

Insights

PARTNER AUTHORS OP-ED FOR NBC NEWS ON HOLMES SENTENCING

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BCLP Partner Andrey Spektor authored an op-ed published Nov. 18 by NBC News on the 11-plus year sentence of Theranos Inc. founder Elizabeth Holmes. “Given her notoriety and the scope of the fraud, some might be outraged that the sentence, while significant, was still much lower than the maximum she could have received and lower than the punishment sought by the prosecutors. But no one should be surprised by it,” wrote Andrey, a former federal prosecutor who, while at the DOJ, co-authored a guide to prosecutors nationwide on sentencing issues. Noting the complicated and unpredictable nature of federal sentencing, Andrey observed that, “10 different federal judges would have likely imposed 10 different sentences on Holmes.” In the end, “The judge, while not sentencing her to as much prison time as he could have, should have shown more leniency.”

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