

How 2 Execs Won 'Extraordinarily Rare' Navy Bribery Acquittal

By Phillip Bantz

Law360 (May 26, 2026, 7:12 PM EDT) -- Attorneys for two consulting company executives accused of bribing a top U.S. Navy admiral shifted and narrowed their core defense strategies in the wake of a mistrial last year, a risky move that paid off earlier this month when a federal jury in D.C. found the pair not guilty on all counts.

The jury's May 18 decision to reject the government's charges of conspiracy, bribery and illegal gratuity against Yongchul "Charlie" Kim and Meghan Messenger represented an "extraordinarily rare" loss in a high-profile case for the U.S. Department of Justice, said Messenger's attorney, Reed Brodsky of Gibson Dunn & Crutcher LLP.

"Not only is it rare for the government to lose these cases, but to lose a retrial in such a case is almost unheard of," Brodsky, a former federal prosecutor, told Law360. "The government often wins retrials, because they adapt to the defenses that they didn't anticipate, then try to improve their cases."

The DOJ and U.S. Attorney's Office in D.C. did not respond to requests for comment.

Prosecutors alleged that Kim and Messenger offered former Vice Chief of Naval Operations Adm. Robert Burke a job that paid \$500,000 a year, along with stock options, in exchange for steering a leadership-training contract with the Navy to their company, Next Jump.

The defendants contended that they had not intended to commit any crimes and had relied on Burke's misleading assurances that it was appropriate for them to discuss offering him a job at the same time they were talking about landing a potential contract with the Navy.

Attorneys for Kim and Messenger scored a "key strategic win" prior to the first trial when a judge



Next Jump executives Meghan Messenger and Charlie Kim celebrate with their defense attorneys outside a federal courthouse in D.C. after being found not guilty May 18 of bribery charges. From left to right: Francesca Broggin and Reed Brodsky of Gibson Dunn, Messenger, William A. Burck of Quinn Emanuel, Kim, and Avi Perry and Brett Raffish of Quinn Emanuel. (Courtesy of William A. Burck)

granted a motion to sever the duo's case from Burke's — a move that the government opposed, Brodsky said. All three defendants were originally charged in the same indictment.

Burke was convicted last May of bribery, conspiracy, concealment of material facts and acts affecting a personal financial interest. He was sentenced to six years in prison and three years of supervised release. The government and defense were not allowed to bring up Burke's conviction during the trials of Kim and Messenger.

Their first trial ended in September with a deadlocked jury, after seven days of deliberations. Four of the jurors favored acquittal, two were undecided and the others were leaning toward convicting Kim and Messenger, according to Brodsky, who said he spoke with the jurors after the mistrial.

He said he also learned that one juror, who worked in a Navy planning and contracting office, had "wanted to convict and he was pretty influential behind the scenes with the jurors."

Brodsky noted that he had moved to remove the juror in question during jury selection, but the judge denied the motion.

Going into the second trial, the defense team "had a better idea as to the kinds of jurors that we felt would be open-minded to our defense," and sought to exclude any potential jurors who had served in the military, Brodsky said.

Attorneys for Kim and Messenger also made a strategic decision to change up the approach they followed during the first trial, which was from a "purely defensive perspective" as they had tried to respond to the prosecution's case point-by-point, according to William A. Burck, one of the Quinn Emanuel Urquhart & Sullivan LLP lawyers who represented Kim.

"We were, in real time, adjusting to all those points and what they were emphasizing and trying to respond to every one of those," he told Law360. "It's the kind of thing you have to do often, because you don't know what's going to land with the jury."

But during the retrial, the defense attorneys decided to ditch the tit-for-tat strategy and "go on the offense" by presenting what they believed was the strongest evidence and arguments to undermine the government's case, Burck said.

"We focused on what we thought were the very small number of really important questions that we believed the government could not respond to effectively," he added. "So we simplified the case in a significant way."

The defense hammered on just a few points, including that Kim had told many people about his plan to offer a job to Burke, and that Kim wanted to hire Burke regardless of whether Next Jump secured a Navy contract. The message to the jury was that Kim and Messenger did not have criminal intent and there was no quid pro quo, according to Burck.

The defense team also used transcripts from the first trial to lock government witnesses into their testimony, which enabled attorneys for Kim and Messenger to "elicit inconsistent statements and other compelling evidence that really altered the course of the trial," Brodsky said.

After being confronted with what the defense said were inconsistent statements from the first trial, one

of the government's key witnesses, Juliet Beyler, a senior civilian executive director for U.S. Naval Forces in Europe and Africa, "opened up" during the retrial, according to Brodsky. Burke oversaw operations in Africa, Europe and Russia at the time of the alleged bribery scheme.

"With tears in her eyes, she eventually admitted that the Navy had mistreated and misled Meghan Messenger and Charlie Kim, which was a devastating admission that must have resonated with the jury," Brodsky said. "It was quite a moment."

The defense also opted to call Messenger to the stand during the retrial, but not Kim, who had given lengthy testimony under direct and cross-examination during the first trial, according to Brodsky. Kim ended up providing "powerful testimony" over a shorter period of time, he said.

The jury deliberated for about six hours — a far cry from the seven days of deliberation during the first trial — before finding Kim and Messenger not guilty.

Looking back on the two trials, Burck said his big takeaway centers on the importance of being able to break a case down to its core elements and present those elements to the jury as cleanly and simply as possible.

"The question then comes down not to whether we beat the government on its turf — there are two different turfs," he said. "If you can convince the jury that your offense, the turf that you want to fight on, is a more helpful way to understand the evidence and is more straightforward and clear, you have a much better chance to beat the government."

Brodsky added, "We won with a combination of relentless determination, razor-sharp cross-examination, a simple and compelling story, and the powerful testimony of our client."

The government is represented by Rebecca Ross and Brian P. Kelly of the U.S. Attorney's Office for the District of Columbia.

Kim is represented by William A. Burck, Avi Perry, John "Fritz" Scanlon, Rachel Frank Quinton, Brett Raffish and Christopher Clore of Quinn Emanuel Urquhart & Sullivan LLP.

Messenger is represented by Reed Brodsky and Francesca Brogini of Gibson Dunn & Crutcher LLP.

The case is United States v. Yongchul "Charlie" Kim et al., case number 1:24-cr-00265, in the U.S. District Court for the District of Columbia.

--Additional reporting by Hailey Konnath and Elliot Weld. Editing by Nicole Bleier and Kelly Duncan.