 (Williams, J.) (modified)

*United States v. Belzer*, 743 F.2d 1213, 1218 (7th Cir. 1984)

*Lewis v. United States*, 385 U.S. 206, 208, 209 (1966)

*Caminetti v. United States*, 242 U.S. 470 (1917)

See Sand, Siffert, Loughlin & Reiss, *Modern Federal Jury Instructions, Criminal*, at 556.

Counts 1 through 10 of the indictment charge the defendant with wire fraud.

To sustain the charge of wire fraud, as charged in Counts 1 through 10, the government must prove the following propositions beyond a reasonable doubt:

First, that the defendant knowingly devised or participated in a scheme to defraud the public of its right to the honest services of Rod Blagojevich or John Harris by demanding, soliciting, seeking, asking for, or agreeing to accept, a bribe in the manner described in the particular Count you are considering;

Second, that the defendant did so with the intent to defraud;

Third, that the scheme to defraud involved a materially false and fraudulent pretense, representation, promise, or concealment; and

Fourth, that for the purpose of carrying out the scheme or attempting to do so, the defendant used or caused the use of interstate wire communications to take place in the manner charged in the particular Count you are considering.

If you find from your consideration of all the evidence that each of these propositions has been proved beyond a reasonable doubt, you should find the defendant guilty of the particular count you are considering.

If, on the other hand, you find from your consideration of all the evidence that any of these propositions has not been proved beyond a reasonable doubt, you should find the defendant not guilty of the particular count you are considering.

#### GOVERNMENT INSTRUCTION NO. 25

Seventh Circuit Committee (1999) 18 U.S.C. §§ 1341 & 1343 (Mail/Wire/Carrier Fraud - Elements) (modified)

*Skilling v. United States*, — U.S. —, 130 S.Ct. 2896 (2010).

*Neder v. United States*, 527 U.S. 1 (1999) (materiality is an element of mail and wire fraud).

A “scheme” is a plan or course of action formed with the intent to accomplish some purpose. A “scheme to defraud” is a scheme that is intended to deceive or cheat the public in order to deprive the public of the intangible right to honest services through bribery.

A public official owes a fiduciary duty of honesty and loyalty to act in the public’s interest, not for his own enrichment.

In considering whether the government has proven a scheme to defraud, it is essential that one or more of the acts charged in the portions of the indictment describing the scheme be proved, establishing the existence of the scheme beyond a reasonable doubt. The government, however, is not required to prove all of them.

As officials and employees of the State of Illinois, Rod Blagojevich and John Harris were public officials who owed a duty of honest services to the people of the State of Illinois.

#### GOVERNMENT INSTRUCTION NO. 26

Seventh Circuit Committee (1999) 18 U.S.C. §§ 1341 & 1343 (Mail/Wire/Carrier Fraud - Elements) (modified) and § 201 (modified) (second element of bribery is “that the defendant personally [asked, demanded, exacted, solicited, sought, accepted, received, agreed to receive] something of value not provided for by law”)

*Skilling v. United States*, — U.S. —, 130 S.Ct. 2896 (2010) (“The actual deception that is practised is in the continued representation of the employee to the employer that he is honest and loyal to the employer's interests.”) (quotation omitted); *id.* at 43 (honest-services cases "involved offenders who, in violation of a fiduciary duty, participated in bribery or kickback schemes") & 27, n. 42 (identifying the public official - public relationship as a fiduciary relationship).  
*United States v. Rezko*, 05 CR 691 (St. Eve, J.) (modified)  
*United States v. Warner, et al.*, 02 CR 506 (Pallmeyer, J.) (modified)  
*United States v. Fawell*, 02 CR 310 (Pallmeyer, J.) (modified)

A public official commits bribery when he, directly or indirectly, demands, solicits, seeks, or asks for, or agrees to accept, something of value from another person in exchange for a promise for, or performance of, an official act.

The term “something of value” includes money, property, and prospective employment.

An official act is any decision or action on any question which may at any time be pending before the public official in his official capacity or in his position of trust.

It is not necessary that the exchange, or proposed exchange, be communicated in express terms.

It is not necessary that the public official had the power to or did perform the act for which he was promised, or which he agreed to receive, something of value; it is sufficient if the matter was one that was before him in his official capacity. Nor is it necessary that the public official in fact intended to perform the specific official act. It is sufficient if the public official knew that the thing of value was offered with the intent to exchange the thing of value for the performance of the official act.

#### GOVERNMENT INSTRUCTION NO. 27

Seventh Circuit Committee (1999) 18 U.S.C. § 201 (Definition of Official Act)  
Seventh Circuit Committee (1999) 18 U.S.C. § 201 (Intent to Influence)(modified)  
Seventh Circuit Committee (1999) § 666(a)(1)(B) (modified)

*Skilling v. United States*, — U.S. —, 130 S.Ct. 2896 (2010) (citing 18 U.S.C. §§ 201(b), 666(a)(2); 41 U.S.C. § 52(2)).

*United States v. Gorman*, 807 F.2d 1299, 1302, 1305 (6th Cir. 1986) (under 18 U.S.C. § 201, “anything of value” includes a side job for federal employee as reward for official action).

*United States v. Evans*, 504 U.S. 255, 274 (1992) (Kennedy, J., concurring) (implied *quid pro quo* is sufficient).

*United States v. Giles*, 246 F.3d 966, 972 (7th Cir. 1992) (holding that there is no requirement of an expressly stated *quid pro quo*).

*United States v. Urciuoli*, --- F.3d ----, 2010 WL 2814311at \*3 (1st Cir., July 20, 2010)(post-*Skilling*)(citing *United States v. Kincaid-Chauncey*, 556 F.3d 923, 943-47 (9th Cir.) (quid pro quo bribe need not be evidenced by any express agreement or statements of intent), *cert. denied*, 130 S.Ct. 795 (2009).

*United States v. Kemp*, 500 F.3d 257, 284-85 (3d Cir.2007) (same), *cert. denied*, 128 S.Ct. 1329 (2008)).

A public official's demanding, soliciting, seeking, or asking for, directly or indirectly, or agreeing to accept, a campaign contribution, by itself, does not constitute bribery, even if the person making the contribution has business pending before the official. It is not enough that the contributor is making the contribution to create good will or with the vague expectation of help in the future. However, if a public official demands, solicits, seeks, or asks for, directly or indirectly, or agrees to accept money or property, believing that it would be given in exchange for a specific requested exercise of his official power, he has committed bribery, even if the money or property is to be given to the official in the form of a campaign contribution.

#### GOVERNMENT INSTRUCTION NO. 28

Seventh Circuit Committee (1999) 18 U.S.C. § 1951 (Color of Official Right - definition) (modified)

*United States v. Allen*, 10 F.3d 405, 411 (7th Cir. 1993)

A scheme to defraud must involve a material misrepresentation, false statement, false pretense, or concealment of fact. A misrepresentation, false statement, false pretense, or concealment is “material” if it has a natural tendency to influence, or is capable of influencing, a decision or action of the public. It is not necessary that the misrepresentation, false statement, false pretense, or concealment actually have that influence or be relied on by the public, so long as it had the potential or capability to do so.

#### GOVERNMENT INSTRUCTION NO. 29

Seventh Circuit Committee (1999) 18 U.S.C. § 1001 (modified)

*Neder v. United States*, 527 U.S. 1, 16, 25 (1999).

*United States v. Fernandez*, 282 F.3d 500, 508-09 (7th Cir. 2002) (applying materiality in public-official honest-services case).

*United States v. Rybicki*, 354 F.3d 124, 146, 147 (2d Cir. 2003) (*en banc*) (applying materiality in private-sector honest-services case)

See *United States v. Gaudin*, 515 U.S. 506, 509 (1995) (definition of materiality under 18 U.S.C. § 1001).

A person acts with intent to defraud if he acts knowingly with the intent to deceive or cheat the public in order to deprive the public of the public official's honest services through bribery.

GOVERNMENT INSTRUCTION NO. 30

Seventh Circuit Committee (1999) § 1343 (modified)

*Skilling v. United States*, — U.S. —, 130 S.Ct. 2896 (2010) (“The actual deception that is practised is in the continued representation of the employee to the employer that he is honest and loyal to the employer's interests.”) (quotation omitted); *id.* at 43 (honest-services cases “involved offenders who, in violation of a fiduciary duty, participated in bribery or kickback schemes”).

In order to prove a scheme to defraud, the government does not have to prove that the defendant contemplated actual or foreseeable financial loss to the victims of the scheme.

#### GOVERNMENT INSTRUCTION NO. 31

Seventh Circuit Committee (1999) 18 U.S.C. §§ 1341 & 1343 (Loss) (modified)

*Skilling v. United States*, — U.S. —, 130 S.Ct. 2896 (2010) (noting that, in *McNally v. United States*, 483 U.S. 350 (1987), which involved a scheme involving kickbacks from an insurance agent, the “prosecutor did not charge that [.] in the absence of the alleged scheme, the Commonwealth would have paid a lower premium or secured better insurance.”)

*United States v. Sorich*, – F.3d. – , 2008 WL 1723670 (7th Cir. April 15, 2008).

*United States v. Warner, et al.*, 02 CR 506 (Pallmeyer, J.) (modified).

*United States v. Leahy*, 464 F.3d 773, 786-87 (7th Cir. 2006).

*United States v. Keane*, 522 F.2d 534, 545 (7th Cir. 1975).

*United States v. Reicin*, 497 F.2d 563, 571 (7th Cir. 1974).

*United States v. Finley*, 705 F. Supp. 1272, 1286 (N.D. Ill. 1988).

The wire fraud statute can be violated whether or not there is any actual financial loss or damage to the victim of the crime or actual financial gain to the defendant.

The government need not prove that the scheme to defraud actually succeeded.

#### GOVERNMENT INSTRUCTION NO. 32

Seventh Circuit Committee (1999) § 1343 (modified)

*United States v. Lupton*, 620 F.3d 790 (7th Cir. 2010) (“the wire fraud statutes criminalize the fraudulent acts undertaken to secure illicit gains, not their ultimate successes.”)

The government must prove that interstate communication facilities were used to carry out the scheme, or were incidental to an essential part of the scheme.

In order to use or cause the use of interstate wire communications, a defendant need not actually intend that use to take place. You must find that the defendant knew this use would actually occur, or that the defendant knew that it would occur in the ordinary course of business, or that the defendant knew facts from which that use could reasonably have been foreseen. However, the government does not have to prove that a defendant knew that the wire communication was of an interstate nature.

Although an interstate communication need not itself contain a demand, solicitation, or request for a bribe, it must further or attempt to further the scheme.

Each separate use of interstate communication facilities in furtherance of the scheme to defraud constitutes a separate offense.

GOVERNMENT INSTRUCTION NO. 33

Seventh Circuit Committee (1999) § 1343 (modified)

A telephone call constitutes a transmission by means of wire communication in interstate commerce within the meaning of the wire fraud statute if the call occurs across state lines.

GOVERNMENT INSTRUCTION NO. 34

Seventh Circuit Committee (1999) § 1343 (modified)

For purposes of Counts 1-10, good faith on the part of the defendant is inconsistent with intent to defraud, an element of the charges. The burden is not on the defendant to prove his good faith; rather, the government must prove beyond a reasonable doubt that the defendant acted with the intent to defraud.

The government is not required to prove that the defendant knew that his acts were unlawful.

#### GOVERNMENT INSTRUCTION NO. 35

Seventh Circuit Committee (1999) 6.10 (modified)

*United States v. Stockheimer*, 157 F.3d 1082, 1088 (7th Cir. 1998)

*United States v. Zehrbach*, 47 F.3d 1252, 1258-59 (3d Cir. 1995)

*United States v. Martin-Trigona*, 684 F.2d 485 (7th Cir. 1982)

The defendant is charged with attempted extortion in Counts 11, 12, 16, and 19.

To sustain the charge of attempted extortion, as charged in Counts 11, 12, 16, and 19, the government must prove the following propositions:

First, that the defendant knowingly attempted to obtain money or property from the person or entity described in the particular Count you are considering;

Second, that the defendant did so by means of extortion under color of official right, as that term is defined in these instructions;

Third, that the defendant believed that the person or entity described in the particular Count you are considering would have parted with the money or property because of the extortion; and

Fourth, that the conduct of the defendant affected, would have affected, or had the potential to affect interstate commerce.

If you find from your consideration of all the evidence that each of these propositions has been proved beyond a reasonable doubt, you should find the defendant guilty of the particular count you are considering.

If, on the other hand, you find from your consideration of all the evidence that any of these propositions has not been proved beyond a reasonable doubt, you should find the defendant not guilty of the particular count you are considering.

GOVERNMENT INSTRUCTION NO. 36

Seventh Circuit Committee (1999) 18 U.S.C. § 1951 (Attempted Extortion - Elements) (modified)

Extortion under color of official right occurs when a public official receives or attempts to obtain money or property to which he is not entitled, believing that the money or property would be given in return for the taking, withholding or other influencing of official action. Although the official must receive or attempt to obtain the money or property, the government does not have to prove that the public official first suggested the giving of money or property, or that the official asked for or solicited it. While the official must receive or attempt to obtain the money or property in return for the official action, the government does not have to prove that the official actually took or intended to take that action or that the official could have actually taken the action in return for which payment was made or demanded or that the official would not have taken the same action even without payment.

Acceptance by a public official of a campaign contribution, by itself, does not constitute extortion under color of official right, even if the person making the contribution has business pending before the official. However, if a public official receives or attempts to obtain money or property, believing that it would be given in exchange for a specific requested exercise of his official power, he has

committed extortion under color of official right, even if the money or property is to be given to the official in the form of a campaign contribution.

GOVERNMENT INSTRUCTION NO. 37

Seventh Circuit Committee (1999) 18 U.S.C. § 1951 (Color of Official Right - definition) (modified)

The term “property” as used in these instructions includes any valuable right considered as a source of wealth.

GOVERNMENT INSTRUCTION NO. 38

*United States v. Gotti*, 459 F.3d 296 (2d Cir. 2006) (holding that “property” includes any “valuable right considered as a source or element of wealth,” including the right to solicit business).

*Scheidler v. National Organization for Women, Inc.*, 537 U.S. 393, 402, n. 6 (2003) (“*Scheidler II*”) (noting that intangible property rights qualify as extortable “property”).

In order to prove attempted extortion or conspiracy to commit extortion, the government must prove that the defendant attempted or conspired to obtain money or property knowing or believing that it would be given to him in return for the taking, withholding or other influencing of specific official action. It is not necessary that the exchange, or proposed exchange, be communicated in express terms.

#### GOVERNMENT INSTRUCTION NO. 39

*United States v. Evans*, 504 U.S. 255, 274 (1992) (Kennedy, J., concurring).

*United States v. Giles*, 246 F.3d 966, 972 (7th Cir. 1992) (holding that there is no requirement of an expressly stated *quid pro quo*).

*United States v. Urciuoli*, --- F.3d ----, 2010 WL 2814311 at \*3 (1st Cir., July 20, 2010) (post-*Skilling*) (citing *United States v. Kincaid-Chauncey*, 556 F.3d 923, 943-47 (9th Cir.) (quid pro quo bribe need not be evidenced by any express agreement or statements of intent), *cert. denied*, 130 S.Ct. 795 (2009); *United States v. Kemp*, 500 F.3d 257, 284-85 (3d Cir. 2007) (same), *cert. denied*, 128 S.Ct. 1329 (2008)).

For purposes of Counts 11, 12, 14, 16, 18, and 19, good faith on the part of the defendant is inconsistent with intent to commit extortion. The burden is not on the defendant to prove his good faith; rather, the government must prove beyond a reasonable doubt that the defendant acted with intent to commit extortion.

The government is not required to prove that the defendant knew that his acts were unlawful.

GOVERNMENT INSTRUCTION NO. 40

Seventh Circuit Committee (1999) 6.10 (modified)

*United States v. Stockheimer*, 157 F.3d 1082, 1088 (7th Cir. 1998)

*United States v. Zehrbach*, 47 F.3d 1252, 1258-59 (3d Cir. 1995)

*United States v. Martin-Trigona*, 684 F.2d 485 (7th Cir. 1982)

With respect to the attempted extortion counts, the government must prove that the defendant's actions affected or had the potential to affect interstate commerce in any way or degree. This means that the natural consequences of the defendant's actions were some effect on interstate commerce, however minimal. This would include reducing the assets of a business that customarily purchased goods from outside the state of Illinois or actually engaged in business outside the state of Illinois, if those assets would have been available to the business for the purchase of such goods or the conducting of such business if not for the defendant's conduct. It is not necessary for you to find that the defendant knew or intended that his actions would affect interstate commerce, or that there would have been an actual effect on interstate commerce.

GOVERNMENT INSTRUCTION NO. 41

Seventh Circuit Committee (1999) 18 U.S.C. § 1951 (Interstate Commerce - definition)

The defendant is charged in Counts 14 and 18 with conspiracy to commit extortion.

To sustain the charge of conspiracy to commit extortion, as charged in Counts 14 and 18, the government must prove the following propositions:

First, that the conspiracy as charged in the particular count you are considering existed; and

Second, that the defendant knowingly became a member of the conspiracy with an intention to further the conspiracy.

If you find from your consideration of all the evidence that each of these propositions has been proved beyond a reasonable doubt, you should find the defendant guilty of the particular count you are considering.

If, on the other hand, you find from your consideration of all the evidence that any of these propositions has not been proved beyond a reasonable doubt, you should find the defendant not guilty of the particular count you are considering.

GOVERNMENT INSTRUCTION NO. 42

Seventh Circuit Committee (1999) 5.08 (modified)

18 U.S.C. § 1951

*United States v. Palmer*, 203 F.3d 55, 63 (1st Cir. 2000) (holding that a Hobbs

Act conspiracy does not require proof of an overt act); *United States v. Pistone*, 177 F.3d 957, 959-60 (11th Cir. 1999) (same); *United States v. Clemente*, 22 F.3d 477, 480 (2d Cir. 1994) (same). *See also United States v. Corson*, 579 F.3d 804, 810, n. (7th Cir. 2009) (citing cases holding that, as in the case of 21 U.S.C. § 846, no proof of an overt act is required to find defendant guilty of conspiracy to violate § 1951, and noting that prior cases from the Seventh Circuit, such as *United States v. Stodola*, 953 F.2d 266, 272 (7th Cir. 1992) stated the opposite, but without discussion).

A conspiracy is an agreement between two or more persons to accomplish an unlawful purpose. A conspiracy may be established even if its purpose was not accomplished.

To establish the existence of the charged conspiracy and its common purpose or purposes, the government need not establish that there existed a formal agreement to conspire. The agreement may be inferred from all the circumstances and the conduct of all the alleged participants. The conspiracy may be proved by circumstantial evidence and reasonable inferences drawn from that evidence concerning the relationship of the parties and the totality of their conduct.

#### GOVERNMENT INSTRUCTION NO. 43

*United States v. Curescu, et al.*, 08 CR 398 (Lefkow, J.) (modified)  
*United States v. McMahan et al.*, 04 CR 423 (St. Eve, J.) (modified)  
*United States v. Marzook, et al.*, 03 CR 978 (St. Eve, J.) (modified)  
*United States v. Armstead, et al.*, 02 CR 895 (Pallmeyer, J.) (modified)  
*United States v. Katalinich*, 113 F.3d 1475, 1482-83 (7th Cir. 1997)(modified)

The government need not prove that the defendant participated in all of the events of the conspiracy. The government must prove beyond a reasonable doubt that the defendant was aware of the common purpose and was a willing participant.

GOVERNMENT INSTRUCTION NO. 44

Seventh Circuit Committee (1999) 5.08 (modified)

*United States v. Curescu, et al.*, 08 CR 398 (Lefkow, J.) (modified)

*United States v. Oros*, 07 CR 125 (St. Eve, J.) (modified)

*United States v. McMahan, et al.*, 04 CR 423 (St. Eve, J.) (modified)

*United States v. Griggs*, 2009 WL 1767269 at \*1 (7th Cir. June 24, 2009)

In deciding whether the charged conspiracy exists, you may consider the actions and statements of every one of the alleged participants. An agreement may be proved from all the circumstances and the words and conduct of all the alleged participants which are shown by the evidence.

In deciding whether the defendant joined the charged conspiracy, you must base your decision only on what the defendant did or said. In determining what that defendant did or said, you may consider that defendant's own words and acts. You may also consider the words or acts of other persons to decide what that defendant did or said, and you may use them to help you understand what that defendant did or said.

#### GOVERNMENT INSTRUCTION NO. 45

Seventh Circuit Committee (1999) 5.08 (modified)

*United States v. Marzook, et al.*, 03 CR 978 (St. Eve, J.)(modified)

*United States v. Ryan*, 02 CR 506 (Pallmeyer, J.)(modified)

*United States v. Martinez de Ortiz*, 907 F.2d 629, 635 (7th Cir. 1990)(*en banc*).

The defendant is charged in Counts 13 and 17 with soliciting bribes.

To sustain the charge of soliciting bribes, as charged in Counts 13 and 17, the government must prove the following propositions:

First, that defendant Rod Blagojevich was an agent of the State of Illinois;

Second, that the defendant solicited or demanded anything of value from another person;

Third, that the defendant did so corruptly with the intent to be influenced or rewarded in connection with some business, transaction or series of transactions of the State of Illinois;

Fourth, that this business, transaction or series of transactions involved anything of a value of \$5,000 or more; and

Fifth, that the State of Illinois, in any one year period, received benefits of more than \$10,000 under any Federal program involving a grant, contract subsidy, loan, guarantee, insurance or other assistance. This one year period must begin no more than 12 months before the defendant committed these acts and must end no more than 12 months afterward.

If you find from your consideration of all the evidence that each of these propositions has been proved beyond a reasonable doubt as to a particular count, you should find the defendant guilty of that count.

If, on the other hand, you find from your consideration of all the evidence

that any of these propositions has not been proved beyond a reasonable doubt as to a particular count, you should find the defendant not guilty of that count.

GOVERNMENT INSTRUCTION NO. 46

Seventh Circuit Committee (1999) 18 U.S.C. § 666(a)(1)(B) (Bribery concerning federally funded program - Elements) (modified)

For purposes of Counts 13, 15, 17, and 20, a person acts corruptly when that person acts with the understanding that something of value is to be offered or given to reward or influence him in connection with his official duties.

GOVERNMENT INSTRUCTION NO. 47

Seventh Circuit Committee (1999) 18 U.S.C. § 666(a)(1)(B) (Bribery concerning federally funded program - Elements) (modified)

A defendant may act corruptly even if he is only partially motivated by the expectation or desire for reward.

#### GOVERNMENT INSTRUCTION NO. 48

Seventh Circuit Committee (1999) 18 U.S.C. § 666(a)(1)(B) (Bribery concerning federally funded program - Elements) (Committee Comment)

*Anderson v. United States*, 417 U.S. 211, 226 (1974) (A single conspiracy may have several purposes, but if one of them – whether primary or secondary – be the violation of federal law, the conspiracy is unlawful under federal law.”)

*United States v. Coyne*, 4 F.3d 100, 113 (2d Cir. 1993)(approving instruction to jury that it could convict defendant of bribery if the defendant accepted a gift “at least in part” with the intent to be influenced).

*United States v. Woodward*, 139 F.3d 45 (1st Cir. 1998) (holding that a defendant could be convicted of honest-services fraud if he has “a dual intent, *i.e.*, if he is found to have intended both a lawful and an unlawful purpose to some degree” as long as an “unlawful purpose was present. . . .”)

For purposes of determining whether the defendant was an agent of the State of Illinois as charged in Counts 13, 15, 17, and 20, an agent of the State of Illinois is a person, including an employee, officer or representative, who is authorized to act on behalf of the State of Illinois.

GOVERNMENT INSTRUCTION NO. 49

Seventh Circuit Committee (1999) 18 U.S.C. § 666 (“Agent” - definition) (modified)

*United States v. Lupton*, 620 F.3d 790, 800 (7th Cir. 2010) (“The statutory definition of ‘agent’ is an expansive one.”)

The term “anything of value” may include campaign contributions and potential salaries from a job.

GOVERNMENT INSTRUCTION NO. 50

18 U.S.C. § 666

*Salinas v. United States*, 522 U.S. 52, 57 (1997)(holding that the phrase “anything of value” should be accorded broad meaning, and stating that it includes “all transfers of personal property or other valuable consideration in exchange for the influence or reward.”)

*United States v. Sotomayor-Vazquez*, 249 F.3d 1 (1st Cir. 2001)(campaign contributions)

*United States v. Grubb*, 11 F.3d 426 (4th Cir. 1993) (potential salary).

A public official's solicitation of a campaign contribution, by itself, does not constitute bribery, even if the person making the contribution has business pending before the official. It is not enough that the contributor is making the contribution to create good will or with the vague expectation of help in the future. However, if a public official demands, solicits, seeks, or asks for, directly or indirectly, or agrees to accept money or property, believing that it would be given in exchange for a specific requested exercise of his official power, he has committed bribery, even if the money or property is to be given to the official in the form of a campaign contribution.

#### GOVERNMENT INSTRUCTION NO. 51

Seventh Circuit Committee (1999) 18 U.S.C. § 1951 (Color of Official Right - definition) (modified)

*United States v. Allen*, 10 F.3d 405, 411 (7th Cir. 1993)

*United States v. Peleti*, 576 F.3d 377, 382 (7th Cir. 2009)

It is not necessary that the defendant's solicitation or demand for a thing of value in exchange for influence or reward with respect to state business be communicated in express terms.

GOVERNMENT INSTRUCTION NO. 52

*United States v. Siegelman*, 561 F.3d 1215, 1226 (11th Cir. 2009) (holding that the agreement must be explicit, but not express, and collecting cases)

*United States v. Giles*, 246 F.3d 966, 972 (7th Cir. 1992) (holding that there is no requirement of an expressly stated *quid pro quo*)

*United States v. Evans*, 504 U.S. 255, 274 (1992) (Kennedy, J., concurring).

For purposes of Counts 13, 15, 17, and 20, good faith on the part of the defendant is inconsistent with acting corruptly, an element of the charge. The burden is not on the defendant to prove his good faith; rather, the government must prove beyond a reasonable doubt that the defendant acted corruptly.

The government is not required to prove that the defendant knew that his acts were unlawful.

#### GOVERNMENT INSTRUCTION NO. 53

Seventh Circuit Committee (1999) 6.10

*United States v. Stockheimer*, 157 F.3d 1082, 1088 (7th Cir. 1998).

*United States v. Zehrbach*, 47 F.3d 1252, 1258-59 (3d Cir. 1995).

*United States v. Martin-Trigona*, 684 F.2d 485 (7th Cir. 1982).

*United States v. Zehrbach*, 47 F.3d 1252, 1258-59 (3d Cir. 1995).

Defendant is charged in Counts 13 and 17 with conspiracy to solicit or accept bribes.

A conspiracy is an agreement between two or more persons to accomplish an unlawful purpose. A conspiracy may be established even if its purpose was not accomplished.

To sustain the charge of conspiracy to solicit or accept bribes as charged in Counts 13 and 17, the government must prove the following propositions:

First, that the conspiracy as charged in the particular count you are considering existed;

Second, that the defendant knowingly became a member of the conspiracy with an intention to further the conspiracy; and

Third, that an overt act was committed by at least one conspirator in furtherance of the conspiracy.

If you find from your consideration of all the evidence that each of these propositions has been proved beyond a reasonable doubt as to a particular count, you should find the defendant guilty of that count.

If, on the other hand, you find from your consideration of all of the evidence that one of these propositions has not been proved beyond a reasonable doubt as to a particular count, you should find the defendant not guilty of that count.

GOVERNMENT INSTRUCTION NO. 54

Seventh Circuit Committee (1999) 5.08 (modified).

The government need not prove that the defendant participated in all of the events of the conspiracy. The government must prove beyond a reasonable doubt that the defendant was aware of the common purpose and was a willing participant.

It is not necessary that all the overt acts charged in a conspiracy count of the indictment be proved, and the overt act proved may itself be a lawful act. Moreover, you do not need to agree unanimously on which overt act the government has proved.

It is not necessary that all of the acts charged in a conspiracy count be proved, so long as the government has proven the elements of conspiracy as I have described them to you beyond a reasonable doubt.

#### GOVERNMENT INSTRUCTION NO. 55

Seventh Circuit Committee (1999) 5.08 (modified)

*United States v. Curescu, et al.*, 08 CR 398 (Lefkow, J.) (modified).

*United States v. Oros*, 07 CR 125 (St. Eve, J.) (modified).

*United States v. McMahan, et al.*, 04 CR 423 (St. Eve, J.) (modified).

*United States v. Griggs*, 2009 WL 1767269 at \*1 (7th Cir. June 24, 2009).

If you find a defendant guilty, it will then be my job to decide what punishment should be imposed. In considering the evidence and arguments that have been given during the trial, you should not guess about the punishment. It should not enter into your consideration or discussions at any time.

GOVERNMENT INSTRUCTION NO. 56

*Shannon v. United States*, 114 S.Ct. 2219, 2224 (1994) (“It is well established that when a jury has no sentencing function, it should be admonished to ‘reach its verdict without regard to what sentence might be imposed.’”) (quoting *United States v. Rogers*, 422 U.S. 35, 70 (1970))

*United States v. Rezko*, 05 CR 691 (St. Eve, J.)

*United States v. Black, et al.*, (05 CR 727) (St. Eve, J.)

*United States v. Sorich, et al.* (05 CR 644) (Coar, J.)

You should not speculate why any other person whose name you may have heard during the trial or who is named in the indictment is not currently on trial before you.

GOVERNMENT INSTRUCTION NO. 57

*United States v. Young*, 20 F.3d 758, 765 (7th Cir. 1994)  
*United States v. Rezko*, (05 CR 691) (St. Eve, J.)  
*United States v. Sorich, et al.* (05 CR 644) (Coar, J.)  
*United States v. Marzook, et al.*, (03 CR 978) (St. Eve, J.)

Upon retiring to the jury room, select one of your number as your foreperson. The foreperson will preside over your deliberations and will be your representative here in court.

Forms of verdict have been prepared for you.

[Forms of verdict read.]

Take these forms to the jury room, and when you have reached unanimous agreement on the verdict, your foreperson will fill in and date the appropriate form, and each of you will sign it.

GOVERNMENT INSTRUCTION NO. 58

Seventh Circuit Committee (1999) 7.01

Each count of the indictment charges the defendant with having committed a separate offense.

You must give separate consideration to each count, considering the evidence relating to each count separate and apart from every other count.

You should return a separate verdict as to each count. Your verdict of guilty or not guilty of an offense charged in one count should not control your decision as to that defendant under any other count.

GOVERNMENT INSTRUCTION NO. 59

Seventh Circuit Committee (1999) 7.04 (modified)

I do not anticipate that you will need to communicate with me. If you do, however, the only proper way is in writing, signed by the foreperson, or if he or she is unwilling to do so, by some other juror, and given to the marshal. I caution you, however, with respect to any note or question you might send, that you should never state or specify your numerical division at the time.

GOVERNMENT INSTRUCTION NO. 60

Seventh Circuit Committee (1999) 7.05 (modified)

*United States v. Rezko*, (05 CR 691) (St. Eve, J.)

The verdict must represent the considered judgment of each juror. Your verdict, whether it be guilty or not guilty, must be unanimous.

You should make every reasonable effort to reach a verdict. In doing so, you should consult with one another, express your own views, and listen to the opinions of your fellow jurors. Discuss your differences with an open mind. Do not hesitate to re-examine your own views and change your opinion if you come to believe it is wrong. But you should not surrender your honest beliefs about the weight or effect of evidence solely because of the opinions of your fellow jurors or for the purpose of returning a unanimous verdict.

The twelve of you should give fair and equal consideration to all the evidence and deliberate with the goal of reaching an agreement which is consistent with the individual judgment of each juror.

You are impartial judges of the facts. Your sole interest is to determine whether the government has proved its case beyond a reasonable doubt.

GOVERNMENT INSTRUCTION NO. 61

Seventh Circuit Committee (1999) 7.06

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	No. 08 CR 888
v.	)	Hon. James B. Zagel
	)	
ROD BLAGOJEVICH	)	

**SUMMARY OF CHARGES**

COUNTS: Wire fraud (Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10); attempted extortion (Counts 11, 12, 16, and 19); conspiracy to commit extortion (Counts 14 and 18); soliciting bribes (Counts 13 and 17); and conspiracy to solicit and accept bribes (Counts 15 and 20).





With respect to Count 4 of the Indictment, in which the defendant ROD BLAGOJEVICH is charged with wire fraud,  
we, the jury, find the defendant, ROD BLAGOJEVICH:

GUILTY  NOT GUILTY

With respect to Count 5 of the Indictment, in which the defendant ROD BLAGOJEVICH is charged with wire fraud,  
we, the jury, find the defendant, ROD BLAGOJEVICH:

GUILTY  NOT GUILTY

With respect to Count 6 of the Indictment, in which the defendant ROD BLAGOJEVICH is charged with wire fraud,  
we, the jury, find the defendant, ROD BLAGOJEVICH:

GUILTY  NOT GUILTY

With respect to Count 7 of the Indictment, in which the defendant ROD BLAGOJEVICH is charged with wire fraud,  
we, the jury, find the defendant, ROD BLAGOJEVICH:

GUILTY  NOT GUILTY

With respect to Count 8 of the Indictment, in which the defendant ROD BLAGOJEVICH is charged with wire fraud,  
we, the jury, find the defendant, ROD BLAGOJEVICH:

GUILTY  NOT GUILTY

With respect to Count 9 of the Indictment, in which the defendant ROD BLAGOJEVICH is charged with wire fraud,  
we, the jury, find the defendant, ROD BLAGOJEVICH:

GUILTY  NOT GUILTY

With respect to Count 10 of the Indictment, in which the defendant ROD BLAGOJEVICH is charged with wire fraud,  
we, the jury, find the defendant, ROD BLAGOJEVICH:

GUILTY  NOT GUILTY

With respect to Count 11 of the Indictment, in which the defendant ROD BLAGOJEVICH is charged with attempted extortion,  
we, the jury, find the defendant, ROD BLAGOJEVICH:

GUILTY  NOT GUILTY

With respect to Count 12 of the Indictment, in which the defendant ROD BLAGOJEVICH is charged with attempted extortion, we, the jury, find the defendant, ROD BLAGOJEVICH:

GUILTY

NOT GUILTY

With respect to Count 13 of the Indictment, in which the defendant ROD BLAGOJEVICH is charged with solicitating bribes, we, the jury, find the defendant, ROD BLAGOJEVICH:

GUILTY

NOT GUILTY

With respect to Count 14 of the Indictment, in which the defendant ROD BLAGOJEVICH is charged with conspiracy to commit extortion, we, the jury, find the defendant, ROD BLAGOJEVICH:

GUILTY

NOT GUILTY

With respect to Count 15 of the Indictment, in which the defendant ROD BLAGOJEVICH is charged with conspiracy to solicit and accept bribes, we, the jury, find the defendant, ROD BLAGOJEVICH:

GUILTY

NOT GUILTY

With respect to Count 16 of the Indictment, in which the defendant ROD BLAGOJEVICH is charged with attempted extortion, we, the jury, find the defendant, ROD BLAGOJEVICH:

GUILTY  NOT GUILTY

With respect to Count 17 of the Indictment, in which the defendant ROD BLAGOJEVICH is charged with soliciting bribes, we, the jury, find the defendant, ROD BLAGOJEVICH:

GUILTY  NOT GUILTY

With respect to Count 18 of the Indictment, in which the defendant ROD BLAGOJEVICH is charged with conspiracy to commit extortion, we, the jury, find the defendant, ROD BLAGOJEVICH:

GUILTY  NOT GUILTY

With respect to Count 19 of the Indictment, in which the defendant ROD BLAGOJEVICH is charged with attempted extortion, we, the jury, find the defendant, ROD BLAGOJEVICH:

GUILTY  NOT GUILTY

With respect to Count 20 of the Indictment, in which the defendant ROD BLAGOJEVICH is charged with conspiracy to solicit and accept bribes, we, the jury, find the defendant, ROD BLAGOJEVICH:

GUILTY

NOT GUILTY

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FOREPERSON

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Dated: \_\_\_\_\_

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA            )  
  )  
  )     No. 08 CR 888  
  )     Hon. James B. Zagel  
  )  
v.    )  
  )  
ROD BLAGOJEVICH                        )

**CERTIFICATE OF SERVICE**

The undersigned Assistant United States Attorney hereby certifies that the following document:

**Government's Proposed Jury Instructions and Verdict Form,**  
was served on May 19, 2011, in accordance with FED. R. CRIM. P. 49, FED. R. CIV. P. 5, LR 5.5, and the General Order on Electronic Case Filing (ECF) pursuant to the district court's system as to ECF filers.

Respectfully submitted,  
PATRICK J. FITZGERALD  
United States Attorney

BY: /s/ Debra Riggs Bonamici  
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