

Defendants keep busy during wait | Preoccupation with jury unavoidable, say lawyers

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The jury in the City Hall corruption trial adjourned for the weekend without reaching a verdict, leaving two San Diego city councilmen, a council staff member and a Las Vegas lobbyist to obsess over what a panel of 12 strangers might be thinking.

Ralph Inzunza's attorney, Michael Pancer, said the councilman planned to spend the weekend surrounded by family as the close-knit clan awaits a potentially life-altering verdict.

"I've gotten to know Ralph and Ana quite well and I have seen Ralph spend every spare moment with his wife and children. I think he gets a lot of comfort and a lot of support from them," Pancer said.

The jury is trying to decide whether Inzunza and Councilman Michael Zucchet had an explicit agreement with lobbyist Lance Malone and club owner Michael Galardi to trade money for efforts to repeal the law banning touching at strip clubs. They are also weighing whether council aide David Cowan made a false statement to the FBI.

Zucchet, who took the reins of city government after Mayor Dick Murphy's resignation became official Friday, was busy tending to the city's business. His lawyer, Jerry Coughlan, declined to say how his client would pass the stressful weekend.

Cowan, who worked for the late Councilman Charles Lewis and now works for his successor, Councilman Tony Young, said he has kept his mind off the jury by working with constituents and "making sure potholes are filled and graffiti comes down."

But the case creeps back into his mind on breaks, and in moments when nothing's going on to distract him.

"I want a verdict. I'm sure this weekend I'm going to have to occupy myself," Cowan said Friday. He said he will probably do some work around the house, and joked that he will also spend some quality time with his catfish, Charlie.

Cowan said his faith, family and supporters have helped him cope with the stress. "I think, for going through this for the first time, I believe I'm pretty grounded. I've just been the same old Dave I've always been. The support has been tremendous. People I don't even know approach me and say, 'I'm praying for you and I wish you the best.' "

Still, the waiting is hard. "I'm not taking anything for granted. I'll just be glad when this is all behind me."

Malone and his attorneys, who are from Las Vegas, were busy packing up three rented apartments near the courthouse. They planned to return to Las Vegas for the weekend, said Malone's attorney, Dominic Gentile. "You've got to stay busy to more or less keep this off your mind because the waiting is stressful," Gentile said.

Cowan's lawyer, Michael Crowley, said he was going about his normal business, but there's no escaping thoughts of the jury and what's going on in that deliberation room.

"I have other cases I'm working on but it's always there in the back of your mind. It's hard to give complete concentration," Crowley said.

Attorneys in this case and others have described the wait for a verdict as "excruciating," "agonizing" and "horrible," particularly when, as in this case, they've bonded with their clients.

The lawyers don't venture far from their offices or the courthouse, for fear they'll miss a call from the court. Their hearts leap every time the phone rings. They are in frequent contact with their clients. And they try to divert attention back to cases they've long neglected, but it's impossible to focus, many lawyers say.

Meanwhile, members of the legal and political communities are speculating about what the jury will do, and when they will do it. Observers are trading theories about the meaning of the evidence, how the jury might decipher it, and how to interpret their direction from notes.

So far, two notes from the jury have been disclosed -- one asking that particular recordings of conversations between Cowan and Malone be replayed, and another asking for an index of all recordings and exhibits.

Some attorneys said whatever the circumstances, the waiting is the hardest part.

"No matter how you intellectually may feel your counsel fared, it's an incredibly emotional time filled with terror on the part of the defendant and nervousness and fear on part of the attorney," said defense attorney Geoffrey C. Morrison. Morrison represents John D'Intino, a former Cheetahs manager who also pleaded guilty in this case and has been in jail since September 2003, awaiting sentencing.

Lawyers typically try to stay busy. But who are they kidding? They're not accomplishing much, many lawyers said.

"It's very difficult to get anything done while you're waiting," Morrison said. "You've been going at 180 percent for however long the trial lasted, and all of a sudden there's nothing to do but wait. You've been neglecting other cases and there are lots of things that have to be done, but it's very difficult to concentrate on it.

"Regardless of whether you believe in your client's innocence, you become intellectually and emotionally invested in the outcome and it's difficult. Attorney are ego-driven creatures. We like to win."

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Abstract (Document Summary)

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