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# Defense attorney innocent in perjury case

WRITTEN BY JON SEIDEL POSTED: 08/31/2015, 10:10AM

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Beau Brindley leaves the Dirksen Federal Courthouse Monday after being acquitted on all charges. | Brian Jackson/For the Chicago Sun-Times

Beau Brindley has seen clients suffer through the agonizing, life-altering moment when a verdict is about to be read in a courtroom.

But the rising-star criminal defense attorney never knew what it felt like until Monday morning — when a judge cleared him of all counts in a rare loss for prosecutors after a two-week perjury and obstruction of justice trial at the Dirksen Federal Courthouse.

“It’s an incredible sensation,” said Brindley, 37. “This has given me so much greater perspective on what criminal defendants go through, and I will take that with me in every case from here on out.”

Brindley’s leg shook as U.S. District Judge Harry Leinenweber began reading his decision, and he leaned forward on the defense table as the judge began reviewing the critical aspects of the case. Leinenweber’s verdict finally became clear when the judge said, “The government has not proved any of the counts.”

Relief washed over Brindley’s face as he shook hands with his defense team and turned to a crowd of supporters in the gallery. Brindley lingered with them when the hearing ended, sharing hugs and shaking hands. The judge ultimately found Brindley and associate Michael Thompson not guilty of a combined 20 counts.

Prosecutors later declined to comment.



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Brindley called the acquittal a victory for “all criminal defense attorneys.” Ed Genson, Thompson’s lawyer, said the case put “the whole defense bar” on trial. One of their colleagues later said the trial had text messages “going around like crazy” among defense attorneys at the federal courthouse.

The case was handled by federal prosecutors from Milwaukee, who accused Brindley and Thompson of coaching witnesses to lie under oath, as well as offering false information to the courts and the U.S. Attorney’s Office. The alleged conspiracy spanned seven legal proceedings between September 2008 and June 2013.

Prosecutors even said Brindley gave witnesses scripted testimony to memorize. Brindley testified in his own defense, telling Leinenweber the only direction he gave his clients was “that they have to tell the absolute truth.” He said his firm developed question-and-answer forms as his associates prepared witnesses for trial. They would be reviewed for accuracy and revised.

Veteran defense attorney Michael Ettinger said it’s common for witnesses to change their answers during trial preparation. The same thing happens to the government’s witnesses, he said.

“These witnesses change their mind all the time,” Ettinger said.

Some of Brindley’s former clients also testified during his trial that they committed perjury in other cases at Brindley’s direction. But Leinenweber laid out the various deals for immunity and reduced prison sentences the government offered those witnesses in exchange for that testimony.

“These people have already lied at least once under oath,” Leinenweber said.

Larry Beaumont, another long-time defense attorney and former federal prosecutor, said the case against Brindley was unwarranted. He and Ettinger agreed it could have had a chilling effect on the local defense bar.

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Chicago

## Feds: Ambitious lawyer became ‘patient zero’ in perjury scheme

WRITTEN BY JON SEIDEL POSTED: 08/27/2015, 02:31PM

Beau Brindley’s ambition led him from Iowa to Chicago, where he built a career as a successful criminal defense attorney who fought for his clients with colorful arguments while refusing to cut deals with government lawyers.

But he would eventually become “patient zero” in a years-long conspiracy to parade witnesses into federal courtrooms who lied under oath, a federal prosecutor said Thursday.

“It all starts with Mr. Brindley,” Assistant U.S. Attorney Michael Chmelar told U.S. District Judge Harry Leinenweber. “Their clients actually committed new federal offenses at the advice of Mr. Brindley and his law firm.”

Dressed in a dark suit with a white shirt and a purple tie and socks, the 37-year-old Brindley appeared to listen intently as closing arguments in his perjury and obstruction of justice trial began. He rocked

in his chair, rolled his eyes, muttered to his attorneys and glanced at the ceiling.

Brindley's associate, Michael Thompson, is also on trial. Closing arguments lasted all day Thursday, and the judge said he would announce his verdict Monday morning.

Federal prosecutors from Milwaukee are handling the case. They've accused both men of coaching witnesses to lie under oath, to give false information to the courts and also to the U.S. attorney's office. Prosecutors have also said witnesses were given scripted testimony by Brindley's law firm to memorize.

Brindley's own defense attorney, Cynthia Giacchetti, called the case against Brindley the "biggest double-standard case I think I have ever seen." That's because she said Brindley's clients changed their stories in the midst of preparing for trial — as they also often do for the U.S. attorney's office.

"They flip people 180 degrees every day," Giacchetti said, referring to federal prosecutors.

After a July 2014 raid on Brindley's office at the historic Monadnock building downtown, the feds said they found four conflicting versions of a direct examination of one of Brindley's clients.

"Those scripts were nothing but a vehicle to commit fraud on the court," Chmelar said, telling the judge Brindley changed the direct examinations and "shoved it all back in the meat grinder" to create another.

Brindley took the stand in his own defense this week, telling the judge it was "standard practice" at his law firm to develop question-and-answer forms, or "Q & A's," as his associates prepared witnesses for trial. They would be reviewed for accuracy and revised as different associates spoke to the witnesses.

"The only direction I give them is that they have to tell the absolute truth," Brindley said of his clients.

Giacchetti tried to debunk the notion that the "Q & A's" are somehow "instruments of the crime." Noting that heroin dealers flush their drugs down the toilet when they see the cops coming, Giacchetti said Brindley knew he was under investigation, but the "Q & A's" were still in his offices to find.

"They couldn't buy a shredder?" Giacchetti said.

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Chicago

## Defense attorney winds up on witness stand in federal court

WRITTEN BY JON SEIDEL POSTED: 08/25/2015, 02:30PM

Beau Brindley built a promising legal career in Chicago defending clients from federal prosecution.

But Brindley found himself fighting to save that career Tuesday, taking the witness stand during his trial on perjury and obstruction of justice charges at the Dirksen Federal Courthouse. The bench trial is now in its second week.

Federal prosecutors have accused Brindley and associate Michael Thompson of coaching witnesses to lie under oath, as well as offering false information to the courts and the U.S. Attorney's Office. Brindley, a 37-year-old Iowa native, had his chance Tuesday to tell U.S. District Judge Harry Leinenweber how he would prepare clients for trial.

“The only direction I give them is that they have to tell the absolute truth,” Brindley testified, dressed in a gray suit and red tie.

The feds raided Brindley’s offices at the historic Monadnock building downtown in July 2014. That’s where they said they found four versions of a direct examination for one of Brindley’s clients, allegedly describing conflicting reasons why the client was arrested at a drug deal.

But Brindley testified it was “standard practice” at his law firm to develop question-and-answer forms, or “Q&As,” as his associates prepared witnesses for trial. The “Q&As” would be reviewed for accuracy and revised as different associates spoke to the witnesses. The “Q&As” also became a tool for the associates to communicate about anticipated testimony.

“We’re not going to go into court and hear something we’re not expecting,” Brindley said.

Prosecutors have alleged a conspiracy spanning from September 2008 to June 2013 that involved seven separate legal proceedings. Brindley spent much of Tuesday morning discussing one of them, the case against his client, Alexander Vasquez.

Vasquez was arrested after he fled a one-kilogram cocaine deal in Arlington Heights arranged by his cousin, Joel Perez, records show. Perez’s wife, Marina Perez, would later become a co-defendant of Brindley’s. Also known as Marina Collazo, she pleaded guilty in November and admitted she lied on the stand in 2009 — but only at Brindley’s urging.

Brindley described Marina Perez Tuesday as an “extremely volatile, hostile person.” He said she became angry when he told her he wouldn’t mount a joint defense for Vasquez and her husband because he thought her husband was guilty.

After she later agreed to speak to him about the details of the case, Brindley said he sent her two letters reviewing their conversation in advance of her testimony at trial. In one, he wrote, “tell them the truth just as we discussed.” Then he reviewed the specifics of the conversation as he recalled them.

In the second letter he told her, “The most important thing I can stress to you is that you simply tell the truth.”

While he may have upset Marina Perez, Brindley apparently had a fan in Vasquez. The judge saw letters Tuesday that Vasquez wrote to Brindley ahead of his trial. One read, “I’m ready for trial, are you? You’re the best around Beau!”

In another, Vasquez told Brindley, “you’re #1.”

Finally, during his trial, Vasquez scribbled a note to Brindley that read, “I think you’re leaving me 150 poorer.” Brindley said the note was a reference to Vasquez’s promise to pay Brindley \$150,000 if Vasquez was acquitted. Brindley called it “nonsense,” and Vasquez would ultimately be convicted of a drug conspiracy.

“I said, pay me what you owe me,” Brindley testified.

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Chicago

## Attorney didn’t lie — his clients did, his attorney says

WRITTEN BY MITCH DUDEK POSTED: 08/17/2015, 02:46PM

Attorney Beau Brindley didn’t create stories out of thin air and feed them to his clients to help them explain away drug charges in court, his attorney said Monday during opening statements in federal court.

Brindley’s clients are the ones who concocted false stories to get them off the hook, said Brindley’s defense attorney, Cynthia Giachetti.

Brindley did his job, she said. He listened to what they had to say and crafted the most aggressive

defense possible.

Giachetti mocked the prosecution's claim that Brindley's clients simply told him they were guilty and actually recounted their crimes in detail to Brindley so he could rearrange the truth.

"The government is going to put on people who are admitted perjurers," Giachetti said, noting that the prosecution offered witnesses hefty reductions in their sentences in exchange for testimony. "They became witnesses in order to help themselves ... four of them were desperately sitting in jail cells having exhausted their appeals."

The 21-count indictment against Brindley includes seven separate cases he handled from September 2008 to June 2013. The feds have accused Brindley of offering false information to the courts and the U.S. Attorney, and of coaching witnesses to lie under oath.

Assistant U.S. Attorney Mel Johnson said the government planned to show fabricated question-and-answer transcripts Brindley provided to his clients to memorize and then repeat in court.

Giachetti said question-and-answer scripts are a regular part of trial preparation used by defense attorneys and government attorneys alike. She said that due to limited access to clients in federal custody, defense attorneys will type up question-and-answers segments that they later hand to clients who are in federal custody with the expectation that the client will correct mistakes in the document.

It's been more than a year since the feds raided Brindley's offices at the historic Monadnock Building downtown.

U.S. District Judge Harry Leinenweber is presiding over the bench trial at the Dirksen Federal Building. Brindley's associate, Michael Thompson is also on trial and, like Brindley, is charged with perjury and obstructing justice.

On Monday, Johnson touched on a 2010 case that prosecutors claim constitutes obstruction of justice.

In that case, Brindley filed a false status report before a federal judge that claimed his client — who was in federal custody on child pornography charges at the Metropolitan Correctional Center in the Loop — was too sick to attend an important sentencing hearing. The paperwork stated the client twice had to leave an interview room a day earlier to vomit. However, an employee at the correctional center later informed the court that this was false. The employee said the room was locked and Brindley's client could not have simply exited the room to vomit.

Brindley later filed a "Statement of Correction" explaining that he hadn't thoroughly looked over the initial document which had been put together by Thompson, who unknowingly included mistakes.

"Thompson appeared and fell on the sword," Johnson said Monday. Defense attorneys chalked the errors up to "miscommunication," claiming that Thompson drafted the document based on interviews he conducted without taking notes.

Many of the cases revolved around drug offenses.

In one case, Brindley client Alexander Vasquez was arrested after he fled the scene of a one-kilogram cocaine deal in Arlington Heights. Prosecutors said Brindley knew Vasquez was guilty but suggested Vasquez and his cousin commit perjury to avoid a conviction.

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News

## Tables turn as defense attorney goes on trial

WRITTEN BY JON SEIDEL POSTED: 08/16/2015, 11:32AM

A once rising-star defense attorney faces his most important trial yet at Chicago's federal courthouse this week.

Except this time, Beau Brindley is the defendant.

It's been more than a year since the feds raided Brindley's offices at the historic Monadnock building

It's been more than a year since the feds raided Brindley's offices at the historic Monadnock building downtown. Now prosecutors based in Milwaukee are preparing to take him and associate Michael Thompson to trial on perjury and obstruction of justice charges.

The bench trial is set to begin Monday in front of U.S. District Judge Harry Leinenweber; the pair waived their right to a jury trial, records show.

Brindley's attorney, Cynthia Giacchetti, could not be reached for comment. Thompson's attorney, Ed Genson, said his client is "completely and fully innocent of the allegations in this indictment," but otherwise declined to talk about the case.

The indictment against Brindley and Thompson alleges a conspiracy spanning from September 2008 to June 2013 and involving seven separate proceedings. The feds have accused the pair of offering false information to the courts and the U.S. Attorney, and of coaching witnesses to lie under oath.

Many of the cases revolved around drug offenses. Prosecutors said witnesses were often given scripted testimony to memorize.

In one case, Brindley client Alexander Vasquez was arrested after he fled the scene of a one-kilogram cocaine deal in Arlington Heights. Prosecutors said Brindley knew Vasquez was guilty but suggested Vasquez and his cousin commit perjury to avoid a conviction.

Agents found four versions of a direct examination for Vasquez when they searched Brindley's offices in July 2014. They allegedly described conflicting reasons as to why Vasquez was arrested at a drug deal.

Brindley's lawyers have alleged in court filings that, even though Milwaukee prosecutors are handling the case, two Chicago prosecutors initiated the investigation.

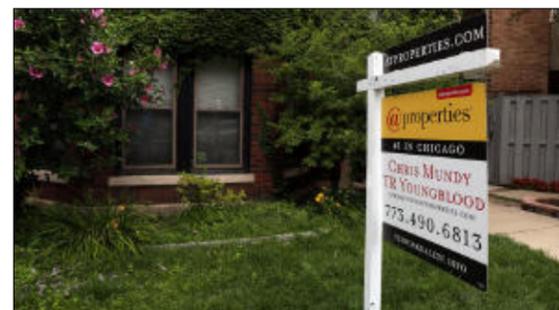
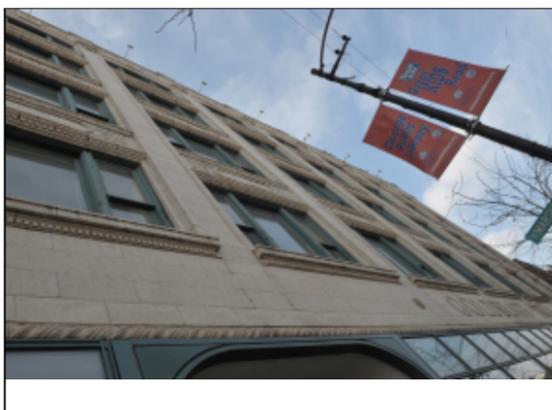
They did so after jurors either acquitted or could not reach a verdict on counts in cases involving Brindley clients who later became part of the investigation against him, Brindley's lawyers alleged.

Marina Collazo, another one-time co-defendant of Brindley's, pleaded guilty in November and admitted she lied on the stand in 2009 — but she said she did so only at Brindley's urging.

Collazo's plea deal required her to cooperate against Brindley in return for prosecutors' agreement to recommend a sentence of probation.

Brindley made a name for himself before his indictment as a passionate and colorful advocate for hard-up defendants. His clients included mobster Sam Volpendesto and prison-breaker Jose Banks.

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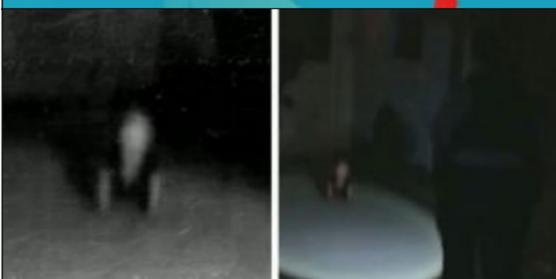
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