

Joshua Margolin addresses Nikola Corp's Trevor Milton Conviction in The Wall Street Journal

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Partner Joshua Margolin is quoted in an article from *The Wall Street Journal* about Nikola Corp. founder Trevor Milton's conviction. A federal jury found Milton guilty on three of four fraud charges, and the unusual mixed verdict left some people questioning whether the judge's instructions regarding weighing criminal intent were clear to jurors.

The case centered on allegations that Milton defrauded investors and made billions for himself by lying about Nikola's progress in developing zero-emissions trucks and the hydrogen fuel needed to power them. His lawyers argued he did not intend to defraud anyone, making Milton's intentions central to the trial.

When jurors found Milton guilty on counts of two wire-fraud charges, but only one of the two securities fraud charges, some former prosecutors said that jurors may have misunderstood the law, because criminal intent was a required element for conviction on all the counts, and if the jury found there wasn't criminal intent on one, that should have led to an acquittal on all counts.

Joshua Margolin weighed in saying "It's the attorneys' and the court's job to ensure that the instructions are clear. But even with the best efforts, juries sometimes can misinterpret or misunderstand, through no fault of anyone."

The jurors' account of the deliberations has shed light on the complexities of applying the law in white-collar criminal cases where juries are asked not only to weigh a defendant's conduct, but his state or mind at the time the act was committed. The accounts show the thought process behind the jury's decisions, but the law largely protects jury verdicts from being attached on appeal based on what was said during jurors' deliberations.

[Read the full article.](#)

Attorney

- Joshua S. Margolin