

News

PARTNER QUOTED IN 'LAW360' ARTICLES ON VARSITY BLUES CONVICTION REVERSAL

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BCLP Partner Andrey Spektor was quoted May 11 by *Law360* discussing the First Circuit wiping out nearly all of the convictions of hedge fund founder John B. Wilson and casino executive Gamal Abdelaziz, who were found guilty at trial of paying huge sums to get their children into an elite college. Andrey, a former federal prosecutor, noted the prosecutors' decision to make the case about a big-tent conspiracy was an "unforced error." He continued, "The government's theory was not just that these two parents conspired with Singer, but they also conspired with Singer's other clients." Andrey added, "The government did that for a reason – if the conspiracy is broad, then more evidence would be admissible to establish it, including, as the court put it, 'powerful evidence' about other parents' conduct." But the evidence that helped win the conviction at trial proved a big issue to the appeals court panel.

In a second article published May 11 by *Law360*, Andrey considered that since the panel found one of the government's wire fraud theories invalid as a matter of law, the government would "certainly have to reshape its case, paring back evidence related to other parents" if it intends to retry its cases against Abdelaziz and Wilson. But there likely won't be a retrial. "Most prosecutors would likely agree, even [if] it's just off the record, that spending another year putting this case back together to retry relatively low level white-collar offenders who will already have convictions on their records is not the best use of government resources," Andrey said.

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