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In the End, Stewart's Friends Were Her Undoing

WILL SWARTS

Martha Stewart's fate was sealed by the testimony of her personal assistant and traveling companion, two close friends of the domestic entrepreneur whose stories convinced the jury she held herself above the law, a juror in the trial said Friday.

The juror, Chappell Hartridge, a computer programmer from the Bronx, N.Y., said the verdict is a "victory for the little guys who lose money in the markets for these kinds of transgressions. It's also a message to the bigwigs that nobody is above the law."

"It might give the average guy a little bit more confidence feeling that, 'I can invest my money in the market and it might be on the up and up,' " he said.

Hartridge said the jury had little trouble convicting Stewart and her former stockbroker, Peter Bacanovic, of conspiracy and obstructing justice. The false statement charge was harder. The two both face maximum 20-year sentences when they are sentenced June 17.

"I wouldn't say there was a lot of debate, but we wanted to be sure," Hartridge said just after the verdict was returned. "We had two individuals' lives in our hands."

Hartridge called the testimony of Ann Armstrong the most convincing evidence presented in the month-long trial. Armstrong, Stewart's longtime personal assistant who broke down on the stand, testified Stewart altered a phone message from Peter Bacanovic on the day of her now infamous stock trade. The message was "Peter Bacanovic thinks ImClone is going to start trading lower."

"Without that message, or if it had been different -- If it had said, 'ImClone stock is at 60, are you ready to sell?' -- it would've been fine." But Stewart's erasing of the message -- a procedure she later undid -- gave jurors the impression "she thought she was above everyone else."

He said the testimony of Mariana Pasternak was the most "damning." She is the Connecticut real estate agent who testified that Stewart effusively praised Bacanovic during a Mexican vacation held in the final days of 2001, just after the ImClone trade took place.

Stewart should've known better because "she was a former stockbroker who knew what was wrong and what was right." Pasternak's testimony "made it seem that Martha was trying to hide something."

The jury needed three days to return guilty verdicts on two counts each of lying to investigators and conspiracy to obstruct justice. The conviction muddies the fate of

Martha Stewart Living Omnimedia ([MSO](#))

and was a startling rebuke to Stewart's lawyer, Robert Morvillo, who called only one witness in her defense.

"Morvillo did the best he could with what he had to work with," Hartridge said. But the decision to call just one witness "bothered me in a way. I kind of think he should've done more to disprove the charges."

Should he have called Stewart?

"I would have loved to hear their side of the story, but I didn't expect to hear from either one of them."

Did the jury feel the defendants' behavior was arrogant?

"I don't like judging people, but in this case I would have to say yes."