

# **Exhibit A**

September 22, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila,

My name is Billy Evans, and you hold the life of my partner in your hands. Writing this letter has been one of the hardest things I have ever done given the gravity of our situation, because it concerns the two people who matter most to me, Elizabeth (who I call Liz) and my son [REDACTED].

I greatly appreciate the time you have and will continue to dedicate to Elizabeth's case. I appreciate you giving me the opportunity to help you understand who Elizabeth Holmes is. I attended most of the trial, and I know you didn't have the opportunity to see all the ways in which Liz is the best person I have ever met.

### **How We Began**

Liz and I met at a friend's Fleet Week charity event in the fall of 2017. I had planned to stop by the event and leave shortly after. When I walked up to thank the host for having me, he introduced me to the three people he was chatting with. One of them was Liz, and the two of us immediately connected. We walked away from the others, and it was as if the rest of the world ceased to exist. She was wearing a sunhat, had oversized glasses on and was trying her best to stay under the radar. I didn't recognize her to be anyone I knew. Minutes later the pleasantries turned to real and meaningful conversation. It was strange to feel so comfortable and willing to share with someone who I didn't know. I was captivated by her childish wonder and authenticity. She listened more intently than anyone I had ever met. Liz was astonished by the amazing things all around us, the things that so many become jaded to after repeated exposure (each time a plane passed overhead she would remark about how inspiring the engineering, the mastery of the pilot in commanding his plane or the coordination of the Blue Angels was). She didn't take what was before us for granted for a moment. It was through her eyes that I could appreciate the beauty of what was happening all around me. She made me feel like I was reconnecting with an old friend. We spoke for hours, I lost track of time, and even if I didn't know it... I fell in love. She pulled out her business card, scribbled her personal cell on the back and then it clicked who she was.

We were "just friends" for the first six months. I was admittedly hesitant to dive in given all that had been said, Liz had been consistently vilified in every piece of media imaginable. It wasn't just a few bad articles in the WSJ, it was a character assassination that had been amplified in an echo chamber of a thousand loud voices. While that negative press was loud, her silence was deafening and didn't make sense. The hardest thing to understand was why she wouldn't fight the narrative. It would take me years to understand this came from her strict adherence to following her council's guidance. I was naturally conflicted, the person I knew did not align with the narrative others had crafted. I was traveling for work 20 or so days a month but the limited time I spent in the Bay Area was spent with

Liz. I was determined to think independently, to trust my heart. She captivated me, I had never met anyone who was so kind and curious. She approached every conversation with humility and a genuine interest to learn. We hiked the trails of the Santa Cruz mountains, cooked meals at her house after work and flirted with hesitancy to put our friendship at risk for a shot at a romantic relationship. We would take long walks with her Husky Balto. He was her constant companion and she treated him with so much love. I feel like you can learn so much about someone from how they treat animals and her love for him was evident. We would talk about the hard things it takes most people a lifetime to open up about. It was so natural. She was in the middle of relentless media attacks; having fallen from the heights she had been elevated to in the press. Liz was gentle and naive, the polar opposite of what public opinion was. The more I got to know her the more I loved who she was. It was not long before the friendship turned into something more. We started to see more and more of each other. Weekend bags and doppel kits at each other's homes for weekend stays turned to permanent residents. The conversation started on the rooftop that warm day in October was only the beginning. Our lives became intertwined, our friend groups, our dreams for a future. So much hope.

### **Dreams, Lessons, Possibilities**

One constant subject of our conversation in those early days was our dreams for what was possible. Our dreams of the future, that which we hoped to build. I was working for a company with lofty goals trying to solve an important social problem with novel hardware technology. The similarities between Theranos and my business were many. We both had shared experiences of late nights spent with engineering teams, fierce dedication to a meaningful mission despite odds greatly stacked against success and the many other difficulties that accompany hardware companies in Silicon Valley. Learning about her mission and the real why behind Theranos inspired me. Her innocence and identity had been taken from her at Stanford. She had set out to dedicate her life to one of continued service, to rebuild her identity through a life worth living, sacrificing herself by building a life inextricably tied to seeing her vision for access to healthcare through. In early 2018, while her company was in its death throes, she seemed sure that there was a light at the end of the tunnel, that the business would make it.

Liz has always approached life through the lens of what is possible. It shows up in all sorts of ways. She approaches hard problems and easy alike, constantly in search of a solution and with a belief in doing what most others would deem impossible.

Earlier this year, while pregnant, she decided she wanted to swim the Golden Gate Bridge. There were fifty reasons I thought it was a bad idea, the sharks, the tides, her complete inexperience swimming post age 14. Liz swam as a child, her only event being short distance breaststroke. She was determined to make miles long open water swim having never swam any significant distance or in open water before. But her goal was set, in her mind she could do it. While I would never discourage her from attempting such a feat, I knew the odds were slim. She trained daily in the pool, and trips to the ocean for a swim were frequent. Vacations to the beach left me sitting on shore watching her orange cap get swallowed by swell after swell as she would slowly cross sharky water. But she got faster, the breaststroke improved. Rain or shine she practiced, and her determination was overpowering the odds against her. Two weeks before the event she made the cut off time, swimming the breaststroke. I was wrong, you would think by now I would learn to not discount her perseverance.

When our dog Balto had been carried away by a mountain lion from our front porch Liz had faith that he could still be alive. She searched for 16 hours in brambles, and poison oak to find him. It was only once she saw his lifeless body that she could come to realize that he was gone. It crushed her. I knew he was dead in those long-drawn-out hours searching but her certainty in the possibility of his survival gave me a sense of hope. But that's Liz for you, she's constantly hoping and working towards the best outcome, even if it is unlikely. She believes deeply in the goodness of the world and all those around her. She is deeply guided by faith.

### **Impact on Me**

Liz has had a positive impact on me in countless ways. She built me up and gave me strength to do that which I couldn't have imagined otherwise. She has taught me a patience with others and myself that I would have previously dismissed as unnecessary and soft. Liz is infinitely patient to the point I often need to remind her to voice her own wants or needs in situations otherwise they go unnoticed.

Her selflessness knows no bounds. While we have been together for 5 years I am still left amazed by her capacity to always put others first. Just last month our whole family contracted Covid. Liz was pregnant with 104\* fever, and our son, Liz's parents and I had temperatures in a similar range. I focused on my health, the health of my family and cooking healthy meals to help us all fight the bug. I put work on hold and focused on family. Liz on the other hand took on an extra 12-hour remote shift for the crisis line she works on all the while tending to our sons every need. Her health continued to decline and the OBGYN suggested a trip to the ER given the state of her pregnancy. This too didn't stop Liz; she continued her work on the crisis line through the entirety of her hospital stay and took multiple calls from women who were grappling with the greatest trauma of their lives. Liz did it without thinking, because they were hurting more than she was, because it was "the right thing to do". Her willingness to sacrifice herself for the greater good is something I greatly admire in her.

I have never known her to put herself first in any action over the 5 years we have been together. Never once. It's always the last pieces of her favorite chocolates for a house guest, an hour to advise an aspiring female entrepreneur just days after giving birth, in reading these letters you will come to realize how Liz is the go-to person for so many that are dealing with life's hardest moments. So many have leaned on her during their hardest times, and she gives herself without hesitation to anyone in need.

So much of what has been written about Liz is untrue. While I would posit nearly every negative attribute I have read about her is false, so are many of the positive traits that are mixed in with those common misconceptions of greed and self-centeredness. Liz has been called an incredible salesperson, that she wooed investors, partners, and employees with a sales pitch so compelling that they couldn't help but to be involved. The truth is stranger. Liz has no ability to "sell something"; she simply believes in things with such depth that it is alluring. She believes deeply in her life's mission. Liz is not a traditional natural born leader; she is more of a zealot than a showman. She believes with religious fervor in the capacity to make the world a better place and everyone around her just so wants that one truth to be possible we end up believing in the impossible alongside her.



I love these qualities in her. I love her selflessness, her belief in what is possible, her trust in the goodness of others. And yet these same wonderful things that are so fundamental to who Liz is, are also her fundamental weaknesses. She is gullible, overly trusting, and simply naive. When we first met, she let me in more than she should have. She trusted someone who could have very well had nefarious intent. I saw it time and time again how these things worked against her. She would be invited out with a group of new “friends” only to be left the bill. Liz wouldn't mind, she would happily pay, seeing it as a way to give her friends an experience. People would seek her out, befriend her and use her for her unparalleled network, to have an introduction made to help their business move forward, and help themselves personally in some way. And Liz was totally blind to this. She believed that these new friends had her best interests in mind. I know it might be hard to believe the degree of this naivete, but it is something in Liz that is hard to miss once you have seen it. My best judgment is that given her goodness and her selflessness she is incapable of considering how others would act in ways so counter to her fundamental source code. This has been her Achilles heel, and others have found it and exploited it. Her vulnerability is their opportunity.

### **Our Love**

It is hard to distill what Liz means to me. I have struggled to adequately convey it. She is my whole life, my mentor, my guide during the darkest times of self-doubt and inadequacy. She approaches my greatest mistakes the same as my limited triumphs, with an unwavering love and gentle touch. Liz is so focused on our family – on building a future not only for my son and myself but the inclusion of our original nuclear families as well. Family is incredibly important to Liz and me. We speak with our parents daily and Liz does everything to include the new grandparents in [REDACTED] life. Liz captures the small moments of our everyday life with such joy. Not just the first moments of note but the ordinary ones. Liz finds the amazing in these everyday moments and doesn't take it for granted.

She captures 50 or so photos a day, comments on them and sends sets to each of the grandparents with photos she knows will bring the most joy to each of them, because she realizes the extent to which this legal battle wears on them and wants to bring them happiness. Liz's parents live in DC, and mine in Southern California but each day they see their grandson smiling and laughing as he learns and navigates the world. Liz has done this each day of the last year, through court, breast feeding, late nights with a sick baby and early mornings braving the paparazzi not out of obligation but because she knows how much it means to our parents to be a part of our lives, especially after having limited relationship with her family during her relationship with Sunny.

This has been true from the beginning of our relationship. Early on she helped me mend a relationship with my brother that needed love and patience that I didn't possess. We had fallen on rocky times when I met Liz - my brother was largely estranged and was going through hard things. I wanted to help, but I had lost hope in my ability after dozens of failed attempts. I am embarrassed to say that I and much of my family had given up. But giving up simply is not in Liz's DNA. She worked to build her own relationship with Rex, she loved him, listened to him, and brought him back into our lives. My closeness to my brother is all thanks to her. I cry when I think of how close I was to losing him. I am reminded by this as I just returned from the first trip we took together in over 8 years. We spent 7 days rafting down the CO river and it was perfect. I am so proud of the man he has become, in no small part because of Liz's determination and patience.

### **Our Greatest Fears**

While Liz is incredibly hopeful, I realize she is terribly scared. This process is a string of unlikely events that lawyers, advisors and board members all told her would never come to be. She built the business with people who said they would be there through anything when the times were good. Events they told her they would be with her by her side, in the unlikely event that they did happen. Events that as they become more likely those same people wished her good luck from afar. And once they were clear and present danger those people actively distanced themselves when personally convenient. She has largely faced these events alone. She doesn't hold ill will towards any of the people who turned away, abandoned or turned on her for self-interest when it made them look good to do so. That's not the type of person she is.

Her nightmare of being raped at Stanford was replaced by the nightmare of 12 monstrous years with Sunny which was then replaced by the nightmare of losing her life's work and the vilification to follow. It's been a long road of hardship for her. All that being said, we have found peace in this storm. She now lives what she and I both believe to be a dream. Some days are painful, but we are grateful. We have found true love in one another, in the building of our family and the sheer amazement of watching our son grow up before our eyes. My son █████ at the time of writing this letter has just passed his 14th month on this earth. I wish you could see his happiness; his deep belly laughs that Liz helps encourage and the confidence of a young mind who does not yet appreciate some of the difficulties this world has to offer him. His bond with Liz is incredible, I think it is all she has ever wanted, to love and care for someone so fully. I wish you could hear how she sings to him every morning when she brings him out of his crib and tells him how his day and the life ahead has so much good in store for him. I wish you could walk with us in the mornings and see how she has turned the fear he once had for the neighbors' horses into a carrot feeding frenzy that would leave you smiling on even your hardest of days. I wish you could see Liz and I dancing in the kitchen, █████ in our arms, giving him "doubles" as we kiss both sides of his cheeks. I wish you could see the mile long grin and four buck teeth smiling back at us when he catches Liz and I kissing or embracing each other. I wish you could see how she is as enthusiastic to change his diaper as she is to paint with him and read to him. Her joy and appreciation of every moment has only increased from the first day we met. I wish you could see how she rocks him to sleep every night while singing Amazing Grace and telling him the tales of a boy who values kindness, honesty, and generosity above all else. I wish you could hear how quickly she can turn his cries of exasperation to giggles as she helps calm his tired mind.

The growth of our son is our greatest blessing. He lights her life with a future that surpasses even the most improbable dreams of her youth. It is this love, this dedication to our 1-year-old son █████ that leaves her sleepless, sweating through the sheets and full of nightmares. It's what has her worried about getting enough sleep so the baby she is currently building gets the rest it needs. The fear that there is a distinct possibility that she will be forcibly taken from her son, her whole life. My heart is broken with the thought of spending any days away from Liz, for a future in which my son grows up with a relationship with his mother on the other side of glass armed by guards. The gravity of time without her is hard for me to comprehend.

Many people will make arguments that you should have leniency to ensure she can help others, to ensure she can invent great things or lift up a woman facing the unimaginable reality that she has been raped, and incarceration will limit her capacity to do those things. I agree with them, but with total humility I am selfish in wanting her. The thing that matters to me is my family. I want my son

to have the benefit of his mother and her endless patience, her determination to teach him and learn from him, to sing to him every night and morning and nap time; I want him to get to know her through the small mundane moments of everyday life that she makes spectacular. She turns these ordinary moments into magical experiences of unbounded love and wonder. I want him to grow up with her influence to trust others and balance my skepticism. The idea of building life without her is crippling.

Her capacity to change the world is limitless. I have never known a mind so creative and selflessly dedicated to bettering the lives of all of those around her both at the individual level and more broadly. Even this week she has spent hours working on draft state legislation to help ensure victims of sexual violence and rape will be granted their survivors rights and receive the care they need. She has turned her most painful personal experiences into a mission to help the thousands of voiceless men and women get access to resources that could change their lives, resources that were not afforded to her. She has spent the better part of her life setting out to put her dent in the universe, to alleviate pain and help others, to change the world. But for me it is simpler than that. I selfishly want her to continue to shape my world, my son's world.

I finally like the person who I have become. I'm proud of the father Liz has helped me become, I am proud of the relationship we have with our families and friends, I am proud of many things now that I was not before I met her. She may have ultimately failed to change the world in the way she set out, but she has undeniably changed mine.

She continues to hold me accountable, not with harsh words or criticism but with a love and acceptance that has caused me deep reflection on the improvements I can make in my life to begin to reciprocate the immense unjudging and unwavering support she has shown me.

### **The Price We Will Always Pay**

The price Liz and our family pays for this process is not just the potential incarceration that you will decide. In ways large and small, the process itself has daily costs.

While there were many people by her side during Theranos' growth, Liz has largely faced the aftermath of those events without her former colleagues. Many private expressions of support have turned to silence because of the risks they would face for publicly standing by. She has already faced the loss of her life's work, 15 years of tireless dedication to her mission, a noble cause. She now faces widespread public scorn, and she faces the loss of her freedom, the loss of raising our children

While some relationships have been lost due to the press and their salacious portrayal of events, I would posit that a vast majority of her relationships have been lost due to the process. For 15 years Liz's whole life was her business and the people who dedicated their lives alongside her to build their collective dream. The people she loved the most, her friends, her family were her first investors and part of the company. Now with an ongoing legal case she finds herself unable to communicate with friends and mentors she spent years with. Recently we heard from a friend that a board member's wife was recently diagnosed with a terrible terminal disease. Liz was devastated first by the news, then by the feeling of helplessness in her inability to take action. Liz wants more than anything to grab the keys and drive the short 10-minute drive over to their home. All she wants is to do what anyone would want, to hold them in an embrace, cry with them and give them and their family the

love they shared with her, in so many of her darkest hours. These people were a second set of parents to her, loving mentors whose dining table were a source of refuge when times were at their worst, but not now. She can't be that support for them because of her respect for this process. This kind woman has been handed a death sentence, and Liz was left begging lawyers to allow her to send an email to express her sorrow and support. It has created immeasurable pain and isolation for both parties in these relationships. The people who were once closest in her life are now inaccessible and I see how with each passing year of silence the relationships fall away. It has been 4 years since the indictment. Her respect for the process, for the court's rules, have had profound impacts on the relationships with family and friends, a number of which have passed away before the relationship could be rekindled.

Our privacy is limited. When we are in public, Liz is nearly always incognito. Large sunglasses, her hair tucked up beneath a baseball cap, head down. She walks through public places trying to hide, but it doesn't do much good. Once we were 5 miles down a trail in a national forest and a passerby took out their phone to snap a picture. It is incessant. The one place we can hope to have privacy is our home. We have taken significant precautions. We use PO boxes for our mail, use backdoors, we rarely eat out and tried to rent in quiet buildings in SF for two years. That didn't work. A reporter from CNBC broke into our apartment, falsified documents to join the building's community forum and impersonated a tenant to try and interview other residents as she went door to door. We left the apartment after she leaked our address and put our safety at risk. Liz received significant threatening mail and we felt unsafe. It's hard to know which threats may get serious. Our next apartment in the city was discovered not long after. So, we moved out of the city and onto the road. We spent 6 months traveling the national forests and parks of this country in a truck camping beneath the stars. While this nomadic life was my idea, Liz embraced the frenetic beauty of it, and we often reminisce about how it was the favorite place we ever lived. The peace and quiet out of the spotlight was refreshing. Walmart parking lots and rundown campgrounds gave us a much-needed solace. Winter came and it was time to find a more permanent solution.

I found a secluded home out of the city that I thought would be safe for our family. I rented it in my name, sent our mail to alternative addresses, and instituted a serious security protocol to try and insure privacy, but still they found us. Days before her trial began and I first walked into your courtroom they again leaked our address, this time with a make-believe story about my ownership of an estate the likes of which I couldn't begin to afford. This resulted in people coming to our home throughout the trial.

I'm always worried by the car that slows down at the end of the driveway to pull something up from their lap, is it their phone to check directions to snap a photo? Is it something more sinister? A quiet afternoon playing in the front yard with my son and Liz has been spoiled on more than one occasion by the buzzing hornets' nest sound of a drone coming in close for a shot or a person trespassing to our home to find Liz. Our privacy is constantly invaded. Threats of harm online are limitless. I sleep lightly, constantly worried that those angry words might one day turn to action.

I have had friends fade away without reason and family members who no longer associate with me. I have been uninvited from weddings. My son has been avoided by other families not wanting to expose their children to my family. I have had hundreds of my friends, colleagues and acquaintances hounded by reporters looking for a scoop. We sleep with our shutters closed, missing the beauty of each sunrise to help insure our privacy. This will follow us for the rest of our lives. There is no

avoiding the scorn that accompanies Elizabeth Holmes. The above examples are but a few of the ways in which I have personally paid the price for this public witch hunt. I will endure it. My parents, every member of Liz's family, all of our close friends, supporters and business partners have had similar experiences, they have paid a similar cost. It is true for all of them. While Liz thinks little about her own suffering, it is the pain her family and friends have suffered and the costs that they have paid that hurts her most. She hurts because of the thousand ways in which those close to her have paid the price. It is never about her.

### My Plea

And now I must ask you to please help her. To help her help others. Her life will be one lived to its fullest potential. One of service to others and dedication to causes both great and small. And a life dedicated to protecting our son from the world Liz has now realized requires a bit of hesitation alongside her hope. She has paid the price of expensive lessons learned so he doesn't have to.

I ask you to consider who Elizabeth Holmes truly is. I ask you to get to know her through these letters and the outpouring of love and support she has. The fact that Liz still has the support she does, despite the risks of associating with her is a testament to her goodness. Many of the letters you will read were written and submitted by loyal people who know their careers and public standing will be put in jeopardy because of their public support for her. We have had multiple friends write letters who were told by superiors (who have never met Liz nor have any direct knowledge about the circumstances) that they would be fired for supporting her. Many people who sent letters ultimately could not submit them because they had to put themselves first. But the ones you'll see nonetheless feel compelled to help, to put themselves in harm's way to tell you what otherwise might be missed. I admire their bravery. Reading their letters, I am still surprised to learn about all the ways she has impacted these people's lives. Especially when considering that for 15 of her 38 years she ate, breathed, slept and single mindedly dedicated herself to her mission. While I know I am biased beyond anyone else, I believe in her deeply and I will continue to stand by her through the darkest times.

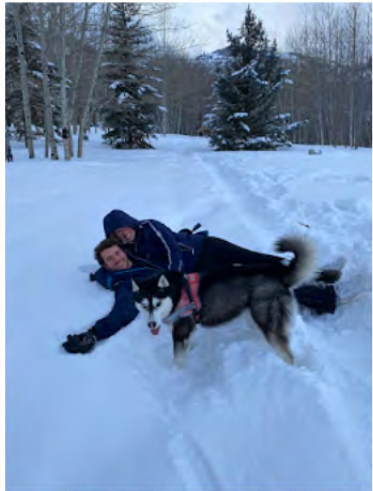
It is so very hard to distill what Liz means to me. I have struggled to adequately convey it here, though I am desperate to do so. I just hope, Your Honor, that my letter helps you know her. That these words ripped from my heart and thrown on this page can help you see what I know to be true.

If you are to know Liz, it is to know that she is honest, humble, selfless, and kind beyond what most people have ever experienced. Please let her be free.

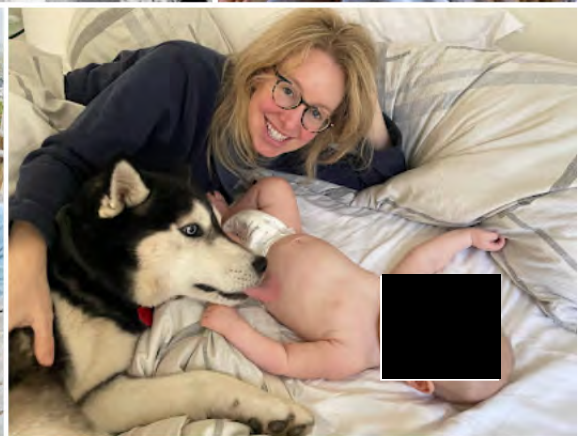
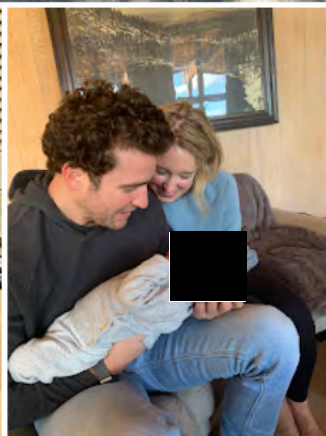
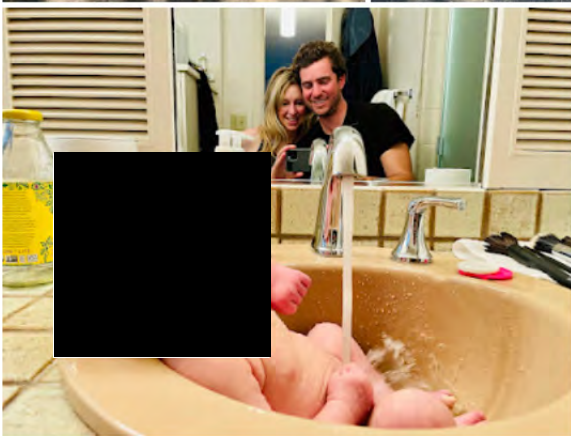
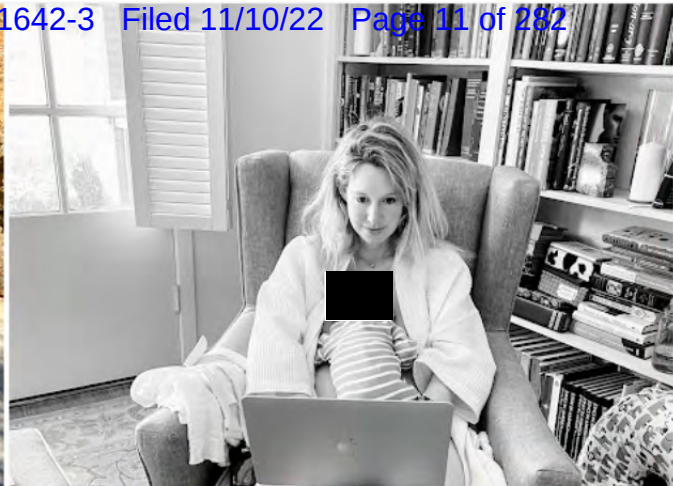
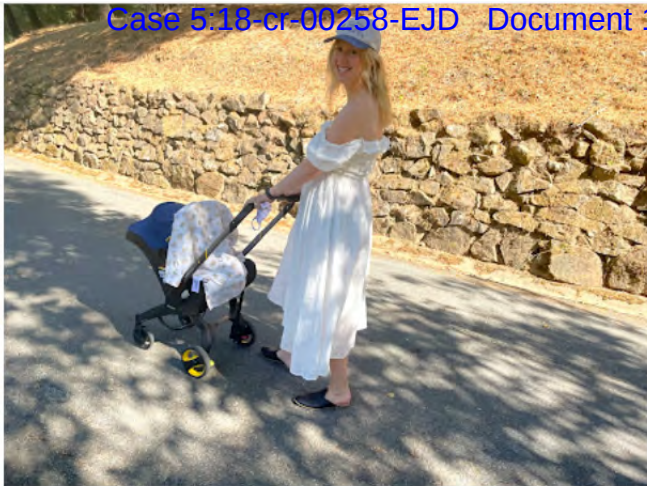
Humbly,

A handwritten signature in black ink, appearing to be the initials 'WJD' with a stylized flourish.

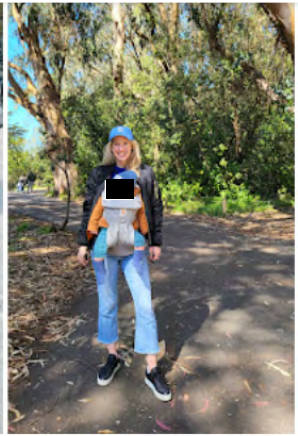




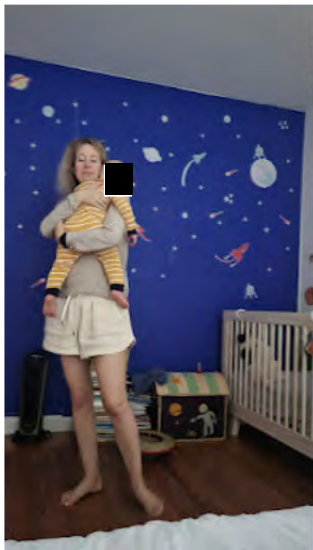














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August 25, 2022

Christian Holmes  
[REDACTED]  
[REDACTED]  
[REDACTED]

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

I am Christian Holmes, the father of Elizabeth Holmes. My wife, Noel, is sending you a separate letter, as we both have observations and reflections regarding our daughter.

I am deeply grateful for this opportunity to write to you. There has been a great deal said and written about the fictional Elizabeth Holmes. I would like to introduce you to the real Elizabeth Holmes.

Noel and I have been married for almost 47 years. We are a close family. We had children relatively late in life. Looking back, I wish we had our children in the first two years of our marriage. They have been such a joy to us. Being parents has been the most important part of our lives.

I would like to tell you about our family, Elizabeth's upbringing, what she sought to achieve, and accomplished, as she tried to provide millions of people with affordable blood testing and reduce the suffering and loss of life arising from the lack of testing. I hope that will provide insight into her character and motivation. I hope you will learn who she is.

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Elizabeth spent most of the first nine years of her life growing in Washington DC. We lived near the C & O canal along the Potomac River. By the time Elizabeth could walk and we could find a life preserver small enough for her, we began what we called her “adventures”. Elizabeth, with her insect collection box in hand, would examine and try to collect just about anything that she could fit into that little box – pebbles, leaves, acorns, walnuts, and insects were her favorites.

You learn a lot about a person, even a very little person, from fishing. Elizabeth was endlessly patient and determined to catch a fish in the canal. She was very interested in the fish; Why was the bluegill so colorful? How did I know the sandy impression beneath the water was the nest of the bluegill? How did the bluegill swim? Her questions were endless. She had no interest in hurting the fish. She always wanted to let it go. Elizabeth also liked to read while she fished. We would float down the canal, her line and bobber in the water while she read and read. She caught a lot of fish that way. I have included a picture of our adventure attached to this letter

Year after year, we did this. She became very curious about nature: what was in the water, inside the fish, inside the leaf, inside just about everything. I built a little makeshift “science center” where she could examine that which she collected. She had a magnifying glass and an old microscope that was strong enough to see paramecium in the water. She became increasingly curious and intensely interested in how things worked.

Of all the seasons, Elizabeth loved autumn the most. This is when we could fish together and explore the shoreline of the canal and the Potomac, and then return home in the late afternoon to sit with our family by the fire, talk about the day and read together.

Our family was always sharing with each other what we thought, felt and found interesting. We shared with Elizabeth the importance of service, faith and prayer. We shared with Elizabeth stories about how members of our family over generations sought to help others. My brother, Michael, a 100% disabled US Marine Corps veteran who fought bravely, stood by his fellow Marines, and stoically endures the pain of his wounds. Noel’s grandmother, who took Jewish refugees into her home in England during World War II. My stepfather, Joseph Sloss, Jr., who



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helped found a health clinic in Guatemala. My great grandfather, Dr. Christian Holmes, who helped improve public health in Cincinnati. My great-great-uncle, Louis Fleischmann, who kept open the doors of his company's bakeries at the end of the day to give away bread to those in need. This became what is now called 'the bread line', as poor people during a Depression lined up at the bakery for free bread.

Elizabeth particularly admired my brother's stoicism and his willingness to sacrifice himself in combat to protect his fellow Marines. Over time, I introduced Elizabeth to some of the basic tenets of stoicism. In high school, I gave her the works of the stoics, Marcus Aurelius and Epictetus. Since she was 18, she has carried with her what was once my volume of Marcus Aurelius' Meditations.

Elizabeth was about six when I began working at the US Environmental Protection Agency. There I served as Deputy Assistant Administrator for Federal Facilities Enforcement, Principal Deputy Assistant Administrator for Solid Waste and Emergency Response, Assistant Administrator for Administration and Resource Management and Chief Financial Officer. I was USEPA's third ranking executive. I would usually bring home a rock from my trips which would have a special story, such as a rock from Alaska's coast which was stained with oil from the Exxon Valdez oil spill; a piece of rock salt from a subterranean cavern near Carlsbad, New Mexico which one day would store nuclear waste; dirt that had been melted into glass at the Department of Energy Hanford Nuclear Weapons Production Facility as part of an experiment to clean up contaminated soils. Through the stories of each rock, she learned a great deal of science. Even though very young, she wanted to understand the harm caused by the oil spill, the nuclear waste and the contaminated soil, as well as what could be done to stop the harm. That is how her mind worked.

She loved my coming to school to do show and tell. Sometimes I would dig up a small bush from our garden to teach the students about root structure. Other times, I would bring our rock collection and tell the stories of the rocks. Another time, a collection of fishing poles and lures. I would show the students interesting books from our library at home. Sometimes, I

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would just show up unexpectedly at her school, and ask for permission to take her out to a special event, which meant that we were off to fish.

Church was a very important part of our life together. Even that became an adventure. The priest at Holy Trinity in Washington DC conducted a children's Mass with a little blue puppet known as Mr. Blue. We learned a lot from Mr. Blue. I loved being with Elizabeth and my son, Christian, at Mass. When they were very small, I would hold them both in my arms when I went up to take communion. I would tell them that we were all in God's hands. Despite what Elizabeth and our family have experienced, I still very much feel that. After church, we would buy doughnuts and apple juice at a small grocery store nearby, sit in the warmth of the sun, feed the sparrows, and talk about what Mr. Blue had to say.

I worked for USAID and the State Department on international disaster relief and refugee assistance before Elizabeth was born. There I served as the USAID Deputy Director and Acting Director of the Office of Foreign Disaster Assistance and the Principal Deputy Assistant Secretary of State for Refugee Programs. Elizabeth saw the pictures of my work, and she was very curious about it. I would tell her about that work. She wanted to know why people were harmed by natural disasters and wars; what I did to help people and why I did that. She wanted to know what happened to the children. She wanted to know if she could do what I did. I always told her she could. She was a compassionate child and over time her compassion intensified.

I told her that I worked on disaster relief and refugee assistance because I thought the most important thing I could do with my life was to help save the lives of others. I told Elizabeth about my work responding to an outbreak of Ebola hemorrhagic fever in Zaire; genocide in Cambodia; warfare in Lebanon; earthquakes in Guatemala and Turkey; war and famine in Ethiopia; drought and famine in West Africa; the plight of Vietnamese refugees fleeing captivity and conflict. I told her about my work with the priest who baptized her, Father Robert Charlebois, in providing food and other supplies to the victims of famine and genocide in Cambodia. Elizabeth told me that she wanted to do this kind of work when she was older.



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I shared with her the enormous difficulty and danger in identifying the causes and spread of disease. She was very interested in my work related to the Ebola virus outbreak in Central Africa in 1976 and the detection of infected blood in the clinic from which the outbreak emanated. When she was only 8, Elizabeth told Noel and me that she wanted to invent something that would help others understand how disease spread.

One day, when she was about 10, she presented Noel and me with her design of a time machine. We had no idea why she focused on that. When she shared with us her diagram, we could tell that she was attempting to understand and combine the concepts of time and space. Eight years later at Stanford, she combined those concepts in her work on sensors and diagnostics.

Elizabeth wanted to know about genocide; how it could happen to our family and other families, and how could it be stopped. I told her it could happen to any family. I explained that when I was just a little bit older than she, my stepfather, Joseph Sloss, Jr. who was Jewish, told me about the Holocaust. His relatives had been murdered in the Holocaust. He explained to me that because of my Jewish ancestry, had I been alive in World War II and living in central Europe, I could have been killed in the holocaust. My stepfather told me that the world just stood by and let this happen, and that I must never stand by.

I explained to Elizabeth that the world stood by during the genocide in Cambodia, and I wanted to help those fleeing the killing and famine. Elizabeth told me that she would never stand by while others suffer. I knew she meant that. I had no idea the extent to which she would live that belief in her work on blood testing and the price she would pay for doing so.

Early on in Elizabeth's childhood, the values of caring for and protecting others had begun to take very deep root.

Elizabeth and I would talk together about our prayers and about our relationship with God. She wanted to know why God didn't stop suffering and killing. I told her I could not answer that,

but I believed God wanted help from humankind in protecting others. I told her that I felt God was connected to each of us.

She wanted to know why I felt that connection. I told her how on a Sunday morning before I went to my US Army Reserve unit meeting at the Presidio in San Francisco, I went to church at St. Vincent de Paul. I prayed for meaning in my life. About two hours later, I was with my Army unit under the Golden Gate Bridge at Fort Point. A young boy ran up to me and said that a person jumped off the Golden Gate Bridge, was still alive, and none of the nearby boats would get the person. I ran to the point, swam out and brought the person, a young woman, back to shore. I tried to resuscitate her. The impact of her fall was too much and sadly she died. I said a prayer for her. About two days later, I received a letter from a priest at St. Ignatius high school, Father John Enright, who wrote to me of the connection between God and self-sacrifice. This connection between prayer, self-sacrifice and meaning was transformative. I know Elizabeth later deeply felt and acted upon that connection in her work. For years, Elizabeth has kept with her the Soldier's Medal for Heroism which the Army awarded me for my action. Elizabeth told me she had that medal with her during her trial as it helped her focus on that connection between faith and mission, and to endure. She said she saw the medal as a symbol of the sacrifice required to do what is right and live the most helpful life.

Of all our relatives, Elizabeth admired the most her great-great-grandfather, Dr. Christian Holmes. He was the person she wanted to be like. She had read and reread his biography. She studied how he came to America as a Danish immigrant and was trained as both a civil engineer and a doctor. He dedicated himself to the service of others by applying his civil engineering skills to help design and build the Cincinnati City Hospital and his medical skills to serve as the Dean of the University of Cincinnati Medical School. During World War I, he served as the head of a medical department at a US Army hospital.

When Elizabeth was eight, I took her to Cincinnati to listen to a lecture I was to deliver at the medical school and for her to also learn more about Dr. Holmes. The Medical School arranged for us to see his medical instruments at what had been the Holmes Hospital. She was interested in how the hospital was designed and functioned, as well as the purpose of each of his surgical



instruments. She saw a sundial in the hospital garden with the engraving "Christian R. Holmes Behold His Great Works." Elizabeth told me she wanted to do something that would help people and would last for a long time.

When Elizabeth was nine, we moved to Houston. I went to work for Tenneco Inc. where I eventually led its environment, health and safety work. I was very concerned as to how she would take leaving Washington, DC, especially since we were moving in the middle of the school year. I was in Houston before my family arrived, and Elizabeth sent me a letter telling me how she felt about the move. In it she said,

"Dear daddy, what I really want out of life is to discover something new, something that mankind did not know was possible to do. I also want to study about man and his ways, life is really interesting. One thing about moving to Texas is it's big on science, and I'm looking forward to that. I don't know why but I love adventures, and I'm looking forward to having new ones in Texas. I love being with you, it is my most favorite things in the whole world. I also love being able to talk to you and explain my feelings to you. Love, Elizabeth" ( letter: attached)

In Houston, in her interactions with her friends in grammar school and high school, as well as college, Elizabeth gravitated towards befriending those who were isolated and treated cruelly by other students. She developed close friendships with those students. She was always far more interested in the character of a person rather than popularity or social standing.

She was interested in others being treated fairly. When she was 12, she attended a dinner that was held in honor of her deceased godfather, David Morse. The speaker at the dinner delivered a presentation on human rights. It was complex and dealt with the human rights declaration and future challenges. When the time came for the audience to pose questions to the speaker, Elizabeth raised her hand. People were surprised that a young person would ask a question. Elizabeth asked, what about the human rights of children and who would protect those rights? That is how she thought then. Years later, she asked, what about the rights of others to know what is in their blood and who would protect those rights?



When Elizabeth entered high school, she felt ready to change the world. At 15, she contacted the nonprofit organization, Save the Children, to help the victims of war and genocide in Kosovo. She worked with Save the Children on helping raise funds and educating students in other schools about the Kosovo crisis and the need for help. Elizabeth continued to work with Save the Children and also began supporting UNICEF as one of its high school ambassadors to support tetanus vaccinations.

Elizabeth had a deep hunger for knowledge, an ability to learn a great deal very quickly, and a keen interest in learning about subjects that were not offered by her schools. She completed advanced placement courses in chemistry, physics, biology, calculus, government, Spanish and English. She developed a deep interest in China. Her high school did not offer Mandarin or subjects dealing with China. When she was very small, I spent a great deal of time in China when I served as the Director of the US Trade and Development Agency. When I would return home, I would share with her children's books written in Mandarin. From the age of 11 through high school, she studied Mandarin at home and completed first-and second-year college level Mandarin at the Stanford University Chinese language summer school program. She undertook Independent Study Programs in high school in her sophomore and junior years focused on China. She read about students in China not having access to educational software. While in high school, she built a blueprint for creating a company to sell education software to students in China.

In her senior year of high school, our family faced a hard time. I worked for a company, Enron, which went bankrupt and collapsed. I believed management when they said the company would turn around. Unlike many executives who sold their options in the company in the last year of the company, I did not. I lost my job, savings and healthcare. I explained to Elizabeth and her brother what happened. I told them that I would find another job. It might take time, and it might not be easy. I asked them to carefully watch and learn from me how I handled this. I explained that one day, they might face hard times. During that time, Elizabeth was not just my daughter; she was my wise friend and helper. She never panicked over our family's future. She provided me with joy and ideas as to what I might do. I like to write. We talked about what I would like to write. She gave me three different books on organizations that

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publish articles and books. Things worked out. I joined Rice University to build and lead its Center for Sustainability.

Elizabeth was enormously kind and understanding to many other members of our family. My mother struggled with a long and debilitating illness. Elizabeth's love, gentleness and patience towards her made a huge difference in her life. Although Elizabeth was quite young when her godfather, David Morse, died, she brought joy to his life. When her uncle, Ron Dietz, suffered from cancer which eventually took his life, Elizabeth would reach out to him to enrich his life with stories of her work in which he was deeply interested.

By the time Elizabeth graduated from high school, she had completed enough advanced placement courses and advanced language study to qualify for advanced courses at Stanford. When Stanford admitted her, they designated her a Presidential Scholar. Stanford provided her with a grant to undertake research on any topic of her choice. She choose biotechnology. She undertook research on the impact of sensors on diagnostics. Her Stanford advisor was Dr. Channing Robertson, Professor of Chemical Engineering and a founding fellow of the American Institute for Medical and Biological Engineering.

She began to audit advanced graduate-level courses. She also took undergraduate courses in chemical and electrical engineering. Merck subsequently selected Elizabeth for an award accompanied by a grant to support her research. She also became part of a graduate school team working on microfluidic sensors.

At the same time she learned about millions of people who were not having their blood tested because of cost, lack of access to testing or a fear of needles. She knew that people suffered and died due to a lack of affordable blood testing which could detect disease early and help prevent death. Elizabeth felt that was not right. She developed a deep-seated conviction to do something about that. It became her mission for the next 15 years. To this day, the early detection of disease and access to health care is still something she feels very deeply about.



At Stanford, she wanted to learn more about technology and diagnostics. She went overseas and worked during the summer of her freshman year at the Genome Institute of Singapore. It was around that time that Elizabeth came up with her idea to create a new diagnostics technology and build a company to do so. When she returned home, she spent five straight days on her lap top writing the patent. The proposed patent laid out the design for sensors to support diagnostics for disease detection and drug delivery of medicine in real time. She filed for and received a provisional patent in 2003. She was 19.

Her life was wonderful. She was on track to make a difference in the world.

Then, in the fall of 2003 her life changed profoundly. She was raped by a Stanford student. Noel and I wanted Elizabeth to get counseling to help her deal with the terrible trauma. She adamantly wanted to stay at school to continue her studies and build her company. She told me that when I faced hard times, I never quit, and she never would. In retrospect, I fear that my emphasis on living stoically may have inadvertently done more harm than good in that for years ahead she kept such terrible pain bottled up within her. I also worry that Elizabeth's stoic approach to life led to her enduring the terrible abuse of Sunny Balwani.

Noel and I saw Elizabeth's strength and courage, but we also could tell she was frightened.

Noel and I learned that around the time she was leaving Stanford, Elizabeth began to date Sunny Balwani. We did not like him. He was nearly 20 years older than she was. We were concerned that she was barely an adult and had just been raped. His personality was brash at best and he could get angry and demanding. We also noticed that Elizabeth began to retreat from us. Noel and I could rarely talk with her without him being on the phone, or in person listening in. As Elizabeth pulled away from us, we did everything we could to get her to leave him. Though we tried to connect with him to maintain our access to Elizabeth, we ultimately saw what an evil person he was and the destructive effect he had on our young daughter. We painfully learned there was nothing we nor her friends could do. We feared that we would completely lose our daughter to his control. We did everything we could to remain in her life. We only learned of the true nature of Sunny Balwani's abuse after she finally left him in 2016.

Initially, Noel and I could not understand why Elizabeth stayed with him for so long and suffered so. Sadly we now understand. We have learned about the impact of rape, subsequent enduring post-traumatic stress, and gaslighting. We had raised Elizabeth to be trusting. But we had never taught Elizabeth to expect the possibility that people would do such horrible things to her. We will always regret not preparing her for the intentional harm which terrible people inflict on others. Now, I so clearly see how bad people target good people such as my daughter simply because they are full of promise, good, open and vulnerable.

For us as a family, one painful lesson is how critical it is for rape and abuse victims, as well as the families of the victims, to understand how vulnerable they are to abuse and control, how that plays out over time and how to psychologically respond to that. There are many lessons to be learned from Elizabeth's life. Tragically, this is one of the most important of all. This is compounded by the cruelty my daughter experienced as a rape victim, with reporters interviewing schoolmates and demanding to see the police report of the rape and Elizabeth's medical records of her treatment.

Elizabeth has begun to counsel rape victims, which includes helping them by sharing these painful lessons. All this dredges up horrible memories for her, but it also enables her to help others and bring some meaning to her tragedy.

Elizabeth's relationship with Mr. Balwani was not one of conspiracy as the media contended. The relationship was one of fear, control, and submission. Those are the things that are still in her nightmares.

Much has been written in the media and addressed in the trial about the company and its failure. Yet, little has been said about the innovation Elizabeth strived for, sacrificed and accomplished in order to help the company continue. Her actions go to the heart of her motivation.



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Elizabeth strove to reduce the suffering and save the lives of those who could not afford testing. She tried to develop a technology to provide affordable and painless blood testing.. She tried to develop an approach where people could easily access blood testing facilities and exercise their fundamental right to their own health information contained in their blood.

Elizabeth repeatedly sacrificed her own welfare for that of the company. She hoped the SEC settlement would help the company and allow it to move forward. Additionally, as CEO of Theranos, Elizabeth had a Directors and Officers Liability Insurance policy to protect herself. Rather than using her policy to protect herself, she permitted the company to use the entire policy to support its efforts to continue. How many other Chief Executive Officers, when facing the possibility of a criminal trial, would forfeit their insurance to defend themselves, in order to sustain their company?

Personal wealth has not been a motivator for Elizabeth in her life. Elizabeth believed the company would eventually become successful, and she always wanted to be aligned with its mission. Investors and board members applied pressure on Elizabeth to allow them to sell their shares. She stood fast as she felt that the company would eventually deliver value to the shareholders. Elizabeth never sold any of her shares. She never permitted family, friends and other investors to sell their shares. This was at a time when the company was valued at billions of dollars. She also received an offer, which she declined to accept, from an investment bank to purchase some of her shares for approximately \$25 million. Had she personally sold some of her shares, she would have been wealthy.

While there has been so much focus on the collapse of Theranos, I believe it did make a difference in bettering the lives of others.

The patents and ideas which the company developed have significant potential long-term impact.

Elizabeth heightened public awareness of the public's right to know what is in their blood and provided an approach to exercise that right. Theranos provided affordable diagnostics to

hundreds of thousands of people, particularly in Arizona, where many citizens could not afford to have their blood diagnosed.

Noel and I have personally seen the difference that the Theranos clinics made to others. We had our blood tested at a Theranos clinic at a Walgreen's pharmacy. I remember one time when we were at Walgreen's and a woman with a little boy were next to us in line. She didn't know us, but she said her little boy was autistic and had to get regular blood tests done. She said how grateful she was that he no longer was afraid because it didn't hurt him anymore when he could get a finger prick at Theranos. Her son came out so happy after he was done and said it didn't hurt at all. Another woman told me that she did not have health care coverage. Theranos was her only option to have her blood tested.

I know my daughter. The compassionate, curious child who wanted to help others is the person who founded Theranos and ran it. My daughter's only intent was to do good. At the age of 19, Elizabeth saw a way to reduce the suffering of millions of people. She committed her life to do just that. She saw a great injustice. She sought to right it. She felt that it was wrong that people could not have their blood diagnosed because it was too expensive and was not accessible. She felt blood diagnosis was a basic right. Elizabeth envisioned creating a technology and company that would make blood testing far more affordable, less painful and more accessible. She spent all her adult life, 15 years, trying to realize that vision. She is still a person who wants to help others, despite what it has cost her.

Elizabeth has suffered terribly. She carries within her enormous sorrow for having not met the expectations of her company's patients, as well as those of her employees, friends, and investors. She feels that she failed to meet the needs of people who could not afford having their blood diagnosed and for whom Theranos was their only hope. Elizabeth will carry within her the profound sense of having failed to meet the needs of others for the rest of her life.

Elizabeth has suffered both physically and psychologically. I spoke about the assault and abuse she has suffered. It is also important to think about what has happened to her reputation since the first Wall Street Journals were published in 2015. It has been seven years, and there is no



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recovering from the deluge of negativity (much of it false) - from the one note caricature of her. As a father who knows his hopeful, curious and deeply affectionate child, this is devastating. That is not even the end of it: Elizabeth has been the recipient of threats, stalking and harassment. She is strong, but what toll will this take on her still evolving life?

Her reality is harsh. Elizabeth has lost her hopeful company, her life's work, her reputation, her safety and the faith that so many others placed in her.

There is no one I respect more than my daughter. My daughter has believed since she was a child that she is on this earth to help others. I am immensely proud and admiring of Elizabeth. She did everything she could possibly do to right the enormous wrong of people not being able to receive blood testing because they do not have enough money to pay. Elizabeth faced enormous obstacles in trying to right this wrong. She bravely and silently suffered through them. I deeply respect the way in which she has accepted accountability for the collapse of her company.

I know my daughter. She has enormous respect for our legal system. She would never intentionally break the law and she would never intentionally defraud her investors. Her character is such that she is morally and spiritually incapable of doing that. I understand what the jury has decided, but I want you to know, Your Honor, that this is simply not congruent with who Elizabeth is.

Elizabeth knows that she has failed. She knows that she has let down so many people who believed in her, who needed to continue to receive the care that Theranos began to provide. Elizabeth told her mother and me that her life will always be one of trying to better the lives of others. I know that she will do that. There is so much she has to share and apply from both her work, personal experience, and her successes and failures. There is so much she can share with young women who, like Elizabeth, embark on a journey to make the world a better place. Elizabeth attempted to do this at Theranos, and outside of Theranos created an organization to support women engaged in technology development.

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Elizabeth now has a one-year-old baby. She is a wonderful mother, and her partner, Billy, is a loving partner and father. Being a mother is the most important aspect of her life. Elizabeth cares about her son more than anything. As she has lived through this terrible time, she has spared her son, [REDACTED], any inkling of her worry and sadness. All he has experienced is his mother's joy to be with him and her love for him. Noel and I cannot possibly fathom the pain of Elizabeth and her son being separated. Nor can we envision the terrible loss of Elizabeth being separated from the rest of her family.

As a father, I wish I could have done more to have protected my daughter from the harm she has suffered. I replay constantly in my mind what I might have done.

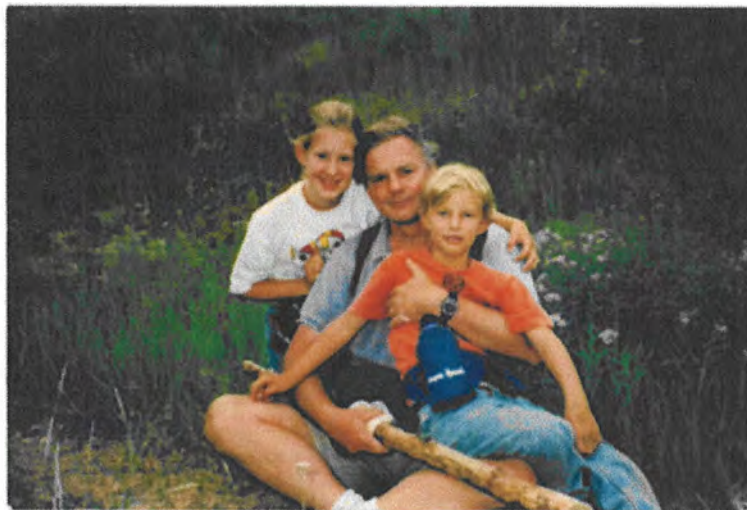
All I can do now to protect her is seek your mercy and hope that there is something that I have said to you in this letter that will reach both your mind and heart. Noel and I can only pray that you might see her compassionately so that she can care for her family and continue to help others.

Respectfully,

  
Christian Holmes



[Faint, illegible text, possibly a signature or stamp]



Dear Daddy,

What I really want out of life is to discover something new, something that mankind didn't know was possible to do. I also want to study about man and his ways, life is really interesting. One thing about wanting to stay in the big on science, and I'm looking forward to that.

I don't know why but I love adventures, and I'm looking forward to having more ones in Texas. I love being with you, it is my most favorite thing in the whole world. I also love being able to talk to you and explain my feelings to you.

Love  
Elizabeth



XOXOXOXO



August 26, 2022

The Honorable Edward J. Davila  
San Jose Courthouse, Courtroom  
4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila,

I am Elizabeth Holmes' mother; and I attended court every day you were in session with my daughter's trial. I am grateful for this opportunity to write to you. I would like you to know a little about our family's values and about Elizabeth's character.

Elizabeth was determined from a very early age to do something good to help people. This interest was the focus of her life's work. Her innate desire to do good combined with her creative mind resulted in her coming up with a patent at 19 years old whose purpose was to change health care as we know it and greatly improve blood testing. She put all her effort, energy and intellect into making it into a successful business. Due to many circumstances, it was not successful. However, Elizabeth never gave up until forced to do so. This was her dream, and her work ethic was to continue working the problem until she succeeded. She didn't take interim success, let the company fail, and move on.

Elizabeth has been called a lot of things and characterized in a lot of ways. To me, she will always be my child whom I adore, a genuine and loving girl with a great creative mind and a strong work ethic, who wants to do good. Even now, facing what she does, she looks at life with optimism and wonders how she can help. I implore you to be merciful and show Elizabeth compassion in your sentencing, and allow her to serve whatever sentence you believe she deserves outside of jail. I hope my letter can help you do that. My letter is long, but I hope you understand why.

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Elizabeth was born with incredible energy and intense curiosity; and was so eager to embrace life. She was a happy, thoughtful and optimistic child, extremely focused and driven; with such a sense of purpose at a young age. She could say her full name — Elizabeth — correctly at 15 months. From the moment that she could read and write, we would literally have to pull her away from her books and papers to have a meal or to go to sleep. Elizabeth wrote copious letters to us her parents, telling us how much she loved us and what she wanted to study and do in her life.

She had gritty determination. I watched her stand in a freezing cold river in Colorado at age 6, determined not to get out until she had caught a fish, although her little legs were blue. Some days she did catch a fish; and was thrilled. Other days she did not, and it was only at our insistence that she would come out of the water; and then only with the promise that she would



be able to try again the next day. In the summer after her Sophomore high school year, she studied Chinese at Stanford University with graduate students; and as she had only spoken and not written Chinese up to that point, she had to memorize hundreds of characters every night to catch up. It was a daunting task; but Elizabeth did it, and did it well. I saw her cry when she found out she had a very severe case of mononucleosis at the start of her junior year of high school; when she had so much work to do. She started up our stairs to do homework in tears; but by the time she had reached the top she had stopped crying and was already focusing on what needed to be done. She worked doubly hard, so in spite of this medical setback, she had a successful start to that year.

She was open and would talk to us about everything. My Mother was English, and when I was a child we used to have a tea party every afternoon. I kept that tradition, so when Elizabeth and her brother would come home from school, they would have a snack and share about their day and I could learn about their experiences.

She was always full of ideas and very creative. Elizabeth was fascinated by space and time. When she was nine, she wrote out her idea for how to make a time machine, which we still have. She drew a picture of the machine, and the chamber which had a "brain" which she called "the power room". The power room was for the place you wanted to go, and the brain chamber was where it transforms into the place you are going. She tied time to the movement of the earth, the sun and the wind. Elizabeth had a vision and a plan for what it would be, and she implemented it as far as she could take it.

Elizabeth's father Chris and I have spent much of our lives committed to public service. Both of us stressed to our children that the highest calling was to serve, help and protect others. Chris devoted much of his life to the protection of human health and the environment; and did humanitarian, refugee and disaster assistance and economic development work in some of the poorest and most dangerous places in the world while working at USAID, The Department of State and at the US Trade and Development Agency. Chris would always come home from his trips full of stories of his adventures to tell the children; and we would sit for dinner at the dining room table all together to catch up and share. Chris has a wonderful sense of humor, and would add funny anecdotes in his story telling. From a young age, Elizabeth understood that it was important to do right; as she wrote in an elementary school piece about herself, the most important thing people should know about her was " that I try to do right".

I worked my whole career on Capitol Hill as staff to Members and for Committees in the House of Representatives. I stopped working for years when I had my children, because I believe that early childhood development is so important, and Chris' and my work hours were very long and Chris traveled so much. We were so ready to be parents, and were delighted with Elizabeth's arrival into the world. Her curiosity and innovative approach to everything in life made for a fascinating time for us as new parents. We adored our daughter from her very first moment of life; and have never stopped loving and admiring her for all she has done and for all she has tried to do. I went back to work on the Hill when the children were eight and six; and for Christmas that year Elizabeth made me a dinner plate with an embedded picture of the Capitol on it that she had drawn because she knew that work was important to me.



Elizabeth was always interested in learning about the world around her; to her, life was full of discoveries. As Elizabeth wrote in a journal in fourth grade:

“Life is something to treasure forever. A gift. A gift from God. Life is a Time to learn, a time to discover. Life is an adventure.”

When the children were little, we would go on walks which we called “adventures”; we gave them each a little bug collecting box and they would find bugs, leaves, twigs and rocks to bring home. Elizabeth would then like to study what she had picked up and found interesting. She and Chris would do research on it and then we discussed it together at dinner. We went to art galleries, and they would need to pay attention to see what they liked, as we then would buy a print of their favorite picture to put on their wall. We had down time after lunch, when they could play or read quietly; and we found them doing many creative things during that time. Until she could read and write, Elizabeth used that time doing puzzles, playing with dolls, toy animals and LEGOs. Once she could write, she loved keeping journals of her ideas. She made elaborate cards, pictures and poems for all family birthdays and celebrations, and they were always so thoughtful and loving. She would make up plays with her brother and other relatives that they would then present to us on holidays.

Elizabeth has always approached life with such wonder, gratitude, and persistence. From camp at age 15, Elizabeth wrote to us:

“That night we slept out by the river again – it is breathtakingly beautiful, and the number of shooting stars and planets visible are almost too many to count. It makes you realize how small we are in the big picture of life – therefore stresses the importance of truly, truly striving with one’s best attempts to reach the full potential which we all possess, and give thanks for the incredible life we have, for it goes quickly. I can’t stop thinking about how wonderful each of you are; how much I love you; how lucky I am.”

As an 11th grader, she still had that perspective, writing in a letter she gave to us with a Christmas gift:

“We all might not enter into the world equally, physically and emotional differences, varying environments, even luck all plays a role in enhancing or limiting our development. I know though, that every man or woman, if given the opportunity to recognize their potential, regardless of background, has the freedom to choose in our world. Will we be takers or givers? Will we be satisfied merrily to exist or will we seek life-changing purposes?”

A commitment to truth and a care for society must define a commitment to excellence. And that means moving beyond the cruelty we all encounter and not reproaching it. While this may seem devastating, it’s actually the opposite.

Confucius said that our greatest glory is not in never failing, but in rising every time we fall. I see failure as a step towards success. You know a little better what you need to do right next time.”



Elizabeth was very responsible and organized in high school, including being President of her sophomore class, President of the Debate team and on the Student Affairs Council, among other things. She also went her own way and pursued her own interests through charity and other work. In 10th grade she participated in her school's Independent Studies Project (ISP) and the head of that program wrote and said of Elizabeth:

“As you know, you are the first non-senior to participate in this program, and the committee believes you were an excellent choice. You have demonstrated the fact that you have a deep passion for learning, are independent, and are academically mature beyond your years.”

She was also a hard worker interested in improving on her mistakes. As two 11th grade teachers explained:

“Elizabeth works harder than any two of my other students combined! She is constantly coming to me for help. She is reviewing old tests and quizzes to analyze her mistakes, and even doing extra problems to prepare for tests and quizzes. If there was anything a student could do to prepare for this class she is already doing it. That is why I am so happy to see her succeeding. All her efforts, determination, and positive attitude are paying off. Way to go!”

“Elizabeth is one of the most hardworking and conscientious students I have seen in my Spanish classes. If she is confused about a topic or needs clarification on an item, she will immediately ask me for a tutorial and is always so willing to learn how to improve her skills. Her diligence in my class has not gone unnoticed and I want to congratulate her on her fine work ethic.”

They say you are lucky in life if you can count your good friends on more than one hand. By the time she entered 6th grade, Elizabeth had attended 6 schools and lived on both coasts and Texas. Her friends were very important to her, and she was lucky to have had several dear friends; the oldest being one she met at age 3 when we first moved to California and who is still one of her best friends. She seemed to understand that kindness and honesty are important in friendships. In a sixth grade school project, Elizabeth wrote a “recipe” for friendship:

“First of all, you should combine loyalty and honesty into your relationship. Always fold in kindness. Do not mix in shyness. Adding a few jokes into the conversation and sprinkling on some laughter never hurts. Don’t ever pour pressure on anyone. And finally, toss in the Golden Rule “treat others like you want to be treated “

Elizabeth is a kind and gentle person, respectful and empathetic, and cannot stand the suffering of others. Whenever her little brother or cousin was hurt or sick, she would always come to me to ensure that they would be OK. Elizabeth never watched much TV, and to this day cannot stand to watch a sad or violent movie. She was devoted to the family and wanted to be there for our family members when they were suffering. Before my Mother died, Elizabeth would come with me to visit her Nana, whom she loved; even though Elizabeth had her company to run and therefore had so little time with us. They had been very close as Elizabeth grew up. Knowing that my Mother loved fresh flowers; Elizabeth sent them to her every week for years. Elizabeth flew to Chicago to visit her uncle Ron when he was sick with cancer; he was one of our closest



family members and we had spent every Christmas, so many outings and at least one summer vacation together every year of Elizabeth life before college. She adored him, and he told us how very much that trip to visit him meant to him before he died.

Elizabeth is trusting of and never puts down other people, focusing on the positive instead of the negative. She avoids gossip and nitpicking. I actually cannot think of her saying anything bad about another person to me other than that they were not a good person. She has always been much more focused on what could be built in life, rather than what could be torn apart. As a sculptor I can appreciate that trait; as it takes so much effort to create, while it is so easy to destroy. In the summer after her 9th grade, she went backpacking and climbing the Grand Teton in Wyoming; and her counselors wrote about her:

“Within the first few days of our time as a group, it became obvious that Elizabeth was a strong individual and would be an important and influential member of the community. For the entirety of the summer, Elizabeth maintained a consistently positive attitude and encouraged others to do the same. Elizabeth’s mental strength and determination made her an extremely influential part of her peer group. Elizabeth’s contributions to daily group meetings were always thoughtful and often set the tone for others. Her open-mindedness of others’ ideas facilitated a tolerant group environment. Elizabeth was also very perceptive of how others were feeling and how the group as a whole was functioning. Overall, Elizabeth was a truly wonderful participant to work with. Her determination and positive attitude made her a joy to be around and an essential member of the group.”

Elizabeth was always striving to invent ways to change and build things for the better.

I mention all of this because these are parts of her character that I think she brought to her dream and still has today. Elizabeth is loving, resilient, creative, intelligent, and she learns from her mistakes. She is a hard worker who cares deeply for people and wants to help them. Elizabeth wants to do good in the world.

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After high school graduation, Elizabeth left immediately for China to study on her own at Beijing Language and Culture University and then at Beijing University, where she joined the Stanford University Chinese program students. Elizabeth opted to share a room with a Chinese student instead of one of the foreign students – and thus she was put in a dorm with no air conditioning, a dirt floor, a hole in the floor as a toilet, and no security. Her sense was that everyone studying there should live together in the same conditions in order to be fair, as well as to fully immerse themselves in the language and the culture. It was at Beijing University at age 18 where she first met Sunny Balwani, who (at age 37 years old) was also in the Stanford Chinese program.

After that summer, Elizabeth went off to Stanford University; the school she had always wanted to attend since she was a little girl and we had lived nearby. She loved the school, her classes and her new friends there. Elizabeth would call us regularly; often as she would walk across campus, and she was full of joy and enthusiasm about her life in such a wonderful environment.



Elizabeth spent the following summer in Singapore working at the Genome Institute. When she returned from the summer, she sat down at her computer and wrote her first patent in five days. She was 19. Almost immediately after that, she and I drove out to Stanford together. We had only decided to drive at the last minute, so that Elizabeth would have a car to drive during her sophomore year while she was planning to start her business based on her patent. I was very much looking forward to having those couple of days as a Mother-daughter time; but as Elizabeth had literally not slept except for a handful of hours while writing her patent, she slept almost the whole trip. She was thrilled to be back at Stanford and to reconnect with her life there.

Then in October of her college sophomore year, Elizabeth was raped. I was absolutely devastated and literally felt like I could not move; the worst thing had just happened to our beloved daughter. Everything in her life had been on such an upward trajectory, and this violation just stopped everything. Chris and I flew out immediately to be with her. While we did our best, in hindsight I wonder if there was anything we could have done differently. We wanted Elizabeth to get therapy, and ultimately we wanted Elizabeth to make up her own mind about how she would move forward. Elizabeth decided she wanted to stay at Stanford and focus on her studies and on her company. We knew she was fragile, but she did not want to be identified as a rape victim, but as a person who works to help others. A few months later, Elizabeth called us to say that the company was taking off and that she was finding it difficult to handle the company together with her studies at Stanford. She told us her Stanford advisor, Channing Robertson, who was the Chair of the Engineering Department, was supportive of her taking a leave of absence to pursue her company. Elizabeth was so excited to be able to start making her vision a reality. I got off the phone to think about it; as our children's education was of the utmost importance to both Chris and me. I thought about what we want for our children: that they would be passionate about their work and that they would do something of worth that would be good, and that they could hopefully adequately provide for themselves. So we called Elizabeth back and told her we were completely behind her decision. When Elizabeth left Stanford in March 2004, she moved into the basement of a house near campus and put everything she had – her money for college and her savings – into building the company.

We first met Sunny at a restaurant, in November 2004. On meeting us, he immediately called us “Mom” and “Dad”, which we found very strange. Many things about him troubled us or made us uncomfortable, not the least of which was the fact that he told us he was in his 20s when he was obviously decades older than our 20-year-old child. Elizabeth had told us she was dating Sunny. She said it was very important to her that we liked him, as he was the person who made her feel safe after she had been attacked. Although Chris and I both found Sunny a very cold person, we decided we would try our best to get along with him for Elizabeth's sake, as he was the first and only person she dated that she had introduced us to after her rape. We were concerned, as Elizabeth was so much younger and vulnerable; as she had never run a business and he pointed out how he was a very successful businessman.

Tragically, with Elizabeth starting the company, Sunny was able to separate her from both her family and her friends. He told her that we and her friends were a distraction; and that in order to make her business thrive she could not have any distractions. We had never had to tell Elizabeth to work hard – quite the opposite, as her teacher comments attest. We always had to



insist that she take breaks and vacations. Sunny also told her she could not discuss her work; and since all she was doing was working, she was able to tell us very little about her life. In hindsight, I can't help but think that had she been in a normal job, it would have been much harder for him to isolate her from her family and friends. This situation allowed Sunny to take advantage and make Elizabeth vulnerable to becoming completely dependent on him alone. We noticed that our daughter with whom we had always had a very close relationship and who had always been so open with us quickly became a stranger; our conversations no more open or interesting than those you would have with a neighbor you hardly cared about. It broke our hearts. We tried very hard to reach her; and we tried very hard to engage Sunny in the hope that he would let her spend more time with us. He never did.

Ours was a close family when Elizabeth and her brother were children, and Elizabeth understood the importance of family. In a note with her Christmas gift to us in 11th grade, when she was 16, Elizabeth wrote to us:

“To the two people — Mommy and Daddy — who are my HEART, my SOUL, my LIFE. I LOVE YOU. Here are the pieces I have written in the past year. The content varies from my thoughts to my essays, but it describes my mentality, and is the gift that I thought would be giving the most effort and meaning to you. You have been, and are my salvation. I love you. All my heart is yours, love Elizabeth”

A few years later, there was a big difference. From our perspective, Sunny never left Elizabeth alone. We had previously spoken multiple times a week, whenever the feeling struck us. This got reduced to once a week, so that Sunny could be on the phone with her every time she called. Chris and I remember one time when they came home together and Elizabeth came into our bedroom to look at some clothes with me; leaving Sunny out in the living room with Chris. He kept frantically trying to get into our bedroom. In January 2007, we were finally able to go away to Big Sur for two days over the weekend with just our family. Although it was difficult to connect by phone there; Sunny kept calling and berating Elizabeth. He had her in tears and she insisted we needed to leave. When we started driving back and the connection was better, I could hear him yelling at her for not working. She became very nervous and kept asking if we could somehow drive faster to get home. She didn't seem to care that we told her we were ahead of schedule and had not planned to leave that early to begin with until Sunny told her she had to return right away. As soon as she was in the house she started to work immediately. We were shocked at how responsive she was to him. I remember another family trip when Sunny joined us on the beach. Chris, Christian, Elizabeth and I all went swimming in the ocean quite far out. Sunny was afraid of being in the ocean; but nevertheless he came paddling out in a child's floatation device to join us so he could hear every word spoken. At the time, we viewed it as strange; now I see it as Sunny being afraid of having Elizabeth away from him because she might tell us what was happening in her relationship with him. Unfortunately, she never did. Chris and I wouldn't know until years later the extent of the pain our daughter was subjected to during those years.

As time went on and Elizabeth spoke to us less, Sunny had less interaction with us — sometimes just coldly staring and not responding to anything we said. In 2009, Elizabeth broke up with



Sunny and moved into a hotel; we talked every day and we were making plans to see her. She was more open and we were so happy and had hope for more contact; but then very shortly thereafter Elizabeth went back to him. After that, she became even more concerned about sharing anything with us. I remember how terrible I felt to hear from a friend of a friend at a cocktail party that Theranos was moving into Facebook's old building — Elizabeth did not even feel safe telling us that. At Christmas they would almost always come back to DC for two or three days — and I cannot remember one trip when Sunny did not make her cry. It was awful. Elizabeth is a stoic person and she does not cry easily. She deferred to him in all our interactions; and she followed all his instructions. They supposedly both became vegans; and Elizabeth was so strict that she never once ate anything non-vegan. At Thanksgiving and Christmas I would always make a separate meal for her. Sunny would enforce strict rules on Elizabeth but always eat whatever he wanted; the turkey, meat or fish and whatever else I cooked. The same thing happened when we went out to restaurants. This is a small example; but looking back it is meaningful to me.

Elizabeth left Sunny for good in 2016. In the years that followed, she was able to begin processing what happened to her. We learned things we had not known. We knew Sunny was mean and controlling; but we had no idea about the terrible abusive intimate parts of their relationship. We knew Elizabeth was always a workaholic, but Sunny had just kept pushing and pushing her; controlling her schedule, what she ate, what she wore, etc. Elizabeth was sleeping only a few hours a day or sleeping in the office, working extremely long hours seven days a week and never taking a sick day. I often think now that doing a start up where you have to work nonstop was the perfect environment for Sunny to take control and separate Elizabeth from everyone who loved her, leaving only himself as the person in her life.

Looking back, we obviously wonder what else we could have done to help our daughter get out of that relationship with Sunny. At the time, we wanted to preserve the little relationship we were able to have with Elizabeth. Any time we were able to voice our concerns to her, Elizabeth insisted that she needed our support so she could focus on her work — that she could not handle us fighting with Sunny. We hoped she would grow out of the relationship. But we also, if I'm looking back, didn't recognize what in hindsight was a hallmark sign of abuse.

In spite of all the manipulation and abuse that happened to Elizabeth over these last years, our daughter has finally come back into our lives. We are grateful for that.

She met Billy, a wonderful partner whom she loves very much — as do we—and they have a beautiful son, [REDACTED]. Billy is a warm, positive man full of joy and love for Elizabeth. He does such thoughtful things to express his love. He has a great sense of humor and keeps things relaxed and fun; and makes sure Elizabeth eats and sleeps well and spends time outdoors. He comes from a very loving and supportive family, and he and Elizabeth have established that foundation with their son.

Elizabeth is an engaged and devoted mother who adores her baby. She just lights up whenever she sees him and he does the same when he sees her. She has him with her every moment she's able to do so. No matter how tired or busy she is, she is so caring and loving with him, making sure all his needs are met and keeping their home life as calm, fun and stress-free as



possible. We have seen and admired the way that she and Billy have given baby [REDACTED] a wonderful start in life in spite of all they face.

She has reconnected with old friends and made new ones; all who have been very understanding and supportive at this extremely difficult time. I think that because she was so isolated for so many years; Elizabeth tries very hard to live and appreciate every day she has now — in spite of all that is in front of her.

One of those things she must face has been the negative depiction of Elizabeth (and our whole family) in the press. I understand that Your Honor looks to the evidence and not the media in making your decision. But I think some in the press have carried a whole additional level of punishment for her, and for us, that is hard to understand unless you live it in all of its intensity. As just one example, some of the accounts of Elizabeth's character rely on the perspective of Richard Fuisz, a former neighbor of ours for 6 months when Elizabeth was one year old and in diapers. He never knew Elizabeth; and never had a conversation with her. Neither did either of his two sons Joe and John Fuisz. Yet, Richard Fuisz has been obsessed with Elizabeth for almost two decades at this point for reasons unfathomable to me. He portrays himself as a close family friend; while in reality it was only his wife Lorraine and I who became friends as our young children were in the same preschool. Chris never saw or spoke to Richard Fuisz for over 17 years, and I only saw him for a rare passing greeting after our children were no longer in class together.

Somehow Richard Fuisz's view of Elizabeth remains a core part of the narrative about her. It takes a long time to change people's perceptions of what is true once a lie is out there and has been repeated over and over again. The public narrative of Elizabeth as a bad person has been promoted by people who never had a conversation with her and have made a lot of money by turning Elizabeth into a fiction of who she is for people's entertainment.

While the inaccurate and negative depictions of our family have been hurtful to me and Chris, it is nothing compared to the daily scrutiny faced by Elizabeth, Billy, and now [REDACTED]; who are harassed by press and public and find themselves approached at their home after the location of their residence was published repeatedly by the media.

I feel like I am living in a nightmare. What has happened to our daughter and to our family is unimaginable to me; what Elizabeth faces going forward is devastating for us as her parents. What a price she has paid for the failure of her dreams, her own missteps, and the mistakes of experts she brought in and relied on. Elizabeth has suffered enormously and lost everything: all her work, her company, her money that she put into starting and building the company, the stock she bought. She will forever be associated with this failure, though it happened when she was still so young.

Elizabeth's motivation to work so hard to build her company was to bring something good into the world — personalizing healthcare to make blood tests better, smaller, less painful, less expensive and more convenient for people. The good it did and could have continued to do is remarkable. Chris and I got our blood work done at Theranos, and all our Theranos tests were completely accurate. One even showed a slight elevation for one of my levels so our doctor took

a Quest Diagnostics blood draw from me and it showed exactly the same slight elevation of that one level, as well as the same other levels as the Theranos finger prick taken at Walgreen's. Elizabeth's motivation was to enable people to access their health information early, before it was too late.

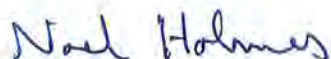
Making money was never Elizabeth's motivating factor. Elizabeth gave part of her salary every month to Chris and me to repay us for her education. She never cashed out a penny of her own stock and never let friends or family do so either -- which would have been very meaningful to them and us if she had done so. My husband Chris, who is well past the retirement age, is still working full time. Elizabeth put everything into the company until her last day; striving, striving to make and improve the technology to correct whatever mistakes were pointed out to her.

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Theranos' trade secrets and patents are out there in the world, and someone will finish doing it and make Elizabeth's vision come true. And so her ultimate dream to do something good in the world will hopefully come to pass. Maybe that is why she remains so full of gratitude and optimism about the future of this world.

With Elizabeth's future in your hands, I beseech you to allow her to do service outside of jail; where she can continue to invent and work to contribute to our society surrounded by her family and other people who love and care for her so very much. As a parent, I beg you to see her goodness, her unique circumstances and her promise.

Very respectfully,



Noel Holmes









# ABOUT YOU

Name: Elizabeth  
Holmes

PLEASE

complete these sentences about yourself.

1. In school I am best at several things, Science, English.

2. My favorite thing about school is learning.

3. This year I'd like to get better at math.

4. The most important thing you should know about me is that I try to do right.

5. The most important thing I want to know about you is what kind of a person you are.

# Life

12/1/93

Life is some thing to treasure forever, a gift a gift from God, Life is a time to learn, a time to discover, Life, is an adventure.



# A Recipe - Elizabeth Holmes

First of all, you should combine loyalty + honesty in to your relationship.

Always fold in kindness.

Do not mix in shyness.

Adding a few jokes into the conversation and sprinkling on some laughter never hurts.

Don't ever pour pressure on anyone.

And finally,

Toss in the Golden Rule,

"Treat others like you want to be treated."





To the Two People  
who are my HEART, my SOUL,  
my LIFE. I LOVE YOU

Mommy  
&  
Daddy

Here are pieces I have written in  
the past year. The content  
varies from my thoughts to my  
essays, but it describes my mentality,  
and is the gift that I thought  
would be giving the most effort and  
meaning to you. I sat in bed the other  
night, and couldn't stop crying because  
you are such amazing parents to me. You have  
done everything for me, guided me from darkness  
to success, and love me with a passion that  
is essential to my vitality. I cried because  
you mean so much to me it hurts. I cried

~~because I can never~~ tell you that, because  
my love for you is so deep and so unirkled  
that you can't even see it. I cried because  
you are my life - and the ONLY source of true  
contentment for me, and I have messed up so  
many times, and never will deserve you.

But every inch of my heart and  
my soul is devoted ENTIRELY to you,  
and oh god I love you so much.

I LOVE YOU. I would do  
anything, and everything for you.  
You have been, and are my  
salvation. I love you.

All my heart is yours,  
Love Elizabeth

I tried to express these feelings in  
3 clippings of my thoughts in here -  
and I left me section almost blank,  
so we can Add more  
I LOVE YOU.



[REDACTED]

[REDACTED]

Friday, September 30, 2022



Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila,





The [REDACTED] started in 1996 when people from across the state came together to end sexual assault. We began a partnership with state agencies and service providers that lasts to this day. Together, we support survivors and work to prevent sexual assault in all forms. Our work requires a commitment to accessibility. That means no survivors are never forgotten. Our work continues to focus on passing laws to protect the privacy of survivors. [REDACTED] recently undertook the task of managing a statewide helpline in English and Spanish. This helpline provides support for those in crisis as well as local referrals for victims and professionals throughout the state.

Elizabeth Holmes completed the [REDACTED] 40-hour Sexual Assault Counselor training, designed for community and system-based sexual assault advocates and law enforcement, in June of 2022. Since completing the statewide requirement for victim advocates, she has volunteered on [REDACTED] Statewide Sexual Assault Helpline, totaling over 500 hours of service between July 18, the helpline's launch date, and September 30, providing crisis support to victims, community members, and professionals as well as connecting callers to local resources. She has served over 150 callers in that time.

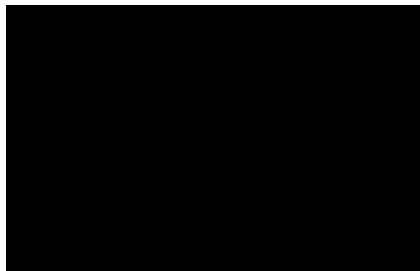
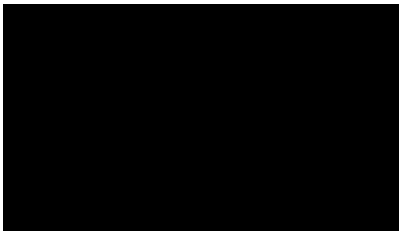
We have received positive feedback about her service on the helpline, including the following feedback from a caller: "I was in a very low place when I called but Elizabeth was so kind and a very good listener. She talked with me for a while about my strengths and helped me think of something I could do next. Let me tell you, it was just



what I needed.” She has worked with a variety of callers, including calls with actively suicidal victims of sexual assault, calls with community professionals, and calls to local law enforcement and/or DCFS when necessary. A law enforcement officer provided the following feedback: “The person on the other end of the phone handled it very well... they did a great job getting the information to us and following-up.” When speaking with callers who she served, they have consistently reported that they felt listened to, were glad they called, and that they felt more confident in creating a plan for the future at the end of the call, after she connected them with long-term support resources.

Additionally, Elizabeth has helped  by assisting with the compilation of sexual assault and domestic violence resources statewide for callers as well as identifying gaps in resources available to  victims of crime throughout the state. As  24/7 helpline is staffed solely by volunteers, there is a great need for helpline volunteers. The hours that Elizabeth has volunteered over the past months have filled a great need in the community. Elizabeth has stated that she would like to continue volunteering with  and would like to continue to respond to the ever-increasing number of callers on the statewide sexual assault helpline and would use her time to research gaps in services and resources for victims, while working to increase access to services throughout the state. As the helpline is in its early stages, any service provided by volunteers is monumental.

Respectfully,







**14th September, 2022**

Hon. Edward J. Davila

San Jose Courthouse, Courtroom 4 – 5th Floor

280 South 1st Street

San Jose, CA 95113

Dear Judge Davila,

My name is Iyinoluwa Aboyeji. My friends call me 'E'. I am a Lagos born Nigerian technology entrepreneur. By the grace of God I am an accomplished African entrepreneur who has had the privilege of starting two of Africa's five billion dollar businesses in the technology space.

The first is Andela - a business that I co founded with others in Lagos between 2014 and 2016 to help accelerate Africa's most talented young people into financially fulfilling remote work careers in software development. Thanks to the Andela program many of these young people went from \$100/month in income to over \$100k a year in income working for global technology companies like Microsoft and Facebook amongst others. The business has global investors like Spark Capital, Chan Zuckerberg Initiative and Softbank amongst several others.

The second was Flutterwave - a business that connects African businesses and individuals to the global economy by enabling them make and receive payments in any currency or country and with any payment method they need to. For example we helped merchants who only have Mpesa mobile money wallets accept Visa credit cards from tourists. Although I resigned as the founder in 2018 and exited the business in 2021, it has grown beyond our wildest dreams to become Africa's most valuable company. The business is backed by global investors like Tiger Global, Mastercard and Visa amongst others.

I met Elizabeth in 2019 at a particularly difficult time in my life. Disagreements with my co-founders had led me to abruptly resign as the founding CEO of Flutterwave in 2018 as a newly wed couple expecting a child. Our family decided to leave Nigeria and my wife who is American filed for my permanent residency so we could raise our child in the Bay Area. Unfortunately I didn't have considerable liquidity from my previous companies and so we lived with my mother in law in a middle income suburb in Fairfield California.

[REDACTED]

I had always imagined that America would welcome us with open arms especially given my track record of building incredibly valuable companies in Africa. Unfortunately that turned out to not be true. Most of Silicon Valley didn't think much of African technology at the time and I had a very tough time integrating into Silicon Valley until I met Elizabeth and her partner William Evans.

We had been introduced by a very early investor in Flutterwave who recently moved from Silicon Valley to Cape town. The first time we met Elizabeth and her partner drove all the way out from San Francisco to our less fancy side of town to meet with myself and my wife for ice cream. Both of them and particularly Elizabeth were incredibly kind and generously spent time with us showing us the beauties of San Francisco and Utah. Although my time in America was a very painful and humbling period of my life, they managed to make it bearable with the few cherished moments we shared together.

Elizabeth and her partner would ultimately play a big role in helping me find my path back to Africa as a successful early stage venture capital investor. They attended and invited their influential friends to our community events for African Entrepreneurs in Silicon Valley. They introduced me to an incredible network of friends and investors across America and at every opportunity they evangelized the Africa opportunity to the crème de la crème of Silicon Valley. Thanks to these kind efforts, the African technology ecosystem received over \$5b in funding mainly from Silicon Valley in 2021 up from \$78m when I first started Andela in 2014. As a fund we've gone on to invest \$10m in 100 early stage entrepreneurs now collectively worth over \$6 billion dollars.

Although right before the pandemic of 2020, I ultimately concluded that Silicon Valley was not for me and returned to Lagos Nigeria where I now live happily with my family, I will always be grateful to Elizabeth and her partner for the kindness they showed to our family while we lived in the Bay Area.

Elizabeth particularly deserves credit for the role she played in helping one of our portfolio companies founded by a young Kenyan entrepreneur. He was building a new and more affordable medical diagnostic device that leverages sonic imaging and machine learning to safely detect respiratory diseases in small African clinics which can't afford a radiology system and department. Thanks to great advice and mentorship from Liz on navigating regulated entities like the FDA and ensuring the highest standards of accuracy based on her past painful experience at Theranos, today that business has grown to be worth tens of millions of dollars with full regulatory approvals from the FDA, strategic partnerships with global medical device and diagnostics distributors and customers around their world. The mentorship and advice he received from Elizabeth contributed considerably to his success.

Since my first meeting with Liz in 2019 I have always found it difficult to reconcile the media caricature of Elizabeth Holmes with the person I now know very well.



While the press paints an ugly picture of Liz as a greedy capitalist seeking to steal from her investors and harm the public, the Liz I know is a kind, driven young woman who only seeks to leverage technology and innovation to change the world by making health care more accessible to billions of people who currently die because health care innovation and technology isn't following the Metcalfe law computers have over the last half century. Every time I speak to her I feel her sense of urgency to ensure health care technology innovation gets cheaper and more powerful in its capabilities so we can save more lives particularly in places like Africa.

While I acknowledge that there may have been grievous errors of judgement I will not pretend to understand why the American justice system chooses to punish a young woman who dared greatly by innovating in healthcare. However I believe America and indeed the world has a lot to lose by keeping an entrepreneur like Elizabeth Holmes behind bars instead of out in the world helping other young entrepreneurs learn from her painful experience at Theranos. America owes it to the world to ensure she is in a position to share her experience with the world.


I ask humbly that your Honor temper justice with God's mercy in the sentencing process so the world may not be robbed of the gifts that must surely come forth from the purifying fire of trials and tribulations Liz has endured over the last few years.

Elizabeth's story may have begun as a cautionary tale but I believe that God is still writing her story and this isn't the last we will hear of her. Our family will be praying for God's wisdom and grace for you as you make your sentencing decision.

Yours sincerely,



**Iyinoluwa Aboyeji**

  
CEO & General Partner  
Future Africa.



Vijay Albuquerque

[REDACTED]

October 10, 2022

To:  
Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

I am writing this letter in support of Elizabeth Holmes.  
I am a technologist and a startup entrepreneur with a background in engineering and business.  
I have held leadership positions at large companies and startups.  
I followed Theranos from 2013 [REDACTED]

I was a strong supporter of the Theranos mission to allow consumers to monitor their own health by providing access to low cost blood tests at neighborhood pharmacies.  
The Theranos test in my opinion had the opportunity to democratize health care by allowing patients to take a data driven approach to health care by providing access to cost effective blood tests.

In 2019 I met Elizabeth Holmes, I was very impressed with her clear and direct communication style, her passion for improving the health of patients, her strong understanding of technology and business, and her kindness and thoughtfulness in dealing with people.

I strongly believe that Elisabeth is a visionary technologist who has the technical skills and leadership to develop breakthrough life saving medical diagnostic tools and procedures

There are very few people like Elisabeth Holmes, I request your honor give Elisabeth another chance to develop and bring to market a unique disruptive life saving solution.

Sincerely

Vijay Albuquerque



Alicia Ashton



Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5<sup>th</sup> Floor  
280 South 1<sup>st</sup> Street  
San Jose, CA 95113

August 26, 2022

Dear Judge Davila:

I am writing to provide you with additional information on my association with Elizabeth Holmes as you endeavor to make a sentencing decision.

My name is Alicia Ashton. I became acquainted with Elizabeth through my husband's association with her dad, Chris Holmes. They served together for many years on the board of a private high school, Webb Schools of California, from which they both graduated. I came to know Elizabeth's family through this association as well and am familiar with the extensive public service her dad provided internationally and was impressed by what I saw of their strong, loving and supportive family.

I have had a career in business in positions ranging from staff to executive level. I also have had two consulting businesses during my career. I was transitioning from my first consulting business to an executive position with Alliant Tech Systems, ATK, (Director of Learning and Development) when Elizabeth contacted me on the recommendation of her dad as a source for general business advice.

I had not met Elizabeth prior to this contact. We spoke by phone several times and exchanged emails which are long gone at this point. As I have followed her progress in establishing her business over the last years though, the highs and the lows, what remains for me is this brief but impactful interaction that I had with her in the early 2000's.

Elizabeth explained that she was in the process of starting her own company and since she was young and inexperienced, she was reaching out to successful business people recommended to her from many sources to get advice and input. I recall her being enthusiastic and passionate about wanting to build her business on a solid foundation from the ground up. I cannot recall specifically talking about the nature of the business or Theranos in particular although we most probably would have done. What I remember is that she had obviously prepared for the call and had a lengthy list of questions and that she listened intently and asked probing questions. I do remember being impressed by her earnestness to learn.

One topic I remember was that she was wanting to know what was my experience with governing boards and what advice I could give her on selecting and/or working successfully with a board of directors. I would have shared with her my experience working with two high profile boards, one in the public sector and one in the private. Another topic had to do with recruitment and as I had spent several

Elizabeth Holmes. Sentencing Letter Alicia Ashton  
Page Two

years doing recruiting, I was able to share tips with her on how to establish an efficient structure for managing a recruitment and selection process.

I encouraged her to follow up with any additional questions and I did exchange several emails with her following our phone calls.

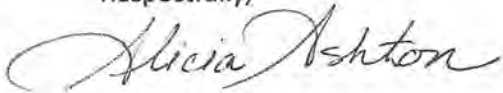
What is important to me to share with you about this interaction is that the young woman I spoke to impressed me as much as any young person I've had the opportunity to counsel in my entire career. She didn't know me personally but she was willing to put herself out there to me and say, I have so much to learn and I'm willing to talk to people who have talent and experience and absorb what they have to teach me. I was humbled by her energy and genuine desire to get things right.

I saw Elizabeth at an award ceremony for her dad in 2014 when Theranos was being wildly touted in the press. I was truly shocked that she even remembered me and our discussion (which she specifically did) and I recall thinking that this kind of regard for people was probably one key to her success. Although I was somewhat of a big fish in a little pond in terms of my career, I was flattered that I had something of value to offer her.

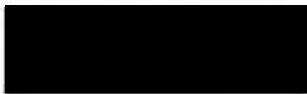
As I followed Elizabeth's rise, it wasn't any crafted image or money talk that I saw. It was someone who I knew had invested heavily in the hard, front-end work of learning how to be a successful business person and entrepreneur.

No more than anyone else do I understand how things went so wrong but I do believe that Elizabeth intended to change the world and to do good. I do believe that.

Respectfully,



Alicia Ashton





Hon. Edward J. Davila  
San Jose Courthouse, Courthouse 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

September 12, 2022

Dear Judge Davila:

My wife and I are writing this letter in support of the character of Elizabeth Holmes, who we have come to know intimately over the last 5 years. Although we can't provide any reference to the period in which she operated Theranos, we feel the consistent displays of humility, care, affection, and selflessness that she has shown in the time we've known her are indicative of her innate character.

I first met Elizabeth in 2017 after she started dating one of my closest friends, Billy Evans. My wife and I met right around the same time as Elizabeth and Billy, which led to the four of us developing a close bond. I remember meeting Elizabeth for the first time at a lunch with her and Billy- I was anxious to meet her, as Billy's future happiness seemed to be at odds with the negative media portrayal of Elizabeth. When alone with Elizabeth at the table, without hesitation, she said, "I know we're meeting for the first time, but I just want you to know how much I love Billy." After explaining those feelings, she then said, "Billy loves you dearly, you're one of his best friends. I can't wait to get to know someone Billy cares so much about." I was immediately put at ease listening to her talk about Billy and really appreciated her desire to develop a relationship with me. This is the type of person Elizabeth is- she is forthright, open, and honest about that which is meaningful to her. She is aware of and tackles potential issues and discomforts head on, all qualities which speak to the strength of her close relationships.

In the years following, we have spent considerable time with Elizabeth. What always strikes us are her constant displays of humility and selflessness despite the burden that comes with her legal battle. She calls herself "the silent sufferer"- with the fate of the rest of her life in question, all she does is think about other people, asking about and genuinely caring about everyone else's lives. Nothing is ever about Elizabeth- so much so that Billy has to actively look out for Elizabeth's needs because she puts such an emphasis on others. For example, although originally planning to attend our wedding, she didn't want any attention to be taken away from us for fear of any amount of spotlight being placed on her. The voicemail she left us that weekend is indicative of the aforementioned qualities: "I am thinking about you and sending all the love that I have. I wanted more than anything in the world to be there with you this weekend and just didn't want any moment to be focused on anything except how incredibly excited and overwhelmed with joy and happiness we are for you." Her humility shines through here- she never mentions herself and any focus being placed on her, rather relating everything back to us. These little things define her character - humble and selfless at all times.

Although holding many roles in her career, Elizabeth's most significant has been that of a mother. She has a remarkable ability to never let her personal struggles affect her home life, separating out the pain caused by her trial in order to provide a positive, nurturing environment for her son [REDACTED]. She once told us that before she enters her house, she lets go of whatever bad energy may have arisen from her day because she knows how intuitive children are and would never want any corresponding consequences for her son from a development standpoint. As is a common theme with her, she puts her child's needs so far beyond those of her own that she seemingly sacrifices herself in the process: whether removing herself from a dinner so she can breastfeed him, missing out on a special experience to watch him, or

leaving an event early to put him to bed. To Elizabeth, these aren't sacrifices- she has so much gratitude for being a mother that she fiercely cherishes the moments she gets with her son, unconcerned with whatever she is missing out on in everyday life. She does this time and time again, unwavering in her happiness, because making the ones she loves happy makes her happy. This is what makes Elizabeth such an outstanding mother, and a reason my wife looks up to her as a motherly role model as we prepare to start a family of our own.

In conclusion, we find Elizabeth to be incredibly humble and selfless, an outstanding mother to [REDACTED] and partner to Billy, and one of the most loyal and authentic friends we have. We hope this letter provides a glimpse into the real Elizabeth we've come to know and love.

Sincerely,





31. August 2022

Dear Judge Davila

I would like to tell you the experience I had while working and communicating with Elisabeth Holmes.

I know Elisabeth since several years.

We were interested in the diagnostic devices Theranos was developing.

Every time we met Elisabeth, I experienced her as a friendly, open and supporting person.

We had interesting discussions on scientific and technical level.

Elisabeth was always open for our ideas and proposals.

When we liked to see some of the products of Theranos Elisabeth was always helpful and showed us what we wanted to see. There was no hiding or pretending of something. She was honest and if something did not work as it should she told us this.

To summarize, Elisabeth is an honest, friendly and supportive person.

Very respectfully

S. Bankoul

Col S. Bankoul, Prof. MD

Head of the medical CBRN Defense of the Swiss Armed Forces

Senior Consultant to the Surgeon General of the Swiss Armed Forces

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

I would like to express my support of Elizabeth Holmes and ask the court to be lenient in her sentencing. I know Elizabeth for more than 6 years; we met at a social gathering of a mutual friend, connected over a long engaging conversation that evening, and kept in touch. I got to know her better over the past few years, and consider her incredibly warm, intelligent, engaging, with a kind and gentle demeanor, and an amazing listener.

It has been a great pleasure meeting her partner Billy and spending time with them over a few evenings, as time has permitted over the past few years. I have been happy to see how strongly they bonded, how much they love each other, and how incredibly excited and committed they have been to have a kid together.

I cannot comment on Elizabeth's case. However, I know that she is now a loving mother of a one year old baby, in a loving bond with her partner Billy, and their priority is to lovingly raise their kid together. Elizabeth to my knowledge has a clean past record, and I believe that she deserves a second chance, to be the loving mother and partner that she is now. For that reason above all, I urge the Court to be lenient in deciding her sentence, making it a priority not to separate a mother from her child.

Sincerely,

DocuSigned by:  
*Ekaterina Batzoglou* 9/6/2022  
3703C474CF194C0...

Ekaterina Batzoglou



**RONALD M. BERGERON, SR.**  
**ALEIDA BERGERON, ESQ.**



August 3, 2022

**VIA US MAIL**

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Re: Elizabeth Holmes

Honorable Judge Davila:

We are writing you this letter because we know that in a litigation setting, one seldom sees the totality of a person. We hope that our letter sheds some light on a side of Elizabeth Holmes that you might not know.

We met Elizabeth Holmes when she received the Horatio Alger award in Washington D.C. She was 33. Most of the recipients were successful men at least twice her age.

Winners of this nationwide service award have a track record of helping those less fortunate. By doing so they benefit our entire society.

We are well aware of the outcome of the trial and possible sentence. We respectfully hope that in making sentencing decisions, you can see that prison for Elizabeth Holmes would deprive society of her skills and dedication.

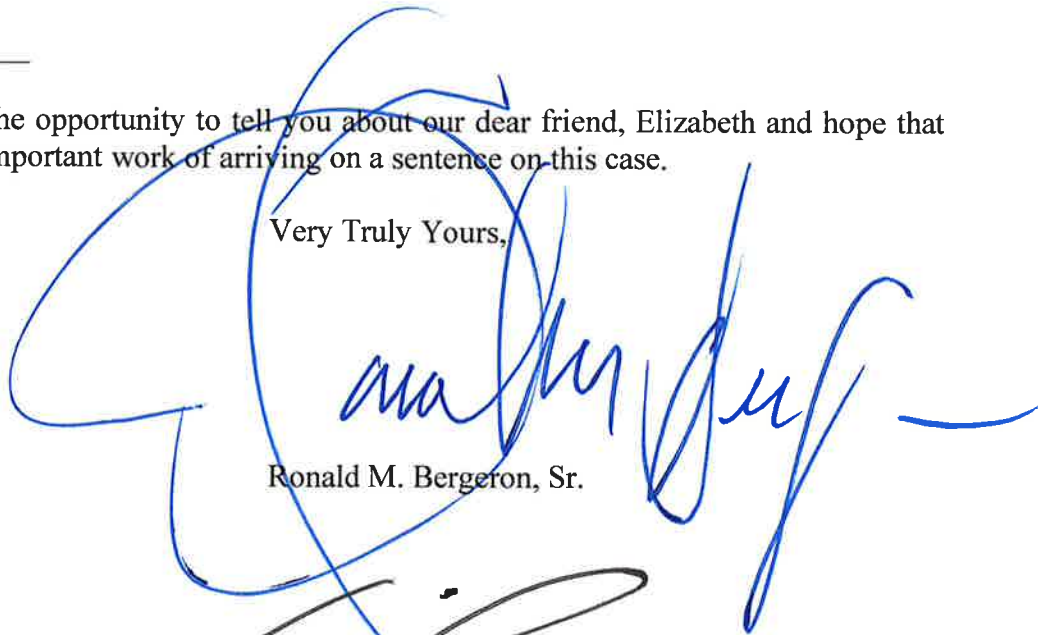
We have gotten to know Elizabeth over the years and have shared many memories together. She has become a dear friend. Elizabeth has a keen interest in the natural world and conservation. This past April, Elizabeth, Billy, and [REDACTED] came to visit us in Florida where we introduced her to the Florida Everglades where we have our family home. Her love, enthusiasm, and commitment to the environment and to conservation was evident.

Elizabeth Holmes has so much more to give. We know that given the opportunity, she would work hard to redeem herself from any actions that harmed others and to correcting the past. She would rededicate her life to public service.

She is enthusiastic about education and learning and dreams of a world that is united, peaceful, and kind. She is a visionary with hopes of leaving the world a better place for all. And most importantly, to be a person that her young son, [REDACTED] would grow up to look up to and respect.

Thank you for the opportunity to tell you about our dear friend, Elizabeth and hope that this helps you in your important work of arriving on a sentence on this case.

Very Truly Yours,

A large, stylized handwritten signature in blue ink, appearing to read "Ronald M. Bergeron, Sr.", written over the typed name.

Ronald M. Bergeron, Sr.

A handwritten signature in black ink, appearing to read "Aleida Bergeron", written below the typed name.

Aleida Bergeron



**Hon. Edward J. Davila**

San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1<sup>st</sup> Street  
San Jose, CA 95113

Paris, September 14th 2022

Dear Judge Davila,

I'm a French entrepreneur, 31 years old, living in Paris - France. Two years ago I founded a company operating in the Software Edition and we now employ about 80 people.

I write to you about the situation of Elisabeth Homes whom I met in 2019 through a friend we have in common. Since then, I had the opportunity to share very strong friendly moments with her. I haven't been exposed to the media coverage as her case didn't have a big impact in France and I didn't want it to bias my relationship with her with many discussions about her legal situation.

Through this letter, I really want to give you the opportunity to meet Elisabeth without all the noise around her case. If I could describe my relationship with her, she is like a big sister to me.

When I first met her, I was a little bit nervous because I knew what she was facing but also because she had found this company, employed a lot of people and I was afraid to be mediocre next to the very important personalities she had met through her career that were true inspiration to me. But she made it so easy. Very fast, she was asking me dozens of questions about my life. I remember she was so amused by all the anecdotes I told her about a company I founded in Africa. I was amazed by the level of curiosity and humanity she had and she turned this moment into an incredible friendly meeting.

Elisabeth is also someone who is very caring and encouraging. Among many interesting discussions that still resonate with me until today, she had the ability to reassure me when I founded my company. I remember that I had a lot of questions trying to understand every detail or to understand how I could get closer to the amazing entrepreneurs she had met. That probably stressed out my lack of confidence. She was deeply listening and while answering my questions I remember her telling me with a lot of reassurance that I was perfect for the role and that I had a lot in common with the successful people she had met. She told me this with such confidence and very precise examples that I really started to think that she was right. Today she is still encouraging me whether in personal or professional matters.

Beyond all the conversations we regularly have, I love discussing faith with Elisabeth. When we met, I was a non-believer in God and Jesus Christ but I was intrigued. I recall our first conversation we had about that topic where I was very impressed how strong her faith in God was. I know now that is probably why, in spite of everything that's happening to her right now, Elisabeth still has so much joy and hope.

I admire her courage in a situation where the whole ambitious project she believed in collapsed. It reminds me of the famous Kipling poem "IF" which is the message of a mature father to his son.

Although Elisabeth is a woman and a mother, in 2015 she was only 31 when she had already gone through all the stanzas of this iconic poem.

Still a teenager, she briefly became a coveted and inexperienced icon who suddenly became a convenient scapegoat of a media pounding the excesses of the Machiavellian financial world. Knowing her well, I feel it would be very unfair to ruin a life that is precious to her child, her family and her friends.

I hope my testimony will be useful to you, bringing a different perspective, and I thank you very much for the time you have spent reading my letter.

Sincerely,

Paul Berloty

████████████████████



Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila,

I am writing this letter to offer my experience with Elizabeth Holmes, a person I've been grateful to call a friend for the past six years.

I first met Elizabeth at an event in the summer of 2016. This was less than a year after Theranos had first been challenged in the press, and two years before it declared bankruptcy.

The person I got to know then was special. In the face of extreme pressure, emerging but intense press attention, and discovery of massive mistakes made by a team she had trusted, I watched as she sought to take responsibility as CEO and fight for the mission, employees, and investors in Theranos—earnestly, authentically, and humbly in an extraordinarily difficult situation for any entrepreneur or leader.

Between those first experiences with Elizabeth and today, I've been taken aback by just how dramatically divergent the fictional character of Elizabeth Holmes presented in the media is from the entrepreneur, woman, partner, mother, and friend I have come to know and care about.

This is a woman who made mistakes in an undertaking fraught with risk. Yet, she's also a woman who dedicated her life to a mission for all of the right reasons—only to live through its extreme failure and life altering consequences for the past six years.

She has shown strength, grace, and humor even as her story has been taken over and defined by others is what can only be described as a bizarre parallel universe where every motivation and personal detail has been fictionalized.

The Elizabeth Holmes I know never cashed out and kept fighting for her company long after others would have given up.

The Elizabeth Holmes I know is a compassionate friend who is there for the people around her—to support, comfort, cheer on, problem solve, and connect—despite what's happening in her own world.

Most importantly, the Elizabeth Holmes I know is a loving mother to [REDACTED], her miracle baby, and committed partner to Billy, who together are trying to build a private, simple life where they can look forward and have a positive impact on the world around them.

While I understand you have difficult decisions in front of you, I would only offer that there is a beautiful, loving, thoughtful, and humble human being in your care.

Thank you for reading this statement.

Sincerely,

Gina Bianchini






Dear Judge Davila,

My name is Art Billings. Billy Evans is my nephew and Liz is his partner. As an introduction I am a general contractor, developer, and real estate agent. I have owned my own businesses in these fields for 28 years. I have had the opportunity through the years to be involved in many transactions that rely deeply on research, trust, negotiation and execution. I am also a husband and father. I have been married for 29 years and have 3 children. My wife is a real estate broker and partner in our businesses. We have worked relentlessly together through incredibly difficult times to create a successful marriage, family, and business. My daughter Lauren is 22, Christopher 18, and B [REDACTED] 15. My children have always been involved in competitive sports because it gives them the opportunity to have a group of like-minded friends and learn many life lessons at a young age. I believe sports teaches them to win and lose with grace and that with hard work and sacrifice a goal can be accomplished. Lauren attends [REDACTED] [REDACTED] and is a fifth year [REDACTED]. The [REDACTED] [REDACTED] have won the dance National championship 22 times. Lauren has danced in 5 of those National championships. Christopher is a freshmen baseball player at [REDACTED] [REDACTED] B [REDACTED] is a sophomore in high school and plays baseball on the high school baseball team as well as a traveling competition team. Sports has been a great vehicle for our family to be close and support one another through great wins and agonizing losses. Our family is also close because of our faith and belief in Jesus Christ. Our membership in The Church of Jesus Christ of Latter-Day Saints with its focus on family and how critical the family unit is has guided many of our life decisions. We have been blessed with a loving and supportive extended family but having a strong parental unit has been invaluable both in raising our family and creating successful businesses. With this said, I have a few observations with regard to Liz. I have had the opportunity to visit with Liz at my home in Utah and when I visit my sister in San Diego. Liz always has a kind demeanor and is enjoyable to have a conversation with. My observations in all of my interactions with her is a fun, witty woman, with a soft-spoken manner and a generous heart. She is attentive and gracious. As a mother she is patient, attentive and loving. Her son and partner are the center of her world and they are a strong family unit. As such, I am especially concerned for their future, especially when it comes to baby [REDACTED]. As I have illustrated, I believe a strong family foundation is best achieved with a two-parent household. While not a guarantee of success I believe it has been a great source of my success as a business owner, husband, and father. I know that together, my wife and I have been able to navigate many pitfalls and life changing decisions together, along with the many late nights with sick children, difficult long work days, and of course, celebrating many child milestones. The Liz I know will be devastated to miss these opportunities, good or bad, to support, contribute or comfort her family. I also know through many conversations with my sister, nephew, and family, that our family, her family, and extended family will be shattered in her absence. Thank you for your time and consideration of my observations,

Respectfully,

  
9/3/2022



To: Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 - 5th Floor  
280 South 1st Street  
San Jose, CA 95113

August 5, 2022

Dear Judge Davila,

My name is Genevieve Billings. I am Billy Evans Grandmother and Elizabeth Holmes good friend. I am writing this letter regarding Elizabeth.

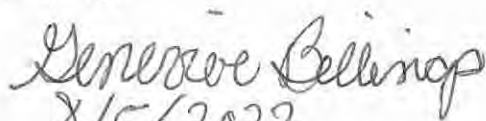
I have known Elizabeth for four years and talked with her personally at my home and my daughters home numerous times. We talked about life, religion, her love for her family and Billy and her son [REDACTED], as well as, my family just to mention a few subjects we discussed.

I found her to be an honest, kind, concerned person about how she treats other people. She is always happy to give her time to other family members when they need her help or advice as well as friends and acquaintances. Elizabeth is a very intelligent and caring person. She loves spending time with Billy and her son. He is a sweet little guy who is curious about everything.

I would like to tell you a little bit about my self. I was born in Glendale California on December 17,1939. I moved to San Diego in 1952 because my father had a job change. I loved growing up in Fletcher Hills a suburb of San Diego County. I have enjoyed seeing how San Diego and life in general has change so much during my lifetime. Most of my family members live in San Diego County. I am a competitive ball room dancer and usually win first or second place in my age category which is seventies and eighties. I have ten grandchildren and six great-grand children. I am a Real Estate Broker and owner of over four hundred apartments that I and members of my management team do the off site management for. My husband was a General Building Contractor and he built many apartment buildings when he was alive. I am a member of the Church of Jesus Christ of Latter Day Saints. I love the Lord with all my heart and I think I am a good judge of character in people.

I have found Elizabeth to be a caring person and a good friend to me and members of our family. I trust her implicitly.

Sincerely,



8/5/2022

Genevieve Billings



Honorable Judge Edward J. Davila  
San Jose Courthouse, Courtroom 4—5<sup>th</sup> Floor  
280 South 1<sup>st</sup> Street  
San Jose, Ca. 95113

Dear Judge Davila:

I first became interested in Theranos because my admiration for their bold and creative effort to lower the costs and improve the availability of blood tests. Our company, General Atomics, founded the San Diego Super Computer center at UCSD in the mid 1980s and I am a believer in the power of computing and data analysis at micro and nano levels. Theranos' approach and objectives sounded reasonable to me and consistent with the potentials for small biological samples and data analysis. I had also been on the board of San Diego's Sanford Burnham Prebys center for scientific advances in medical technology and had personally headed a company developing an advanced treatment for Glioblastoma grade 4 brain tumors.

I followed the sad story of Theranos and Elizabeth Holmes problems and felt that she was being unreasonably maligned for failure to achieve ambitious technical and financial goals, rather than any kind of fraud. Having failed frequently in the course of my career, I hated to see what was probably temporary shortfalls turn into criminal charges. When I learned the Evans family had involvement with Elizabeth, I sent a note to my friends Anne and Bill Evans expressing my views. I have since had the pleasure of meeting Elizabeth and her companion Billy Evans. That is why I am expressing my opinions to you in this somewhat detailed note. I also apologize to you for its length. Please take it as indicative of the depth of my convictions.

In my own thinking about the Theranos history and Elizabeth Holmes involvement, I am reminded of what Arthur Schopenhauer said in the first half of the 19<sup>th</sup> Century: *"All truth passes through three stages. First, it is ridiculed. Second, it is violently opposed. Third, it is accepted as being self-evident."* Schopenhauer's wisdom has stood the test of time. I have seen it repeated often in my 65+ years of business endeavors. The greater the attempted leap in technology, the greater the ridicule and the more threatening to those who are already established and challenged by something new and better.

Though I can't claim to know all the details of the case, I believe her endeavors are presently somewhere between Schopenhauer's first and second stages.

Though she is still young and resilient, she has to have already suffered enormously from her failed aspirations and the ordeal that has followed. I believe she is almost certainly guilty of having an optimistic, ambitious and altruistic mindset. It is belief and tenacity that leads to accomplishments that others would think are impossible. I also believe that her mindset is one of the things that has made our country uniquely progressive and successful throughout most of our history. Without deep belief in the veracity of ambitious endeavors, there cannot be the drive and persistence to make their promise reality. I believe it would be tragic and counterproductive to criminalize that mindset.

Those who push the envelope must by nature be optimists. Of course, they must also be objective and honest. Objectivity comes from maturity and experience. Honesty comes from family and cultural values. I believe she and her family have very high values. She is also entrepreneurial by nature. If entrepreneurs focused only on why things might *not* work, there would be little progress in the world.

All but the most naïve of investors know there are risks that go along with potential rewards of investments. They invest because they believe the opportunities for profit outweigh the risks of losses. They know that projections are just that—projections—balanced between necessary and informed forward looking optimism and potential adversity. Failure to anticipate all adversity, including technical setbacks, schedule delays, negative publicity and opportunism on the part of naysayers should not be considered a crime. The vigor of our incredibly prolific and productive economic system must be allowed to absorb losses along with the profits all investors and entrepreneurs aspire to.

Despite her and Theranos' setbacks, the fact that she and they have 735 secured and pending patents is an incredible accomplishment by itself. The vision, inspiration and costs of achieving those patents boggle the mind. They represent created value for those who originate them and for those who will benefit from their descriptions and potential licensing. They become permanent assets to the world's fund of knowledge and frequently result in dividends far beyond, and in different ways, than the original intent. Few scientific endeavors do greater good for humanity than advancements in healthcare. Perhaps this should be formalized by requiring her to share the benefits of some of her patents. The patents I have promulgated or been a part of over 65 years are extremely modest in comparison.

When I first heard about Theranos' expectations, considering that each drop of blood contains many thousands of cells each containing data, I believed Theranos' aspirations were consistent with the big advances in computing power and micritization of nearly everything. I still believe Elizabeth Holmes' idea are technically realistic and will someday reach fruition. We constantly see amazing things happening in the technical world all around us. These advances are being made by entrepreneurs, scientists, and engineers who take big personal risks to make good things happen.

Elizabeth Holmes is a bright woman with generous and enlightened motives and enormous potential for doing good things. She will also have grown significantly from the Theranos sad experience. I believe she will still have important accomplishments in her life because of her vision, her work ethic, her high moral values and her tenacity.

I reflect back on my own successes and failures during 65 years (and counting) of striving. My own opinion is that it is a sad day when attempts to expand the scientific envelope are criticized, persecuted and prosecuted if things don't turn out as hoped. There is already plenty of disappointment and personal punishment that come when the scientific expectations don't work. In fact, they almost never work in the first time around. Resilience, conviction and persistence are essential for ultimate success.

Permit me to summarize some of my failures and successes. I do so only to give my perspective on Holmes' endeavors.

Among my failures:

1. With no money but with high aspirations, my brother and I started a Banana plantation in Nicaragua immediately after college. Unfortunately, on the edge of possible success we were both called to active duty in the US Air Force before ultimate success could be



achieved with disease resistant species of bananas. We failed to make money, and investments of friends were lost. Even so, I have personal satisfaction knowing our bananas are now the economic foundation of agriculture on the Caribbean Coast of Nicaragua—employing thousands.

2. “First Opinion”(FO)—computerized medical diagnosis of health problems. The system worked and would have saved billions of dollars of medical expenses and provided better health outcomes through early diagnosis of problems. It was never fully developed for lack of funding. Similar systems have since been developed leading to improved health and lower costs of health care. The FO system probably could have saved about \$100 million per year in employee health costs just in our small/medium sized company, and led to better health outcomes for our employees.
3. BNCT (Boron Neutron Capture Therapy). BNCT could have been the most efficacious treatment for Glioblastoma grade 4 brain tumors. This involves getting an isotope of boron into the tumor, past the blood brain barrier. Once in the tumor, epithermal neutrons from an external neutron source (accelerator or reactor) fission the boron releasing radiation only in the tumor. This avoids damage to healthy tissue from radiation. Unfortunately, there was not enough money available to do a full developmental program. Senators Kennedy and McCain and many others have since died and continue to die from this cancer.

Some successes:

1. I instigated the first installation of winglets on commercial airplanes. The aerodynamics of winglets was a NASA development. I saw the technologies’ potential. I caused winglets to be developed and installed on Learjets in the late ‘70s. They have since been installed on most airplanes, including most airliners, providing lower drag and saving billions of dollars annually in fuel throughout the world.
2. I caused the development of an artificial intelligence system (AI) for correctly diagnosing aircraft maintenance and operational issues. This was in 1975 before AI was understood and recognized. AI technology led to recognition of potential applications to human health care issues and later, to “First Opinion”.
3. Predator remotely piloted airplanes (AKA drones). These airplanes have saved thousands of lives of combatants and non-combatants and reduce collateral damage dramatically. These technologies have fundamentally changed war fighting and encouraged peaceful solutions to conflicts through persistent (24/7) ISR (intelligence, surveillance and reconnaissance).
4. Advanced nuclear energy—EM<sup>2</sup> (Energy Multiplier Module). EM<sup>2</sup> is currently in the development process. When fully developed this will likely cut the costs for nuclear generated electricity in half. EM<sup>2</sup> will be inherently safe and will be able to use nuclear waste as its fuel. Considering the world consumes about *\$8 billion worth of electricity every day*, this will be a non-trivial contribution to human well-being.

Even so, I could also count EM<sup>2</sup> as a failure. When I was put in charge of the fission reactor program 35 years ago, I said we would have a commercial product in 5-10 years. Unfortunately, that is still what I have to say today despite significant progress and major improvements in the design. I also have to add that we need to raise the \$2-4 billion necessary to complete the technical work, build prototypes, license and set up commercial

production. Will I see it in my life time? Yes, I say so and believe it with all my heart—the technology is too good not to ultimately reach fruition. I know the world needs it now more than ever and fervently hope that it can be one of my contributions to posterity. But, I can only prove it by actually getting it completed. I had a very encouraging technical brief just a few weeks ago.

These are some of the successes and failures in my own career. The good news is, despite the failures, the successes have led to a net positive result over 65 years of trying. Despite occasional setbacks, I see a little bit of progress with most projects every day. I'm not done and won't be done until they put me in a box. Then, others will carry on because the opportunities for advancement of human well-being is never ending. Maybe they will build on the foundations I have laid. Many will build on the foundations Elizabeth Holmes has pioneered.

I believe someday in the not-too-distant future, Elizabeth Holmes' technical and business assumptions will, in the words of Schopenhauer, "be accepted as being self-evident." I have no doubt Elizabeth Holmes career will see more and greater positives in the future.

I also believe she has already suffered enough. I believe she should be given probation that would allow her to continue to be a successful mother and wife and go on to a productive future for herself, her family and for scientific accomplishment in the future. I believe her endeavors will benefit all mankind. I believe improving the human condition has been and will continue to be her primary motivation.

I believe justice would be best served by allowing her to be mostly free to fulfill her life and her family's lives and ambitions. Civil society and the world as a whole will be the greatest beneficiaries.

Sincerely,



Linden S. Blue  
Vice Chairman, General Atomics  
San Diego, California





August 3, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

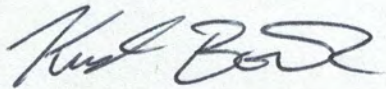
Dear Judge Davila,

I'm writing you to tell you about my friend, Elizabeth

Every time I get to spend time with Liz I'm reminded how kind she is. When having conversations with her I find myself rambling about my interests, in far more detail than is ever needed. After a much longer time than anyone else would listen, I see that Liz is happy to listen purely because she sees that you are passionate and care about whatever you are talking about, no matter how boring the subject or how poorly your story is told. She is happy that you are happy. Though she is always happy to listen, and I regularly give her the opportunity, one thing she will talk to you about with enthusiasm is their baby, [REDACTED]. She'll tell you everything about him, what makes him laugh, upset, happy, any little gesture he made that made her smile. I'm not a good listener, but it's easy to listen when Liz tells you about her little family because you can see the joy and love in every detail she shares.

I enjoy every moment get to spend with Liz, and look forward to many more memories being made

Sincerely,



Kristian Bolster



July 11, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

In the twelve months my wife and I spent at home hiding from the coronavirus, I observed with dismay the CDC's struggle to supply an accurate diagnostic test and thought often of the difference Theranos would have made had it been still in operation. The innovative vision for which Elizabeth Holmes created Theranos was to generate affordable diagnostic information at the point of need, in real time, and on a patient-by-patient basis. This was to be achieved by placing a large number of multi-purpose, miniaturized lab machines (the miniLabs) in decentralized settings like doctors' offices, clinics, and pharmacies. Dedicated cartridges with reagents and disposables would be used for specific sets of tests to be performed on patient's samples. The miniLabs were designed to be controlled remotely and their data analyzed and when necessary reviewed by professionals, at central locations. By the time Theranos ceased operations in the summer of 2018, the company was a few months away from filing for Emergency Use Authorization by FDA, and for the European CE mark of conformity, for the Zika virus assay. While the blood collection devices, the miniLab, and the software were in fileable condition, the Zika cartridge needed fine tuning to achieve the desired degrees of precision and accuracy. Once installed, the miniLabs would have been usable for a large number of assays, including those for emerging infectious diseases, just by developing the appropriate cartridge and software and seeking regulatory clearance. With the emergence of SARS-CoV-2, I would have seen a team of Theranos scientists work with the CDC, develop appropriate assays for nucleic acid, antigen, or antibodies and deploy them throughout the network of miniLabs installed across the US, by that time. We all lost big with the death of Theranos.

My relationship with Elizabeth Holmes and Theranos began in May 2016, following a call I received from a mentor and former boss who at the time was teaching at Harvard. He related how impressed he had been by this young CEO who had visited him and sought his advice in total humility and willingness to learn. In his judgment, my experience and approach could have helped Theranos overcome the difficulties it was facing, so he put me in touch with her. After a day spent at Theranos with Elizabeth Holmes and her team, we agreed that I could help the company by joining the board of directors and chairing a new committee to oversee the implementation of state-of-the-art quality management system and corporate compliance program. Ms.

Holmes was enthusiastic about the approach and led the way by initiating the recruitment of experienced med-tech executives. We secured the support of two senior industry experts in quality and compliance programs who joined the board committee and we got to work immediately, with Ms. Holmes' total support. As the board committee and the newly hired executives developed the quality system and compliance program, Elizabeth Holmes absorbed the relative concepts rapidly, as a sponge, and became their champion serving as a role model for the rest of the organization.

I matured the experience that allowed me to contribute to Theranos over 39 years in management roles in health care companies. At Baxter, I served in manufacturing, quality, and regulatory affairs management in Europe and the US, reaching the positions of corporate vice president, quality system, and corporate vice president regulatory and clinical affairs. At Amgen, I served as head of quality, corporate compliance officer, head of manufacturing, and finally executive vice president, operations. Since my retirement in 2013, I have served as a board member and an advisor to several health care companies and in particular Stevanato Group where I am the Lead Independent Director. I also serve on the boards of UCLA's Technology Development Corporation and INCOG BioPharma Services.

Soon after I joined the Theranos board, Elizabeth Holmes implemented an array of changes in the direction of the company. These included the composition of the board, the senior management team, the disclosure of the technology (which she did in a major presentation to the annual scientific meeting of the American Association for Clinical Chemistry on August 1, 2016), the cessation of operation of the two commercial clinical labs, the pursuit of regulatory clearances in the US and Europe, and the focus on the commercialization of the Zika assay on the miniLab platform. Elizabeth Holmes also opened new communication channels with the investors and began holding regular meetings with them, sharing the status of advancement of the commercialization program, organizational changes, and financial metrics. Many of these initiatives were a 180-degree reversal from the original approach by Theranos and were the results of Elizabeth Holmes' listening sessions with several advisors who were knowledgeable in health care and med-tech. She was not defensive and was in fact enthusiastic about these new approaches, which she pointed out to others as being the way to make the company sustainable and achieve its mission. I have no doubt that Ms. Holmes would have pursued this route early on, had she received the proper guidance and advice from industry experts and not just from litigation lawyers and former politicians. Theranos was in the health care business. Its pathway to patients and to success had to go through, and in collaboration with, FDA and a European Notified Body. The company was not in the consumer business and did not have to win the battle for public opinion, as some previous board members contended.

The changes Ms. Holmes implemented in 2016 were beneficial to the company, which however suffered a series of significant setbacks, including lawsuits, SEC and



DOJ investigations, delays in product development, and draining of financial resources. I saw Elizabeth Holmes address each adversity matter-of-factly, with a clear mind, steadfast ethical principles, complete dedication to what was best for Theranos, and admirable courage. Never in denial, she exuded positive energy and confidence in the future that inspired all around her.

A widely reported fact is that Elizabeth Holmes never cashed in any of her Theranos stock. This is but one example of her lack of greed and profound dedication to the company and its mission, for the long haul. During my service on the board, the directors realized that Elizabeth Holmes, as founder and CEO, was far from being the most compensated employee. In fact, there were several people who earned more than she did, and a few of them significantly more. The board confronted Ms. Holmes and pushed for her compensation to increase, which we finally were able to do despite her strong resistance. Also, to reward and enhance the loyalty of Theranos investors, Elizabeth Holmes volunteered to increase their ownership share by redistributing a good portion of her own shares.

In my almost fifty years in business, I have not seen or heard of a more selfless CEO.

A story has been woven and re-told endlessly about faulty technology and even an absence of technology at Theranos. Nothing could be farther from the truth. The technology at Theranos was real, innovative, and had the potential to revolutionize the in-vitro diagnostic sector for the better. The company just ran out of time in its final steps of development. The fact remains that the work of Elizabeth Holmes and her collaborators generated over one thousand patents, which a very well-respected financial company valued at several hundred million dollars. Based on detailed and extensive analysis, this company decided to loan up to one hundred million dollars to Theranos in 2017 with the patent portfolio as a collateral.

Elizabeth Holmes has many admirable qualities typical of highly successful individuals. Her creativity, entrepreneurship, vision, communication skills, courage, high energy come to mind. On top of that, she listens in a manner that makes her unique, especially among founders/CEOs. Her listening ability struck me from our first encounter and continued to impress me through the two and a half years we worked together. She is really interested in hearing feedback, particularly when the feedback is critical of her, her actions, or her company. She listens intently and internalizes the message for further processing. She may ask clarifying questions but never interjects biases or defensiveness. This quality has made her mature beyond her age and has allowed her to build a depth of experience that should not go to waste.

Her lessons learned through success and failure are precious. They will be invaluable if shared with the broader community of young entrepreneurs. America will benefit tremendously, Your Honor, if you sentence Elizabeth Holmes to articulate her lessons learned in a case study and teach that case study to live audiences, classrooms, remote sessions, podcasts or other forms of communication, under your Court's supervision. You could ask people who have shared some of those lessons learned to

assist her in this task; I will respond positively to such a request as I am sure will other former members of the Theranos board and advisors. Elizabeth Holmes has already suffered harsh material punishment with the death of her company, her life work, with financial ruin, and the merciless exposure of her private life by media and prosecutors. She endured years of a ferocious character assassination by unscrupulous, greedy storytellers and unprofessional media that echoed each other without ever researching the facts.

This will be a different form of sanction. In teaching her lessons learned to others, she will acknowledge publicly the shortcomings of the company and of her leadership. It will also be an effective way of giving back to society and prevent others from falling into similar pitfalls while helping new, innovative companies survive and succeed for the benefit of all. Elizabeth Holmes' intent in creating Theranos was not greed. It was to benefit society with technologies to make actionable health information available to patients and physicians, at their location, in real time. Regrettably, Theranos did not achieve its mission. This sentence will provide another mechanism for Elizabeth Holmes to benefit society by teaching others to build sustainable and compliant new enterprises.

In my proposing this alternative you may recognize my lack of familiarity with judicial procedure. I hope you will not see it as a lack of respect for your Court, which is not my intent and for which I could not apologize enough.

I will not comment on events that occurred before 2016 about which I do not have first-hand knowledge. I will say with total conviction based on fact that the Elizabeth Holmes I met in May 2016 and whom I got to know well and admire over the following years is a principled, deeply ethical, intelligent, hardworking, selfless woman, dedicated to the worthwhile mission of improving health care. She has so much to give to society as a force for good. Please give her the opportunity to do so.

Judge Davila, it's been my honor and privilege to serve in your Court as witness and to provide this letter in support of Elizabeth Holmes.

Respectfully,



Fabrizio Bonanni



Cory A. Booker  
Washington, D.C.

September 9, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila,

Throughout my 20-plus years in public service, from my time on the Newark city council, as Newark mayor, and in the US Senate, I've advocated for reforms to our criminal justice system.

My advocacy has included speaking out for the rights of the accused, incarcerated, convicted and condemned as well as for improved conditions in our prisons, jails and immigrant detention facilities. I've made it a point to visit prisons and jails and I have worked hard to help those returning from incarceration re-enter society successfully. I have also worked to lower federal sentences for nonviolent offenses and to make sentencing more fair and proportionate, in addition to making our system focus more on restorative justice.

It is in this spirit that I write to advocate for a fair and just sentence for Elizabeth Holmes.

I knew Ms. Holmes for about six years before charges were brought against her. We first met at a public policy conference hosted by the late Senator John McCain, bonding at a dinner when we discovered we were both vegan - there was nothing to eat, and we shared a small bag of almonds.

In the years since, I've always been struck by the way our conversations focused on her desires to make a positive impact on the world.

To me, Ms. Holmes was always most interested in talking about world events and national and global challenges. She often passionately spoke of her interest in philanthropic causes, in meeting global challenges like climate change and world hunger, and about the grave crisis of limited access to affordable, quality health care for populations across the world and here in the United States. Her focus was always thoughtful, demonstrating a depth of knowledge about such issues, a curiosity to know more, and a determination to make a difference herself.

I believe, from those conversations, she was not only sincere about her interests but a person who would indeed dedicate herself to making positive contributions in the world beyond her company.

From my faith, I believe in, and try to hold myself to the difficult standard of unconditional love. Thus, although our communications have been more limited in recent years, I continue to consider Ms. Holmes a friend. I still believe that she holds onto the hope that she can make contributions to the lives of others, and that she can, despite mistakes, make the world a better place.

As author Bryan Stephenson has said, each of us is more than the worst thing we've done. I firmly believe in the possibility of rehabilitation and in the power of redemption for anyone. And I believe that Ms. Holmes has within her a sincere desire to help others, to be of meaningful service, and possesses the capacity to redeem herself.

I pray for all those who may have suffered as a result of Ms. Holmes' actions, and I pray for her. I pray that in the coming years she is able to fulfill her desires and more humble hopes to be of meaningful service in our world. I believe she shares these prayers as well.

Thank you for your commitment to the highest ideals within our justice system. And thank you for giving my letter your attention.

Sincerely,

A handwritten signature in blue ink, appearing to read 'C.A. Booker', with a stylized flourish extending to the right.

Cory A. Booker



September 17, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

I would like to offer a few thoughts regarding the sentencing Elizabeth Holmes – which I feel should be lenient as I see her as someone who was placed in an impossible situation in an overly hyped start-up company that had no chance of success from the onset.

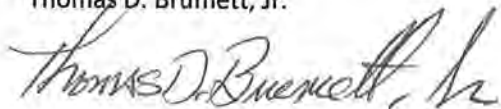
I was employed by Theranos from 2010 until 2017 and joined the company at the urging of one of the investors in Theranos, Peter Thomas. I had been working for a series of startups and venture-funded companies since 1991 and very much understood the dynamics of such companies. Regardless of the technology, the target market or the leadership team of the new company, everyone involved in these start-up companies expects them to be successful. These expectations are a huge driver for everyone involved even in the face of the fact that the failure rate of start-up companies is quite high, probably 90% in most cases.

It was into this environment that Elizabeth, a 19-year-old, found herself when she was able to start her new company. There is absolutely no way that she could even begin to see the pressure a new company is under to succeed and almost all that pressure is on the head of that company. The risk of failure is very high, and all investors, employees and board members represent tremendous sources of pressure not to fail. When things start to go wrong, and they always do, everyone looks to the CEO to do whatever is necessary to fix the problems and keep things moving forward. The most precious ingredient to fixing things is getting more time and time takes money. If given enough time, all problems can be fixed. It was during these trials that I saw Elizabeth exceedingly hard to buy the additional time the company needed to succeed. Elizabeth's self-sacrifice and driven work ethic became very visible.

She desperately wanted to not disappoint, not to fail. As one disaster after another occurred, she continued trying everything under the sun to save the company. From my years of experience with start-ups in similar situations, this would be the time when most involved veterans (board members, investors, CEOs) would simply call it quits, walk away, and move on to the next big deal. Elizabeth didn't have this kind of board, investor group or management team – they kept the pressure on, and she continued to try to save the day. Elizabeth didn't show herself to be self-serving in any way. She put the interests (and unrealistic expectations in my opinion) of many others ahead of herself at a very great personal expense.

On a more personal note, I found Elizabeth to be one of the most employee-focused CEOs I have ever worked for. She was approachable, attentive, and supportive. She took note of birthdays, put together holiday parties for everyone and took time to get to know people who worked for her. I will be glad when all of this is behind her, and she can enjoy life. To me, start-up company failures are a fact of life in Silicon Valley with the by-product being great companies coming from that environment. Investors know they will lose money most of the time, but they eagerly put it on the table again down the line betting on the next big deal.

Sincerely,  
Thomas D. Brumett, Jr.



Hon. Edward J. Davila

San Jose Courthouse, Courtroom 4-5<sup>th</sup> Floor

280 South 1<sup>st</sup> Street

San Jose, CA 95113

Dear Honorable Judge Davila,

It is an honor for me to write this letter attesting to the honest and enthusiastic character of Ms. Elizabeth Holmes. I have known Elizabeth since 2004, first as an employee (VP Strategic Planning and Clinical Development) who reported directly to Ms. Holmes. After leaving the company, I became a consultant for six months, then as an ex-employee I have remained in touch as a colleague until the present time. Prior to joining Theranos, I was President and CEO of Plant Research Technologies, and Vice President of Clinimetrics Research Associates, both being contract research organizations, where research for submission to the EPA and the FDA was performed under good laboratory practice (GLP) and good clinical practice (GCP) regulations, respectively.

From the onset, I was greatly attracted to Ms. Holmes because Ms. Holmes reminded me of my only daughter, a brilliant young pediatrician, who was a few years older than Elizabeth, exemplarily honest, and who cared immensely for children and their well-being. Like my daughter, Elizabeth was enthusiastic, had very sharp acumen, and the uncanny ability to seek out and surround herself with the best of the best. In addition, Elizabeth truly cared for children, and saw children as the initial beneficiary in the use of microliter quantities of blood to evaluate one's health. It is my experience that one who truly cares for children cannot but be honest. Elizabeth was. She intended to alleviate the pain of needle pricks, while tracking the root cause of hidden diseases. She also intended to use biomarkers/indicators to pinpoint the successful treatment of a disease. Of course, the darkness and pain of the recurrence of a disease that was previously successfully treated would be equally important.

The activities of daily interactions at Theranos with Elizabeth and others in corporate and strategic meetings were engaged in making presentations to folks who were attracted to Theranos' vision. These latter were large pharmaceutical and biotech companies, venture capitalists, and regulatory agencies. In such august environment untruth or hyperbolic language would have been suicide! Extreme hard work, diligent preparation and arduous travel were the order of the day. In 2006, I led a team of scientists and regulators to the FDA to better understand the regulatory pathway to our end product. The primary goal was to add authenticity and great quality to our Theranos' end product. I remember one conversation, during a return flight after a very successful trip travelling to interested parties on the East Coast. I advocated the parallelism and impact between the proposed product of Theranos and Henry Ford's ground breaking 1908 automobile, the *Model-T* Ford.

Although she had no children then, Elizabeth was very interested in the well-being of children. She relentlessly pursued the technology that would transform the world, one that would rapidly evaluate childhood diseases. She would expand it to adults and to animals. The smart intellectuals around her believed in her. The technologists and investors who heard her story had their assessors examine not only the possibility but also the probability of realizing such a dream. As I digested feedback from the savvy team of investors who visited, I wondered if our commitment to "transforming the world" was just a dream. Yet, many large pharmaceutical and biotech companies who visited us, or were visited by us,



did not say that it was not probable, but asked rather, when would it happen? In the early years of 2005 to 2007, we kept in mind the FDA's regulatory pathway that should guide the technical operations. At all the internal and external meetings, the technical experts reported on incremental technical developments, alliances, investment interests that confirmed the possibilities. We - the scientists, the managers, the investors, the quality personnel, the legal advisors, internally and externally - combined our inputs and weaved the fabric into an incredible truth. We can do it! We breathed the same air, drank the same "coolade", and ate the same diet – sometimes literally as well as metaphorically.

Inside the organization, it made sense! Outside the organization it made sense! It could happen, and would happen. When? Collaborators made sense of it, and even sought structural and intellectual modifications and collaborations that would make the dream a reality. Elizabeth, as the coordinator of the resources and the safekeeper of the dreams needed more and more high quality support. It was decided sometime in late 2006 that in order to extend the fiscal runway so that the company could more likely attain its goals, key quality personnel like myself, as well as other VPs, and senior VPs should be replaced by technologists, micro fluidics personnel, and other technical personnel. Despite some resistance from Elizabeth the breach in the dike began. In hindsight, a new flaw found its way into the structural architecture and may not have been recognized. It thwarted her hope, her trust and her vision, that were yet to be realized.

Today, no doubt, the new young man in her life, one-year old [REDACTED] her son, is a major factor to be considered. He must be giving Elizabeth, the mother, a new vision and focus, and a new hope that as Portia so eloquently began her plea in her court case in Shakespeare's, *The Merchant of Venice*:

***"The quality of mercy is not strained! ...."***

Respectfully yours,



Basil A. Burke Ph.D.

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

I'm writing to you in support of Elizabeth Holmes.

I've lived in Silicon Valley for 15+ years, and had the opportunity to work with countless founders, investors, and technology startups. Inventing the future is hard. Founders are called upon to strike the incredibly difficult balance between painting a picture of the world as it could be, and as it actually is. I can't tell you how many founders and investors I've talked to who empathize with Elizabeth, and reflect that Theranos's mistakes weren't that different from any other Silicon Valley startup.

Theranos could have done great things for the world. As one example, there's no question in my mind they would have been able to contribute and save lives during the Covid pandemic. It's a sad loss for humanity that Theranos's story ended so prematurely.

Elizabeth is a friend. She's a good person, motivated to change the world for the better. Her actions show she 100% believed Theranos would realize its vision: she sold no stock, she didn't profit off of Theranos. I hope that one day the world can see Elizabeth with compassion, someone who made honest mistakes in pursuit of a greater mission.

Elizabeth is a well-intentioned person who wants to do good in the world, I hope she's forgiven and given the opportunity to work towards that in the years to come.

Best,  
Jeremy Carr

A handwritten signature in black ink that reads "Jeremy Carr". The signature is written in a cursive, flowing style.

August 29<sup>th</sup>, 2022





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July 26, 2022

T 312.820.3414  
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TJCarroll@Venable.com

The Honorable Edward J. Davila  
San Jose Courthouse, Courtroom 4 - 5th Floor  
280 South 1st Street  
San Jose, California 95113

**Re: Elizabeth Holmes**

Dear Judge Davila:

My name is Timothy Carroll, and I am a partner in the IP Litigation group at Venable LLP. My practice focuses on representing industry leaders and emerging companies in high-risk patent cases. I focus my practice on cutting-edge technologies including medical devices, messaging systems, internet-of-things, location-based services, content-management platforms and green technologies. I routinely work with companies to assess the value of their patent portfolios, and it is through this context that I had the good fortune to work with Theranos and Elizabeth Holmes.

I initially met Elizabeth in 2018, when my team was brought in by the Theranos board of advisors to assess the company's IP value and patent portfolio. Our task at the time was to assess the patent portfolio to see if there was an opportunity to use it for licensing and whether the portfolio had significant value. My team spent several months assessing the patents, and we discovered that Theranos had more than 1200 patent assets across the globe. Furthermore, I learned during my time working with Elizabeth that she is an innovative individual who is and remains determined to positively impact public health and the scientific community. Ultimately, I hope that this letter provides additional insight about Elizabeth's characteristics, her contributions to society, and the hidden value that the company built.

Working with Elizabeth showed me that she was an open-minded, caring person, committed to learning from her mistakes in order to make the world a better place. When we began working with Theranos late in its existence, Elizabeth had the right intentions – she wanted to put out a quality, accurate product that would expedite diagnosing ailments and thus improve our collective public health. When my team began our work with Elizabeth and Theranos, something that stood out to us was how few high-level advisors—and especially those with experience advising start up companies or medical device companies—were present to guide Elizabeth in her endeavors. Elizabeth was only 19 years old when she started this company and, in a sense, grew up with it. She was working hard but struggling to address business challenges, such as scalability and organizational behavior. But, for all the high-profile Board Members and other advisors who affiliated themselves with Elizabeth when she was a favorite in Silicon Valley, none of them were





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July 26, 2022  
Page 2

guiding Elizabeth and Theranos through these business challenges. It is unclear if they even had the experience to do so.

While Elizabeth may not have been able to create the end product which she set out to, she was responsible for many highly valuable inventions along the way. The media has been focused on the narrative that Elizabeth created a fake testing machine that did not work. However, as I discovered through my experience working with her and the company, a vast number of the patents in the Theranos patent portfolio were directed to invention other than a testing machine. For example, there were at least two issued patents and one pending patent diagnostic application that covered real-time influenza detection. Elizabeth also invented patents that solved technical problems relating to aspects of blood testing. These were creative inventions, which patent offices recognized in granting her patents in the field of her inventions. Theranos had scores of inventions like these that were valuable on their own, even if they were never successfully aggregated into a full and accurate testing machine.

In addition, my experience working with Elizabeth demonstrated her consideration for others. After evaluating Theranos' patent portfolio, my team came to San Francisco to show the portfolio value to Elizabeth. We discussed how at least five different companies may have been using at least five of the patents, and we told Elizabeth that these companies potentially owed Theranos massive amounts of money if the company could prove infringement of her patents in litigation. But, Elizabeth and Theranos were not interested in pursuing these lawsuits. For Elizabeth, it was not about wealth. She cared about trying to move Theranos forward, improving her inventions, and helping people, even when her company was in significant financial hardship.

Eventually, when Theranos' patents were acquired by Fortress, the Fortress-created entity, Labrador Diagnostics, sued another company, BioFire Diagnostics, for allegedly infringing on several patents. These patents related to detecting diseases like COVID-19, so the public reaction to this lawsuit was extremely negative. Elizabeth could have brought this same exact type of lawsuit years earlier, when we advised her that companies were potentially infringing on her patents. Elizabeth sought to improve the public rather than to use her patent as a weapon. Further, lawsuits like Labrador Diagnostics' show that Elizabeth was indeed inventing concepts that were way ahead of her time, so when the COVID-19 pandemic hit, there were companies that were using the technology that Elizabeth created to develop COVID-19 testing—so much so that the notion of litigating over such helpful technologies resulted in public backlash against Labrador Diagnostics.

I understand that the jury made a determination of guilt and I respect that determination. However, it is important to look at Elizabeth's life and career in its context: Elizabeth created valuable technologies; she contributed greatly to science; and she is a brilliant innovator. She brought in mentors and teachers who were supposed to guide her and failed to do so. The scientific


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community moves and flourishes on innovation, risk, and creativity. We need open-minded people who are willing to go outside of the box to invent. Elizabeth is one of these remarkable people. I hope that you will consider the content of my letter as you determine your sentence.

Very truly yours,



Timothy J. Carroll

TJC:jjc



Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

Please consider my statement in the sentencing for Elizabeth Holmes. I have provided the comments I would like to be considered from the personal experiences and the timeframe as referenced in this letter

I was introduced to Elizabeth through a well-known, respected expert oncologist in 2004 who knew her and her family. I was an executive in the biotech/pharmaceutical industry for about 15 years at the time and focused on the development of therapeutics in hematology oncology. The connection was made to see if I could help her as she had recently left Stanford to build her company, Theranos, full time.

I met her at a hotel in Cambridge, MA where I believe she was attending a conference or conducting other meetings. The oncologist who connected us knew that I was looking for a new opportunity after leaving Millennium Pharmaceuticals in Cambridge, MA so we met to discuss mutual interests or where we might be able to partner. She was wearing khaki pants and a winter or holiday sweater. I saw a bright, ambitious young woman with a brilliant vision, but lacking the business or oncology experience to apply to the venture. I was enthralled by the original concept of a micro needle patch you would wear on your arm for real time monitoring of your blood to integrate nano and bio technologies. This idea could be applied to clinical trials for real time interventions for side effects or dose reductions. It was a fascinating and totally novel approach to augmenting clinical trials with set schedules of assessments or timepoints to assess a drug's safety and efficacy. It could also be utilized in post marketing applications that would save the delay and effort to come into your physician's office for labs to intervene instead of waiting days before checking your blood test results or getting into see the doctor.

The woman I met in September of 2004 was calm, young and almost awkward or naive to much outside of the science and ethos of what she hoped to build. I do not know how many people were at the company, but this was earlier than any of the details I have seen published about Theranos in the media through books and documentaries. She had not raised funding so there was no way to pay me, but I agreed to consult in exchange for stock options while I looked for employment. The idea was so refreshing and revolutionary that I hoped over time there might be a way to work for her officially. My role was to assist with introductions within the oncology industry as well as support to create potential revenue models and other materials that could help as she pitched this idea. We held weekly calls to review whatever she had asked me to work on and serve as a sounding board where I might be helpful. Throughout these early interactions in 4Q of 2004, I was always surprised the patience and time that Elizabeth was able to give me on a weekly basis. It was clear she had multiple competing priorities to include building and running the company, putting in place a competent and established structure/functions with little awareness and credibility yet but needing a solid plan for pitching the business concept for raising capital. I had a lot of questions looking at the initial business plan. She was very good to acknowledge where she did have expertise but also to respect when she didn't and to defer to those who did. She trusted and recognized my background, experience, and relationships in the oncology community and within oncology organizations.

In early 2005, I was offered a job at Bristol Myers Squibb. As the primary revenue source for our family, it would have been difficult for me to continue with Theranos for no pay despite my intense interest and admiration. I accepted the new role at BMS, but continued support as I could and eventually stopped consulting for Theranos (I do not know exactly when since there was no compensation, but it was before the transition to the Edison/drop of blood approach and later in 2005). I was very interested to follow Elizabeth and the Theranos success. I offered to keep in touch and always happy to serve as a sounding board or mentor as I did not have many strong mentors and very few female mentors. I still thought or hoped that someday as she needed commercial, marketing and/or medical affairs and thoughtleader engagement support, there might be a role for me in her developing company. I enjoyed her personally and kept a friendly relationship to include yearly cards, emails, and notes when I would see progress or press releases. I last saw her in person in 2009 in San Francisco where we met to catch up at a restaurant and bar called The District in South of Market. I anticipated that if we remained connected with shared visions that there would be a time in the future when I could work with her again. I only saw qualities of leadership that I admired (to include passion, intelligence, awareness, emotional intelligence, desire to succeed/exceed and to always be learning - among others). I look for leaders that I would enjoy collaborating with or learning from that also trust my actions, empower me and reward hard work with recognition for accomplishments. When we met after several years from what started as a primarily business relationship, it was more to catch up on life. I recall talking about relationships work life balance, managing travel and dealing with the challenges of a partner/boyfriend. She knew I was married with 2 sons and had dealt with rigorous work, travel and balancing the role of executive and mom – along with multiple job/geographic moves - that cause great stress. I viewed her as a friend but also that I could be an older, more experienced advisor on the “boy troubles” she was asking me about and things to consider before doing anything serious like marriage. We parted and agreed to keep in touch. I followed the Theranos ups and downs. For example, I was proud to see Theranos open Wellness Centers in Arizona and within Walgreens stores. It was a big milestone to also see her partner with Governor Ducey for a new law to allow patients to get their blood test results themselves to become informed advocates along with their doctor. More innovative ideas and vision. I continued to send holiday cards every year including 2021. As a busy executive, it often took time for her reply, but she would send emails and texts in time. I continue to consider her a friend and colleague based on the time I worked for her and the interactions that left a favorable impression on me.

This statement is based on my opinion and from my personal experiences. It does not reflect any opinion from my family or current employer Elevation Oncology, Inc.

Respectfully,

*Amy C. Cavers*

Amy C. Cavers

Amy Pernell Cavers  
VP, Medical Affairs  
Elevation Oncology, Inc.

July 1, 2022

Honorable Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

RE: Ms. Elizabeth Holmes; United States v. Holmes (5:18-cr-00258)

Dear Honorable Judge Davila:

My name is Lawrence Cheng, a Molecular & Clinical *in vitro* diagnostic (IVD) product development professional with more than 30 years of FDA-regulated IVD medical device experience (<https://www.linkedin.com/in/lawrence-cheng-70b44316/>).

I am writing to request for Your Honor to reconsider the convictions in Ms. Elizabeth Holmes' case. I came to know Elizabeth when I was employed by Theranos as Staff Scientist, Molecular R&D, in January 2018. My goals included product development, design control, and most importantly, help troubleshoot and accelerate the regulatory submission of Theranos' Zika virus IVD test on miniLab system to the FDA. During my employment, Elizabeth, as CEO, held periodical company-wide meetings and provided candid updates to the entire company. She also answered all questions in a frank manner at Q&A before the end of a meeting. I found Elizabeth sincere and was never shy away from elaborating her view/vision about Theranos' products, and every employee I interacted with was engaging and committed. I was impressed with Elizabeth's leadership and dedication as well as all my colleague's credentials. Just when the development of Zika test was approaching the completion of Verification & Validation, our operation was stopped, in June 2018. After I left Theranos, I occasionally communicate via email with Elizabeth, who always responds with delight and appreciation; our interactions have been positive and frank since. I consider Elizabeth to be polite, genuine, and naturally empathetic. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Elizabeth is a good and likeable person.

I worked for global giants Roche, Siemens and Thermo Fisher Scientific on developing FDA- & EU-regulated IVD tests before joining Theranos, which was, by comparison, a very small company. I was very impressed with Elizabeth's professionalism and commitment to the company's success and

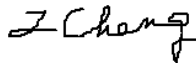


employee's well-being. From my own experience and observations, I strongly considered Theranos was on the right track under Elizabeth's leadership. I observed that Theranos employees worked just as hard as the employees of other successful IVD manufacturers that I worked for. While mistakes, failure and risks are inevitable in healthcare IVD industry where everchanging variables, expectations and constraints are intertwined, I considered Elizabeth to be prudent who would resolve issues conscientiously.

Elizabeth was humbled by the fall of her painstakingly built Theranos along with it the traumatic impact on families, friends, colleagues, employees and customers. Elizabeth felt remorse and admitted to mistakes in Theranos' operation and should have handled some key business matters to the highest degree of judiciousness. I believe Elizabeth has learned and grown from the experience. I sincerely urge Your Honor to reconsider the verdicts on Elizabeth.

Thank you very much Your Honor for reading the letter and reconsidering Ms. Elizabeth Holmes' case.

Respectfully Yours,  
Lawrence Cheng, MS, MA



*L Cheng*



Joe Chung

2022.09.12

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 - 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Hon. Edward J. Davila,

Against all odds, I have risen out of a difficult environment, successfully launched seven companies, and sued and won a settlement after seven years of litigating against a \$3T system that fundamentally destroyed countless lives in a mess of its own creation. Nowadays, I spend my time on passion projects while maintaining as much anonymity and privacy as our American system allows. With great humility I am often invited, by the few who know me well, to participate in events belonging to the highest echelons of government and commerce.

I have a personal and professional opinion on Elizabeth Holmes. It is not in Elizabeth's character to cause harm to others, especially out of self interest. The Elizabeth I know would go far out of her way to make life easier on another person. Professionally speaking, I believe her guilty conviction exposes a litany of problems in our American business, investor, startup, medical and social ecosystems.

I became good friends with Elizabeth Holmes in the summer before she matriculated at Stanford University. I have included a picture of the two of us from that Summer.

Part of my skill set requires me to be able to read people quickly. Reading people well was always a natural talent of mine derived from the need to escape uncomfortable situations. Later on I would utilize the talent to put stellar teams together and to know who was worth supporting, whether popular opinion agreed or not. This skill enabled me to break through

historic barriers in organizational growth, team and executive growth, as well as business and technological advances. It also enabled me to properly vet people before adding or properly placing them within any of my teams, through an individually customized, scientific, and proven method. Do I rigorously vet all people, organizations, ideas, and strategies, including myself and my own? You bet I do.

My skill set has enabled me to discover, recognize, and vie for higher truths, then successfully implement those truths into the fabric of my organizations, no matter how uncomfortable the process may be for followers of conventional wisdom. In a word, only the bravest of souls and those most dedicated to excellence, transformation, and discovery (in self and in general) are able to consistently work closely with me. I've learned and continue to learn from many of the top institutions, organizations and leaders in our world. I would be more than happy to give you a personal tour of my world in order to substantiate my statements, should you ever ask.

At heart, Elizabeth Holmes is a person who is goofy, genuine, kind, authentic, driven, intelligent, and her purpose on Earth is to advance humanity's ability to thrive. In the Summer before she started at Stanford, we would have long discussions about our dreams. She never once bragged about herself, her intelligence, or her family's previous successes (I came to learn about her family's history through public discourse—not through her). I knew she was intelligent and genuine because of who she was and how she consistently presented herself, in all circumstances; formal, informal, day, night, in public, in private, with friends, among teachers, and alone, Elizabeth Holmes was and always has been a most upstanding human being I am proud to be friends with. Twenty years ago when men opening doors for women was still an uncontested tradition of courtesy, Elizabeth was opening doors for everyone and always walking in last.

I can state with absolute certainty, there is no way Elizabeth Holmes could possibly have intentionally misled people to further any self-serving agenda. She is simply the least selfish person I have ever met. To hurt, mislead, or lie to others is simply not within her capabilities, fabric, and character. Elizabeth is among the most altruistic, visionary, and impassioned people I have ever known. If I had my way, I would revive



Theranos with her original vision and beg her to be the CEO because if anyone can get advanced and painless blood testing accomplished on a global scale at reduced costs and faster speeds, it would be Elizabeth Anne Holmes.

I also believe whole heartedly that the startup world has historically been, and continues to be, partial to the male entrepreneur. It's not so hard to believe a 25 year old man can have invented a broad and defining technology or solution, then moved forward to defend it against all odds, and lead its corporate support structure through decades of success with a supportive news and media culture in tow. But if it's a 25 year old woman, you can bet witch hunters will start sharpening their spears, especially after a woman is named the wealthiest self made entrepreneur in the world. At risk of prematurely alienating a few of my less deserving relationships, I must state anti-female-leader sentiment is a sad reality we must face and fight against in American society if we are to have any hope of maintaining our claim as the world's greatest, leading super power. We must protect and support our present and future Elizabeth Holmes', just as we would support and protect any other young male entrepreneur against all odds.

That all being said, let's discuss honestly, openly. Did Theranos' results provide clear evidence that it performed below today's accepted standard of care? Did Theranos' results cause harm to its patients, above and beyond the standards of other healthcare providers in similar industries? Did Elizabeth run off to take vacations or disappear and protect herself with a legal army while Theranos was fell apart? No, no, no. She stood by her company and went down with it under intense and (still bluntly speaking) sexist enemy fire. This is why she should be awarded an entrepreneurial medal of honor and put back at the helm of a revival effort, and not facing potential jail time instead. The dismantling of Theranos was caused by a mass exodus, not by Elizabeth's actions. If I had been aware of its challenges, I would have gladly stepped in to help protect investors, partners, and intellectual property, maintain partnerships, guide technological advance within Elizabeth's vision, and shape up the team behind Theranos to be as effective as it could have been. Unfortunately I heard about Elizabeth's troubles far too late. Now, I can only write a letter to you, your Honor, and prepare those within my circle of influence to study all aspects of this case, today's social and business environment,

and encourage all to do better. Perhaps I will be able to help Theranos revive itself to now catch up with the many blood testing companies that have since found success reaching various elements of Elizabeth's original vision (dubbed impossible by those who claimed Elizabeth could not succeed and was purposefully duping investors) to effectively test blood quickly, portably and with only a few drops. All of the most prominent companies in this field have found continued success with Theranos' original vision, yet interestingly, were all founded and currently led by men. Is our society simply more prepared and deeply, innately accustomed to trusting its biggest bets on men? If so, would we find any excuse or go as far as witch-hunting our best women, in order to continue our man-centric culture and tradition?

In my most humble effort, I kneel to you, and implore—beg—our justice system to protect the heart and soul of our young female entrepreneurs to go forth and to bravely lead groundbreaking companies without the fear of being wildly hunted down (and more viciously so because they are young women in a system overpopulated with men who are better at protecting men) if they grow too quickly.

In 2002, my friend Liz was wide eyed, inspired, and wholeheartedly believed in our right to have and create better technologies to serve us. She wanted to lead such an effort. She was also a vulnerable and incredibly trusting person, like all of us when we are young, but even more so, because her heart was golden and wide open with faith, trust, and hope. This is how I knew her, through and through in 2002. My Father who also met her several times, felt the same way about her as a person. I have no doubt that a vulnerable Elizabeth and an unwelcome trauma met by a wrongful (or negligent at best) institutional response would easily have set her on a path where a lack of proper protection and improper influence would permeate the next two decades of her life. Face value, based on all of the public sentiment, deal room chatter, and news media, I simply would not believe Elizabeth's version of events if I did not know both her and the systems in play so well; from Elizabeth to Stanford, to entrepreneurism and Silicon Valley, to medical standards of care, and to the very real dangers and pitfalls of modern day sexism.

The two big questions I will always have are (1) why wasn't Elizabeth Holmes protected the same way I have been, in finding lasting and dedicated protection any entrepreneur ought to have? (2) Will we ever be lucky enough to see Elizabeth wide eyed, inspired, and wholeheartedly believing in our right to have and create better technologies to serve us again?

I know the answer to my first question. I'd rather not repeat it, but I will anyway because America hasn't gotten it yet. The reason Elizabeth was not as protected is because, especially compared to a young male entrepreneur, it is practically impossible for a young female entrepreneur to form a dedicated base of powerful and capable people protecting her and fighting for her vision.

Your Honor, I hope you can help pave the way for the answer humanity deserves to have on the second question.

Before we knew how to fly, people said it was impossible. Some people tried to stop all efforts to fly. Imagine what our world would be if those people would have won.

Allow us to find a way to protect and support our most visionary and capable leaders, especially if they are young women in this time. Let us believe in the importance and possibility of testing blood in the visionary path first set by Elizabeth Holmes.

I hope the US and our culture gets this one right and gets it fixed. I would hate for deserving young female leaders to hold back one iota anymore, due to our society's past and shortcomings. We need our young female leaders more than ever. Liz was emblematic of what we needed, she is what we need, and hopefully we can rehabilitate that as soon as possible.

Believe me,

Very Sincerely Yours,

A handwritten signature in black ink, appearing to read "Joe Chung". The signature is fluid and cursive, with the first name "Joe" being more prominent and the last name "Chung" following in a similar style.

Joe Chung







Austin and Sarah Cook Kiessig

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

July 25, 2022

Dear Judge Davila:

We write in support of Elizabeth Holmes to share our experience of her character and motivations as you consider her sentencing. We've known Elizabeth as a personal friend for over four years, during which we've come to know her deeply. We've spent hundreds of hours with her, her parents, her domestic partner, and her lifelong friends. As a result, we consider our understanding of her personality to be authentic, accurate, and credible.

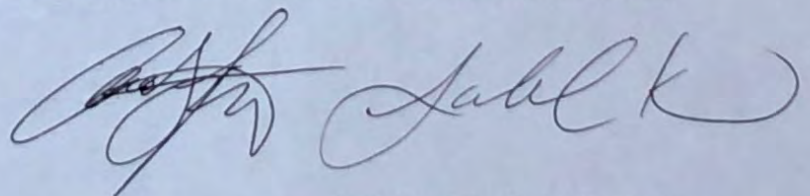
Elizabeth emanates love and compassion. She genuinely wants to make the world a better place, both by improving the lives of those near her, and through her broader professional work. In private, Elizabeth vibrates with energy when discussing how to tackle challenges of socioeconomic inequity and access to health care. Elizabeth's devotion to constructive impact remains natural, profound, and inspirational.

On a personal level, she's been a huge positive presence in our family's lives. When our son K [REDACTED] was born nearly four years ago, Elizabeth and her domestic partner Billy delivered a hand-written letter for him. We share the body of the letter here as an artifact of Elizabeth's magnanimous and buoyant soul:

*"You are born to two of the most loving people we know. Their love is unconditional love, and that kind of love gives you wings to explore, take risks, and be free. We hope you live a life pursuing your best dreams, and a purposeful life in service of others. A life in which you do things you didn't even think were possible. You have in us two more people who will always love you unconditionally. And will be there for you, especially when it matters the most. Always. Welcome to a wonderful world."*

Per those closing words, Elizabeth is an ardently resilient optimist. In today's cynical world, it feels rare to encounter a brilliant mind coupled with a humanitarian heart – Elizabeth has both. She will make many lives better through any future endeavor she pursues. We understand that Elizabeth made significant mistakes while attempting to ameliorate our broken health care system. But she has assuredly learned and grown from transgressions made at a significantly younger age. Elizabeth is – and will continue to be – a wonderful mother, family member, citizen, and purpose-driven leader. The United States needs bright souls like Elizabeth more than ever. We kindly and humbly request that you consider leniency in her sentencing. It is our wholehearted opinion that society is better off with her in it.

Thank you for your public service, and for contemplating our request,



Austin and Sarah Cook Kiessig

August 29, 2022

From,  
Timothy Cooper

[REDACTED]  
[REDACTED]  
[REDACTED]

To,  
Honorable Edward J. Davila  
San Jose Courthouse, Courtroom 4 - 5<sup>th</sup> Floor  
280 South 1<sup>st</sup> Street  
San Jose, CA 95113

Dear Honorable Edward J. Davila:

I want to start by thanking you for taking a few minutes from your busy schedule to allow me the opportunity to write you on behalf of Elizabeth Holmes. I first met Elizabeth in late 2013 during my final interview for a senior leadership position with Theranos. I was fortunate to be offered a position with Theranos and upon accepting reported directly to Elizabeth as Vice President of Hardware Manufacturing until the company ceased operations in August 2018. I frequently interacted with Elizabeth over this nearly five (5) year period regarding my primary responsibilities of managing the staff and processes for manufacturing **the company's hardware technology. Along with another colleague,** I was one of the last employees to leave Theranos handing over the keys to the building owner on our final day of operation. I have remained in contact with Elizabeth since that day now as a friend and supporter. I, along with many others, remain proud of the efforts we put forth in **attempting to bring the company's technology to the world under Elizabeth's leadership.**

There has been much highly unfavorable written and spoken in the public eye as to the basic **flaws in Elizabeth's charter and her beliefs over the past several years. However, I offer a** different narrative based on my direct working relationship with Elizabeth and observation of how she led the Theranos team during some of the most difficult and challenging days for the company. While there were without question more difficult days than not, Elizabeth came to the office every single day with a highly engaging and positive energy that created **the foundation of an environment that allowed us to focus on "doing our very best work".**

Elizabeth is and has always been driven by a single and simple purpose; she wants to make the world a better place than it would have been without her. While many of us are motivated by this same basic objective, some like Elizabeth are driven to do this at a size and scale that most **of us either can't** imagine possible **or don't want to consider.** Pursuit of



such sizable endeavors require a leader to be bold and hold an extreme conviction in their beliefs while upholding a deep and sincere compassion for those they are trying to affect. These characteristics must be steadfast and **can't be fleeting in the face of** criticism or adversity. At a very early age, Elizabeth identified a very subtle yet profound issue with respect to how we manage our individual health. Understanding one's health and being able to act upon such information toward our own best interest is an essential foundation of our existence. Since that realization, she has devoted her entire **life's work** to finding solutions to her vision that "access to affordable and real-time health information is a basic human **right, and it's a civil right**". The wisdom of this pioneering vision has been made all that more obvious and relevant seeing the importance that health testing has played in our collective experiences managing through a nearly three (3) yearlong global pandemic. Through my many both public and private interactions with Elizabeth, it is my view and strong belief that she has never been motivated by anything other than realizing this vision. She never brought financial considerations into our discussions and always placed a heavy emphasis and focus on ensuring that a positive experience and outcome for the individual (patient) was at the forefront of our work.

Central **to Elizabeth's beliefs is that** you must never dilute or compromise on your purpose and vision. While there are many differing philosophical thoughts on this point, I argue that history suggests this has been a central theme in nearly all cases where radical change has **been achieved or as some might say "the impossible was made possible"**. I believe Elizabeth made every effort to both create and promote an atmosphere that kept true to this principle but that expected and enabled others to develop the pathways toward realizing such results. This came with a clear and accepted understanding that there would likely be many failures before success. Elizabeth encouraged us to be open to taking risk, to fail quickly, but to learn from and build upon those failures toward eventual progress and success. She was always thoughtful and attentive to the complications such an approach can have on both human and organization psyche. I observed Elizabeth mature during this time and develop a deeper appreciation for the importance and quality of interim milestones towards end objectives. She made necessary changes that broadened responsibilities and decentralized decision-making while also holding individual leaders to a higher accountability standard. Elizabeth made difficult leadership changes **in the later stages of the company's life** and surrounded herself with individuals that were proven capable of navigating the organization under such challenging and complex conditions. While she remained committed to the purpose and vision, she realized the importance and need to shift the approach and strategy based on changing assumptions and circumstances.

While it was Elizabeth's vision that formed the foundation of Theranos, she understood it would take more than just herself to shift the "norm" in health testing and diagnostics to be more centered around the individual (patient). Elizabeth sincerely appreciated those truly committed and working hard to realize this vision. Her display of genuine care for employees drove a tremendous sense of value and worth within many of us. Elizabeth was always quick to call me on any news of employee related personal health issues, site

security concerns, or simply to check on the overall wellbeing of employees following highly publicized company setbacks. I personally experienced her compassion for those she worked with following the death of my mother in 2017. Following my brief leave from the company, Elizabeth was touring a group of VIP individuals through our manufacturing facilities. Upon seeing me, she immediately paused her engagement and approached me with her condolences for my loss. In somewhat a surprise gesture, she went the additional step and gave me a hug. This simple and instinctive act speaks volumes **of Elizabeth's** true character. Beyond my direct personal experience, I also witnessed many other situations where that same care and compassion was demonstrated. This behavior was most noted when making difficult staffing decisions. During the unfortunate periods where we had to make significant staffing reductions, I spent numerous late evening hours with Elizabeth challenging the scope of the actions and seeking options on how best to minimize the impact to both those directly and indirectly involved. Elizabeth struggled with the implications of these decisions on the individual and was never comfortable with the negative consequences for those affected, regardless of the business rationalization or justification.

As I hope you might realize by this point in time, Elizabeth is no ordinary person. She is a natural visionary leader who is gifted with the ability to look at global problems, synthesize what we want or expect down to a simple set of principles and beliefs, and then, inspire others to passionately pursue solutions to those problems. This skill is truly innate and not something one simply trains upon or develops through repeat experiences. In connecting **people's** work or thoughts back to her vision, she sought and took great pleasure in engaging people at all levels. Sitting in a relatively unique spot, I witnessed firsthand, how she could quickly and with great effect connect with individuals ranging from the blue-collar workers on our factory floor through to some of the most important and influential people of our time. While Elizabeth might not have directly realized the ultimate potential of her vision through the realization of Theranos technology, she was able to develop and foster a special energy within many of us to think differently about our work and the impact it has on others. While I came to Theranos a relatively seasoned leader myself, I gained invaluable experience and knowledge from my time working with somebody 12-years my junior (Elizabeth). I continue to leverage many of those experiences as reinforcements of my own leadership style and have used them to great effect in expanding the reach of my influence in my current career position. I know of several colleagues who pivoted their experiences at Theranos into much the same with a higher motivation than before to make lasting positive change on those they work with and the world around us.

I again appreciate you taking a brief few moments to allow me the opportunity to provide you with some additional insight and perspective as to **Elizabeth's charter. As all great** leaders do, Elizabeth will undoubtedly learn through this setback in her life and will use this experience to become a better and stronger person. **While I can't claim to know exactly** how she will use this learning and energy, I do know that she still has the time and opportunity to make the type of substantial positive change on this world that has motivated her since a very early age. While she has not yet successfully realized her vision, she has

undoubtedly achieved a large part of her purpose. I both welcome and look forward to a future call from Elizabeth seeking to collaborate together again toward realizing our common purpose. **I understand how determining one's punishment must ultimately be the most difficult part of your responsibilities as an honorable judge.** I sincerely hope that some of what I have shared with **you on Elizabeth's behalf** is helpful in developing your thoughts and reaching a final decision as to her future.

Highest Regards,

A handwritten signature in black ink, appearing to read 'Timothy Cooper', with a stylized, cursive script.

Timothy Cooper



[REDACTED]

August 28, 2022

Honorable Edward J. Davila  
San Jose Courthouse, Courtroom 4, 5<sup>th</sup> Floor  
280 South 1<sup>st</sup> Street  
San Jose, California 95113

Dear Judge Davila,

I am writing this letter on behalf of Elizabeth Holmes whom I have known since she was born. Her mother Noel and I were freshman roommates at UCSB in 1969, and now 50+ years later, Noel continues to be one of my dearest and most loyal friends. We each raised our daughters and then our sons at the same time. Our daughter was born within days of Elizabeth, and our sons were born just months apart. Despite being busy moms and living in separate parts of the country, Noel and I have always found time for frequent phone calls as well as in-person visits every year or two. Therefore I watched Elizabeth grow up.

It is always interesting to watch our dearest girlfriends raise their children. It is a special joy getting to know those children and to see traits in them which clearly come from their mom. I loved the time I spent with Elizabeth and Christian when I visited their home, watching them grow and mature. They were delightful children, and as teenagers, they were also impressive. Both Elizabeth and her brother Christian were interesting to talk to, polite, sweet, and hard working. Despite the many advantages they had, I could tell they were “grounded”, with good self-esteem but without high egos. I often had the sense that they knew “to whom much is given, much is expected”.

When she was a teenager, I could see Elizabeth was smart and diligent, far more so than our daughter (who eventually attended USC but certainly was not as brilliant as Elizabeth!). Elizabeth was a young woman who I could see was curious and hungry to understand how the world worked—her vision was far broader and deeper than most people her age. She was undoubtedly one to watch, and I often wondered what interesting things she would accomplish. Her acceptance at Stanford confirmed my impression of her vast potential.

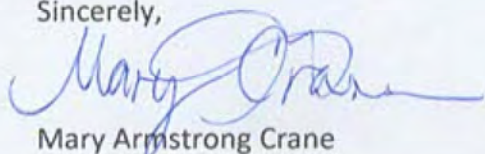
It was not at all surprising to me when Noel told me about Elizabeth having this “idea” that was so big and powerful that she was quite driven by it. Elizabeth’s devotion to developing this idea was complete. I questioned (privately) Elizabeth’s decision to leave Stanford, but hearing Noel describe how much Elizabeth’s passion for what she might be able to accomplish, it was not hard to visualize this young woman who didn’t just have a dream, she had a PLAN. She was restless and energetic. I believed in her.

My husband and I invested in Theranos as we believed in Elizabeth, her goals, and her drive. We were certainly aware of the risks involved as in any such venture, and having weighted those risks, we were comfortable in the amount we invested. When Theranos closed, we were extremely saddened for Elizabeth and her family, but we were not angry that we lost our investment. We believe no one should invest more than they are prepared to lose.

Elizabeth is an inherently good human being, a fantastic mother, and a loving and appreciative daughter. The media has conjured up a dreadful version of her, basing their made-up image of her on nothing but conjecture. I am offended by these portrayals of her and find them infuriating and tragic.

Thank you for taking the time to read my letter in support of this deep, brilliant, committed, and loving young woman.

Sincerely,

A handwritten signature in blue ink that reads "Mary Armstrong Crane". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Mary Armstrong Crane



**ALAN M. DACHS**

October 21, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5<sup>th</sup> Floor  
280 South 1<sup>st</sup> Street  
San Jose, CA 95113

Dear Judge Davila:

I have had two meetings with Elizabeth Holmes. On both occasions I was struck by her intelligence and purpose. Her conversation was crisp yet warm. She had substance, and inspired confidence.

Elizabeth's father, Chris, is one of my closest friends. I admire him and his dedication to public service. He has dedicated most of his career to solving some of the most difficult problems affecting the disadvantaged around the world. This includes work with refugees and bringing basic needs to people living far below the poverty line. All, by the way, in the remotest most troubled parts of the world, in the field dealing with things firsthand.

I believe Elizabeth's sense of purpose and concern for others comes from her parents, both of whom were driven by a similar sense of purpose. I can not imagine that their behavior somehow failed to influence their daughter's.

I am hopeful, that those most in need will soon benefit from Elizabeth's capabilities and passion. I believe we will all be better for it.

Sincerely,





August 24, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

Your honor, name is Doug Dalton, I have been an innovator in technology since the early days of the world wide web and was a Director at the bay area startup Netscape as well as many other ventures. I met many people through these amazing opportunities, one such person is Elizabeth. I have known her for around 5 years and connected with her and Billy through a love of art, innovation, and technology.

Over the years I have known them I have watched their relationship blossom, from their engagement, marriage and starting a family. Watching their love of their son [REDACTED] and coming into their own as parents. I have professionally worked with Billy, and watched them support each other through an incredibly difficult and challenging time.

Two years after we had first met, Elizabeth invited me to get Vietnamese food with her at Aux Delices, one of her favorite restaurants in San Francisco. She came to me looking for guidance in directions that she could take with her life and wanting to get her story out to the world, knowing that she had made poor decisions in her professional life which led to the downfall of her company and her vision for the future of medicine. I had been a whistleblower at Netscape over major financial issues, so I was happy to help her understand why these decisions were made, through a bad working situation and advised her on how to best handle things moving forward. We both agreed that it would be in her best interest to focus on herself and get through her legal woes. I saw how earnestly she regretted losing control of her company and derailing her vision.

From that time I have watched her heed my advice and grow so much personally, she has learned from the earlier experiences in her career.

Knowing how important Elizabeth is to her community, friends, Billy and especially [REDACTED], I hope you will find a way to allow Elizabeth to remain with [REDACTED] while repaying her debt for her mistakes, and not extract her from him at such an early impressionable age. I would hope she could remain at home to continue her positive impact on [REDACTED].

Thank you for time and consideration,  
Doug Dalton

[REDACTED]  
[REDACTED]

September 15, 2022

Hon. Edward J. Davila  
San Jose Courthouse,  
Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila,

I am Carole Holmes Delouvrier, Elizabeth Holmes's aunt, a graduate of Georgetown University and married to Philippe Delouvrier, who has both a MS and an MBA and who's comments I have incorporated in this letter.

Elizabeth was raised by two parents, Chris my brother , 15 years older than I am, and Noel, his wife. Their home has always been a refuge for me throughout my life , especially during my formative years , as my own mother was going through many divorces and bankruptcy. They embraced me and guided me as parents do. Looking back I knew that I could always count on their understanding, care, generosity and love. These also and foremost extended to their own children Elizabeth and Christian. In this context Elizabeth learned to admire her parents loyalty and dedication to service as civil servants. Money and business were rarely part of the conversation which focused on knowledge and achievement through reading and efforts. Continuous education is one of the staples of their family life. Service and progress- not business- still form the core of her values.

I remember one of the many Easter holidays spent with Elizabeth's family in Houston, Texas. Elizabeth, who was then 15, and I would talk at length about how she wanted to change the world and help people.

Already in high school, service meant everything to Elizabeth —she got involved in fundraising , initially for the Kosovo War Refugees then for the world wide organization, Save The Children, before joining UNICEF as a Houston high school representative.



She also cared for her younger cousins- my two children- and spent time laughing, playing scrabble, cards and other games in between her Chinese lessons every weekend. She had already developed a great work ethic and was a pretty cool role model for my children.

Elizabeth started business when she was eighteen years old and her initial knowledge and experience was in science, not in business. She did not go to Business School and as my husband, who has managed an industrial company -now part of Warren Buffet's constellation states: "what could an eighteen year old know about the different aspects of a business such as finance, legal and governance." As an example, Philippe had to buy her an outfit to be properly dressed for her first meeting with Pfizer and she still thanks him for this moment in her life.

She had to learn on the job by surrounding herself with seasoned people, who from our standpoint, were of poor influence among them and foremost Sunny Balwani.

Philippe and I met Sunny when Elizabeth was trying to get Theranos off the ground. She fell under his influence to the point that she asked my advice about his request for perverse sex. Horrified, I advised her to stay away. Under his control- and to our great dismay- she estranged herself from our family until 2016. On one of our trip west, we had planned dinner with Elizabeth and Christian in Palo Alto. Elizabeth showed up very late and to our astonishment, declared herself to be vegan, as Sunny had requested and left in short order to go back to work. Sunny's bad influence was not the only one. From our perspective, her glamorous board of directors was of little help and failed in their duties.

Elizabeth, however, stayed focused in her attempt to change the world and improve the delivery and cost of healthcare for everybody. This was her mission. If the mission failed, loyal to her values, Elizabeth did not make any money from this attempt. All the money raised went to accomplish her mission. It meant hiring and paying people, many of whom had PHD's and Master and Science degrees who, we are convinced, garnered substantial scientific knowledge during their time at Theranos. Elizabeth's intent was always to accomplish the mission and not to deceive.

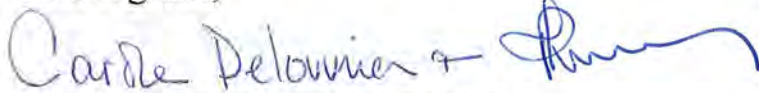
We were one of the early investors in Theranos and unlike other sophisticated, wealthy investors, our only regret is not to have lost money but that the mission could not be completed. Fortunately, we believe that enough knowledge was developed by Theranos for Elizabeth's ideas to survive and we believe that the realization of her vision is only deferred.

On the family front and during these grueling and humiliating recent times, Elizabeth has remained a most thoughtful family member.

[REDACTED]. Her love of family and devotion to motherhood is an example of her exceptional qualities. No Christmas, birthday and other family events are ever ignored by Elizabeth, always a note or a phone call.

All of us parents teach our children to push hard for their dreams to come true. She deserves to get back her life and I am sure her intelligence and character will enable her to make a substantial difference in this world we live in.

Best regards,



Carole and Philippe Delouvrier



Dustin Devan

[REDACTED]

8/29/2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

I've known Liz for the last 6 years. I first met her through Stanford connections although I didn't attend Stanford. If you live in Silicon Valley and raise venture capital, you tend to connect with Stanford individuals. When I first met Liz, the "issues" were just coming out. Liz and I became friends. We walked the "dish" (Stanford hiking trail) together and talked about our struggles. We even went on a date or two. I was also running a venture capital funded company at the time, much smaller, but dealing with struggles. Our competitor had sued us for ridiculous claims. It concluded with them filing a motion to dismiss against themselves with prejudice. We shared advice on our situations. We talked about the struggles of being CEOs. Running a company and starting with nothing is difficult. We could relate to each other a lot. I had sold my car and lived very broke for years to build my business. It's a struggle very few understand. In my experience, CEO's are very honest with each other because they are the only ones that can relate. I never found that Liz was ever trying to be deceitful in our interactions. All I ever heard from Liz is that she made a bad decision with who she partnered and was fixing it. I know from our conversations that she believed she was doing the right thing. She would never want to hurt a soul.

Liz is someone that I am very happy to call a friend. In life, you never can really judge someone other than through you need help and how they respond. I had a situation where I needed her help and Billy's. They went out of their way to drive hours and meet me. I was desperate and they dropped their lives for me. I'll never be able to thank them enough and hope that I can repay them in some way at some point. [REDACTED]

[REDACTED] That is something that most people wouldn't do and Liz didn't think twice to help. She is a passionate person that really cares about others.

My experiences with Liz and her husband Billy are wonderful people. I can't imagine her intentionally trying to deceive anyone. I think in life everyone should hope every friend is like Liz and Billy because you know you have people to count on when you need them. Liz is one of the most intelligent, caring people I've ever met in Silicon Valley and I've met a lot. There are so many investors that I think should be in jail for what they do. Liz was trying to change the world and I'm sure would have succeeded if she had a chance. Please don't send her to jail as the world would lose a brilliant mind that wants to do good for humanity.

Best Regards



Dustin Devan

[REDACTED]



July 15, 2022

Honorable Edward J. Davila  
San Jose Courthouse, Courtroom 4  
280 South 1<sup>st</sup> Street  
San Jose, CA 95113

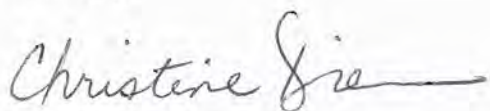
Dear Judge Davila,

I write to you today on behalf of Elizabeth Holmes. I was deeply saddened upon hearing of her conviction and now upcoming sentencing. I have seen her portrayed in the media as someone other than the person I have known and admired. I first met Elizabeth in early 2006 while I was being interviewed for a job position in R&D engineering. An ex-coworker who had recently gone to work at Theranos persuaded me to come in and talk with Elizabeth. I was already steadily employed at a company committed to making products for cancer research and convinced myself that I was only there to talk, thinking "Who in their right mind would quit a stable job to work for someone nearly the same age as my oldest child?" But to my surprise, I walked out of the interview amazed by her vision to change the face of healthcare. She was mature beyond her years, aspiring to make the world to be a better place. The truth is, we all want the world to be a better place. But rarely does anyone step up to make this their life passion.

I began working at Theranos in March 2006. I loved being a part of her engineering team, feeling the energy of working with so many talented people while working for a common goal. It was an honor working under Elizabeth, as her drive and ambition was infectious. I ended up working at Theranos for over 12 years. I never felt that the love of money or greed was ever a motivation for her hard work and dedication. In fact, I only knew of her to be compassionate wanting to help people receive better and more accurate healthcare. On numerous occasions she would read us letters of hope from patients and caregivers who were so thankful for everything we were trying to do at Theranos. She seemed genuinely happy to share these with us. Elizabeth brought us together for a greater purpose – to improve patient lives. Even though the endeavor was not successful, I am grateful for the opportunity she gave me.

Elizabeth was always kind, caring, and respectful to me. How can I not speak up for her now? I see that she is now a mother with a baby to love and care for. I'm excited to learn this news, as I pray for her in this new journey into motherhood, and her future at stake too. As a mother and grandmother, I respectfully request that you please take into consideration the future and well-being of her child, and her family.

Sincerely,

A handwritten signature in cursive script that reads "Christine Dillon". The signature is written in black ink and is positioned above the printed name.

Christine Dillon

Hon. Edward J. Davila

9/4/2022

San Jose Courthouse, Courtroom 4 – 5th Floor

280 South 1st Street

San Jose, CA 95113

Dear Judge Davila:

I am writing this letter on behalf of Elizabeth. I have gotten to know Elizabeth fairly well over the past five years. I know her to be a very caring friend and mother.

I am currently a police sergeant in San Francisco. Through my more than 16 years as a police officer, I have encountered various people that unfortunately do belong in prison; however, I do not believe that Elizabeth is one of them. I do not think a prison sentence for Elizabeth would anything to safeguard the public. I do not find Elizabeth to be any type of threat to anyone.

I understand that you must get a lot of these types of letters. I hope that you use your discretion to perhaps sentence Elizabeth to house arrest over a prison sentence. Taking a mother away from a child will have long term effects on her child's development and wellbeing.

Thank you for reading my letter.

Respectfully,

Sean Zachary Donohue

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Aug 16, 2022

Dear Judge Davila:

I, Michael Downes, first met Elizabeth Holmes in August of 2018. Before meeting in person, I had read extensively about her and Theranos from early on in the company's ascent to when things came crashing down. Having not known her personally, I decided that I would try and get acquainted on a personal level without any preconceived notions acquired from the media and learn who this person really is. As it turns out, we spent quite a bit of time together in the following months and lived together as briefly as housemates, and now consider her a good friend.

As housemates, Liz and I spent time together almost every day where we would walk together to get coffee with her dog and talk about life. I noticed early on that Liz was an incredibly caring and genuine person in everything she did. I don't know that I've ever met someone more optimistic and positive, and it was an unmistakable pleasure to make such a warm, intellectual new friend. Being new in town, Liz would introduce me to her friends and go out of her way to help me get connected without expecting anything in return. I sometimes thought to myself if this really is the same person I had read about in the media. I'm not a VC, I don't work in tech, and have little to offer professionally, however none of this seemed to matter to Liz who could not have been more genuinely interested in our conversations.

I wish I knew more people like Elizabeth Holmes and I think the world could use more like her, too. Obviously, mistakes were made along her journey but there's no question, at least in my mind, that her talents and passion for problem solving could be used in a more constructive way. As I'm sure her second act will be nothing short of brilliant, whatever it may be, I hold the opinion that her incarceration time would best be served minimally so that we can get her back out in the world working on the next thing to improve the lives of others. I know she's looking forward to redemption and I'll bet it will be nothing short of amazing.

In closing, I hope this letter helps to convey that Elizabeth Holmes is no danger to society and deserves leniency in sentencing.

Best Regards,

A handwritten signature in black ink, appearing to read "Michael Downes", with a long, sweeping underline.

Michael Downes



# Timothy Draper



August 8, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Re: The sentencing of Elizabeth Holmes.

Here is the way I see it.

I am a venture capitalist and have been one for over 35 years. I have seen a wide variety of companies in a wide variety of industries. Some succeed and some fail. We backed Tesla, when it was just an idea on paper, agreed to an investment in Skype when it was an entirely different business than the one they ended up with, backed Baidu when no other US investor was even looking at China. When we backed Theranos, we knew it was a long shot. Elizabeth, at 19 came to us and said, "We will change health care as we know it." She told me how passionate she was about the need for change, and said she would be making the sacrifice of dropping out of Stanford to create the business.

When the press honored her as the next wunderkind, I was thrilled for her, but we both knew there was still a lot of work to be done before Theranos could fully delight the customer, and the beginning of the transformation of health care could begin.

Then she seemed to get (and take) a lot of bad advice and things went south.

The public has been heavily influenced by what they have read in the media, in the book, "Bad Blood" and in the various movies about Elizabeth. This all went very wrong.

Now we have a horrifying situation. A potentially great entrepreneur with extraordinary vision is being condemned by society for taking that enormous risk, sacrificing everything and failing, by not properly communicating her side of the story to the public.

I don't know all the facts of this specific case, but in my experience, investors (particularly sophisticated investors who are responsible for due diligence) who lose money look for others to blame. They can hide their own embarrassments and failures behind cries of "Fraud."

Although there is substantial popular outcry against Theranos and Elizabeth, the attitude in much of the venture world is very different. Venture-backed startup companies often announce and deliver products to the market before they are ready. My concern is that this fiasco deters other entrepreneurs (and female entrepreneurs) from diving in and taking a chance at starting a

business, because they believe that if they get to be a big enough deal, that the press and the government may take them down.

Elizabeth has a lot of brilliance in her. She will continue to be a positive contributor to society. Her vision for healthcare was only partially portrayed in her efforts at Theranos, and her ideas could save millions of lives over the course of the next few decades. Restraining her would be a travesty. People have asked me if I would back her again. My answer: Not as a CEO, but as an entrepreneur and Chief Science Officer, absolutely!

I hope the Court does the right thing here, even if it may not be the popular thing.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Timothy Draper', with a long horizontal stroke extending to the right.

Timothy Draper

Your Honor,

Over the course of one's life, one is given the gift of being introduced to an array of people that intersect with one's own life. I say gift, because sometimes those people are so rare and special that they have the unique ability to impact your life in the most positive of ways. Elizabeth, or Liz to many of us that care about her, is one of those people. Her energy and passion for changing the world extends quickly beyond her and covers all corners of the room when you're with her. She is an incredible human being that only wants the best for those around her.

This desire for positive influence starts with those immediately in her innermost family circle. She is a devoted daughter, always caring and spending time with her parents, a devoted partner to Billy, and most importantly an incredibly devoted mother to her son [REDACTED]. As a new mother also, I can attest that being such an extraordinary mother is no easy task.

However, what makes Liz unique and truly a rarity, is that she quickly extends beyond her world to that of those around her. This is the most natural thing in the world for her and, as such, has proven to be an incredibly support mechanism as one new mother to another. [REDACTED]

[REDACTED] She's done this consistently, despite all the difficult moments and emotions she is currently facing, and if that is not a real friend and a genuinely compassionate person, I don't know what is.

It would be impossible to end this letter here because this is only just the beginning. Anytime Liz is made aware of a situation of potential medical significance, every one of her cells is awakened and all she can focus on is how to solve or improve that situation with a novel approach. This is in her DNA; she cannot help it. She wants to see this world become a better place, she wants people have better solutions to health care at a large scale and she wants to help anyone she can on a small or large scale. As a medical doctor myself that is now studying public health at Johns Hopkins University, and in my own quest to find novel ways to impact the health of many in need through novel approaches, I can relate to this desire. Liz is simply the epitome of it.

Having known Liz for many years, I am convinced beyond any measure of doubt that Liz's motivations for building Theranos were solely all the above plus a genuine desire to change the lives of many in the most positive way in a healthcare setting that is in need of real innovation and in a setting that has hardly experienced any innovation given the magnitude of prevailing unsolved problems. Her desire for positive change and achieving what is required to help others overshadows every other thought and impulse.

How can wanting to help others and improving the world ever be considered a crime? Growing organizations of this scale is difficult for even the most seasoned of CEOs; however, revolutionizing healthcare, a sector of continuous challenges and inequities, proves to be even more difficult. Doing the right thing is difficult but it is often unclear what that right thing is. Traveling uncharted territory is uncertain and lonely, and rife with mistakes. We all make mistakes. As a society, we should not punish those that try to go where others have not.

It appears to me that Liz has only been punished since the failure of Theranos. And I'm not referring to the destruction of wealth, because for as long as I've known her, Liz has never cared about money or



material possessions. I'm speaking about people. She wanted to be the definition of good her entire life and one day, in people's minds, she became defined as something different and, often, unwanted.

Before people never had a chance to hear the story and hear her experience as a creator of that story, people had already prejudged her. The ways in which I've seen Liz judged and ostracized by kind- and good-hearted people because they believe a narrative they've heard in the media or press is beyond belief.

Liz has lost everything. She's lost the people she knew; she's lost any titles, fame, or money from this story. She must live every day knowing that she was unable to achieve the impact and change she desired, a heavy burden to carry. And above all, the ability for her to change the world through innovation and entrepreneurship, her utmost life passion and calling, has largely been taken away from her. Liz has been punished enough. I implore every kind grace you have to not have Liz lose the last remaining thing in her life - her family and son - by taking her away from them.

Yours kindly,

A handwritten signature in black ink that reads "Alexandra Duisberg". The signature is written in a cursive, flowing style.

Alexandra Duisberg

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113  
Date: 9/12/2022

Dear Judge Davila:

I have known Elizabeth Holmes since January 2014 when I was hired to be her assistant at Theranos. During our time working together, I saw her dedication to Theranos. She was in the office for 12 to 16 hours per day. She rarely took a day off.

I also witnessed behavior by Sunny Balwani that raised concerns with me. He would isolate Elizabeth from coworkers, friends, and family. For example, when her father would come to visit the office, Mr. Balwani ordered staff to put him in an outside waiting area first and ask security to be able to get inside the building. Mr. Balwani then instructed security to escort him anywhere he went inside the internal offices.

Sunny made me communicate with her parents instead of allowing Elizabeth to speak with them directly. Elizabeth was not allowed to have lunch or dinner with anyone but Mr. Balwani because Mr. Balwani would not allow otherwise. He would constantly go into her office, shut the door, and then kick out whoever was in her office. He would then scream at her. I could overhear the screaming.

As I understand is not uncommon in abusive relationships, I witnessed how hard it was for her to leave the relationship with Mr. Balwani. She was only able to do so by moving out of their shared living quarters while he was out of the country.

I believe after Elizabeth left her relationship with Mr. Balwani and he was no longer with the company, she could fix the mistakes that were made under the influence of Mr. Balwani. She created the Scientific and Medical Advisory board, restructured the board, started a compliance committee, and put in countless hours to try to save the company.

I hope that the court takes this letter into consideration during her sentencing and appeals process. I believe Elizabeth did not act with malicious intent. I saw her behave kindly to all those around her, but seemed very much controlled and dominated by Mr. Balwani while in a relationship with him., If it had not been for what appeared to me to be an abusive relationship, I do not think Elizabeth would have done what Mr. Balwani influenced her to do.

Sincerely,

The image shows two handwritten signatures in blue ink. The first signature is a cursive 'Lisa' and the second is a more stylized signature, likely 'Durkin'.

Lisa Durkin

September 1, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 - 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila,

I met Elizabeth at a mutual friends birthday dinner and we naturally hit it off and enjoyed some lovely conversation. At the time, I had no idea who she was and what she did for a living. As a chef, I am pretty far removed from the circles of tech and healthcare. We had a common bond of being women in male dominated fields and we shared stories of what that is like. I am sure you can imagine, so I won't go into detail.

[REDACTED]. I really appreciate the safe space we created for each other to share our experiences. Our friendship has continued and thrived ever since.

When Liz and I spend time together, it's time I cherish. In a job that can be all consuming, I love getting to take breaks and reconnect with the things that matter most in life. We have epically long talks on our regular walks and hikes and phone calls about philosophy, art, love, the purpose of life, family, and how to make the world a better place. Her son [REDACTED] is always with us on our walks or on FaceTime. His coos and giggles are the sweetest thing! Liz has been with me every step on my own journey in fertility and I don't think I could do it without her continued support! We discuss a lot about how becoming a mother has given her divine purpose and how [REDACTED] has become the center of her life. We talk about mothers and women and how we can better support them in their journeys. Elizabeth has currently completed a training to help council women who have been in abusive relationships. It's truly remarkable that no matter how much she has going on in her own life, she always has time to help others.

We share a common love of reading and are always sending each other quotes we find inspiring. One of my favorites has been, "You don't lose if you get knocked down; you lose if you stay down" Muhammad Ali. The truth is Liz got knocked down. She got knocked down harder than most can even fathom, but she's not staying down. She doesn't wallow in self-pity. She is out there bettering herself and the people around her every single day.

Elizabeth has become one of my favorite people to walk along this the journey of life with. She has the kindest soul. I have never heard her speak ill of anyone, even through these trying times! She is the kind of person who picks something up when she sees it has fallen. She checks in with regular calls and texts. She holds doors open for



strangers. She cares deeply about her family and friends. To put it frankly, the world needs more people like Liz.

She has so much more to give the world and I hope you will allow her to continue on her path.

Thank you for your time,

A handwritten signature in black ink, appearing to read "Leslie Durso". The signature is written in a cursive, flowing style with some loops and flourishes.

Leslie Durso

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4, 5th Floor  
280 South First Street  
San Jose, CA 95113

Dear Judge Davila,

My name is Shawn Englert and I'm writing to share my experiences with Elizabeth Holmes in connection with her upcoming sentencing. I first became acquainted with Elizabeth in my capacity as the manager of the building in San Francisco where she resided from April 2018 to April 2019. We have kept in touch ever since. Although I'm sure my experiences are limited in comparison to her friends, family and colleagues, I appreciate the opportunity to share my support for her as an exemplary tenant and a kind, generous person.

Throughout the majority of her time at our building I was unaware of Elizabeth's work at Theranos or of her broader celebrity. She never introduced herself as anything other than a normal tenant and was always extremely kind and considerate towards myself and others. In the 18 years in which I've worked as a manager in a variety of residential and commercial capacities, I've become quite familiar with individuals who behave with a sense of entitlement and I can say, categorically that this could not have been further from the case with Elizabeth. Much to the contrary, it struck me that treating others, including myself, with patience and openness was important to how she wanted to carry herself in the world. She was always cheerful, extremely polite, and even deferential in all of our interactions as well as those I observed between her and other tenants.

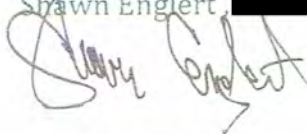
Elizabeth would even go out of her way to express gratitude, for example on one occasion she gifted me a surprise bag of fruits and vegetables from Whole Foods to thank me for her helping when she had been locked out. That level of thoughtfulness is extremely unusual in my experience. Since departing the building Elizabeth and I have remained in occasional contact, largely when she has reached out simply to inquire about my wellbeing. This is also quite extraordinary and suggests to me that her behavior while a tenant was not simply performative but rather a genuine expression of care.

I believe that what I've observed from Elizabeth reflects an intentional and sincere choice on her part about what she truly feels is the right way to treat other people. The reason I agreed to write this letter is that I also believe, based on my experiences with her, that society will benefit much more from Elizabeth participating in it once she's paid whatever debt you deem appropriate. If every tenant were as kind and generous as Elizabeth my job would be quite a bit more pleasant. Balancing these considerations, I sincerely believe Elizabeth has much more to contribute and I very much hope she's given the opportunity to do so.

Thank you for your time and consideration.

Sincerely,

Shawn Englert, [REDACTED]

 9.12.2022



Anne Evans

Your Honor:

I write to you today on behalf of Elizabeth Holmes. As you determine what her sentence will be, I hope that my words will at least partially inform your decision.

I am Billy Evans' grandmother, mater familias of a large, very traditional family. We share a passion for education, business and civic participation.

My conservative (as in values, not politics) family has come to fully embrace Elizabeth. We are captured by her noble effort to improve the human experience. Further, we are grateful to her for her loving support of Billy and for the happy, healthy home she has created for him and for their baby, [REDACTED].

With a brilliant mind, optimistic spirit and drive to make a difference, Elizabeth Holmes will find a way to benefit the world.

I hope that it <sup>will</sup> be possible for her to get started soon.

Most respectfully,

Anne Evans

[REDACTED]



Honorable Judge Edward J. Davila  
San Jose Courthouse, Courtroom 4—5 th Floor  
280 South 1 st Street  
San Jose, Ca. 95113

Dear Judge Davila,

My name is Bill Evans. My son Billy is Elizabeth Holmes partner. Admittedly, in writing to you on Elizabeth's behalf, I have less than an objective view. Nonetheless, I hope that you will consider my thoughts concerning some mitigating circumstances that might guide her sentencing.

Over the past 40 years, I have been in the hotel business, have had thousands of employees and served millions of guests. The hotel business deals with a parade of new customers daily, unfortunately, some of these interactions are not positive, guests and employees lying to me is standard practice, resulting in me having to size up people and their intentions quickly. The past 3 years has allowed me to spend over a thousand hours in a variety of situations with Elizabeth, and these are my observations.

**She is a genuinely kind and nonjudgmental person.**

I have never heard Elizabeth say a single negative thing about any member of the press or the team from the Justice Department. I might say something derogatory, and she would say "they are just doing their job" The first time I heard her say this I was somewhat skeptical but over the course of the trial when the subject was brought up by friends and family, I heard her say it repeatedly. It takes an extraordinary person to maintain an open heart towards your potential executioner.

**She is giving of her time to friends.**

In the middle of the trial, I would find Elizabeth in deep conversations with friends, helping them thru a relationship or giving them advice with personal problems. When I told her I thought the rolls should be reversed, and that her friends should be helping her, she laughed and said everyone's problems are important to them. I understand how this could be a "peace time" response to help a friend but when in the middle of a trial whose outcome was dangling above her like the Sword of Damocles, I thought it was way beyond the call of duty. Unlike the portrait painted by the prosecutors, she is humble and to her core, a person driven to serve people. In her world she comes last.

**She is a tireless worker**

Leading up to the trial Elizabeth not only prepared for her testimony, helped her legal team reconstruct her 10 years at Theranos, she also had a child. Most new mothers would pick a priority, bond with the child, or focus on the long game and hand off the child to a family member so that she could concentrate on the trial. In true Elizabeth style, she chose to do both. Her days went from 14 hours of legal work to whatever it took to be a mother and fully engaged member of her legal team. In my career, having tens of thousands of employees, having headed civic organizations, I have never seen dedication of time and energy at the level.

Since Elizabeth's indictment in June of 2018, she has been shunned by strangers and friends alike. She has had her home broken into, her mail ransacked, repeatedly verbally attacked on the street by

strangers. She has been forced to hide from all but her closest friends and family. There is still daily diet of lies and half-truths that continue to follow her in the world's media and the internet.

The internet has fundamentally changed our world. As an example, if you Google Babe Ruth, you will find almost 21,000,000 web sites (results) that reference him, Neil Armstrong 34,500,000, and Ronald Regan a whopping 58,000,000 separate pages. As of August 15, 2022, there are over 67,600,000 separate web pages discussing Elizabeth Holmes, I have yet to find one that has anything kind to say. To put this in perspective, Osama bin Laden has 21 million results, many of which are positive

In the eyes of hundreds of millions around the world that have read these 67 +million webpages, there will be no redemption, no escape for Elizabeth from this extrajudicial justice.

Unfortunately, Elizabeth isn't suffering alone. My son and grandson also bare societies animus towards Elizabeth. The Mothers of my grandson's future classmates of will know who his mother is, their judgements will not relate to the trial's verdicts but from the 2 movies, three television shows, multiple pod casts and books, magazines, newspapers and tens of million web articles, all of which judged her as guilty on all 12 counts years before the trial started. Facing this onslaught with his mother by his side is difficult to imagine, but without her, unimaginable.

Your honor, I believe courts may consider time served as part of the sentencing package, I submit that in this case, you might consider the cumulative amount of the media and internet's negative exposure, as the modern equivalent to an angry mob that Elizabeth and her family will have to endure long after her sentence is completed.

The Elizabeth I have come to know is not a schemer, she is a dreamer, one who dared to push science outside industry norms. History is full of scientific heretics who have helped mankind. Willie Mays once said, "In order to excel you must be completely dedicated", I believe dedication is the word that best describes Elizabeth Holmes. Dedicated to her family, friends, and community. Her shining intellect, unlimited drive, and willingness to make personal sacrifices is exactly what the world needs to help solve its many problems.

Thank You for your consideration.  
Sincerely,



William Evans

October 6, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila,

My name is Grace Evans, I'm Billy Evans' younger sister. I'm 24 years old, a recent graduate of USC and currently work for my family's hotel company in the marketing department.

Today I'm writing to you from the perspective of a mid-20's woman, the age at which Elizabeth was deep into creating Theranos. Elizabeth is 14 years older than me, so it is hard for me to imagine the enormity of what Elizabeth created, much less for a young woman 14 years ago. 14 years ago, women in science were the exception and as it is today, young women, no matter how well educated, are not taken seriously by men in power.

Despite these many obstacles, Elizabeth created a company from scratch. She hired the best and brightest of scientists, invented hundreds of blood tests, and secured hundreds of patents.

I ask myself, how is this possible? How did she raise her first million to start the company with nothing more than an idea of the possible? How did she have the strength to never give up through roadblocks at every turn? How did she carry herself with such grace and confidence around the most powerful people? How did she never let anyone crush her dream of helping humanity? Welcoming Elizabeth to my family answered every "how."

I often say I should write a book – everything I have learned through Elizabeth being in my life. It would certainly be a page turner but endless. For time's sake I am going to give you what has been the most impactful chapter for me thus far.

August 2019 - I had just got back from spending 6 months in London and was starting school back at USC. I was entering my senior year of university – excited yet scared as I did not have many close friendships. I quickly started dating my classmate. Everything seemed perfect to me. I had someone to spend my time with and a new group of friends. Yet on the outside the red flags were all there. The relationship quickly became abusive, and I was under his complete control. I am not one to give up, so I didn't. A year went by and as confidence slowly left so did my happiness. Yet, I stayed with him.

I had every reason to leave, and everyone was telling me to. He was not liked by any family member or friend. No one cared to hear me talk about him or our issues anymore. I felt like I had no one to go to but him – the one who was hurting me. I was scared and lost. I didn't know how to leave him.

Spring 2021- During what became a year long breakup Elizabeth became a mentor to me. I was not aware of what Elizabeth had gone through at all in her past relationship; I just felt a sense of comfort with her. She knew what I was dealing with, understood what I was feeling, and



October 6, 2022

genuinely cared. She would never say a mean word. She wasn't there to cause drama, simply wanted to help me.

Despite the chaos going on in her world, Elizabeth frequently check-in on me. She would send me heartfelt messages reminding me of my worth or a simple call to see how I was doing. Her calmness talked me through panic attacks when I was unable to get off my bathroom floor or say a coherent word. She had patience with me – she was always there. She became my escape, when I needed a place to go, I was always welcome at her home. During this time, she showed me her inherent kindness and empathy.

August 2021 - Elizabeth instilled in me her confidence and positive mindset. Instead of never give up on a toxic relationship – choose to never give up on yourself. If one formula does not work, first understand why, then start over and find a new one. She reminded me that failure is crucial on the journey to success and there are lessons to be learned in every challenge. What does not kill you will only make you stronger. I left my relationship, without a regret but grateful for what it taught me to what to look for in a partner at a young age. I am very fortunate for the impact Elizabeth has had on my life. She is an inspiration that I admire greatly.

Your honor, most people look at life as “what can I get from it” but they are never fulfilled. Elizabeth looks at life as “what can I give to it” and she is more than ready to give us her all. We need more people like Elizabeth whose unique combination of intelligence, grit and compassion makes this world a better place.

Respectfully,

A handwritten signature in black ink, appearing to read "Grace Evans". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Grace Evans

October 6, 2022





Honorable Judge Edward J. Davila  
San Jose Courthouse, Courtroom 4—5 th Floor  
280 South 1 st Street  
San Jose, Ca. 95113

Dear Judge Davila,

My name is Susan Evans, I am the mother to Billy Evans, Elizabeth Holmes partner. Today I am writing to provide my thoughts on the Elizabeth Holmes I know and have grown to love immensely over the past four years. First, let me tell you a little about myself.

Born and raised in San Diego, I'm a fifth generation Californian. I graduated from Brigham Young University with a degree in Business Finance. My greatest joy in life is my family, being blessed with two sons and one daughter and happily married for 32 years. I'm an active member of The Church of Jesus Christ of Latter-Day Saints. I have always taken my faith seriously and have lived by the morals and values of my religion for the past 57 years. Likewise, I choose to surround myself with friends and family members who align with my same values in life. Religions throughout the world differ on beliefs and practices, however, the moral issues of lying, cheating and stealing are universal tenants of all religions. I consider myself a religious and prayerful person and share this same characteristic with Elizabeth.

When I first met Elizabeth, it was just days after the book "Bad Blood" was published and released. This was my first personal experience learning you cannot believe everything you read. It was difficult when lifetime friends approached me asking what Billy was thinking associating himself with Elizabeth. They accused him of being brainwashed and misled. Throughout this process I've learned who my true friends are. I've always trusted my son and his intuition. Billy is a good judge of character, and has an intuitive moral compass. If he said the allegations were not accurate, then I needed to trust his word and not cast judgment on Elizabeth. It was my mission to get to know the Elizabeth Holmes my son fell in love with.

As the months went by, I got to know Elizabeth for who she really is and not the caricature vilified in the press/podcasts/TV/movies etc.... We have spent many hours together on family vacations, at our home in San Diego, and living together with her family during the trial. Despite everything that has happened, I'm beyond proud Elizabeth is my son's life partner and the mother of my sweet Grandson, [REDACTED]. Without exception, Elizabeth is opposite of the person the media has portrayed her to be. Elizabeth is a straightforward, honest and kindhearted human. She is not someone that seeks material wealth or who glorifies being in the spotlight. At family gatherings, Elizabeth is never the center of attention but is often found talking one-on-one with family members. She is very attentive to the needs of others and is often helping with advice or just lending a listening ear. She is a comforter and kind spirited. She has never raised her voice or said an unkind word about anyone, she does not gossip or talk negatively about even those who have vilified her. She has consistently been the same lovely



lady that I met nearly four years ago. Her constant compassion and love has enriched my son's life as well as our entire family.

Becoming a mother has also been her greatest joy in life. Elizabeth is the most nurturing and loving parent to [REDACTED]. An example of her love and devotion is something I observed during the four months of trial. She pumped every morning driving to court and pumped during every jury break, ensuring her newborn son always had a plentiful supply of breast milk. She would nurse [REDACTED] in middle of the night, even though her days were long and it meant she would only get 3 hours of sleep between feedings. Elizabeth is always giving back and enjoys helping people. She often puts the needs of others before herself. All these characteristics make me very proud to know Elizabeth and to have her join our family circle.

I hope that sharing my relationship with Elizabeth will allow you to look into our lives and see the Elizabeth Holmes I know and love. I testify to you that Elizabeth has a lot to offer her family and the world we live in. Her kind nature and nurturing personality led her to pursue making healthcare more affordable for all. Despite her good intentions, her dream wasn't achieved. Elizabeth is many good and beautiful things and certainly not someone who should be punished for trying to make this world a better place. She was a young girl with a dream who trusted the people she hired. It is my prayer that you will recognize all the good in Elizabeth and her true intentions she has always had. I know your time is valuable and I thank you in advance for setting aside hours to read through the outpouring of love Elizabeth has to offer us all.

Sincerely,



Susan Evans

August 12, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

Your honor, my name is Susan Evans. I was an active member of Theranos' Scientific Advisory Board (SAB). I had the opportunity to work with Elizabeth Holmes starting in early 2016 until the close of the company. I am writing today to ask you for leniency in your sentencing decision. The Elizabeth Holmes that I got to know, was not the woman depicted in the press, in books, and in movies. She was a woman who cared and believed in her vision for increased access to healthcare. She cared and believed in her company, and her employees.

Elizabeth was an active participant in meetings and working sessions discussing the development of the assays and the platform. Although Theranos' product development process was flawed and ultimately not successful for many reasons, there were working prototypes of several of the internal subsystems of the system capable of generating accurate clinical results including an external evaluation of the lipid panel assays at a local hospital. With funding and additional time, it was highly likely that a Theranos' POC platform would have been completed and commercialized.

The technology and clinical concepts that Theranos' championed are becoming a reality today. There are diagnostic platforms in development today targeted at the same market segment. I know of at least four such companies who are developing multi-disciplined (hematology, chemistry, and immunoassay), point of care systems for alternate site diagnostic testing. The two closest to commercialization have each raised ~\$150 million, demonstrating investors belief in the concept, the market, and the clinical need.

My career has been in the diagnostics industry, primarily in product development and technology assessment. I have met many young entrepreneurs who have a dream and many if not most, oversell what they have, and when it will be ready for market. This optimism is what often drives innovation, and the development of new products that go beyond what is the norm.

Clearly, mistakes were made in Theranos' path to commercialization, but when the SAB was created in 2016 to help the company, I found a CEO who took ownership of previous missteps and shortfalls, and genuinely sought advice, input and guidance from advisors. Elizabeth hired additional staff with extensive diagnostic industry experience in engineering, assay development, and quality systems, and worked to establish a culture based on a quality management system.

Sadly, it was too late to truly recover as the press, especially the WSJ, was publishing articles weekly that totally eroded trust in the company and in Elizabeth Holmes. As with any case of targeted investigational journalism, the press coverage triggered deep dives into every aspect of the company and Elizabeth Holmes, bringing us to where we are today. I have often wondered if this level of scrutiny was universally applied to all struggling start-ups, how many more would not

have had the time to work through technology and organizational challenges and growing pains, and successfully bring new concepts to market.

I cannot speak about Theranos and Elizabeth Holmes prior to 2016. During my tenure I saw a woman making challenging, difficult, and thoughtful decisions, adding skilled resources, and making every effort to deliver to the market a new diagnostic product and a return to the investors. Elizabeth closed the clinical laboratories and focused the company's efforts on a diagnostic instrument. She acknowledged the technical shortcomings of early days of the company and was making a sincere effort to deliver a quality product for all involved.

I was so impressed with the Theranos team in the last days of the company. Termination notices had been given to all, but the R&D team was still coming to work making every effort to deliver a reproducible Zika assay for FDA submission. They were so close but ran out of time. Elizabeth was hands on, at meetings and troubleshooting sessions, providing support and input.

Judge Davila, I truly do not believe that a long prison sentence for Elizabeth Holmes benefits society, the investors, and others involved. I'm asking that you consider leniency. She is creative, innovative and passionate and has a lot to contribute. I recognize that she has been found guilty by the jury and there are consequences. But I ask you to recognize that the Elizabeth Holmes of today is not the very young inexperienced entrepreneur of the early days of the company. She has grown, matured, and learned from the past. Elizabeth understands what has been lost. Her reputation has been shattered and she will not have the opportunity to personally bring her concept and dream to market. Luckily, others agree that increasing access to diagnostic testing is important and have taken up the path to new products in this important market space that will help all of us.

Judge Davila, thank you for reading this letter and giving me the opportunity to speak in support of leniency for Elizabeth.

Sincerely

A handwritten signature in black ink, appearing to read "Susan Evans". The signature is fluid and cursive, with the first name "Susan" being more prominent than the last name "Evans".

Susan Evans, PhD



Hon. Edward J Davila  
San Jose Courthouse, Courtroom 4 - Fifth Floor  
280 South 1st Street  
San Jose, CA 95113

Judge Davila,

I am writing because I believe I have unique and credible knowledge regarding the character, psychology and motivation of Elizabeth Holmes.

I am not a legal expert, and am not here to comment on the body of evidence or the legal matters of this case. My views are my own truth and my own perception. All I can say of them is that they are formed by primary, and not secondary sources.

I met Elizabeth Holmes when I was a student attending Stanford University, and remained in contact with her after she departed Stanford to found her startup, Theranos.

I remember Elizabeth well. There is an expression that small minds talk about people, average minds talk about events, and great minds talk about ideas.

All Elizabeth ever talked about was ideas. And I loved her for it. While fraternity boys puked on carpets and tried to coerce us into endless games of beer pong, Elizabeth whispered in the corner about things like philosophy, psychology, consciousness and the meaning of life. Her seriousness and maturity was beyond her years, and when she made the bold move to leave Stanford, I was not terribly surprised.

Stanford is a competitive school that attracts many top minds, but it was not an exaggeration for people to comment that Elizabeth Holmes was the single most intelligent person there. Rumors circulated about her teaching herself Chinese while living overseas, selling C++ compilers to corporations while still in high school, and most of all, the breakthrough she had while working in a blood lab.

The downside of Elizabeth's rare mind and bold decision to drop out of college was incredible loneliness, isolation, and a desperate need to understand and be understood. I recall seeing her shortly after she dropped out, when she explained to me what Theranos actually did. I recall her telling me about a wearable device she was building that could measure certain blood markers in real time. The significance of this invention was somewhat lost on me at the time, but it was everything to Elizabeth.

She never talked to me about how much money she might make from her venture or how much fame she might garner, only that she could help so many people this way. And all the sacrifice, the loneliness, the doubt cast on her by others, was worth it. She was so strong, even back then.

The next conversation I recalled was a private get together where she told me about her romantic relationship with Sunny Balwani. Like many intelligent women, Elizabeth struggled to find someone who valued her for her intellect. Sunny was significantly older than we were, to an alarming degree, but Elizabeth was very taken in by him. He struck me at the time like a father figure, someone she trusted,

who could guide and mentor her, who could validate her, as she shouldered this incredible undertaking she felt was necessary for the world.

I lost contact with Elizabeth after that.

The next time I saw her, it was on the cover of a magazine. It was shocking, to think about the conversations we had about the patch that measured people's blood results in real time. I really believed she had done it. And when I saw Elizabeth do that, I questioned my own life. What was I doing with my time, why couldn't I do something at a larger scale that helped more people? Elizabeth inspired me to start my own company, Literati, which helps kids find books and become stronger readers. We all need heroes that look like us.

Speaking as a woman who has raised \$60M in venture capital, I can confirm it is not easy. It is not easy for anyone, but I feel it's worth noting that approximately 3% of venture capital goes to women CEOs. The only scientific evidence I have encountered between men and women when it comes to raising capital is that men are more frequently asked about opportunities and women are more frequently asked about risks.

I sincerely believe Elizabeth Holmes thought she discovered fire, and was guided by someone she trusted, a father figure, who convinced her that this is how the game was played. I am not saying Elizabeth is a perfect person, but I do believe that everything she did was for the sake of an idea, not for herself.

Contrast this with Adam Neumann, a male CEO who raised \$20B, was caught in unethical business practices, took hundreds of millions of dollars for himself, and is not only free but just raised \$350M in new capital for a new venture. There is a real difference in the way men and women are treated around failure and risk.

I'm not sure what actual purpose decades in prison would serve Elizabeth. She is not a threat to society and does not require further rehabilitation. She has already lost her net worth, has been mocked, ridiculed, and has seen her genuine effort to achieve her soul's highest purpose turned into home entertainment for the masses. In short, I believe my friend has suffered enough for her sins, and putting her away would effectively do nothing but discourage more women from starting businesses, and rob a young child of his mother.

Jessica Ewing

A handwritten signature in black ink that reads "Jessica Ewing". The signature is written in a cursive, flowing style.

Monday September 5th, 2022

Hon. Edward J. Davila

San Jose Courthouse, Courtroom 4 – 5th Floor

280 South 1st Street

San Jose, CA 95113

Dear Judge Davila:

I am writing this letter of reference to you today in regards to the character Elizabeth Holmes.

I am a manufacturing engineer that had been employed by Theranos for a period of over 5 years starting in March 2013. I initially met Elizabeth in a direct interview for the company early in 2013 and we have kept in touch over the years since.


I hope to convey to you type of person I have observed Elizabeth to be and ask that you please take the content of her character into account as you move forward with sentencing. Of course, I was very much taken aback after hearing the details of this case and do understand how serious the charges are. However, I feel morally obligated to reach out because if it wasn't for the many second chances I myself have been given in life and the people who stood up to speak openly on my behalf in those moments I would not even be in a position to write this letter to you today.

Since we have met, Elizabeth has shown herself to be a kind, considerate, and open person who genuinely wants to do good and have a positive impact on the world. I ask that you please show leniency in your judgement as I strongly feel that, given the opportunity, it will be what she does in life. I am confident that she will learn much from these mistakes and use them better herself moving forward.

Respectfully,

Gage K. Fain

August 14, 2022

  
\_\_\_\_\_  
*August 14<sup>th</sup>, 2022*



Hon. Edward J. Davila

San Jose Courthouse, Courtroom 4 – 5th Floor

280 South 1st Street

San Jose, CA 95113

Dear Judge Davila:

My name is Gratia Fan. I was Elizabeth Holmes' private Chinese teacher from 1995 until 2002 when she graduated high school. The two-hour lessons, broken down between Elizabeth and her brother, were held on Saturdays at her home in Houston, Texas, with breaks for vacations and holidays.

Over the years, I had a front row seat to witness how Elizabeth was raised, how she developed her values, her characters, and her work ethics during those pivotal years of her life that set a solid foundation of the person she is today.

I remember vividly during my interview with her father, Mr. Holmes, I was delighted to know that the Holmes' family values were consistent with mine. We all agreed that raising a child with upright characters, strong work ethics, magnanimity, compassion, and of course, learning and accepting different cultures, were the responsibilities of good parents. Over the years, I witnessed Elizabeth developed all these qualities. And I couldn't be prouder of her. It was my luck of the draw that I had her for a student.

During our weekly lessons sitting in her living room, I could observe how Elizabeth interacted with her family and relatives. Through small gestures like her gentleness in serving tea to and chatting with her grandmother; her warm hugs and soft words to the family dog; to her ease at helping out in the kitchen, I knew she was by nature kind, loving and generous. That same air permeated throughout her whole family. And the easy demeaners between us was more like between family, without the usual frictions between a mother and her teenage daughter. She was always ready and prepared before our lessons, homework assignments completed, and questions listed. She was precocious, curious, organized, and always gave 110%. It impressed me to no end that unlike my own children at eleven, she was onboard with spending her weekend learning Chinese, and doing it wholeheartedly. And her enthusiasm never waned.

Something else that struck me about Elizabeth was her nature to do good. She was tenacious, quick minded, passionate, and thorough at what she intended to accomplish once she set a goal. In school, she had volunteered for UNICEF, supporting their tetanus vaccination efforts. In her spare time, she started a company.

Elizabeth read a story about how children in the remote areas of China lacked access to education. A tool she imagined would be a gamechanger was technology. She immediately started contemplating how she could help. And it wasn't just empty talk. Elizabeth took action. She devised a plan to work with major software companies in the United States to provide software to schools in China at a low cost. She worked on the project during her high school years, and in the process, she learned how to start and operate a business.

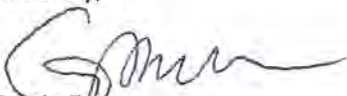
Her company's mission was to help school children in remote areas to reach their potentials through access to new technologies. At the same time, if she had any profit, it would be donated to the tetanus vaccination program. It was a win-win project.

What inspired her was the story, but what made her work so hard for was her generous heart.

Elizabeth is by nature loving, kind and good. She had focused on helping people on a grand scale since she was a teenager. There's no doubt in my mind that she will spend her life being productive and contributing the best of her to society.

Thank you for reading my letter. It is my honor to be writing to you, and on behalf of Elizabeth.

Sincerely,



Gratia Fan

August 18, 2022

## William H. Foege M.D., M.P.H.

Honorable Edward J. Davila  
United States District Court  
Northern District of California  
San Jose Division  
280 South First Street  
San Jose, CA 95113

Your Honor,

I am William Foege MD, writing on behalf of Elizabeth Holmes.

I first became involved with Theranos when Senator Sam Nunn asked me to visit and get a briefing on what Theranos was doing. He was on the board of Theranos and his request resulted from his days as Senator from Georgia and our contact when I worked on the smallpox eradication program at CDC. Later I worked with Senator Nunn, when I was the Director of CDC and later as Director of the Carter Center in Atlanta and a professor at Emory University.

His request came in the fall of 2013, but being on a fellowship in Italy, I was not able to visit until March 5, 2014. This is when I first met Ms. Holmes. During this first meeting, I was immediately impressed by her desire to do good in the world.

Having lived in both Africa and India, I was very interested in the possibilities for the use of Theranos technology. A briefing from Ms. Holmes gave an exciting description of what might be possible in using nanotechnology for blood testing. My interest in global health led me to questions, both domestic and global, about how the technology could be used for public health. For example, could Theranos during routine testing, add tests for influenza? This could provide information on the earliest cases in outbreaks by sending results to CDC, without patient identification. In this way outbreaks could be tracked with information on age, geography and virus types. Expanded use of Theranos techniques in other countries could provide similar information on problems such as malaria and tuberculosis. This all appeared possible and she was enthusiastic about making Theranos a tool for global health.

I was impressed by her scientific knowledge, her desire to solve big health problems, her enthusiasm and her work ethic of long hours in the search for improved tools in



blood testing. She designed studies to test every step in the process of collecting, storing and testing of blood samples. In my view, watching Ms. Holmes, she was 100% committed to the company.

After a number of conversations, Ms. Holmes asked if I would be interested in being on the Board. This provided a closer look at the methods being used and the devices being created. I was impressed. Clearly, innovation was a high priority.

I was also impressed by the ability of Ms. Holmes to engage the Board. She had a unique ability to involve former cabinet members, Senators and people accustomed to being in charge. But they listened to her. Part of this was her knowledge of the subject, but part was also her eagerness to absorb ideas and change tactics based on what she was hearing. We were all impressed by her work ethic and various board members continued to pressure her to take more time for herself. But her commitment was to improving the company and we respected her for that.

Following the Wall Street Journal articles, Ms. Holmes made a concerted effort to achieve credibility in the scientific community. She did this in numerous ways. She had outside experts spend time at the Theranos facility. She allowed those experts to talk to anyone. She allowed those experts to inspect the hardware, and make suggestions. I had personal experience, at several of the visits, and Ms. Holmes was totally transparent with everyone who came to review the technology. I had the opportunity to question the outside experts and was impressed with their positive evaluation of the techniques.

Ms. Holmes was not interested in money. The Board had an audit performed which found no evidence of fraud nor diversion of money. The number of patents is an indication of the scientific work that was being accomplished. She saw the chance to make a real contribution to health care delivery both in this country and globally.

If money was the attraction, she had an opportunity as Theranos was closing down. She could have taken her personal patents and profited from them. Instead, she put up her patents as collateral for Theranos to borrow \$100 million, in the hope of bringing the company to a viable commercial stage. That was not possible but her patents are still being used by others. She has left social DNA in these scientific developments and the world continues to benefit from her efforts by using these patents, but she does not benefit as an individual.

Several other observations. At the height of the company's scrutiny, Ms. Holmes did not get defensive when criticized even when encountering fierce accusations

from outside experts. Her response was to listen and then ask, “How would you change this if you were in my position?” I believe this attitude demonstrated the integrity of Ms. Holmes.

She was proud of the work her father had done in disaster relief and was intent on doing something equally as rewarding. Even with the closing of Theranos, she was still asking for advice on how her skills could be used for good. I met her after Theranos shut down. Her questions revolved around what else could she do that would be of benefit to society. She was not trying to revive Theranos, but was looking for alternative ways of contributing to the world.

Ms. Holmes has scientific gifts, an interest in improving the world, and obvious talents in leadership. I am interested in seeing her attributes used and hope you are able to develop a creative approach that permits her to use her abilities to provide public benefits. She could not make those contributions while incarcerated. I hope you can find alternatives.

Many thanks for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Bill Foege".

William Foege MD, MPH

Professor Emeritus, Emory University

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

I am writing to you in support of Elizabeth Holmes, a friend whom I have known for several years. I still hold her in the highest regard and view her with the utmost respect.

As background, I am a local of the Bay Area and reside in San Francisco. Elizabeth and I first met through a mutual childhood friend. As locals of the Bay Area who both studied at Stanford, we found many friends and interests in common.

Her curiosity and positive energy have helped inspire a generation of entrepreneurs to dream of what is possible. She is also a thoughtful and caring individual who likes to read Roman poetry and discuss ancient civilizations while on hikes in the foothills.

I have also known Elizabeth's husband Billy Evans for years, and I was elated when the two began their courtship. To join Elizabeth, Billy, and their son [REDACTED] on a Sunday afternoon at their home in [REDACTED] is to experience a family with strong roots at peace in a loving atmosphere.

I am confident in Elizabeth's desire to be a productive and positive contributor to society. I wish and hope for the best for her, Billy, and [REDACTED].

Thank you for considering her cause, and please consider as much leniency as possible. She is a good woman, a mother, and a friend.

Sincerely,



John Fogelson

August 30, 2022



August 29, 2022

Hon. Edward J. Davila  
San Jose Courthouse Courtroom 4-5th Floor  
280 South 1st Street San Jose, CA 95113

Dear Judge Davila:

On the day that Elizabeth Holmes was born, I gave her a golden egg. I had purchased it at the Vatican gift shop because the Pope blessed it. I chose it as a perfect welcome into the world gift for Elizabeth because working with her father was a blessing to me. Knowing both her parents, I believed that she would be raised under the guidance of two loving and civic-minded parents who would encourage her to contribute to society, as they had.

I worked under her father, Christian Holmes, in a U.S. Government agency for eight years during which time he and I shared many professional and personal stories. From the time Elizabeth was born, which was four years after I first began working with her father, she had always featured in our conversations and as the test of time has shown, we have all remained the best of friends. During our long friendship, I have been informed about Elizabeth's accomplishments and gifts at every stage of her life. One recurring conversation was about how Elizabeth immersed herself into learning the Mandarin Chinese language and how successful she had been in mastering it in a short time. It's not just that she learned the language that was amazing, it was her dedication to learning it and her relentless pursuit and commitment to learning it that awed her father.

When Elizabeth decided to drop out of Stanford to pursue her entrepreneurial dream, her father was shocked, but then again perhaps not. By then he had come to realize that the same character traits and abilities he so admired in her were the ones his daughter harnessed and leveraged to commit her whole self to accomplishing the goals she set out to pursue in creating Theranos at only nineteen years old.

In my life that has entailed working in 120 countries, being in the diplomatic service representing the U.S. Government agency that I worked in with Elizabeth's father, and throughout my 45+ year career in both the public and private sectors, I have met Kings, Queens, Presidents, billionaires, philanthropists, and many famous people, but among them I never met anyone like Elizabeth because the thing about her is that she is not all about herself; she is into "you". When you are speaking to her, it's as if she "disappears" herself to focus on you and what you are saying. She is not waiting for the moment in the conversation to impress you or to show you how smart she.

I have thought a lot about Elizabeth's attentiveness and have realized that the words "silent" and listen" have the same letters—and that they both facilitate learning.

From the time she was a little girl, Elizabeth was always learning, purposefully. She wanted to learn things to do things and to make an important contribution to society, as she believed that her role model, her father, had also done as a civil servant. Once the light bulb came on in her mind about how to make that contribution through Theranos she could not be stopped. In Theranos, she fell back on her training and habit of fully and wholly dedicating herself to accomplishing her



mission. Theranos, to Elizabeth was a calling, a higher purpose that called on her to dedicate her entire self to bringing it to fruition. Unlike other girls of her age, she never had time to go parties, to play, or to focus on acquiring and admiring material things—nor did she have time to rest.

Meanwhile, the personal traumas Elizabeth experienced along the way, such as being raped while at Stanford, were hovering in the back of her mind as things to overcome. Today, she might have just accomplished facing down her rape trauma by volunteering at a rape clinic every week since her trial ended. She even obtained a certificate as a rape counselor. In typical Elizabeth fashion, she is always trying to help in society—even at this time in her life when she herself needs help.

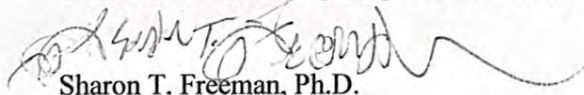
As I sat in the courtroom every day for a week in November 2021 to witness Elizabeth's trial, I reflected on all that I knew about her since she was born. My belief in her was not shaken, though I, like her, am sorry for the way things turned out. They certainly did not turn out that way because she had any malice in her heart or any ill-intention. Rather, there are simply some things that must be learned that take time to be learned. No matter how brilliant a person might be, living just 19 years when embarking upon creating a scientific miracle is not long enough to have learned all that it was necessary to know in science or business domains.

I speak to Elizabeth every week and I believe that I know her heart. We share many things about our perspectives and lives—about our sons and our hopes for them and about our hopes for the world and the future.

Though I am twice her age, I feel no distance from her because what brings us together as friends transcends age and is about how to be better human beings and how to contribute to society. It takes hope to aspire to make such contributions; I've managed to keep mine despite the racial prejudices I have endured, and Elizabeth maintains hers during this darkest hour in her life. She has a brilliant mind and a loving heart and with these two assets she can go further in doing good for society. I'd hate to see her broken down and lose hope because if she losses it we may lose her and the valuable contributions she is still capable of making in society.


I feel very much like a spiritual godmother to Elizabeth and am heartened to know that the golden egg I gave her is always by her side. I totally believe that just as that golden egg is golden on the outside, Elizabeth is equally golden on the inside. She was extraordinarily young when she began her company but since then she has learned a lot. While there are many variables in her life the one constant is that she is fundamentally a good person who wants and can make important contributions to society. It is her fierce desire to want to make them and her love for her fellow man that distinguishes her from other young geniuses.

As an African American woman, I feel her love and know that she can love all people no matter what race, ethnicity, gender, or other characteristics they may have. I sincerely believe that Elizabeth Holmes is a great person in whom I will always believe and support.



Sharon T. Freeman, Ph.D.

President, Gems of Wisdom Consulting, Inc



3 August 2022

Honorable Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5<sup>th</sup> Floor  
280 South 1<sup>st</sup> Street  
San Jose, CA 95113

Dear Judge Davila:

Having met Elizabeth and knowing the Evans family for over 25 years, I would like to make a few points in her behalf.

I was in the Navy for 31 years and received the rank of Admiral. I can tell you that at every step of the way my abilities were questioned. A woman has a more difficult time than a man being in charge.

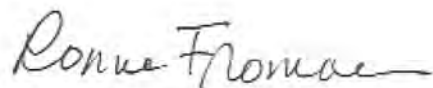
Elizabeth and I recently sat down and talked about her situation. She had no idea what obstacles she was to face. Elizabeth is a smart talented young woman. But when she started she was a very young woman. She was also an entrepreneur who believed in her technological approach for bringing down medical costs. I believe it is only a matter of time until her basic approach is proven.

She was under the scrutiny of her own people, the scrutiny due to all the publicity surrounding her and her project and the scrutiny of the pharma competitors. These competitors had a lot to lose if she succeeded.



I think she was young and naïve and she has learned a lot from this whole experience. We have talked about what she would have done differently. She is a profound thinker.

I hope you will take into consideration this as well as her youthful idealism and noble aspirations in making your judgment.

A handwritten signature in cursive script that reads "Veronica Froman". The signature is written in black ink and is positioned above the printed name and title.

Veronica Froman  
Rear Admiral, USN retired

Kfir Gavrieli

September 10, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

I write for your consideration of leniency in the sentencing of my friend Elizabeth Holmes. I overlapped with Elizabeth at Stanford as undergrads, share numerous mutual friends with her, and have gotten to know her much better the last several years as she's been going through the most difficult period of her life. I hope my insight on Elizabeth's character and her intentions for Theranos can be useful in your assessment of the proper sentence in her case.

First, as a friend, Elizabeth has always gone out of her way to inquire about and show care for my personal and professional life, even in the midst of her own challenges. I have always known her to be genuine, thoughtful, and caring. We share multiple friends to whom she remains a similarly good friend. And to the extent you can tell something about someone's character based on who their friends are, I wish you could get to know some of Elizabeth's closest friends who are amazing and good people. Elizabeth is thoughtful and decent as a friend, wife, mother, and person, as opposed to the caricature that has been created of her in the media and legal proceedings that I don't recognize at all.

While I have not followed the trial closely, I have had the opportunity to discuss with Elizabeth on several occasions over the years her mission to leave a positive imprint on the world, her vision for creating a device that had never existed before, and her desire to utilize her entrepreneurial platform to manifest those goals. I have never doubted for a second that Elizabeth had every intention, and belief in her ability, to create a world-changing blood-testing device that could improve the quality of life and even save the lives of millions of people.

As the founder and CEO of a company myself that pioneered direct to consumer ecommerce in footwear (we were the first women's fashion brand to sell directly to consumers exclusively via our own website) I am intimately familiar with the kinds of barriers Elizabeth had to break to even have a chance to create the product she envisioned. As a fellow admirer of Steve Jobs I was familiar with the kind of reality distortion field that is required to create meaningful change in an established industry. The CEO and founder must carry the torch of the vision through every obstacle and terrain and protect its flame from naysayers, doubters, and challengers day in and day out to create an environment for innovation to take hold. Elizabeth carried that torch of innovation not just for herself but for all the people she was hoping to help. And while I believe Elizabeth carried that torch admirably and honorably the vast majority of the time, mistakes were undoubtedly made along the way. That is the essence of entrepreneurship—we learn from our mistakes, but we inherently operate in uncharted waters where mistakes are unavoidable and even a necessary part of the innovation cycle.

In one revealing conversation with Elizabeth I remember her reflecting on what she could have done differently, drawing on parallels with the new product my company was known for. My

company, Tiek's, sells a foldable flat women's shoe that women can fit in their purse (admittedly much more low tech than Theranos' machine). For a couple of years during the advent of social media marketing, we were the fastest growing fashion company in the world, and we only sold a single design that came in different colors and prints. Elizabeth observed that perhaps she should have started with a machine that only ran a few tests instead of trying to build out the capacity to do dozens of tests from the beginning. Then the success of the limited scope machine would allow for investment in developing the next iteration that would expand the scope of tests, and that cycle could repeat to potentially yield the long term product Elizabeth envisioned. That simple strategic shift could have altered the history of Theranos. The company would not have needed to raise as much money as quickly as it did, the company and its founder would have experienced a less meteoric rise to fame and stardom which would have allowed them to develop the technology with less pressure, and perhaps the mission would have been sustained and the goal would still be alive.

I could tell by Elizabeth's voice and the look of consternation on her face during that conversation that all she cared about was preserving the vision for a product that she knows to this day is achievable, and that she promised herself and so many others she would create to help the world. Her biggest disappointment is that she wasn't able to finish creating this product that she believed would alter the course of human history, and that instead in many instances instead of people being helped they ended up disappointed or losing money.

The Elizabeth I know is a good person who tried to do the impossible and was subjected in the end to pressures in pursuit of that mission that no human can sustain. Many of those pressures Elizabeth put on herself, because that's the kind of person she is, and the world needs people like that to keep driving us forward. But many of those pressures were external and derived from our societal need for exactly the type of vision Elizabeth was dedicating herself in service to. I hope this court, in evaluating the totality of the circumstances, including who Elizabeth is as a person, her intentions, her beautiful and growing family that supports her and needs her support in return, and the mission to help the world that Elizabeth has dedicated her entire adult life to pursuing, considers granting leniency in her sentencing. I am confident that on the other side of this Elizabeth will do amazing things for society with her talents and boundless passion for changing the world for the better, and I can't wait to see how she rewards your possible leniency.

Sincerely,



Kfir Gavrieli



Hon. Edward J. Davila

San Jose Courthouse Courtroom 4 - 5<sup>th</sup> Floor

280 South 1<sup>st</sup> Street

San Jose, CA 95113

Dear Judge Davila,

I've been friends with Elizabeth since 2018 when I was living in San Francisco. We first became friends when she started dating my friend Billy. I've spent countless hours hanging out with Elizabeth and she continues to be one of my closest friends. You truly get a sense of someone's character and heart when they are going through intense adversity. Elizabeth was always there for me even as she was progressing through the toughest time of her life. No matter how small or big of an issue I was dealing with, Elizabeth consistently listened to me and provided me with the support/guidance to overcome the issue.

While there has been a massive amount of negative press and coverage regarding Liz, I know her personally (unlike others writing about her) and she is honestly one of the nicest/most caring people I know. From her family to her friends to people she meets for the first time, she treats everyone with respect and is always there to support them. The unfortunate reality is not that many people have actually had the opportunity to spend time with Elizabeth as she had been previously hyper focused on Theranos ever since dropping out of Stanford.

I've never been so close to a high profile case like this, but find it quite troubling that the entire narrative has been positioned against her for years in advance of the actual trial. Despite this, Elizabeth has stayed strong in not speaking out and allowing the case to run its course. I know deep down that she never set out to cause any harm when it comes to Theranos and I honestly have seen way worse in terms of the promises made by other entrepreneurs focused on industries outside the medical world. When sitting down and discussing Theranos with Liz, she truly set out to make the world a better place and I continue to believe that with enough time that she would be able to fundamentally change the world we live in today. It's incredibly difficult to be a startup founder, let alone a female startup founder. I've talked to countless women who have been discriminated against in the technology sector and I'm proud of what Elizabeth has achieved despite the ultimate outcome of shutting down Theranos.

I went through an incredibly difficult time leaving my last employer to start my own business. Throughout the process, Liz has constantly been there for me. She has helped me gain the confidence to start my own business and has been a key source of positive energy and reaffirmed confidence that I can excel in whatever I set my mind to do. Starting my own business at the beginning of the COVID pandemic



was not easy and Elizabeth was a key source of strength and reassurance that I can get through the tough time getting the business off the ground and ultimately scaling it up to a profitable business. The easy route would have been to take a well-paying job at a variety of different companies that wanted me onboard, but Elizabeth truly believed in my ability and provided the necessary support that I could excel in whatever I put my mind to and would actually be more successful if I took the leap of faith to do it on my own. Elizabeth spent a considerable amount of time with me even when she was dealing with a very stressful situation with the entire investigation. She continues to support me with all of my endeavors and never expects anything in return. This speaks volumes in regards to her character and true genuine relationship that we have. I'm extraordinarily proud to have Elizabeth as my friend as she injected the much needed entrepreneurial spirit that got me to the amazing position I'm in today and I'm forever thankful to have her in my life.

She is an incredibly thoughtful, unbelievable listener, and truly one of my closest friends. It's rare to find people who will support you during tough times and in my opinion, that speaks volumes about her.

I've focused my entire career on building technology companies and consider myself to be a very good judge of one's character. I've talked to thousands of tech executives and continue to view Elizabeth as one of the most talented people I've ever met. From the breadth/depth of knowledge across various industry sectors to the EQ/innate ability to form genuine connections with people, Elizabeth is a true gem. Simply put there are very few people (if any) that I'd put on the same level as Elizabeth and I personally believe people like her can actually fundamentally make the world a better place. Despite the vast majority of people having negative opinions about Elizabeth, I continue to hold her as one of the people I respect most due to her genuine/incredibly thoughtful approach she takes with everyone she interacts with.

I've written this letter as a testament to Elizabeth's character and hope you take this letter into consideration at the time of the sentencing. Despite the current case, I still believe deep down inside me that Elizabeth is truly an honorable/amazing person and did not create Theranos in a malicious way.

Regards,

Andrew Goldberg

*Andrew Goldberg*



August 15, 2022

Hon. Edward J. Davila  
San Jose Courthouse  
Courtroom 4 – 5<sup>th</sup> Floor  
280 South 1<sup>st</sup> Street  
San Jose, CA 95113

Dear Judge Davila,

My name is Karen Goldberg. I am writing on behalf of my husband, Donald Goldberg and myself in support of Elizabeth Holmes.

We have known Elizabeth for more than five years. We met her through our son, Andrew, who is close friends with her husband, William (Billy) Evans. We have always marveled at her devotion to their relationship and to those close to her that she could trust during these trying years. Andrew is one of these individuals who counts Elizabeth as one of his close friends.

We've enjoyed the Christmas holidays with Elizabeth and the Evans family and saw how she blended in as their son's new girlfriend. We've seen her covered in flour making a homemade pasta dinner. And although we haven't had the opportunity to meet her son, we've seen countless photos of her as a beaming new mother.

Elizabeth has endured tremendous media scrutiny and viciousness from all corners. What we want you to know is that Liz, as we lovingly know her, is incredibly compassionate, ultrasmart, hard-working and unequivocally devoted to those dear to her.

We ask you to consider her actions through the lens of Silicon Valley's finest who have all gone to great lengths to promote their ventures. Elizabeth is a brilliant entrepreneur, a devoted wife and mother and a truly loyal friend. Her character should be celebrated.

We respectfully request that you consider how Elizabeth can channel all of her love, energy and knowledge to make the world a better place as an alternative to other punishment.

Sincerely,

  
Karen Goldberg

  
Donald Goldberg





Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

September 29, 2022

Dear Judge Davila,

I am writing this on behalf of Elizabeth Holmes, whom I know from personal experiences as a warm and well-meaning individual and executive

I initially met Elizabeth at a CEO conference hosted by JP Morgan and Jamie Dimon, Chairman and CEO, who introduced her personally to speak. She was down to earth and clearly invested in her company to make a real difference in health care. I was also introduced to her by Don Lucas Jr, son of Don Lucas, who was on the board and a major investor. I subsequently met with Elizabeth several times at her offices as she needed a CFO that Don thought I would be a good fit

During these several meetings, she treated me professionally, warmly, and respectfully and was always punctual. We spent many hours together as I also had an opportunity to meet several of her team members, who were also professional supporters, and hard, honest workers from what I could see. Again always respectful. Elizabeth was candid with me as to the status of the company, took me around the campus, including the labs, and confirmed that the company had not yet achieved revenue. She, at all times to me, seemed truthful and transparent.

I also had a chance to meet and discuss the opportunity with several board members, including Mr. Kovacevick and Mr. Boies, who were committed and highly recruiting me.


Elizabeth and I stayed in contact for several months over email and talking on the phone. I ultimately did not join as I was honest that there was not much for me to do given not yet in revenue mode as I had a great sense of honest perspective of the company's actual status. I also suggested that she might have benefited from a more experienced health-centric board and legal and banking advisors who understood start-up companies better in Silicon Valley. Elizabeth entirely agreed and regretted those decisions

We stayed in touch somewhat before the trial, including having a coffee in SF. I never met or had the chance to discuss Sonny

Overall, given my vast experience working for 40 years as a public company CFO with many highly successful companies and on the boards of over 40 public and private companies, on which I am basing my experiences with Elizabeth, I found her

Engaging, truthful, understanding, wanting to learn and get better, committed to doing good and making a difference in health care, candid, transparent, and likable!!!!

She is a good human being, and I truly hope she can be at home raising her family and living a productive life.



Respectfully,  
Ken Goldman

10/3/2022

August 24, 2024

Hilary Grenier  
[REDACTED]

Honorable Edward J. Davila  
San Jose Courthouse, Courtroom 4 - 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Re: Elizabeth Holmes

Dear Judge Davila,

I am writing in support of Ms. Elizabeth Holmes. I met Elizabeth at the beginning of October 2020 when Elizabeth and her partner, Billy Evans, rented the house directly across from mine at [REDACTED] where I was the estate manager. We were neighbors and became friends. We have remained in contact since I left my position at [REDACTED] in late November 2021.

I have had the privilege of getting to know Elizabeth, William, and their respective families. I witnessed and continue to see a gracious, loving, and tightly knit family. I never once encountered anything but kindness, appreciation, and care from the entire family, especially from Elizabeth.

I know Elizabeth to be an exceptionally kind, caring, compassionate, wholesome, thoughtful person, friend, and mother. Elizabeth took to motherhood naturally, and the joy of motherhood is ever present in her demeanor.

Naturally, over time, conversations would come up around Elizabeth's trial. I can't imagine the level of stress and concern that Elizabeth, Billy, and her family have felt. They never wavered in support of Elizabeth or questioned her innocence. That type of stress can bring out the worst people, but that certainly was not the case with Elizabeth - or her partner and family.

In early March 2022, I received a call from Elizabeth saying Balto, their beloved Siberian Husky, had been taken by a mountain lion. She asked if I had ideas about where the lion may have taken Balto. I went up to [REDACTED] to help search for Balto. I was confident I knew where the lion would have taken Balto based on previous lion sightings on the property. I had the painful task of telling Elizabeth that we found Balto. He was not alive. Elizabeth fell to her knees and began crying in disbelief, shock, and grief. She wanted to make sure I was positive he had not survived. I assured her that her ever-present friend Balto was gone.



What I know is that the exchange we shared that day was genuine. I knew Elizabeth was a caring person, but she showed just how caring, vulnerable, and loving she indeed was that day. She looked me straight in the eyes and said, "I love you, friend." We took the sad walk back to her house holding hands. Experiences and exchanges like that during a crisis can not be faked.

I have heard so many remarks and comments about Elizabeth, especially after the news that she was at [REDACTED] Elizabeth is not the cold, heartless, and ruthless person portrayed in the media.

On the contrary, she is always kind, warm, genuine, caring, and engaging - even in the face of the seriousness surrounding her with the trial and her upcoming sentencing.

I wholeheartedly believe Elizabeth is not a threat to society & would serve society best as a free woman. She is brilliant & has much to offer. I know she is volunteering for a woman's crisis center. It speaks to her compassionate nature and her capacity to turn a horrific experience into something positive by helping other women who have survived abuse.

Based on the person I know, I do not remotely believe she intentionally set out to do anything but create a fantastic company that helped people. A prison sentence would be an extraordinary hardship for Elizabeth, her family, and especially her young son.

I appreciate your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Hilary Grenier". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Hilary Grenier

Hon. Edward J. Davila

San Jose Courthouse, Courtroom 4 – 5th Floor

280 South 1st Street

San Jose, CA 95113

Dear Judge Davila:

I write to you in the hopes of sharing some context and insight into Elizabeth Holmes and the type of person she is. I can only hope this is helpful context as you consider her sentencing.

I first met Elizabeth, my now sister-in-law, when I started dating her brother, Christian. The person I met in mid 2013 was a driven, motivated, incredibly hard-working woman who in many ways was difficult to get to know because she worked all the time and had very little time for anything else, including with her family. She had no friends and spent no time doing activities or hobbies that your average person might enjoy. Early on, I assumed the reason for this was because she was obsessed with work, incredibly driven and dedicated to her mission. I thought this must be what every CEO's life is like - that when you have that much responsibility, you just have to sacrifice everything else. Now, I understand that version of Elizabeth Holmes to be the product of an abusive relationship with her partner at the time, a man who controlled an extraordinary number of facets of her life, and isolated her from friends and family.

Sunny was a man she trusted, many years her senior, and she was young, impressionable, and inexperienced enough to be highly influenced by him. As I began spending time around Elizabeth, I also got to see what kind of person Sunny Balwani was. I never spent time with Elizabeth alone. Sunny was always part of any family gathering. I recall multiple instances where he would cut our time short - telling Elizabeth that she needed to get back to work. I can attest that the Sunny I saw was certainly controlling. One can never really know the inner workings of someone else's relationships, but from my experience, Elizabeth's narrative of abuse certainly could fit the bill given the type of person Sunny showed himself to be.

At the time, I knew and was close with several Theranos employees and the way they described their horrible and abusive interactions with Sunny absolutely shocked me. I couldn't believe the stories I heard about his behavior in the workplace. I saw with my own eyes the way that he would respond to emails or issues, and I heard stories about employees crying or leaving the building after an interaction with him. In the communications I witnessed first hand, it was clear he was adept at belittling people and making them feel stupid. He was brash and arrogant, and very intimidating - a quality about himself that he was proud of and felt had served him well. I found it a smart tactic to never find myself on his bad side.

When Elizabeth finally made the decision to break up with him and move out, she enlisted the help of her brother to move out while Sunny was away. She told us she was scared of how he would react, if he would come after her, and as a result was incredibly private about where she was staying after that. She feared him and from what I knew about him, for good reason. I went to visit her in the hotel she had temporarily absconded to, to provide some emotional support, and I saw a scared person who was really trying to do the right thing. Someone trying to stand up for themselves. The Elizabeth I have gotten to know in the years that followed this is a totally different person than the Elizabeth I first met with Sunny.

Elizabeth's dream of making healthcare accessible and affordable for people was a real one. Despite the media's musings about her, I never got the sense from her that she loved or was driven primarily by money. She really thought that her work at Theranos would turn into real good in the world, that it would help real people who needed better access to healthcare. The Elizabeth I know now is a kind hearted person who in many ways is still recovering from the emotional abuse she endured and the time in her life that she lost trying to make her mission a reality. She prioritizes her family and friends and she has actively been looking for ways to help others (like volunteering for a rape hotline).

Elizabeth focuses on the good things in her life to help cope with the horrible impact that this trial has had on her and her family. For almost the entire time that I have known her, she has been prohibited from defending herself as the media spun unfair narrative after narrative. Journalists, movie makers, authors, and podcasters have made incredible sums of money by telling her story - oftentimes making large sweeping accusations about the type of person she is without ever even speaking to her, or even interviewing people who actually knew her well. Anyone would shudder to think of a book being published about them where every source or witness was someone from various points of your life who didn't like you or your family. Her name is completely tainted, her family has been dragged through absolute hell to put it frankly. She will never fully recover from the way she has been unfairly portrayed to the world.

I appreciate your consideration of my experience and the experience of those who know her even better than I do.

Respectfully,

A handwritten signature in black ink, appearing to read 'Christina Gualy', written in a cursive style.

Christina Gualy



Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

July 28, 2022

Dear Judge Davila:

Elizabeth and I met during her sophomore year at Stanford, where I was a senior in the same sorority. We became friends soon after she was sexually assaulted. [REDACTED]  
[REDACTED] our sorority sisters encouraged me to reach out to Elizabeth to help her heal.

At the time, she was debating whether to pursue legal action against the man who had assaulted her. I advised her against it, because my own experiences had led me to believe that the justice system favored men. She decided to take my advice and move on from the experience, focusing on personal growth.

We formed an instant bond. From the outset of our friendship, it was clear to me that Elizabeth was special. I found in her a depth of thinking and emotion that was rare.

We spent countless hours traversing the Stanford hills and discussing the meaning of life. She was raised as a Christian, and I as a Hindu, but we found common ground in our explorations of Buddhism. We shared a belief that we were meant to do good in the world. That the purpose of life was love. That we could achieve anything we set our mind and hearts to, as long as we didn't give up. And that, most of all, we must dedicate our lives to having a positive impact on the world. Our spiritual explorations had convinced us that we could make manifest any reality we chose, and we were committed to making our idealistic dreams come true.

I graduated later that year, and Elizabeth decided to stop out of Stanford to pursue her startup. We moved into an apartment together in San Francisco, bright eyed about the future. But we soon began to drift apart. I was busy with my new job as a management consultant, and she even more so, trying to get her ambitious healthcare startup off the ground. She also fell into an all-consuming relationship with Sunny, who seemed to pull her farther away from me. She became reserved and withdrawn, and strangely secretive. I was worried about the effect Sunny was having on her, and I urged her to take caution, but to no avail. She soon stopped spending the night at our place, and I stopped hearing from her as often. A few months later, she decided to move in with Sunny, and I with my own boyfriend.

Over the next decade, Elizabeth and I each dove headfirst into our respective entrepreneurial ambitions, with the goal of making the world a better place.

I went on to develop mobile applications that helped people make music and read fiction on their phones. Although there is no way to accurately account for how many people my apps have reached, the number is somewhere between one hundred million and one billion. I'm an optimist. Let's call it a billion. I like to think I've had a positive impact in their lives.

While I was making art apps, Elizabeth never waived in her desire to improve people's health.

We are adults now, mothers with children, weathered businesswomen with wrinkles and scars. A bit less bright eyed, a bit more willing to accept the fact that we do not have the power to manifest any reality we dream.

We have witnessed great change in the world, both positive and negative, unimaginably impacted by visionaries with grand ambitions. We have seen our democracy nearly overthrown, and the world come to the brink of a third world war, driven by men with the grandest of ambitions, and a justice system unable, or unwilling, to reel them in.

But I continue to believe that we are meant to do good. That the purpose of life is love. And that our justice system can distinguish between the boundless ambitions of men that seek to destroy our society and the idealistic dreams of a young woman who simply didn't want to give up in her pursuit to make the world a better place.

Sincerely,

A handwritten signature in black ink that reads "Perna Gupta". The signature is fluid and cursive, with a large initial 'P' and a stylized 'G'.

Perna Gupta  
Founder & CEO, Hooked  
Stanford Class of 2004

1 Joshua Hamilton

2 [REDACTED]  
3 [REDACTED]

4  
5 Hon. Edward J. Davila  
6 San Jose Courthouse, Courtroom 4 – 5th Floor  
7 280 South 1st Street  
8 San Jose, CA 95113  
9

10 August 15, 2022

11

12 Dear Judge Davila:

13 I write to share my impressions of Elizabeth Holmes to provide a more complete view of the woman I have had the  
14 pleasure of getting to know. But first, I want to make it clear that I respect that the jury has made its decision in the case  
15 of the United States v. Elizabeth Holmes. The intent of this letter is not to comment on the case, but rather to  
16 communicate my observations—formed during several, close interactions over the course of the last three and a half  
17 years—on Elizabeth’s character. Billy Evans introduced me to Elizabeth at a family holiday event in December 2018 (I  
18 have known Billy and his family since the mid-2000s). And ever since that encounter, my respect for Elizabeth has only  
19 deepened.

20 Elizabeth consistently exhibits an extraordinary level of empathy towards others and takes genuine interest in people—  
21 their successes, failures, and imperfections. The night I met Elizabeth I was moving around the room reconnecting with  
22 friends and talking with new acquaintances—and that is when I saw Billy making his way across the room to grab my  
23 attention. The beaming smile on his face and the energy in his voice clearly signaled how excited he was to introduce me  
24 to Elizabeth, so much so that he insisted walking with me to meet her at that moment. She was standing at the other  
25 end of the room surrounded by a group of people who were enjoying the energy of evening. I was hesitant to break up  
26 what appeared to be a vibrant conversation, but Billy insisted I follow as he made his way over to the group and  
27 interrupted to make the introduction. I was first struck with Elizabeth’s warm and sincere welcome. She made it clear  
28 she knew who I was as she relayed a special memory Billy had shared with her previously about our friendship—one that  
29 only he and I would know—that immediately put me at ease. Elizabeth excused herself from the group and signaled me  
30 to walk with her—and as we walked she began asking a series of questions that touched on topics including my friendship  
31 with Billy, my family, and other more personal topics. This was not a surface level exchange of pleasantries shared  
32 between strangers at a social gathering—Elizabeth was genuinely interested in getting to know me, pushing aside for the  
33 moment all the distractions of the evening. And she has never hesitated since that evening to ask deep, personal  
34 questions, always showing sincere interest. I share all this not only because of the way she treated me in that first  
35 encounter, and ever since, but also because of the similar exchanges I have witnessed with Elizabeth and others, from  
36 family, to friends, to strangers.

37 Elizabeth has a genuine desire and unwavering commitment to deploy her skills and knowledge to improve the lives of  
38 others. When Billy and Elizabeth visited me in mid-2019, I took them hiking into the mountains where we traversed our  
39 way through an old growth forest, on up to an extraordinary view of a waterfall raining down from jagged cliff face high  
40 above. Our conversation on the trail was wide-ranging in its coverage of topics including family, passions, travel, hobbies,  
41 career plans, and other sundry topics. What struck me then was Elizabeth’s articulation of where she wanted to focus  
42 her time, looking to the future to improve patient outcomes. She sought feedback on the ideas she shared,  
43 communicated a sincere desire to shape and evolve those thoughts, and humbly acknowledged concepts she had not  
44 fully developed yet. It was evident she wanted to use her experience and resources in the healthcare space to help  
45 people—and her reflections on specific patient anecdotes were extraordinarily powerful, so much so that I remember to  
46 this day the impassioned energy I felt conveyed through her words.



47 Elizabeth has built a world filled with love and wonder for her son, but not only that, she is a woman who embodies what  
48 it means to express love through action. Last year Elizabeth and Billy welcomed their new-born child, [REDACTED] into a  
49 home filled with love and support. When I first met little [REDACTED], I saw the happiness evident within his radiant smile—  
50 he smiled the first time I met him, and that smile has continued to glow brightly ever since. I watched Elizabeth sit with  
51 little [REDACTED] for hours on the outside patio of their home, overlooking the trees in the distance, explaining to him the  
52 sights and sounds of the beauty in front of him. I saw Elizabeth excitedly encourage little [REDACTED] with every step he took  
53 in his baby walker to explore the world. I witnessed Elizabeth comfort little [REDACTED] during a heart-wrenching outburst  
54 filled with baby tears. And despite this incredibly difficult stage of her life, Elizabeth has continued to build a beautiful  
55 life for [REDACTED] where he is loved with all the adoration and support one could imagine providing this little human being.

56 Elizabeth has continued to be open with friends and family in her life as she works through this very difficult stage of her  
57 life. In all the moments I have shared with her, both public and private, I have never heard Elizabeth complain, I have  
58 never observed Elizabeth make disparaging comments about others, and I have never seen Elizabeth attempt to  
59 obfuscate the truth. In 2021, I traveled to the Bay Area on several occasions to spend time with Elizabeth, Billy, their son  
60 [REDACTED], other family members, and friends during the course of the trial. It was during those moments I watched the  
61 way Elizabeth interacted with those who love and have supported her through this extraordinarily stressful and  
62 frightening situation. She has never ceased to be open with family and friends about the trial, welcoming all manner of  
63 questions, while responding with humility, respect, and hope.

64 In closing, I want say that I am honored to know Elizabeth Holmes. She is a woman whose empathy inspires those who  
65 have the opportunity to meet her. She is someone whose passion to improve the lives of others is consistently reflected  
66 in her words and actions. She is a person who creates space for love, who continues to extend that love to those closest  
67 to her and those she meets for the first time. And, she is an inspiration and example for how to conduct one's self through  
68 the brightest and darkest periods of life.

69 Respectfully,

70   
71  
72 Joshua Hamilton

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

August 30, 2022

Dear Judge Davila

My name is Elizabeth Heng and I am a friend of Elizabeth Holmes. I write to you as a character reference for her. I met Elizabeth in 2017 through a mutual friend and found her to be down-to-earth, kind, and genuine. Getting to know her over the years, it is clear to me that her value system stems from her family. I hope this letter will shed light on some key influences in Elizabeth's life that I believe have shaped her world views.

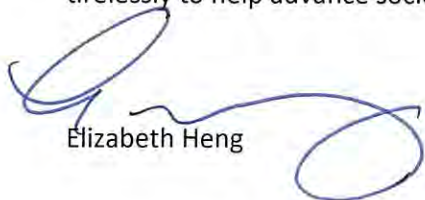
Elizabeth and I bonded because of our mutual desire to give back and leave this world a better place for humanity. Elizabeth grew up in Washington, D.C. where both her mother and grandmother worked as Congressional Staffers for the House of Representatives, as did I. Coincidentally, her grandmother was my predecessor as the Chief of Protocol to the Foreign Affairs Committee. The job was to oversee Congressional Delegation trips around the world that focused on how U.S. tax dollars is spent fighting against everything from child sex trafficking to empowering civil society in democracy building. It is near impossible to hold this job and not want to instill in one's own family how lucky we are as Americans. It is clear to me that these values were instilled in Elizabeth. We had deep policy discussions when I was running for Congress. We spoke about everything from the challenges on how to fight the vicious cycles of poverty in society to the bipartisan criminal justice reforms that have been long overdue. Elizabeth has a fervent desire to create lasting impact to help people. We discussed these topics in the most genuine way.

Her father also embodied these characteristics in his work for the United States Agency for International Development (USAID) in conjunction with the Catholic Relief Services. He was instrumental in helping to build the refugee camp Khao-I-Deng that enabled families like mine to receive humanitarian relief during the Cambodian Genocide and then seek refuge in the U.S. Learning that he chose to work at the treacherous border between Thailand and Cambodia takes a special individual dedicated to helping humanity; my family experienced the dangers firsthand. This was yet another reason I felt a strong bond with Elizabeth. Through their experiences, it is clear to me she has a deep appreciation for the fundamental values of this country and the need to ensure that we leave it a better place for our kids and those to follow.

I am not a medical doctor or scientist and cannot speak to the technological aspects of Theranos, but I do know that all of us make mistakes – especially when we are young and impressionable. I know I have made my fair share of mistakes. I was at Stanford around the same time as Elizabeth-- although I met her a decade later. I remember listening to successful entrepreneurs who spoke to my business and econ classes sharing stories of how they often had to 'fake it to make it.' The advice we received was that in order to be successful, an entrepreneur had to commit to the product with the belief it is possible. As young women entering male dominated fields, it was difficult to ignore this advice. In conversations with

many of my friends, we collectively feel Elizabeth is taking the fall for everyone that followed similar advice. I know that Elizabeth believed and still believes that her product is possible.

Your honor, I hope that this character letter sheds some light on where I believe Elizabeth derives her values and beliefs. It is my hope that you are lenient with her and afford her the opportunity to contribute to society in a positive manner. I truly believe we need more people like Elizabeth to dream big and work tirelessly to help advance society for the good.



Elizabeth Heng



From: Stefan Heuser



Date: September 11, 2022

To: Honorable Judge Edward J. Davila  
United States District Court for the Northern District of California

Dear Judge Davila,

I'm originally from Germany and have been living in the US since 1997. I've been working on innovation and corporate Venture in the San Francisco Bay Area for 20 years. While working for Siemens and Samsung I got involved in healthcare technologies and startups.

I met Elizabeth Holmes at a venture event in Palo Alto. A friend introduced me to her by mentioning that he doesn't think that she has a bad bone in her body. At this time Theranos was winding down and she was trying to sell Theranos patent portfolio. I met her twice in the almost deserted office and she showed me the prototype devices. I informed her that my Company was not interested in buying the patent portfolio. Nevertheless, we connected personally and became friends. We met a few times for dinner and she and her now husband came over to our house and met my family twice. I haven't seen Elizabeth since the trial started. But we stayed in contact via phone and texts.

We never spoke in detail about what happened at Theranos and my observations are based on getting to know her as a friend. Without getting into details, she mentioned that she regrets some of her actions and would not make the same mistakes going forward. I believe that she has a strong strive to do something good for the world. We discussed what she would want to do in the future. Her interests are in healthcare and education. With her inventor mindset, I think she could have the kind of positive impact that she likes to have in either of those fields. I would be open to helping as an advisor with her next endeavor.

I got to know Elizabeth as a good person with an ambition to achieve something important. I believe that she would make the most of a second chance. I hope this helps with your consideration of her sentence. Please feel free to reach out if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Stefan Heuser', written over a light blue horizontal line.

Stefan Heuser

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

September 20, 2022

Dear Judge Davila,

I felt compelled to write to you on behalf of Elizabeth Holmes, knowing that you will soon be determining sentencing.

Our family has gotten to know Elizabeth the past few years. Our relationship and knowledge of her comes by virtue of, initially, a relationship with her fiancé, Billy and son [REDACTED]. That relationship has expanded to a personal one that today counts their family as one of our close family friends.

Our time together has been holidays and weekends, often at our home in [REDACTED], where we had the opportunity to get to know Liz outside of the public context that has dominated her life the past few years. Instead, we got to know her as a bright and caring friend and a loving mother. In those capacities, we watched her grow in her new role as Mom with [REDACTED] and balkanize her partnership with Billy. We have only known her to be a compassionate, caring and loving person in our family interactions.

It would be genuinely hard to imagine [REDACTED] growing up even for a short while without Liz. And while we certainly appreciate the obligations imposed on you in term of sentencing, we are hopeful (and certain that you will) consider the impacts on Liz's family.

We remain supportive of Liz as a high-integrity, caring and loving friend, without reservation, and would be happy to provide more insight or color if helpful to your decision.

Best regards

  
Michael Hoffmann

September 14, 2022

The Honorable Edward J. Davila  
Judge of the United States District Court  
Northern District of California  
San Jose Courthouse, Courtroom 4—5th Floor  
280 South 1st Street, San Jose, CA 95113

Dear Judge Davila,

I am writing to you about my sister, Elizabeth Holmes, as you consider her sentencing.

As a member of Elizabeth's immediate family, I make no secret of the emotion and concern I have over her future. I hope with this letter to provide you with some context about the person Elizabeth is, and how I've seen her evolve through the years as her brother.

Elizabeth is two years older than I, and she is my only sibling. We shared a similar upbringing, with our parents providing a stable home and supporting us in our educational pursuits. That said, Elizabeth and I were very different from one another in terms of our hobbies, interests, and the people we gravitated to. My time was equally divided between school, friends, and activities, while Elizabeth was always mono-focused on academics. She was driven and goal-oriented and thrived in whatever she set her mind to, whether that was academics, personal challenges she set for herself, developing a new skill, etc. She had an extraordinary work ethic and has always excelled as a student. She never cut corners – I can't tell you about a single detention or risk that she took outside of the curriculum she was instructed to follow. It was critical to her to apply herself fully to whatever she took on. Whenever we attended the same schools, I routinely received comments from teachers about how hard she worked and expressions of concern about her study habits at home, how late she would stay up, and whether she ever gave herself a break. It was as foreign to me at the time as it probably sounds to anyone reading about it. Especially when Elizabeth started high school, I noticed she always put her work above all else, even if that meant having fewer friends, less time with family, and fewer social experiences. She especially valued the relationships with people she felt she could learn from and be challenged by. Teachers and mentors were just as important as friends, and she actively sought out direction from people with experience who she could learn from.

Naturally, Elizabeth's dedication, determination and ambition paid off and she graduated high school at the top of her class and was accepted to Stanford. But I think that her intense focus on academics came at the expense of social experiences, and that she missed out on an important part of her youth. It's possible that Elizabeth also understood this, because before moving onto college, I noticed that she made an effort to be more social, become more vulnerable with friends, and embrace newer experiences outside of purely academic ones. This period was probably the happiest I'd ever seen her.

After Elizabeth left for Stanford, on the occasion that I did see her, she seemed happy and well-adjusted to college life. However, that instantly changed in her second year at Stanford, when she was sexually assaulted. While I was not involved in the care of Elizabeth in the immediate aftermath of the assault, I can say unequivocally that she had changed afterwards. She became more withdrawn, less social, and mono-focused on her next venture. Her dream was to build a company that was mission-driven, through which she could solve complex technical challenges and ultimately improve lives. As before, she responded by seeking direction from a few experienced people in her life at the time, from whom



she felt she could learn the most from in business. During this period, she also began a relationship with Sunny Balwani, an experienced person who she trusted and felt could facilitate her goals in business, and someone she believed was determined to help her see her mission through until the end.

In the years that followed, my relationship with my sister was reduced to a series of formalities around her work. She spent all her time with Sunny and rarely included our family. She stopped coming to family gatherings and became more remote. I lived within driving distance from Elizabeth for about 5 years during this time period and worked with her for a number of years, and can't remember sharing a meal with just the two of us more than a handful of times, let alone many meaningful conversations. In retrospect, I believe that Elizabeth was trying to hide from her family the fact that she was in an abusive relationship with Sunny. While Elizabeth probably knew it was not a healthy relationship, she justified it because she felt she was learning something from him, that he was critical to the success of her business, and that she was convinced that this was the kind of personal sacrifice she needed to make in order to succeed.

Elizabeth developed an unwavering belief in Sunny's guidance, a belief that any difficulty that fell upon her - including abuse - was capable of teaching her something positive about strength, and ultimately would allow her to achieve the mission she first set out to accomplish with her work. While my family and others close to Elizabeth outside of her work were kept at arms-length over that decade, I believe my sister placed undo trust in Sunny and a few outsiders.

Elizabeth is not without responsibility for the failures in her business. But I do not believe that she ever set out to do anything but good in the setting up of her business or in the vision she had for it. In retrospect, she should have moved more slowly, garnered more experience, and relied on different people. If she had, I am certain that my sister would be in a much different place today.

When I talk to Elizabeth now about her experiences, she never complains about her situation. Instead she focuses on asking about others and where she can help, even when she has almost nothing left to give. While she is brutally self-aware of her situation and the uncertainty of her future, she focuses on how she can possibly find a path in her coming years to bring some good to others from all she's learned and weathered. And no matter how much others may continue to try to stand in her way, she will get there. I just hope that she is allowed to start now.

I appreciate your time in reading this letter. I hope it offers more about my sister, and conveys how much she means to me.

Sincerely,

A handwritten signature in black ink, appearing to read 'CHRISTIAN HOLMES', written in a cursive style.

Christian Holmes

The Honorable Edward J. Davila,  
San Jose Courthouse,  
Courtroom 4-5th floor,  
280 South First St.,  
San Jose, CA 95113

Your Honor,

I have known Elizabeth Holmes her entire life; I have known her parents, Chris, and Noel for over forty years. Noel and I met while she was a Congressional staffer and I was a State Department Congressional intern. We worked closely together on the passage of the Foreign Assistance appropriation bill. I met Chris at the same time and later we worked together at AID. They introduced me to Chris's brother, Michael, to whom I have been married for 39 years. Fair to say, I have known them as valued colleagues, close friends, and loving family.

When Elizabeth first spoke to us of her vision to create a company that would improve health care and make it more affordable, we were not surprised. We were not surprised because she was raised and surrounded by friends and family who had dedicated their lives to making the world a safer and better place. We had confidence that her work ethic and determination would make her successful. We were honored that she had asked if we would like to play a part in the company's creation, whether large or small. Our monetary contribution was, of necessity, certainly limited. However, our moral support was, and remains, unlimited.

My niece Elizabeth chose a profession that was almost entirely male dominated, as did I. When I joined the Foreign Service in 1964 only 5% of Foreign Service Officers were women. Ironically some 40 years later, Elizabeth's odds were even worse as only about 1% of CEO's were women. In spite of the forty-year gap in the beginning of our careers, we both experienced the ingrained discrimination toward women who had the temerity to try and compete in a "male" profession. Long held attitudes and assumptions that women were not as smart, or as dedicated nor as serious were expressed in both casual ways and in ways intended to harm. But both of us succeeded anyway. I received four Presidential appointments during my 36-year career (including first US Ambassador to Namibia, Director General of the Foreign Service, and head of Personnel ((now human resources)), and the first US woman appointed as Ambassador to Australia).

The world knows how successful Elizabeth was –until the malignant eye of social media turned on her. In Australia there is an expression that tall poppies are cut down. Elizabeth was certainly a tall poppy and an attractive young woman (how dare she!). She has had to endure a scrutiny so invasive and cruel that I do not know how she has survived it. People who do not know her, have made millions of dollars off her name by writing books, miniseries, blogs etc. All this hatred aimed at an intelligent young woman who worked tirelessly to make a difference in the world.

I am proud of Elizabeth because she still believes one can make a difference. I am proud of her grace in the face of such adversity, proud of her strength despite sustained attacks on her motives and character. My husband and I support Elizabeth in the same way we did all those years ago, unconditionally. We are broken hearted that she has had to endure such public humiliation and degradation. We can only hope that you will consider the years she has suffered from public shaming and been imprisoned by the unrelenting eye of social media.

Elizabeth is an amazing young woman who still has much to give.

Respectfully,

A handwritten signature in black ink, appearing to read "Genta Hawkins Holmes". The signature is written in a cursive style with a large initial "G" and a long, sweeping underline.

Genta Hawkins Holmes,

Ambassador, (Ret.)

July 15, 2022



July 16, 2022

The Honorable Edward J. Davila,  
San Jose Courthouse, Courtroom 4 – 5<sup>th</sup> floor,  
280 South First St. San Jose, CA 95113

Your Honor,

Elizabeth Holmes is my brother's daughter and I am a very proud Uncle. My wife and I have lived all over the world and met many incredible people, none more so than Elizabeth. I was astonished at her desire, at a very young age, to make a difference in the world. Many young people are idealistic but they lack Elizabeth's determination, work ethic and ability to transform her hopes and dreams into action.

I was deeply touched that Elizabeth was proud of me because of my service as a combat Marine in Vietnam. As a 100% veteran (full disability), I was sure, and still am, that other veterans from my war and all those that followed would benefit from her life's work.

Elizabeth has always been a very warm and loving person. That is the reason I was so shocked and upset when I visited her new offices in Palo Alto and her then partner, Sunny Balwani, would not allow her to spend time alone with me nor give me tour of the plant. I was so relieved when he was no longer in the picture as he was obviously very controlling and a bully.

If anything, I am even prouder of my niece today. She has carried herself with dignity and grace, while enduring vicious public attacks. She has become a loving mother even in the face of media hostility.

Surely, she should not be punished, beyond what she has already suffered, because she wanted to change the world.

Sincerely, 

Michael Dayton Holmes

August 19, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

I am writing today to provide the court my personal experience with Elizabeth Holmes.

I first met Elizabeth Holmes in January 2018. I am a Fire Captain for a local fire department and the Canine Coordinator for a local FEMA Task Force. I am responsible for ensuring the Task Force has a team of search and rescue dogs available to respond to local or national disasters. Part of this responsibility is recruiting and screening candidates, both canine and human, to become canine search specialists. Elizabeth was referred by a mutual friend and colleague

Elizabeth started attending training with her dog Balto. She showed an earnest desire to volunteer her time to search for missing, lost, and trapped victims of disasters. I noted certain characteristics that are consistent with her portrayal in popular culture such as her intelligence and drive. But more important were characteristics that would make her successful as a handler: humility, desire to learn, and ability to put others needs ahead of her own.

Elizabeth would routinely volunteer to be buried in rubble as a volunteer victim for the dogs to find. This is a physically uncomfortable and for many a mentally challenging process as it requires entering small, dark, and unstable areas that often creates claustrophobia. Elizabeth was willing to do this to help ensure the dogs and handlers received the best training possible.

Her dog Balto ultimately did not show the abilities required of a search and rescue dog, but Elizabeth and I became friends. She has showed the qualities one seeks in a friend: non-judgmental listening, compassion, humor, and willingness to be there for me. It has been my pleasure to watch her grow into motherhood and find enjoyment in the little things.

I am convinced that Elizabeth will give us one of the great comeback stories of our time. Her intelligence and drive have now been tempered with the humanity and compassion many learn through parenthood. I look forward to seeing where life takes her.

It should be noted my views above are my own and may or may not reflect the views of my employer or my local FEMA Task Force.

Regards,



Tim Houweling

August 12, 2022

Honorable Edward J. Davila  
San Jose Courthouse, Courtroom 4-5<sup>th</sup> Floor  
280 South 1<sup>st</sup> Street  
San Jose, CA 95113

Judge Davila,

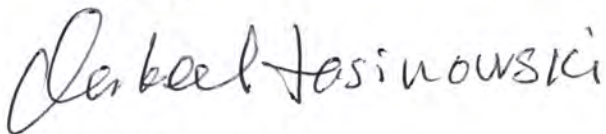
I am Isabel Jasinowski a close friend of the Holmes family for nearly forty years. Mr. and Mrs. Holmes are people of impeccable character, loyal and true friends, who have made significant contributions to our nation through years of meaningful public service.

Our daughter, Anne Marie, and Elizabeth were raised together and were good friends during their youth, playing together frequently. They went to the same school and were in the same grade, and the girls were together a great deal. Even then, Elizabeth stood out from other children because of her maturity. She was very composed, had a long attention span and even as a young child could be focused and absorbed in projects on her own for a considerable period of time. At the same time, she was gentle, unfailingly kind and responsive to her friends, dropping whatever she was doing if a friend needed help or support.

Regarding her mature character, one incident stands out for me. When they were around 8 years old, Elizabeth and Anne Marie were enrolled at the same summer computer camp. The girls were seated next to each other in class. Elizabeth had gotten up to say hello to a friend and I took her seat to talk to my daughter. All of a sudden, I heard this steady, calm voice saying, "Excuse me Mrs. Jasinowski, I need my seat back now. Class is about to begin and I have to get ready." At the time, and even as I look back on it, I thought, "Oh my, what a polite and composed young lady well beyond her 8 years."

As Anne Marie and Elizabeth got older, we didn't see the Holmes family as frequently as they left for different job assignments. But I have never forgotten how mature Elizabeth was at such a young age, possessing great skills as a learner and as a friend.

Sincerely,

A handwritten signature in black ink that reads "Isabel Jasinowski". The signature is written in a cursive, flowing style with a large initial 'I'.

Isabel Jasinowski



Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

4 August, 2022

Dear Judge Davila:

My name is Craig Josephson and I reported directly to Elizabeth Holmes as a member of her Executive Staff at Theranos from August 2017 to August 2018.

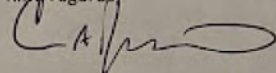
In addition to my tenure at Theranos, I have over 20yrs experience in the medical device field at firms such as Bausch & Lomb, Hospira, Pfizer and ICU Medical. I am the president of Josephson Life Science consulting serving the Dialysis home care industry through my primary client Fresenius Medical Care. During my career I have brought many products to market including contact lenses, Lasik surgery equipment and infusion therapy devices. These products have helped millions of patients around the world enhance their quality life and extend their lives. I hold Bachelor and Master Degrees in Mechanical Engineering, Industrial Engineering and Business. I've been involved in my communities through Masonic organizations, Boy Scouts and support of schools while raising three children and now supporting 5 grandchildren. I'm proud to be a military veteran and served in the gulf war.

I first met Elizabeth in an interview in June 2017. During the interview I asked her what her goal and vision was for Theranos' next chapter. She responded that she wanted to bring access to diagnostic test results closer to patients with a mission to shorten the time required to obtain this information and therefore enable patients to make better decisions about their health care. She was genuine and open in her response and never wavered from this mission.

On my first day at work, at an all employee meeting, I was asked by Elizabeth to introduce myself and talk about why I was here and what to expect. My message as supported by Elizabeth, was to always make decisions with integrity and always do the right thing for the patient. We would focus on a few mission critical projects and push off the rest. This theme was aligned with other recently hired senior staff members. Elizabeth fully supported this approach, in addition she encouraged and supported transparency and honesty from her team.

During my time at Theranos, Elizabeth followed the advice and guidance of her team and appropriately managed disappointment when delays or other less favorable information was presented. An example is the first advice I provided to remove key card controlled barriers between departments to ensure collaborative development. Elizabeth immediately supported and implemented this change to enable and improve transparency. A second example occurred during my first few months. The team was under tremendous pressure to show Zika Assay results, however I delivered to Elizabeth disappointing news about project delays that impacted the Zika Assay schedule. Cause of the delay was due to issues with integrating the assay on the Mini Lab instrument. Elizabeth supported the decision to delay to ensure we did the right thing and only moved forward when we could be sure the performance met requirements. Throughout the time we worked together Elizabeth and the Team always made decisions with Facts and Data.

Kind regards



Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

September 8th, 2022

Dear Judge Davila:

I am a personal friend of Elizabeth Holmes. Liz and I met 2 years ago through our significant others and instantly, we became close friends. This was not only because our partners wanted to spend time together, but because we too became close instantly. That was not just by coincidence though. We had so much in common despite having very different backgrounds - academically, personally, and professionally. The key thing we found that we have in common with each other is our sense of compassion and desire to nurture. I will never forget our first conversation, learning how we both desired to raise children and have a family of our own. At this point in time, [REDACTED] was not in the picture yet, but even then, I knew Liz would make a fantastic mother one day. It gave me excitement to picture that day as I knew just how important it was to her.

Fast forward a few months - my husband and I got the call that Liz was pregnant. This truly sparked so much joy inside of me. This woman with whom I shared so much joy dreaming of raising our own families was finally bringing hers to fruition. That joy was quickly accompanied by concern and worry. Liz was deep in the throes of one of the most difficult things anyone could have to go through - her trial. So many questions flushed through my head at once: How is she going to handle this? How does one carry a child for 9 months with an insane amount of stress and keep the baby healthy? She did not deserve to go through what should be the most incredible year of a mother's life - the first year of their firstborn's life - with the amount of stress and sacrifice that came with the trial in the courtroom as well as the trial of public opinion, but she DID. Not only did she do it and survive, but she took it in stride with a sense of calm that truly filled me with awe and respect.

I come from a very large family. On my mother's side alone, from my grandparents down, I am 1 of 50. Throughout my life I have seen many mothers raise children. It is an incredible thing, but it is NEVER easy. Parenting a newborn is stressful, exhausting, and is already one of the hardest things people do in their lives, even without any major causes of external stress. While most parents sacrifice parts of their younger lives for their children, Liz has had to sacrifice her ability to raise and nurture her child for her trial - both in the courtroom and on the street.

From day one of her pregnancy to bringing [REDACTED] into the world, Liz has sacrificed so much. There are countless examples that come to mind for this. She was forced to go hours without seeing [REDACTED] as she sat in the courtroom and met with her legal team for months on end. This was extremely hard, mentally, emotionally, and physically. She was the sole source of nutrition for [REDACTED] and instead of being able to feed him as she wanted and as a mother should be able to, she had to pump in the middle of the duress of trial and feed him after. She has been stripped of the freedom to take [REDACTED] to do things and to introduce him to the world when and where she wants. She cannot do basic things like going to a restaurant or for a walk in a park with [REDACTED] without having to disguise herself to avoid being recognized and harassed by the public or reporters. She has had to worry about the safety of herself and her family as people have tried to invade her space in her own home. There have been many accounts where she has had to put away the stress she is feeling so she doesn't bring that energy into [REDACTED] day to day life. There are also the long-term effects she has been forced to come to grips with when it

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

comes to [REDACTED] life. He is forever going to have this entire thing as a part of his identity. No parent ever wants to burden their child in this way, but at the time of [REDACTED] birth, Liz had no option.

Given all these hardships, Liz has taken every day in stride. She has had to go through something I would not wish upon anyone, yet she continues to be one of the most incredible mothers and human beings I have ever met. She has paid a massive cost for all of this, and she continues to do so every single day. The kind, compassionate, nurturing mother, and person I know in Liz does not deserve one more day of this, yet she and her family will be forced to face it for a very long time - potentially for the rest of their lives, given how harshly she has been judged by public opinion. To say she should not have to spend one more minute sacrificing herself and her family is an immense understatement.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a long horizontal line extending to the right.



Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

September 7<sup>th</sup>, 2022

Dear Judge Davila:

Billy Evans and I have been close friends since the day we met at MIT in 2010. Today I write to share with you the evolution of my experience of Elizabeth, not as a professional - for the simple reason that I've never known her in a professional capacity - but as a spouse to Billy, a mother to their son, and as the dear friend of mine that she has become.

I first met Liz in the Summer of 2018. The build up to this moment had been tense. In the face of the intense negativity in the press and 'tech' circles in which I work, my reaction to learning about the start of Billy's relationship with Liz was far from positive. I'd read dozens of articles on Theranos, parts of a book, seen billboards with her face on them, listened to podcasts, all about a then-alleged fraud that - as a technology executive and investor myself - rocked me to my core. Like many of Billy's close friends and family, I worried about what he was getting himself into by having any involvement with Ms. Holmes - reputationally, financially, and psychologically. At the time, under the assumption that Liz was indeed the manipulative and deceptive person that the media had led me to believe, I presumed that Billy would soon realize this for himself, move on, and 'dodge a bullet' by doing so.

Liz & I met for the first time at Billy's apartment in San Francisco, where she greeted me with the biggest smile and a warm hug. She seemed genuinely pleased to meet me and said she'd "heard so much" about me, to which I cracked a joke along the lines of "it's all lies!" In my head I was thinking 'I know way more about you' from everything I'd read, heard, and seen until that moment. From initial small talk, through the deeper conversations we had over dinner that evening at a vegan restaurant, she was undeniably sweet and deeply curious - traits I dismissed at the time as part of a mask that covered the incessantly manipulative person that I believed lay beneath. "Is she befriending me simply as part of a plan to manipulate Billy into a situation he will come to regret?" I asked myself.

I'd have thought the absolute world of Liz from day one had her public reputation not preceded her. The way she adored Billy and met him as an intellectual equal was everything a friend could ask for. Her curiosity ran deep, and through every topic of conversation she expressed thoughtful opinions only after listening closely to those of others. Her kindness was striking - not just with me, but with everybody from the wait staff at the restaurant to the fourth person with whom we had dinner. Yet, predisposed by the public narrative to believe that she was dishonest and conniving, I chose to dismiss her kindness as fakeness, her curiosity as a technique in manipulation, and her adoration of Billy as part of some premeditated escape act to get herself out of the Theranos situation.

Later that year, we met again at two different summer events, and several more times as Billy and Liz's lives weaved tighter and tighter together. Liz was the same curious, kind, and loving person who became more and more relaxed around me as we spent more time together. Billy was happier than ever. Yet, still predisposed to believe the public narrative must be true, by the end of 2018 I was more fearful for him than ever. Even if Liz was in fact this incredible person she seemed from every experience I'd had of her, still, what would happen to Billy as he became entangled in the condemnation that surrounded Liz's life?

I wish for the sake of my own pride that I could say my opinion of Liz started to shift because of my own recognition of the pattern of wonderful characteristics that, in hindsight, had fully unfolded before me. Rather it was the recognition that Billy was 'in too deep' that forced me to shift my mindset from one of wondering when Billy might get out of his relationship with Liz, to one of supporting him - and her - through what was to come. It was only then, sometime in 2020, that I finally let my guard down, put the public narrative aside in my mind, and let myself 'see' Liz for who she really is, and always was. Over the months and years since, 'deep' has become the word I use to describe her more than any other. She thinks deeply, listens deeply, cares deeply, and feels deeply - and always for others before herself.

Earlier this year, I was sharing with a group of close friends, including Billy and Liz, a concern I had regarding certain projections made by others in a company with which I'm involved. While I have never worked with Liz, the only real insight I have had into her professional approach came at this moment, when she strongly suggested that I step in to correct and clarify the representations that had been made, immediately and with complete transparency for all involved even though it was not my responsibility to do so. This is exactly what I did, and in the process I thought to myself, "would Liz really have given me that advice if she thought it were better to be anything but transparent in this situation?" It was one professional data-point alongside dozens of personal ones as to how she really thinks and acts, each of which have contradicted the public narrative in a variety of ways.

Today, looking back on the four years I've known Liz - at the dinners we've shared, the long walks filled with deep conversations, the infectious joy on the faces of Billy and Liz at their baby shower, the time I spent with them during the trial, the pleasure my family took in getting to know her at my wedding, the memories of our vacations together, and the incredible laughter and care she shares with baby [REDACTED] - I see nothing but the same genuinely kind, insatiably curious, and loving woman I met that early-2018 evening in San Francisco. In fact today, knowing the wonderful person she truly is through four years of knowing her, I look back on my early dismissal of Liz's character with deep regret. How could I have let the media convince me that a person I knew from my own plethora of experiences with her to be purely good, was actually a master of manipulation and deceit?

It makes sense to me that the public continues to demonize Liz based upon my personal experience of the power of the media in shaping my own narrative about the beloved

spouse of one of my closest friends. The problem is that the character of the public narrative is someone who I know, with absolute certainty, is not the real Elizabeth Holmes. Not only is she far from the character of that narrative, she is in fact one of the most wonderful people that I have ever known. I couldn't be more proud of Billy for standing up to the years of doubt and fear that I and others cast over him for choosing Liz, for standing by her as she rightfully deserved, for seeing her for who she really is from the beginning of their relationship, and for allowing me and our mutual friends the opportunity to discover the real Elizabeth in our own ways and our own time.

I hope you will consider my experience in your steps ahead, and I will make myself available to speak should I be able to be of further help or insight.

Yours Sincerely,





August 9, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

I am writing this letter regarding my dear friend, Elizabeth Holmes, or “Liz”, as my son and I refer to her. We live in the same town, and we are both stay at home moms raising our first child. We were connected by a mutual friend shortly after Liz gave birth to her son [REDACTED] to us. Liz and I have become close as we navigate being first time moms together.

In early 2022, Liz and I began taking our sons on fun adventures throughout our local area. These adventures included long walks to local farms, hiking in the redwoods, trips to the zoo, and listening to music in the park. We also visited each other’s homes, shared meals, and talked ideas and methods of motherhood. I have only known Liz as a mom and a friend and hope to provide some insight into the loving and caring person that she is.

Early on in our relationship I noticed Liz was breastfeeding [REDACTED]. I believe breastfeeding is one of the best things a mother can do for a child. I remember how challenging it can be at times so when I saw Liz feeding [REDACTED] I remember thinking to myself how selfless and strong she was to be able to breastfeed throughout her trial. This was my first insight into Liz’s love and total devotion to motherhood.

One time while walking together, Liz was carrying a cup of hot tea in one hand while her son was in a baby bjorn attached to her. As I pushed my son in his stroller, Liz stepped on a crack in the pavement and fell forward. It happened so fast; I could not help. Somehow, on the way down, Liz was able to twist her body and absorb the impact on her knee and arm, while using her body and free arm to protect her baby. She got up with ripped leggings, a skinned knee, and a scalded hand but quickly said “is he okay?”. Luckily, he was smiling and perfectly fine. The safety and well-being of [REDACTED] was her only concern.

With my son being a little older, Liz has come to me with questions regarding certain milestones in [REDACTED] first year. Teething, sleeping, and solid food are regular topics of discussion. Liz has great enthusiasm to provide the best she can for [REDACTED], demonstrating her commitment to motherhood.

During the early years of a baby's life, nutrition is so important. It helps form strong bones, improves happiness and sleep habits, and nourishes the brain. Liz makes great efforts in cooking healthy, organic foods for [REDACTED]. We often compare notes on recipes with each other. Although there are many quick alternatives, Liz puts in the effort to make home cooked meals, knowing this provides the best nutrition for her baby. Breastfeeding, followed by healthy food has allowed [REDACTED] health and growth to get off to a great start. He is a happy and healthy little guy thanks to Liz's commitment to do what is best for him in every way.

Knowing that parents are a child's first teacher, Liz spends countless hours reading to [REDACTED] playing, and exploring nature with him. Liz sees the world through [REDACTED] eyes and helps him to engage with his surroundings. Liz creates a caring, calm, and loving environment for [REDACTED]. People are often so caught up in the outside world they miss being present with their babies. This is not the case with Liz. While at the zoo Liz will hold [REDACTED] up for as long as he has interest in certain animals, while telling him interesting facts about them. They love to watch the penguins play. Even with all the distractions Liz has had recently, she remains singularly focused on [REDACTED].

Being a first-time mom, I now understand that a mother's love for her child is like nothing else. I recognize how blessed I am to be able to stay home and care for my son. The longest we have been apart was four days and that was when he was 22 months old. There is so much I get to share and experience with him. From our morning cuddles to caring for animals, looking for hummingbirds, and answering his million questions, we are constantly learning from each other. Mother and child thrive when they are together. It is clear to me that removing Liz from the life of her very young son, for even a short time, would have a profound impact on Liz and a devastating, irreversible impact on [REDACTED].

I've come to know Liz as a compassionate loving friend and devoted mother. She has been a friend with whom I can share my deepest thoughts and know she sincerely listens. I can confide in her. She is a friend I can laugh with; she is a friend I can dream with. She has become my closest friend on my motherhood journey. I treasure our friendship. I pray that we will continue to grow as moms together. The most important thing any of us can contribute to the future is a wonderful child.

Sincerely,



Jordan Koch

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

I have been fortunate to know Elizabeth as a good friend for the last few years. I have met many self determined people during my PhD program at Stanford, but Elizabeth stands out. In situations where almost everyone would be unable to cope and probably shrivel up and die, Elizabeth stays the course and keeps an amazing attitude about it. People like Elizabeth are celebrated in the tech world, and rightly so. The healthcare world in my experience is less welcoming to innovation and self determined people.

For context, as part of my PhD work, I applied machine learning to skin cancer. I collaborated with dermatologists at the medical school and trained a neural net to detect skin cancer on par with dermatologists. This work was featured on the cover of Nature. The dermatologists we worked with used this neural net in the clinic to detect multiple stage-0 malignant melanomas in real patients, likely saving their lives. We considered turning this work into a startup but were quickly met with a lot of red tape. It is extremely difficult to get all of the necessary permissions to really do something new in healthcare. Consider the relative pace of innovation in healthcare compared to tech. Most doctors are using archaic software for the simple task of saving medical records even. If we want healthcare to improve at the pace that iPhones and AI improve, we are going to need people like Elizabeth who are able to get through the red tape and innovate. I am confident that she would have eventually succeeded in her endeavors if healthcare were more receptive to innovation. I believe that punishing Elizabeth would only further push away the best and brightest from innovating in healthcare.

I also want to vouch for Elizabeth's character. She genuinely cares about people. She has her own internal compass and she's a winner. I know that she will overcome whatever happens to her here and she will go on to provide a great value to humanity. I hope that the near term struggles she is facing can be minimized as much as possible so that she can return her laser focus to building, not defending.

Thank you for taking the time to read my letter. I have a great respect for the US judicial system.

-Brett Kuprel



August 23rd, 2022



William J. Lamping Jr.  
Attorney at law

September 7, 2022

Hon. Edward J. Davila  
United States Courthouse  
280 South 1st Street, Room 2112  
San Jose, CA 95113

Re: United States v. Elizabeth A. Holmes  
18-CR-00258-EJD

Dear Judge Davila:

I am writing regarding the sentencing of Elizabeth Holmes.

I know Ms. Holmes through my daughter, Jacqueline Lamping. My daughter and Ms. Holmes were classmates at Stanford, and members of the same sorority. As the years went by, I saw Ms. Holmes launch her blood testing enterprise, rise to success, then precipitously fall from grace. She became closer to my daughter after Theranos collapsed, I think because both of them needed a trusted friend at the time. She was thoughtful and kind to my daughter during my daughter's divorce.

As you know, Ms. Holmes has been the subject of incredible vitriol and gratuitous hatred because of the failure of Theranos. She will never escape being held as a caricature. She was and is attacked for her gender, her intelligence, her clothing and her looks, in ways that similarly situated men never are. Too often "tech bros" fail up, tech women who fail are prosecuted.

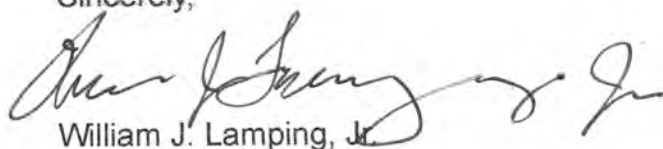
I met Ms. Holmes in person about a year ago, when my daughter asked me to accompany her to some of the trial proceedings in your courtroom. I am a trial attorney, now mostly retired, and I agreed to go to the trial with my daughter so she would have someone there she knew, and to help sort out what happens in a courtroom and why. Ms. Holmes invited me to her family home, and welcomed me to her table. Over the course of the trial, I spent many evenings with Ms. Holmes and her family at their home.

In my conversations with Ms. Holmes I found her to be a quiet, reserved, thoughtful person. She took the time to be kind to people around her, despite her own travails. She was warm and loving to her son and her partner, and respectful her parents. She never complained about the trial process being unfair, even when others around her did

so. She once mentioned to me that she thinks every day about how she went from being the leader of a famous company to a criminal defendant. She is intelligent and driven to succeed. She is in some ways perhaps naive about the world of finance and the business of biotech. I believe she was and still is genuinely motivated to create new technology to do something good for the world. She is at heart a good person.

I understand that the the federal sentencing guidelines suggest imposing a substantial sentence on Ms. Holmes. I request that the Court exercise its discretion to the greatest extent possible to minimize the sentence to be imposed.

Sincerely,

A handwritten signature in cursive script, appearing to read "William J. Lamping, Jr.", written in black ink.

William J. Lamping, Jr.

Hon. Edward J Davila  
San Jose Courthouse, Courtroom 4 - Fth Floor  
280 South 1st Street  
San Jose, CA 95113

Judge Davila,

My name is Jacqueline Lamping and I feel not only qualified to write this reference letter on behalf of Elizabeth Holmes, but also compelled to do so, as I've known her personally for 20 years.

I first met Elizabeth when we were both undergrad students at Stanford in 2002. I was a year ahead of her, and recommended that she join my sorority Kappa Alpha Theta. She was everything we were looking for in new member recruits: full of vibrancy, curiosity, kindness, and warmth. Even then, she was extremely intellectual yet unpretentious and always looking to better herself and those around her. Looking back, I occasionally feel guilt over my role in recruiting her, as I would learn years later that the same man who raped her, also raped two of my other friends who lived in that sorority house.

While Elizabeth was building Theranos, she worked nonstop 24/7 and no one heard from her. I finally reconnected with her in January 2017 over dinner. She and I spent that evening talking not about Theranos or work, but about relationships. Similar to Elizabeth, I had recently come out of an incredibly toxic long-term relationship. Neither of us identified as a victim, yet we had experienced progressively deep manipulation and abuse, mixed with confusing messages of love and support. We shared that we felt shame and self-loathing over allowing anyone to treat us that way, but conflicting feelings of failure and regret that we could not fix what was going wrong... and even harder, how impossible it was to explain to anyone how this affected us. Our naive and innocent view that the world was generally a good place had been shattered, and nothing felt safe anymore. She was afraid to leave her home and afraid to trust anyone. Her life experience had taught her that almost everyone would eventually manipulate her or turn on her for their own gain.

I'll share some details from my own personal experience because it's only now, after years of therapy, that I fully understand how this kind of abuse works and have the clarity to see things clearly. People who know me today still don't believe that an ambitious, confident woman like me could have spent almost a decade in an abusive relationship.

My relationship with my ex had some eerie similarities to Elizabeth's. He had become threatened by my career progression and arranged so we could work together at his company. In the office, we acted like a united front, but at home, he criticized everything from my presentations to my ambition to my weight. When I suggested there were problems in our relationship, he escalated into stalking, pulling me out of meetings to intimidate me, and incessantly texting upwards of 75+/day. Months later, I discovered emails where he was privately sabotaging me. He had successfully isolated me from my family and friends, and I told no one at the time. I would hold



back tears until I could escape to a bathroom or a street outside. I empathize deeply with Elizabeth and the confusion between knowing something is horribly wrong but the pressures to project it's all under control. It feels like you're living in constant survival mode.

Over the years, Elizabeth has been supportive to me in more ways than I can possibly articulate, through difficult breakups and career challenges, betrayals, and loss. She's encouraged me to have faith again in new relationships, helped me identify unique strengths professionally, inspired me to keep learning and growing, and introduced me to mentors and others in her network. When I went through a deeply broken heart in 2018, Elizabeth could feel my pain from all the way across the country without me saying a word. She sent flowers, called every day for weeks, and held space for me, never rushing away to deal with managing her own challenges. During another difficult life event, she sent a teddy bear because she couldn't be there to hug me in person. I'm not the type of person to ask for help, and Elizabeth intrinsically understands this. She is always the first to call and offer a listening ear. She's written letters that I still keep and read again anytime I need to be reminded of my purpose and inner strength. I truly don't know how she managed to continue giving so much of her energy to me and others so consistently over these past several years when her own universe was falling apart.

Everyone has a breaking point when they're under a significant amount of stress, but I've never once, in countless interactions, seen Elizabeth treat anyone with anything but genuine kindness and generosity. Despite what she's been through and what she's facing moving forward, she remains disciplined and determined to stay positive about the future. I admire the way she chooses to identify ways to continue helping others and creating good for the world. She volunteers with non-profits supporting other women who've been through domestic and emotional abuse. She's been a grounded and loving partner to Billy, a nurturing mother to young [REDACTED] whom she protects with all of her energy, and a loyal friend to so many others. Her ability to continue giving and giving through adversity is astonishing.

One of the things that hurts my heart most for Elizabeth is how misunderstood she is as a person. The prevailing sentiment claimed by the media is that she's robotic, devoid of emotions, and thus, evil. She puts on a stoic face in public, as she was trained to do, but with her trusted friends and family, Elizabeth is full of love, empathy, kindness, and grace. Sadness and despair, too. When I dropped her off for court one morning, she finished pumping a batch of milk for her son [REDACTED] and the tears welled up in her eyes as the unimaginable gravity of what she was facing hit her yet again. Am I saying that Elizabeth is a perfect human who has never done anything wrong? Absolutely not. No one is perfect. But there are people who act with malice or manipulation, whether overtly or covertly, as a lifestyle and these are the people who deserve to go to jail and have society protected from their harm. Elizabeth is just not one of these people.

I've come to view the world in terms of givers and takers, and also learned that there are still many places where women aren't allowed yet. Elizabeth is a never-ending giver with unresolved trauma and relentless determination to succeed in a male-dominated world. She was an easy target at her peak at Theranos, particularly to those who could earn her trust and those who stood to profit from her demise. The self-identified "whistleblowers" made

millions of dollars on book deals, podcasts, TV series, paid speaking engagements – and secured investments for their own biotech startups – building their careers off of Elizabeth. On one of John Carreyrou's podcasts, Tyler Shultz bragged about feeling vindicated and popping bottles of vintage Dom Perignon to celebrate the trial verdict. These men got exactly what they wanted from Elizabeth: fame, fortune, and validation, by lodging deep arrows in her back.

The nuanced elements of Elizabeth being a female CEO cannot be overstated. Examples of other women who have become self-made billionaires (Whitney Wolfe Herd of Bumble, Sara Blakely of Spanx) have only accomplished such feats thus far in fields like dating, undergarments, and entertainment. I can't count the number of up-and-coming female entrepreneurs I'm aware of who recount how difficult it's been for them to raise money or pitch forecasts to investors after Elizabeth's public downfall. There's an unspoken lesson for female executives: you're allowed to be successful, but not *too* successful. In my own career, I've purposefully chosen pathways to stay behind the scenes, as I recognize the dangers of flying too close to the sun. I hope that these tides will change over time, and that my niece, future daughters, and future granddaughters will grow up in a different world.

I heard that the sentence length for wire fraud is 20 years, while manslaughter is 7, and nothing seems to make sense anymore. I sincerely hope that there is some flexibility in considering these factors when deciding Elizabeth and her family's future. She is one of the most special humans I've ever had the pleasure of knowing, and her unique skills and positive force would be so much better served by positioning her to do good in the years ahead.

If you have any other questions about Elizabeth's character or anything I've detailed in this letter, please feel free to contact me for additional information.

Thursday, September 1st, 2022



Jacqueline Lamping

October 24, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5<sup>th</sup> Floor  
280 South 1<sup>st</sup> Street  
San Jose, CA 95113

Dear Judge Davila:

If I may, I would like to share my story about my relationship and experiences with Elizabeth Holmes.

My first opportunity to meet Elizabeth was at the height of her fame as the Theranos Founder and CEO. I believe it was 2015 when we met at a conference in Aspen. I recall almost every person at the conference wanted an opportunity to meet Elizabeth Holmes. I remember them giving the most influential attendees the chance to sit near her at the nightly dinners.

I happened to sit behind Elizabeth in the audience during one of the panels. I knew her name, but didn't know what she looked like and had not done a Google search yet. I remember noticing a young woman sitting in front of me wearing all black from head to toe. She was dressed in a professional black suit, black turtleneck, black socks and black flats. Elizabeth represented herself as an intelligent woman who was there for business, not to be admired for youth and beauty, to which she had both. When the panel ended, everyone swarmed Elizabeth as they lined up to meet her. That must be Elizabeth Holmes I thought. I remember Elizabeth carrying herself very modestly. She definitely did not appear to be an egregious character looking to display power or gain attention as she can be portrayed in the media.

Interestingly, I went out of my way not to meet Elizabeth. I was very intimidated by her stature and business acumen. As the conference continued, we found ourselves outside walking to an event. Somehow, it was just the two of us there in the mountains surrounded by nature and after a short conversation - it was clear we were meant to be friends.

Elizabeth and I went on to form a close friendship over the years. Our relationship was very personal and outside of the business world. My partner at the time was quite influential and I can tell you Elizabeth never once angled to get closer to him or his colleagues for her own personal gain. It simply never came up.

At one point, Elizabeth had meetings in Salt Lake City, Utah where I was living at the time. I went to meet with her between meetings and as she was calling her car service to get to the next location, my parents happened to pull up and offered to drop her off. We sat in the back of my parent's car giggling as it felt like high school. I was mortified that *The Elizabeth Holmes* was riding in the back of my parent's car given she was recognized as one of the most influential people in the world, but she just laughed and got a kick out of the situation. We still get a good laugh about it now.

Another touching memory I have with Elizabeth, is a road trip we took together one weekend when I visited her in Silicon Valley. We toured Santa Cruz then drove back the other direction to the Muir Woods Forest. I remember her telling me it was the first time she had been able to explore as she was always working. She went make-up free and was just as carefree and relaxed. She had a very deep connection with nature. One thing that struck me as charming about Elizabeth's home, was that the entire house was furnished with her parent's old furniture. I was really surprised by this and found it



really sweet. That was always the juxtaposition I found in Elizabeth...she was a very polished public figure and leader, yet at the same time, just another young adult trying to make it all happen.

A few years later, I met up with Elizabeth in Park City, Utah where she introduced me to Billy. Elizabeth was so completely at peace and it was very clear they were both right where they wanted to be...together. At this time, the media stories had started to turn. But, having seen her, one would not think this was the same Elizabeth Holmes portrayed in the news. She and Billy were touring national parks in the Rocky Mountains and more or less sleeping under the stars in their travel van. They were totally in love and discovering a whole other side of life.

When Elizabeth announced over the phone she was pregnant, it was the most joy I'd ever heard in her voice. I was fortunate enough to meet her, Billy, and ██████████ in Park City when he was six months old. She is the most caring and loving mother. She was fully dedicated to breastfeeding and making sure ██████████ was in a positive routine. Like most mothers, she was completely obsessed with him. I absolutely loved seeing her as a mom and the passion towards her son.

In writing this, I must say I love and respect Elizabeth. She has proven herself to be a trustworthy friend and a genuinely lovely person. It's painful for me to see her portrayed so unfairly in the media. It's definitely not the Elizabeth Holmes I have known over the past many years.

Your Honor, it is my belief Elizabeth Holmes is not a threat to society. Incarcerating her would be a hindrance to the future potential of a truly brilliant person. Based on my knowledge of Elizabeth's core values, I ask for your consideration of leniency in her case.

Sincerely,

Ricki Noel Lander

September 8, 2022

Honorable Edward J. Davila  
San Jose Courthouse  
Courtroom 4, 5<sup>th</sup> Floor  
280 South 1<sup>st</sup> Street  
San Jose, California 95113

Re: Elizabeth Holmes

Dear Judge Davila:

I submit this letter in aid of sentencing. It is my fervent hope that the Court will courageously be lenient and merciful. I can imagine no more difficult task for a District Judge than to sit in judgment of another. I am a former Assistant United States Attorney with 50 years of experience of fraud cases. I know how wrenching sentencing can be.

I have gotten to know Ms. Holmes over the last several years and I believe I am a good judge of character. Although she made mistakes, I know that she is fundamentally a very good, honest and well-meaning person.

This case focuses on a discrete number of decisions and actions taken by Ms. Holmes. The number of decisions made by a CEO is countless, many thousands, and sometimes the decisions are based on incomplete or even erroneous information. No one is flawless and mistakes, sometimes significant mistakes, are made. Unlike many former CEOs whose mistakes are charged as crimes, Ms. Holmes testified and readily admitted her mistakes and subjected her testimony to the rigors of cross examination. A dishonest person would not do that. She allowed her foibles to be the subject of a withering test with no place to hide and no ability to distort. In my opinion, she emerged from that crucible as a person who intended to do right but made errors in a pressure packed and fast-moving environment.

She also does not bear the hallmarks of a person who intended to commit fraud. People commit fraud for personal gain. They cheat to enhance wealth. She did not do that. Theranos was a start-up and she was its visionary. She had the intellect to formulate an extraordinary idea and the energy and capacity to implement it. Her idea had and still has the potential to make meaningful changes of global significance. Investors were eager to participate. They wanted to be part of the adventure. They understood the risks -- or they didn't care or minimized it because the prize was so great. There was no track record on which they could rely. For them, it was a gamble, one they enthusiastically pursued. They put in capital that they, for the most part, they could afford to lose. Ms. Holmes, however, did not monetize her stock to enhance her personal wealth. She had a salary but did not sell her stock, for which there was a ready and eager market. She kept her capital in the company alongside that of her investors. She did not create personal wealth at the expense of the investors. A person who acts this way is not a cheat or a fraudster.

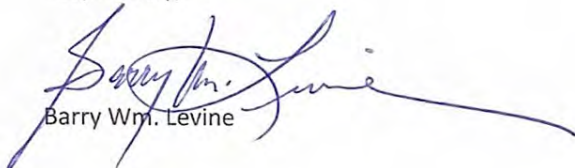
She did what we tell our children every day to do: dream big and follow your dreams. It is the theme of virtually every graduation speech and has often been the subject of our political discourse. Robert

Kennedy said "Some people see things as they are and ask why. I see things that have never been and ask why not." Ms. Holmes was motivated by that sentiment and it captures her and her mission.

Ms. Holmes is not a flawless person but she is a good person. Her errors were the product of youthful over-exuberance, not fraud. Her imagination and energy are the kind of stuff from which extraordinary scientific and social change is achieved. The passionate pursuit of such goals is not a vice for which she should be condemned or for which sanctions should be imposed. I, of course, know the jury had a different view of her mistakes. This case was a matter of great complexity. I respectfully suggest that the jury, just like Ms. Holmes, made mistakes. And, again like Ms. Holmes, the jury made mistakes in good faith. The jury, however, unlike Ms. Holmes, had the benefit of hindsight and the ability to deliberate and ponder a well-organized presentation under the careful guidance of the Court. That is not the way business works. Many, many things are happening at once, sometimes chaotically, all needing attention at a given movement and in the midst of it all, decisions, sometimes hasty, flawed decisions, are made. Sometimes, as here, they are profoundly regretted. But they should not be confused with cheating or fraud.

A final point: Ms. Holmes has recently become a new mother to the angel in her life. There are those who will say she that she should not have had the child in her circumstances. Those people are malevolent cynics whose musings should not be considered by this court. The decision to have a child is a personal decision based on one's health and faith. The fact that there is now another innocent life who needs its mother further complicates the challenge for the court and is a further justification for mercy.

Respectfully,



Barry Wm. Levine



Bryan Liptzin

[REDACTED]  
August 24, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

I am writing on behalf of Elizabeth Holmes and wanted to share my experiences working with her at Theranos. I was brought to Theranos as a consultant for Regulatory Compliance and Quality Systems by Fabrizio Bonani after he joined the Board of Directors. I supported the company for approximately one year beginning in August, 2016.

I interacted with Ms. Holmes individually and as part of cross-functional group meetings on Quality topics as well as Regulatory remediation with FDA and CMMS. In every case I found Ms. Holmes attentive and engaged with the issues at hand, and I felt a genuine and deep commitment to public health and serving patients. She did not avoid difficult conversations and demonstrated an understanding and care about doing the right thing. At no point in time did I get a sense that she had motives other than improving the process of blood testing and finding ways to empower patients.

Further, I witnessed her honest engagement with Theranos employees from dealing with complex technical issues to playing basketball during lunch breaks. During all-staff meetings she answered questions openly and sought feedback on ways to improve the product, the company and sought to create a positive culture.

Sincerely,



Bryan Liptzin  
*Independent Consultant*  
*Pharmaceutical Quality and Regulatory Compliance*

August 22, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 -5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

At the outset I want to point out that this is the first time I have written a letter of this nature to a court, and I would not be doing so unless I believed deeply in the message I am about to deliver. I wish to emphasize that I have not been encouraged, coached, nor compensated in any way to submit this letter. I just believe it is the right thing to do.

By way of introduction, I am a retired strategic communications consultant and was retained by Theranos to provide independent communications counsel. In that capacity I had direct contact with Elizabeth Holmes. Simply stated, I found her to be a far cry from the negative caricature that has been depicted in the media and portrayed by Hollywood.

The Elizabeth Holmes that I encountered was a genuine and compassionate individual who cared about the lives of those with whom she came into contact.

Despite her busy schedule and the increasing pressures that she was under, Ms. Holmes took the time to reach out to [REDACTED] and to send her a series of thoughtful and supportive emails that I know boosted [REDACTED] spirits. Ms. Holmes continued to contact me to inquire about [REDACTED] even after I completed my assignment at Theranos.

I realize that she has been found guilty of serious crimes by a jury of her peers, for which she has admitted under oath her deep remorse. I also understand that the Court is obligated to impose a sentence. It is my hope that the Court will take the following into consideration in rendering its decision.

First, Ms. Holmes has already been severely punished for her actions. Her reputation is in ruins, she has incurred huge financial losses, and regardless of her sentence, she will live the rest of her life as a convicted felon, with the stigma and very real legal restrictions that accompany her conviction.

Second, based upon my personal contact with Ms. Holmes, I cannot conceive for a moment that she poses any future threat to society. In fact, I firmly believe the opposite to be true. I believe that she has a great deal to offer to potential entrepreneurs based upon her expertise and experience.

She has demonstrated that she knows how to transform a bold idea into a viable business, and she is uniquely positioned to deliver the message that there are rules that must be obeyed and boundaries that cannot be crossed, regardless of who you are and what you believe to be the best of intentions.

I am aware that many are clamoring to "lock her up," but with all due respect I hope that the Court will impose a compassionate sentence of appropriate community service so that Ms. Holmes can get on with her life and fulfill her obligations as a mother, while helping others to achieve their dreams.

Respectfully submitted,



Jeffrey S. Lloyd, Ph.D.





August 9, 2022

Hon. Edward J. Davila  
San Jose County Court House, Courtroom 4 – 5<sup>th</sup> Floor  
280 South 1<sup>st</sup> Street  
San Jose, CA 95113

Dear Judge Davila,

I write in connection with the sentencing of Elizabeth Holmes. I have known Elizabeth and her parents since Elizabeth was a very young child. I got to know her father when, in my role as Director of the State Department's Bureau of Refugee Affairs, I persuaded him to come to the Department to help lead our efforts to handle some major refugee crises then arising – such as the thousands of Vietnamese Boat People fleeing the new regime there, or the 125,000 Cubans who suddenly were able to leave Cuba and come to the U.S.

As we worked together, our families became friends. Elizabeth's parents became the Godparents of our oldest daughter. When her family moved to Texas I visited there. So it was natural that when Elizabeth entered Stanford we would continue our conversations—though somewhat less frequently. The point of these conversations, relevant to the matter at hand, is that they always were all about what the new technology could do for those in need of a blood test, and not at all about what riches it could bring to Elizabeth.

As I contemplate the issue before the Court, one other experience in my life comes to mind. Years back, while employed as a young associate in a large Los Angeles law firm, I represented several young, scientists (a number of whom were connected with one of the branches of the University of California) who were seeking to launch companies in various technological fields. The fields in which they labored

differed. And my recollection is that only a few of them succeeded. But there was one common denominator: they each had a powerful conviction that (a) their technology would work, and (b) that it would be a significant step forward in the area in which they were working. That conviction was the motivation for their work, as I believe it was for Elizabeth.

I hope that this background can provide some useful context for the court in its deliberations.

*Frank Loy*

Frank Loy



Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 - 5th Floor  
280 South 1st Street  
San Jose, CA 95113

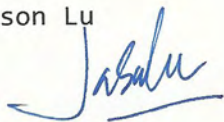
Dear Judge Davila,

My name is Jason Lu. I worked as Machinist at Theranos from 2013 to 2018.  
Today, I am writing this letter to you in support of Ms. Elizabeth Holmes.  
She is a hard working woman and was nothing but kind to her employees.  
I believe in her character. I would like to express my sincere support in Elizabeth  
Holmes.  
Hopefully that her sentence could be reduced.

Thank you so much for your time and consideration.

Sincerely,

Jason Lu

A handwritten signature in blue ink that reads "Jason Lu". The signature is written in a cursive style with a long horizontal stroke at the end.

September 1, 2022



September 16, 2015

The Honorable Edward J. Davila  
San Jose Courthouse  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila,

I write this letter to illuminate the character of Elizabeth Holmes. In 1999, at the height of the Balkan Wars, Ms. Holmes, without support from Save the Children, initiated a fundraiser on behalf of mothers and children in Kosovo. Sadly, conditions in Kosovo at that time exceeded what we currently see in Ukraine.

She set up a very creative and well-organized fund-raising campaign at her school. Among the many imaginative elements of her campaign was a conference call for her fellow students with the Save the Children Country Director in Kosovo.

Ms. Holmes subsequently replicated the fundraising initiative in other schools in her area.

In sum, her initiative was as creative and well-organized as anything I would expect from professionals with years of experience.

I'm sure Ms. Holmes will continue this pattern of public service when her circumstances allow.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Charles MacCormack". The signature is fluid and cursive, with a large initial "C" and a long, sweeping underline.

Dr. Charles MacCormack  
President Emeritus, Save the Children

July 26th, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

My name is Tyler MacNiven. I grew up and currently live in Woodside CA, where Elizabeth Holmes currently lives. With my family, I own Buck's Restaurant in Woodside, where I have worked on and off since my parents opened it 30 years ago. Our staff and guests feel like family and I am honored to have such a wonderful job, one which allows such special access to my community.

I first met Liz about 4 years ago through close mutual friends. It wasn't until this last year when they moved to Woodside and started frequenting Buck's that I became friends with her and Billy. We often hike around our area and have great chats, share our favorite poems or quotes, and discuss parenting. Conversations with Liz are fascinating and she approaches big topics without judgment and with a patient willingness to hear all sides. One of our recent conversations about animal rights explored several arguments for and against keeping animals in zoos. While Liz does hold an opinion, she expressed no judgment while listening to mine. She often asks questions that help me explore my own thoughts, and in doing so, think about issues deeper than I would have on my own.

As a father of two I was thrilled to first learn she was having a baby and to share in the excitement of welcoming baby [REDACTED] into the world. I have experienced many magical moments playing with [REDACTED] on the carpet while Liz, Billy and I all speak to him in sweet baby noises. I have been witness to a mother falling completely and utterly head over heels in love with her son. Liz is "totally obsessed" with [REDACTED] - and with just one look into his beautiful big eyes you can see why.

I shared space with Liz soon after the tragic early death of her beloved dog, Balto. Liz and Billy loved that dog as though it were their first child, and his passing was a major blow during an already challenging time. Liz said Balto taught her what it meant to be free, "to live and to love beyond belief." They felt the raw pain, surrounded themselves with friends and family, and searched for the deeper spiritual meaning of it all. Ultimately, while there is still sadness surrounding their loss, Liz made a point to learn from the love she shared with Balto and, in her words, "give hugs all the time."

I am aware that so much of the world knows Liz for her professional history; however, I really only know Liz as a friend and as a mother. And when it comes to those roles, she is exceptional. She is warm, gentle and generously present with everyone she shares space with.

█████ is so lucky to have her as a mother. Billy is lucky to have her as a partner. I am lucky to have her as a friend.

There are so many people close to Liz that would suffer immensely if she became incarcerated. Her friends, her family, her partner...but I am brought to tears thinking of baby █████ losing the person he loves most, even for one day.

Thank you for your time and for allowing me to write on behalf of Liz.

Best Regards,

A handwritten signature in black ink, appearing to read 'Tyler MacNiven', with a long horizontal flourish extending to the right.

Tyler MacNiven





September 10, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

I'm writing this letter on behalf of Elizabeth Holmes – a fantastic friend, kind person, and someone who genuinely wants to improve the lives of other people. My experience with her is far from the reports one may read about her in the media.

I've been touched by our deep and vulnerable conversations. We have both gone through crazy ups and downs over the course of building our businesses, and Elizabeth has shown me how much she has grown as a person over the past decade.

[REDACTED] Elizabeth kept my spirits high and supported me in the aftermath of the tragedy despite going through so much of her own challenges, and it has meant the world to me. I believe her own journey has given her the gift of being able to support me and other friends during their toughest times.

Elizabeth is an incredible person and I sincerely believe that she will continue to make a positive impact on many people.

Jessica Mah



September 1, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

I am writing this letter in support of Elizabeth Holmes.

Elizabeth and I first met as undergraduate students at Stanford. As a rising sophomore 19 years ago, she had volunteered for a leadership role in a student-run exchange program I was directing, Asia Technology Initiative, which provided subsidized tech and cultural immersions in up-and-coming metros across Asia. I remember Elizabeth wanting to give her peers a platform to become globally minded entrepreneurs, and to have access to experiences she was fortunate to have in prior years. She inspired me with her precociousness, humility, ambition, and desire to do good. In fact, I wrote in my diary on December 19, 2003: “It’s not every day that you meet someone who you know will change the world (literally, all of it) for the better.”

That wasn’t the full picture. Elizabeth had confided in me that she had been a victim of violent rape earlier that quarter. In my diary, I wrote that I carried “tremendous hope that this experience would make her stronger and lead her to new heights in [making] this world a better place.” She seemed intentional about moving past the experience and focusing on her startup. The depth of that focus was unexpected. Despite being very close friends, we lost touch for 13 years.

I cannot speak to anything that happened with Elizabeth during that time. But I wondered, why did she isolate herself from people who knew and cared about her? How might that isolation affect her physical and mental health? Had she fully processed and overcome the trauma of sexual assault?

We reconnected and met for dinner in December 2016. Elizabeth sounded and looked physically unwell. We discussed her future. She was beginning to wind down Theranos operations, but she wanted to continue exploring other ways to improve healthcare. I was astounded that she would have the stamina, or even the desire, to do so. I remember telling her to take this opportunity to reset, recover, and rekindle relationships with people who cared for her.

Over the subsequent months and years, she was effectively forced to stop working. And I am thankful for that: we have been able to nurture our friendship and share experiences as first-time parents (we both had babies around similar times). She has been able to speak more openly about her struggles with me, reflect on her mistakes, and create a new life. Through this, I believe that Elizabeth is a different person from the one I knew in college and the one I met in 2016. Her success is not defined by professional achievement. Rather, it’s the everyday roles and responsibilities that mean the most: being the best mother, wife, friend, and daughter that she can be.

I hope you can consider giving Elizabeth the opportunity to continue her healing journey with, and not isolated from, her friends and family.

Sincerely,



Shalin Mantri



Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

September 10, 2022

Dear Judge Davila:

Despite meeting Liz only a few years ago, I have come to know and love her as a close friend who puts others before herself. Anyone who knows Liz recognizes that she is a genuine and generous person who cares deeply for those around her. She is someone I have always been able to count on, knowing she'll lend a listening ear and ask all the right questions. I know I can rely on her for an honest opinion, words of encouragement, and a selfless interest in my life and well-being.

Over the past year, I have seen her grow into a wonderful mother – her profound love for [REDACTED] and Billy is evident to all those around her. When I spend time with them together as a family, it's hard to believe that they've endured what they have, as their devotion to their son and each other take center-stage.

Although this experience has been unimaginably hard on Elizabeth and her family we have seen her continue to stay positive, holding steadfast to her values when it would have been easy to feel defeated and spiral into negativity. Watching her go through this awful experience and handling it with such grace and positivity is just another testament to who she is as a person, and how much she cares for her family.

In all of my interactions with Liz, whether at the beach, making dinners, or spending time with close friends I have always felt a deep care for others from her. I believe that she wanted to make a change and help people like many young and eager entrepreneurs out there do and I still believe that.

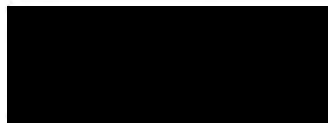
Sincerely,

Nicholas Mason

A handwritten signature in black ink, appearing to read 'Nick', with a long horizontal flourish extending to the right.



Mike F. McCarthy



Hon. Edward J. Davila

San Jose Courthouse, Courtroom 4-5<sup>th</sup> Floor

280 South 1<sup>st</sup> Street

San Jose Ca 95113

Dear Judge Davila,

My name is Mike McCarthy. This note is to assist your understanding of Elizabeth Holmes the person.

I was a department manager at Theranos seven years ago



As the months played out my colleagues noticed changes in my performance. Taking calls and excusing myself in the middle of management meetings, mid-day time off, PTO on Fridays and Mondays and more.

Elizabeth became aware of all this. The typically stoic and all business Executive came to the Newark facility where I worked, sought me out, embraced me and said she would completely support me in every way possible



I and my family will always remember her for this and keep nothing but good thoughts and prayers for her and her family.

Respectfully yours.

A handwritten signature in cursive script that reads "Mike F. McCarthy".

Mike McCarthy



15/aug/2022

Kathy McCoy

August 25, 2022

**Re: Letter of Support for Elizabeth Holmes**

To: Hon. Edward J. Davila, San Jose Courthouse

From: Kathy McCoy

Dear Judge Davila,

My name is Kathy (Kathleen) McCoy. I am writing you in support of a lenient sentence for Elizabeth Holmes.

I was born and raised in Iowa by loving, caring, generous parents who taught me the traditional values of accountability, responsibility, fairness and seeing the best in others.

I became friends with Elizabeth's parents, Noel and Chris Holmes, through a life-long childhood Iowa friend who relocated to California and is close to the Holmes family. It was clear to me from the first time I met them that they shared the same values as I, and that they raised Elizabeth the same way.

I had the privilege last November of sitting in your courtroom during Elizabeth's testimony and cross-examination. At the end of each long and emotional day on the stand, several of those there in moral support of the entire Holmes family would be invited back to their home for dinner. It was then while amongst Elizabeth's family and friends that I was able to appreciate how genuine her "real" personality is, and how very different it is to how she is often portrayed by the press and the prosecutors.

The Elizabeth I discovered in that home environment and since is a genuinely loving and caring mother, wife and daughter whose greatest concern is for her child, family and friends. I am personally convinced that Elizabeth has a great capacity and desire to do good and to make ours a better place to live.

It is my deepest hope that my observations along with the many other letters of support you will have received will encourage your most lenient and merciful judgement in this case.

With my sincerest gratitude for your attention and reflection,



Kathy McCoy



22 August 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 9511

Dear Judge Davila,

I'm writing on behalf of Elizabeth Holmes.

My daughter, M [REDACTED] and I met Elizabeth in June 2015 when she gave a town hall talk at the US Agency for International Development where I then worked. M [REDACTED], who was about 10, was at that time keen to become a science writer, and scrupulously recorded Elizabeth's comments on women in science and using science to transform medicine in her journal.

M [REDACTED] talked about Elizabeth for days and so I suggested she send her journal notes to Elizabeth's father, who at that time also worked at USAID. In the journal, M [REDACTED] had expressed her concern about her beloved Grandpa Archie's health and queried if Elizabeth's work could help him. (Of course, as a 10-year old she also wrote about how much she had enjoyed the post-event ice cream cone.)

Much to M [REDACTED] delight, Elizabeth wrote a kind, thoughtful and inspiring response. She wrote that she was working every day to diagnose illnesses in order to begin treatment earlier, and hoped to someday help people like her grandfather. Elizabeth encouraged M [REDACTED] to pursue her dreams, writing: "M [REDACTED], as you go through your studies, I encourage you to work at being excellent at science and math... it is amazing how much these skills can make you the best in any area you want to pursue in life." My daughter was over the moon.

Elizabeth closed with "Thank you for sharing your story and journal with me" and wrote that she looked forward to staying in touch. Indeed, the letter was the beginning of Elizabeth's ongoing support and encouragement of M [REDACTED] through continued email exchanges over the years.

Elizabeth was of course one of many influences on M [REDACTED] – but I have no doubt that she inspired her to dream at a critical time. Now, seven years on, M [REDACTED] is in her senior year of high school, loving science and math, working as a volunteer delivering food to people homebound by illness, and applying to UC Davis for pre-med.

Elizabeth has continued to be supportive – even during these last difficult years she has written to encourage M [REDACTED] to pursue her passions. My hope is that the justice system takes into consideration what our family knows – that Elizabeth is a kind, good-hearted woman whose talents and generous



spirit are sorely needed. We wholeheartedly believe that Elizabeth has the potential to do much good work that benefits many in the future.

Sincerely,

A handwritten signature in cursive script, appearing to read "Beverly McIntyre". The signature is written in dark ink on a light-colored background.

Beverly McIntyre

August 10, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

My name is John Moalli, and I am submitting this letter for your review and reference as you proceed with the sentencing phase for Elizabeth Holmes.

I am a Principal, and former Vice-President, of Exponent, Inc., a publicly traded scientific and engineering consulting firm in Menlo Park, CA, and in this capacity, I have had the opportunity to work with, and supervise, hundreds of Stanford, MIT, Cal Tech and other Ph.D. graduates over the last 30 years. I am also an Adjunct Professor at Stanford University, where I have been teaching for 18 years and have had the pleasure of interacting with some of the brightest students in the world. I have a Doctorate from MIT which I received in 1992.

I have known Elizabeth Holmes casually since 2008, and then more closely beginning in 2014, when Exponent did some consulting for Theranos. In 2016, I became an advisor to Theranos as a member of the Theranos Technology Advisory Board (TAB), and for several months in 2017, while still an employee at Exponent, I was an acting Senior Vice-President at Theranos, overseeing dozens of employees, and I worked with Elizabeth daily. I ended this senior-level role at Theranos when I was able to identify an executive who could take the job on a permanent basis.

I offer this background as a means of providing perspective to you when I say that, without question, Elizabeth Holmes is the most intelligent person I have ever met. The depth and breadth of her brilliance cannot be overstated, and, perhaps more importantly, should not be overshadowed by mistakes she has made in the business environment. Elizabeth was well on her way to bringing technology to the marketplace that would have been extremely helpful during the pandemic, and I am unequivocally certain that, given the space and opportunity, she is such a prolific inventor that she will continue to create technology that will greatly benefit humankind.

I also thought it might be instructive to relay to you the summary of a series of conversations I had with Elizabeth beginning in 2018, when Theranos was dissolving, and continuing to the

present day. These discussions always centered around how Elizabeth could create a vehicle to pay back her investors, from licensing back her own technology to starting new companies with novel ideas she had. I told Elizabeth that these investors were sophisticated, knew that there was risk involved in their investments, and that she should move on. Nonetheless, notwithstanding my counsel, Elizabeth insisted that she needed to create the means to return every last penny to her investors. Despite the allegations levied against her at the time, both in the media and otherwise, Elizabeth's focus was on making those initial supporters whole.

I have also read and heard suggestions from others that Elizabeth was dictatorial in her management style, intimidating to employees and not open to criticism; my experience was that nothing could be further from the truth. As a member of the TAB, I found that Elizabeth received advice openly and was constantly looking to fix things she recognized had been done incorrectly. When I was acting Senior Vice-President at Theranos, I personally witnessed Elizabeth working with her team on a daily basis, and despite the enormous amount of pressure she was under, she was always empathetic, understanding, and open to new ideas.

A jury has decided that Elizabeth owes a debt to society, and for the moment, this finding is irreversible. It must be noted, though, that society will also suffer with the incarceration of Elizabeth Holmes, as the stifling of her creativity and inventiveness will inevitably cause lives *not* to be saved. While I fully comprehend that there must be some sentence, I humbly urge you to consider the ultimate effect of restraining her brilliance.

Sincerely,



Dr. John E. Moalli





Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Alex Moore  
Austin, TX. 78704

Dear Sir/Madam,

My name is Alex Moore. I am 39 years old. I am a graduate of Stanford University Undergraduate School where I got a degree in Economics. Liz Holmes was a classmate of mine. I knew Liz both in school and also for a great deal of time after I graduated. Liz was known as a dreamer, a thinker and an entrepreneur at Stanford. Someone who had big ideas and ambitions. This type of thinking was encouraged at Stanford; the home of Hewlett-Packard, Google, Yahoo and hundreds of other great technology companies. It was a bastion of huge ideas and huge world-changing projects. It remains to this day. Everything about the construction of the school, the network of people around it, the professors and the tap water is designed to house this and this is the backdrop under which we went to school from 2001-2005.

For further context, I was also an ambitious young person at Stanford like Liz Holmes. I was a disciple (so to speak) of the philosophy of Steve Jobs who encouraged us to be bold and that “ordinary people could come together to do extraordinary things”. Steve Jobs was not an abstract concept to us. In fact, Steve Jobs spoke at my Stanford graduation in 2005’. He lived in a house literally on Stanford campus and I ran into him at various times walking around campus. He was famous for taking 3 hour walks around the campus to think and solve problems in his head. I remember telling my friends I had sighted him a few times. He drove a Mercedes car with no dealer plates (no numbers or letters) and would show up at Starbucks or at the Apple store to critique the staff and layout of products. He spoke in classes, was a real presence, also often times would be considered a ghost-like figure. Everyone told stories about him. Legend.

I arrived at school on Sept 20, 2001. This was one week after 9-11 where 3,000 Americans died and it put a scar on our hearts coming in happy young 18 year olds. I think it truly stained everyone in that year. With the stock market crash of 2000 and 9-11 I think the students that entered Stanford in those particular years wanted to do things to help rebuild society, to make things better. I’m sure Liz also had this sentiment as she made her way through the University as well as others. We were so tired of seeing destruction and wanted to fix things.

Knowing Liz very well over the past 20 years, I can say she fits clearly inside of my vein in terms of worldview, values and understanding. I think she is a person who cares deeply about society and making impact and that her company was genuinely attempting to fix large problems in health care the way that we all wanted to see the world fixed. Liz’s company was not able to

get to where they wanted, but this is a reality of technology limitations and lifecycles. Things sometimes work and sometimes they do not. I don't believe Liz was intentionally leading the company astray or making intentional movements in a dishonest way against shareholders or the like. This would be entirely inconsistent with her character and the person who I have known for 20 years and doesn't align with the large mission she had laid out.

Instead I think the machinery of legal/media has exaggerated what is common place in Silicon Valley. Having large dreams, raising money, hiring people, these are the building blocks of what we do and actually 90% of the time everything goes to nothing – despite the optimism of the founders and creators of the vision. This process can be painful, but is certainly not crime. Instead this is the poetry of innovation. This is part of the process of creation. I believe Liz had good faith in her actions and simply had an unsuccessful attempt here. This happens.

In my new career as a venture capitalist I assign capital to new projects. Again, 90% of my “bets” (they are bets, nothing is certain) fail and go to 0. This is expected. I take great satisfaction and excitement every time I write that check. My firm has invested in fact \$5 billion dollars over 10 years. This is a large scale, but in fact does not make us even in the top 20 firms in SV. We are considered a young promising group. We have a ways to go. The scale of these figures seem large, but they are not. Even one great investment can return the entire sum and so makes it worth it to have all the failures.

Failures are a part of the game in Silicon Valley. They are also part of the game in life. We can't punish our innovators in society or there will be no innovation. I believe society is best served by having Liz Holmes free to raise her family and start more companies. There are lessons to learn here for Liz, everyone, and industry – perhaps around communication, mgmt., etc. but the final analysis should not be punitive that will serve no one and will not encourage what's best for society.

Sincerely,



Alex Moore

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

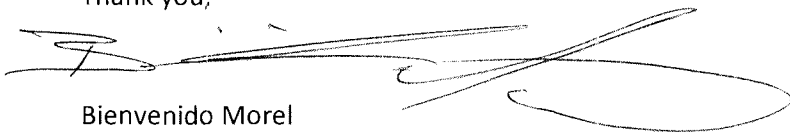
I have known Elizabeth Holmes as a friend for over seven years. I was also employed with Theranos as Security Supervisor for Arizona Operations.

In addition to our friendship, I was fortunate to travel with Elizabeth. This is where I got to know her character. Elizabeth worked extremely hard in developing transparent and affordable healthcare services for the world. On one of our international trips to Mexico, Elizabeth was on a mission to bring accessible and affordable services to the entire country. Elizabeth was also a mentor to many young female entrepreneurs from around the world. She hosted them in Palo Alto and provided free workshops and access to educational material. Elizabeth and our daughter exchanged letters over the years as she was an inspiration to our daughter.

Theranos was the best company I have ever worked for throughout my professional career. Our leadership under Elizabeth was second to none. During my time at Theranos, the company provided breakfast, lunch, and dinner to all of its employees. Excellent health care benefits, compensation, and retirement plans. Elizabeth has always been a beacon of light in the community. Elizabeth was there for every employee, especially when Theranos closed. Elizabeth made it a point to be there and show significant support during a sudden and arduous job search. Theranos provided every employee with a separation package, resume support services, and job placement before it closed its doors.

Despite her current situation, I still believe Elizabeth Holmes to be an honorable individual, a valuable member of the community, and a good human being. It is my sincere hope that the court considers this letter and extends leniency to her.

Thank you,



Bienvenido Morel



August 30<sup>th</sup>, 2022  
Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 - 5<sup>th</sup> Floor  
280 South 1<sup>st</sup> Street  
San Jose, CA 95113

### **Character Reference for Elizabeth Holmes**

Dear Judge Davila,

My name is Ryan Gross and I am a friend of both the Holmes and Evans families. I'm writing given my close relationship with Elizabeth and my experience of her as a kind, genuine, and caring woman. I hope you take this letter into consideration as you deliberate her upcoming sentencing. Before I share my thoughts on Elizabeth's character, I'd like to first give context on the origins of our friendship.

I was fortunate to be introduced to Elizabeth in 2017, when she was first building a friendship with her now partner, Billy Evans—a life-long best friend who I've known since the age of 5. Billy and I were inseparable growing up (from first grade to graduation) given our shared hobbies and passion for volleyball. Billy lived much closer to our school than me and given our rigorous practice schedule, I ended up staying at his house ~3 nights a week for much of our childhood. Within a few seasons, I was an extended part of his family. After attending different colleges, our brotherhood continued to grow as roommates in San Francisco, and we lived together from 2014-2018. In August 2021, just weeks before the trial commenced, Billy was the best man at my wedding.

When I think about why Billy has remained my best friend after all these years, a few qualities stand out: his loyalty to family & those that he loves, his selfless commitment to helping his friends, his humble and honest approach, & his surrounding himself with a strong community with shared values. One must look no further than Billy's friends to see that they are mirrors of the qualities I have always found most admirable in him, and the last 5 years knowing Elizabeth has made it clear that she is no exception to this rule. While my list is not exhaustive, I'd like to highlight three areas that stand out based on my friendship with Elizabeth.

### **Elizabeth's Commitment to Family**

I've had the opportunity to be with Elizabeth these past years on several occasions that involved my family, her family, and Billy's family. In all these scenarios, I have witnessed Elizabeth spend hours talking, laughing, crying and forging genuine bonds with family members. In almost every conversation that I witnessed, Elizabeth would make the conversation about the family member, exhibiting genuine curiosity and interest. Elizabeth would discuss her situation in detail when asked but she never put herself at the center of conversations. If I was in her shoes, I could have seen myself every so often turning the conversation towards the trial/Theranos, probably subconsciously seeking sympathy. Elizabeth's interest in others far surpassed the circumstances & stresses circling around herself; in subsequent conversations, she was amazing at recollecting memories and making her audience feel incredibly special.

I've been so fortunate that my mother, Monique Sanders, has also built a strong familial relationship with Elizabeth. Elizabeth has on at least 5 occasions in the past year brought her son, [REDACTED], over to my mom's house so the three of them could spend quality time with one another. My mom has no grandchildren of her own yet but really considers [REDACTED] her first, primarily due to Elizabeth's willingness to always find time and invest it with my mom.

To recap a few other scenarios I have seen that reaffirm my perspective on Elizabeth's commitment to her family: daily mile+ long walks with [REDACTED], consulting Billy for hours on end on his professional endeavors, nightly dinners during the trial spent preparing dinner with her mom and cleaning up with her dad.

One of Liz's most important dreams beyond all professional endeavors has been to be a mother and I've been so grateful as a dear friend to see this dream come to fruition beautifully, despite the macro stresses going on around her.

### **Elizabeth's Loyalty to Friends**

Having met Elizabeth towards the end of her experience at Theranos, in 2017, and working in technology myself, I was aware of Theranos, the media surrounding her, and the allegations involving her. Although I am a new friend from this decade, I've had the opportunity to meet friends from every part of Elizabeth's life. My husband and I have become good friends with many of Elizabeth's friends. Every friend speaks about Elizabeth in the same way that we recognize her character: humble, extremely curious about others, always willing to put her priorities second, a bit quiet and very gracious. It is so clear to us that these are not new qualities of Elizabeth, but qualities she has demonstrated her entire life.

When my husband and I got engaged in the summer of 2021, Billy, Elizabeth and another dear friend offered to help throw us an engagement party. They took it upon themselves to plan the most incredible, intimate celebration that we know took hours of preparation. Elizabeth met several new friends that day—people from my husband's and my life that came to celebrate. Several of these friends came up to us that day and shared how kind, empathetic & curious Elizabeth was. Many were expecting to meet someone with different characteristics based on the media they had consumed over the years. I bring this up, as it is these same qualities that every single person discusses about Elizabeth. Whether it be a new friend, a friend of a friend, or a best friend from childhood, there is always consistency in explaining the person Elizabeth is and how she treats & nurtures the friendships she holds.

### **Elizabeth's Honesty and Self Reflection**

Over the years, I've asked a lot of questions to Elizabeth about Theranos and her self reflection on that decade of her life. Elizabeth was genuine with me when she discussed the mistakes she made that she wished she could have changed, just as she was throughout the trial. She wished she was a better people manager, that she waited longer to go-to-market and scale, and that she could have been able to create more separation between her professional and intimate personal life, to name a few examples.

I've always found Elizabeth to be a credible & honest voice in my 5 years of knowing her. If she makes a mistake, she takes full responsibility. She is constantly open to hearing feedback and is vulnerable with others about the parts of her life that she is focused on improving. She gives back to her community, her family and her friends constantly. I know that Elizabeth plans to stay this committed to her community and her loved ones with no end in sight.

Thank you,  
Ryan Gross

*Ryan Gross*

August 27, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

**Subject: Character Reference for Elizabeth (“Liz”) Holmes**

Dear Judge Davila,

My name is Nicolas Newman and I am married to Ryan Gross, a close friend of William (“Billy”) Evans – Liz’s partner. Through my relationship with Ryan, which started in 2017, and his friendship with Billy, I have had the privilege to spend considerable time with Liz over the past few years and build a friendship.

Liz is empathetic, gentle, inquisitive, and loyal. I’ve experienced these qualities personally and have also observed her impart them on others (friends, family, strangers), all during a period of great adversity & stress. These qualities have been consistently, broadly exhibited, and I believe they are emblematic of who she is at her core.

Liz is a deeply devoted partner, community member, & mother. I’ve observed Liz support Billy selflessly as he pursues his professional aspirations & prioritize his emotions before her own. I’ve watched Liz wholeheartedly connect with Billy’s parents, siblings, and extended network of friends in the Bay Area and San Diego. I’ve seen Liz invest her limited time into the service of women who have been abused. Liz’s selflessness has been unwavering as she navigated the difficult road leading up to, and now following, her trial. And now I have the joy of witnessing these qualities bestowed upon [REDACTED], her new son. He is the center of her world. Liz is a fantastic mother.

I had a unique opportunity to share a meal with Liz’s immediate family this winter, during her trial. It was a long day in the courtroom and Liz unfortunately couldn’t make it back home in time to eat. While I only knew Liz after her chapter at Theranos, this intimate meal – sitting across from her mother and father – reaffirmed that the Liz I knew was the Liz they knew. The loving friend, partner, and mother was also a loving daughter. During a dark time, it was a bright moment to reflect & share memories about the woman they had raised and who I had come to appreciate as a friend.

It is my hope that you take this letter into consideration at the time of sentencing. Despite the outcome of the trial, I believe Liz to be an honorable woman and a good human being.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nicolas Newman', written in a cursive style.

Nicolas Newman



William Nicholson



August 16, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4—5<sup>th</sup> Floor  
280 South 1<sup>st</sup> Street  
San Jose, CA 95113

Dear Judge Davila:

As a 60-year friend of Chris Holmes, I have kept up with his family to include Elizabeth since her birth.

Chris and his wife, Noel, worked with Elizabeth to give her every advantage from an educational and experiential standpoint. She thrived under their parental guidance and acquitted herself in a superior fashion, both academically and in terms of self-guided extracurricular activities.

I was an investor in Theranos and believed in Elizabeth and her technology. Undoubtedly, some missteps were taken, and she has paid an enormous price professionally and emotionally over the past several years. Will additional punishment benefit her or her family? I don't think so. I would support a lenient sentence.

Respectfully,

A handwritten signature in black ink that reads "William R. Nicholson".

William R. Nicholson

msb

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 –  
5th Floor 280 South 1st Street San Jose, CA 95113

Dear Judge Davila

I am someone who heavily believes in my gut and first principle thinking. I met Liz in 2018 and didn't put 2 and 2 together on who she was at first. I just met her as Liz. We met at a lunch and my takeaway was "wow, she is really nice". She asked me questions about me and listened intently. I only knew her as Liz, so I was shocked when I found out she was Elizabeth Holmes.

The media is extremely powerful. It was interesting to see the dichotomy between "Liz" and Elizabeth Holmes. The "Liz" I knew was sweet, kind and caring. The Elizabeth Holmes I read about was evil and dangerous.

I am really happy I met her as Liz. I don't think I would have been able to get over my bias, whether it be conscious or unconscious, of Elizabeth Holmes.

I spent a lot of time with Liz over the next few years. Liz always put others before herself. Countless times she patiently listened to my trivial stories because she genuinely cared about me.

It's so interesting hearing her painted as a "money obsessed monster", or that her intentions were always to "screw people over" to get money. To me Liz never cared much at all about material things. Money was never a topic we talked about. I never thought of money being a motivator at all to her.

She was so happy with a (cheap) homecooked meal.  
She never cared about what car we were driving.  
She valued people over things.

She cared about the same things I care about.  
A genuine conversation.  
A nice afternoon walk.  
Playing with animals.  
Sitting around a fireplace.

I always connected with Liz because we both care about humans. The ones we are around. The ones we aren't around. We would talk about how to help people in need and how we can make the world a better place. We never talked about how we can make money.

I don't know Elizabeth Holmes. In the thousand hours we spent together I never saw anything that even resembled the Elizabeth Holmes I read about. I know Liz.

Liz is a caring mother.  
A wonderful wife.  
A genuine human.  
A lifelong friend and a confidant I would trust with my life.

Liz is an amazing person who can and will make the world a better place.

The world is lucky to have Liz. Liz makes everyone around her better. Liz make the world better.

I truly hope the world can see past the fabricated invention of Elizabeth Holmes and see Liz.

I'm happy I did.

- Taylor Offer  
*Taylor Offer*



Kelly O'Neill

[REDACTED]  
Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 - 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila,

I have closely observed the case of the United States v. Elizabeth Holmes, both understanding and respecting the decisions that you and the jury have made thus far. I can only imagine how much of your time has been put into it beyond the courtroom, and I appreciate the opportunity to personally address you. With that said, I will do my best to keep this brief and to the point! Although, I could speak endlessly about my world being a brighter place with Elizabeth in it. It is not my intent to “shed some light” on all the great things about Elizabeth. My goal is rather to collect all the light in existence and shine it on her potential to change our world for the better.

I first met Elizabeth during my introduction to the Evans family – only a week into dating Rex, the younger brother of Elizabeth’s partner Billy. It had been several months since Rex had been willing to spend time with his family, which made me undoubtedly anxious, scared, and uncertain of the dynamic I was about to walk into. I wasn’t exactly sure of the reason for Rex to distance himself – but the moment we arrived at their home; my fear disappeared. Everyone was beaming with excitement; eager to welcome me into their family with open arms. Given the circumstances, I had assumed Rex would be glued to my hip and ready to leave at a moment’s notice – but that wasn’t the case. Throughout our visit, he and Elizabeth were deeply invested in conversation. Out of everybody there – his parents, sister, and brother and I – Elizabeth was the one person who could put him at ease, providing a sense of comfort through her gentle, yet divine compassion. Upon my very first time meeting her, I knew Elizabeth to be a kind, loving person; incredibly passionate about helping others.

A year later, Rex and I started a business together providing premium beach bonfire experiences in San Diego. After a tiresome but successful launch in 2021, we hosted a celebration with close family and friends for Elizabeth, the soon-to-be-mom of adorable baby [REDACTED]. Again, the pressure was on; this time, we were hopeful to impress and share what we had worked tirelessly at perfecting. While we received several compliments on the overall experience, it was only Elizabeth who noticed and took the time to ask about the small things; the parts that most overlooked, but what we had spent never-ending sleepless nights to create. Even in a setting with friends she hadn’t seen in ages, Elizabeth remained attentive to the finer details of our new business; genuinely curious of how they came to be. Beyond that, she went the extra mile to have meaningful interactions with every person around her that night. She expressed her selfless gratitude to everyone that attended. For me, as a young, female entrepreneur, it felt incredible to have another hardworking woman like Elizabeth notice and commend the work I had put in. Knowing how intelligent and honest of a person she is, it meant the world to hear that she was proud of what we had achieved.

Fast forward to baby [REDACTED] arrival, I was concerned about the trial and her difficult road ahead. Elizabeth would have to juggle the mental, emotional, and physical toll of revisiting the past, spending long hours away from her newborn baby, still nursing, and all in the public’s eye. But she did it; and with such grace. I admire how she faced adversity and pessimism but chose optimism, every single day. I truly have not once heard her complain. She is the most positive, humble, resilient, and brave person I have had of getting to know.

While over the last two years I have greatly benefitted from building a relationship with Elizabeth, our world was simultaneously confronted with abundant change. Adapting to new normals, we as humans have learned, listened, and implemented innovation for the better – as we rebuild, now is the time for our society to continue experiencing growth. As entrepreneurs, we are the ones responsible for taking that initiative. We are the risk takers who believe in what we are doing and must have the confidence it takes to bring our solutions to life. Elizabeth was ahead of her time, embodying this quality at such a young age. Now, years later in life, she too has learned, listened, and will implement change for the better. She is the type of woman who holds the key to drive

the changes our society needs. Her passion for benefitting humankind is rare, and hard to find. It's the kind that deserves the freedom to create solutions that will change our world for the better.

Thank you for taking the time to read my letter, Judge Davila. I hope you will consider my close experiences and understanding of who Elizabeth is as a person and member of our society when making your decision on the outcome of the trial.

Respectfully,

A handwritten signature in black ink, appearing to read "K O'Neill", written in a cursive style.

Kelly O'Neill



**James C. Orr**

July 5, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

I am writing to provide a different perspective on Elizabeth Holmes in the hope it might help lead to a modicum of leniency in her sentencing. I am both a close family friend and an early investor in her company. Additionally, I am also a veteran of a failed, high-tech start-up.

Elizabeth's father, Chris, was my college roommate and has been my closest friend for 50 years. From close at hand I observed Elizabeth's upbringing from birth into adulthood. Her parents were and are loving and attentive. They challenged their children to work hard and think big. I have often remarked to others that Chris and Noel Holmes are probably the best parents I have known.

Elizabeth herself wanted to help people from an early age. She was particularly caring and supportive of her younger brother and other young children. When she was in middle school I saw her rush to the side of a child who was crying about a minor injury. While other children paid little attention, Elizabeth comforted the girl and offered to sit with her until the parents arrived. As recently as a couple of months ago when I stayed with her when attending her trial, I watched adult Elizabeth interact with her young son [REDACTED]. I was struck with what a loving and devoted mother she had become, mirroring her own mother and her mother's mother, as well.

In her youth Elizabeth was single-minded in pursuit of what she deemed important. She was a top student throughout school and at least once served as class president. Outside of school she undertook the daunting commitment to learn Mandarin Chinese with help from a private tutor. She spent a summer in Asia interning at the Genome Institute of Singapore working in a high-tech medical lab. It was in Singapore, in fact, that she conceived of the idea that blood assays could be performed with a micro blood draw and that results could be provided instantly.

After reading her first prospectus I asked if I could make an investment. She agreed even though she was pursuing large investors, not small ones like me. I do remember having concerns on two scores: whether the technological problems could be overcome, and whether her youth and lack of any business experience could become issues. She was a very young and seemingly vulnerable female wading into a ruthless, male-dominated industry.

No one who has known Elizabeth could doubt her seriousness of purpose. She was hell-bent on developing this breakthrough technology that would improve people's lives by reducing costs and delays in medical testing and giving more control to individuals. You have heard testimony about how hard she worked at this and how she struggled to overcome the technical problems as they inevitably developed.



In retrospect it is clear she lacked an experienced hand in business to guide her along the way. Sunny Balwani had no manufacturing or medical industry background, and he took advantage of her in more ways than one. Uber-attorney David Boies failed to provide either good legal and ethical guidance to her, and then he ran for cover at the first sign of trouble. Her star-quality board of directors, although all household names, looked great on paper, but most had no business or medical industry experience.

Despite widespread assertions on social media, this was never about greed or personal enrichment. She lived quite modestly until moving in with Sunny. Because she believed in the company and its future, she took most of her compensation in the form of company stock. Then, as the company was imploding, she voluntarily donated her \$30 million D&O insurance settlement back to Theranos, buying the company some more time as they tried to succeed. My understanding is that she largely depleted what funds she had in efforts to save the company.

From personal experience I can state that raising money to maintain a start-up is a constant struggle. It also involves a delicate balance. On the one hand the entrepreneur must present an upbeat story to potential investors about all the great accomplishments that are to come. At the same time the entrepreneur must describe accurately where things stand at the moment and be candid about potential difficulties in the path.

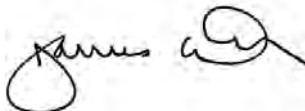
As an investor I kept a close watch on the company, and importantly, to this day I do not feel I was misled. I sat in the courtroom through two weeks of the trial. Her jury ultimately believed she crossed the line, blurring the difference between her aspirations and the company's current capabilities. In my view, however, it was never her intention to defraud.

In the press and social media, she is portrayed as a schemer who created a criminal enterprise in order to bilk investors. This is a completely false narrative. The company in fact had made tremendous progress toward its goals; although it was unable to deliver everything they hoped and promised before it ultimately collapsed. And Theranos did in fact achieve some remarkable breakthroughs in medical technology. Its patents, once valued at over a billion dollars, were ultimately sold for \$100 million in a fire sale.

Anyone who sat through the trial will have seen that she is not the evil, calculating schemer that the government has alleged. At worst she is a young woman who made serious mistakes in her zeal to succeed.

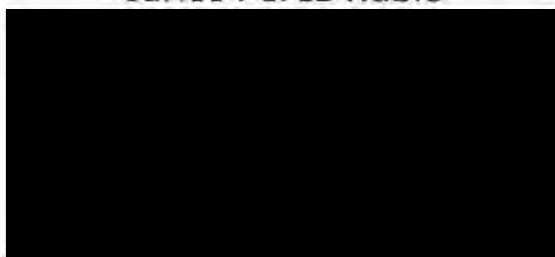
Thank you for reading this.

Respectfully,

A handwritten signature in black ink, appearing to read "James C. Orr". The signature is fluid and cursive, with a large loop at the end.

James C. Orr

Carlos Perez-Rubio



Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

I write this letter in behalf Elizabeth Holmes. I have known her since she was a baby. I went to boarding school with her father Chris Holmes, whom I have known since 1962.

Throughout the years, I have been in touch with Chris and Elizabeth. I understand that she is in a big predicament, has been convicted, and is now awaiting sentencing.

I have found Elizabeth to be an honorable and honest person. She has always told me that she wanted to do things that would make the world a better place. I found that quite impressive from a young teen. She highlighted the need to improve the human condition. When I asked her in what field, she replied that healthcare and life science was of particular interest to her.

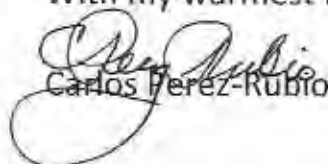
Her tenacity and curiosity about complex issues led to the beginnings of her business. Her intelligence and "out of the box" thinking helped her business development acumen that one doesn't learn in school.

She has made mistakes in the past, I know that it was not premeditated. I am also sure she is deeply saddened and very repentant with her past actions. She told me so personally as I have seen her on several occasions while I was in the United States.

I have the highest regard for her. I know that she will bounce back and proceed with her life. I also hope that she will use her intellect and values productively as she has moves on with the path of a new life.

The reason for this letter is I beg for your indulgence and leniency when you render a sentence.

With my warmest regards,

  
Carlos Perez-Rubio



Vanessa Perez-Rubio Maffia

August 6, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

My name is Vanessa Perez-Rubio Maffia and I write this letter on behalf of Elizabeth Holmes who I have known since I was a little girl. Our fathers met as teenagers in boarding school and have remained best friends ever since.

I've always loved the Holmes family. I watched Elizabeth grow up and remember a girl who always had drive and a vision. I was wowed by her commitment to learning Mandarin at such a young age and thrilled when she received her acceptance to Stanford University. I remember one evening in particular, not long after she began her freshman year, when she joined my family for dinner. I had just graduated from college and was beginning my own career in education at a local school. I listened with awe and admiration as she shared her vision for finding a more efficient way to detect diabetes. Even as a college teenager, she spoke with such purpose and eloquence.

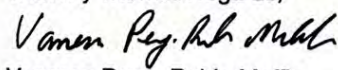
Throughout Elizabeth's high profile endeavors, I have never felt intimidated by her. She is and has always been just Elizabeth - down to earth, grounded, and sincere. Our connection grew once Elizabeth became a mother. We have taken many walks and shared many dinners together. She's an active listener, an engaging conversationalist, and entertaining companion. I have often sensed a bit of sadness and regret over missing out on a "normal" life during her Theranos years and her longing to re-capture it with her now growing family.

I know that her life is anything but normal and never will be. I struggle to comprehend how the Elizabeth that's portrayed in the media is the same, sweet Elizabeth I know and am proud to call my friend. She is someone who, in spite of her circumstances, continues to show up to support to her friends and family. Just days before her indictment, she attended a launch event for my sister's clothing company. Under what I could only assume to be an unfathomable amount of stress after those grueling weeks in court, there she was showing enthusiasm and encouragement for my little sister's work. Last year, Elizabeth offered to virtually meet with my 10 year old niece who declared that she wanted to start her own business. I'm told they spoke for over 30 minutes. I thought to myself how amazing it was that she maintains such optimism and excitement for female entrepreneurship in all forms.

I will conclude with a fond memory I have of a four year old Elizabeth clutching a doll she called Vanessa. My ten-year-old self was beyond delighted to hear that she named her doll after me. Elizabeth and I like to chuckle about these simple times from a lifetime ago. So much has happened since then.

As I reflect on her journey with Theranos, the mistakes made, and the sentence that awaits her, I continue to believe that Elizabeth has so much to offer as a champion and mentor for future female entrepreneurs and leaders. I hope she has the opportunity to do that and ask that leniency is considered in her sentence.

With my warmest regards,

  
Vanessa Perez-Rubio Maffia



STANFORD GRADUATE SCHOOL OF BUSINESS, STANFORD UNIVERSITY  
655 KNIGHT WAY, STANFORD, CALIFORNIA 94305-7298 USA

JEFFREY PFEFFER  
THOMAS D. DEE II PROFESSOR OF  
ORGANIZATIONAL BEHAVIOR

August 22, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4—5<sup>th</sup> Floor  
280 South First Street  
San Jose, CA 95113

RE: Sentencing of Elizabeth Holmes

Dear Judge Davila:

I went to a private boys' high school with Chris Holmes, the father of Elizabeth. When she started her company, she came to see me for advice. I know nothing about blood chemistry but I did tell her that many start-up founders lose their positions so she needed to be careful about that.

I then saw her at our fiftieth high school reunion, which she attended because her father won an award from the school on whose board he had served. But most of my contact with Elizabeth Holmes occurred during the time of her trial, mostly by chance. [REDACTED]

[REDACTED] Chris and his wife, were in the area at that time for the trial. Chris and Noel, were a huge comfort during my grieving and I would go to meals at the house where Elizabeth and her partner, William Evans, lived with Chris and Noel. After the Holmes' parents went back to Washington, I went to several meals with Elizabeth and Billie—and others—accompanied by the Stanford medical school physician I was dating at the time. During this time I experienced the care and concern of Elizabeth and Billie and saw her with her family, with her partner, and with her child.

I offer some observations based on my first-hand experience with Elizabeth and my thoughts about the public image she has developed.

First, my experience with Elizabeth in her home is that of a loving, caring, emotionally mature person. Her interactions with her family, her partner's family, and with me, were always sweet and tender. She is clearly a devoted mother and is very committed to and loving of her son. Her obvious love and concern for all of us—me following the death of my wife of 35 years, her

parents, and her baby, was sincere. I believe Elizabeth to be a caring mother, devoted daughter and sister, a wonderful partner, and a loving friend.

Second, there is a public image of Elizabeth Holmes that portrays her as a liar and fraud that is inconsistent with what I observed. Cognition is often motivated and people see and believe what they want to see and believe. Statements repeated frequently come to be apprehended as truth by observers and by those who make the statements. My sense from talking to Elizabeth is that her intentions were always sincere and that she believed what she said.

Third, my colleague Robert Sutton and I some years ago wrote a book on evidence-based management. We then wound up working with a consulting company retained by the DOJ to work on evidence-based criminology and sentencing. I came to know that sentencing has two objectives: first, to keep people who may be likely to repeat harm to others locked up so that they cannot do additional harm, and second, to, through the example of sentencing, deter their criminal behavior from being exhibited by others.

As should be clear, the odds of Elizabeth Holmes repeating her behavior is close to zero. And as numerous Silicon Valley examples—including the recent funding of WeWork's Adam Neumann make clear, at least in the case of white men, it is not clear that the trial of Holmes has sent a signal to many people about appropriate contrasted with inappropriate or possibly even illegal behavior. Therefore, it is far from clear to me that a jail term, and particularly a long jail term, for Elizabeth Holmes serves any useful social purpose. On the contrary, it will put a talented person behind bars, separating her from her child and her family.

I therefore both hope for leniency from the court in the case of Elizabeth Holmes, for reasons that I hope the forgoing make clear.

Respectfully submitted,

A handwritten signature in blue ink that reads "Jeffrey Pfeffer". The signature is written in a cursive, flowing style.

Jeffrey Pfeffer

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113  
September 18, 2022

Judge Davila,

My name is Shize (Daniel) Qi. I am writing this letter to support Ms Elizabeth Holmes in her case.

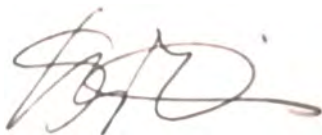
I worked for Theranos from September, 2005 to November 2006 as a Sr. Scientist. I first met Elizabeth when I went to Theranos for the job interview. I had a chance to speak to her at the end of the process. I was impressed when she told me how she started her company when she was only nineteen years old two years ago. She talked about her vision and her enthusiasm about Theranos technologies and products. That was the first time I learned that a medical device could perform a test at the point of care and the result could be transferred to the doctor's office through mobile communication. Elizabeth is one of those pioneers who brought these concepts to the tech world. I was excited to join Theranos team and wanted to really make a difference to improve human health.

During my time with Theranos, I had meetings with Elizabeth regularly. I also had chances to listen to her speech during company conferences. I could feel that she dedicated herself to the technology. She worked very hard to get ahead of everything. Many coworkers of mine, including myself, had the experiences when we sent her an email even at night such as 2 am, she often responded right away. She seemed to be on a 24/7 schedule. I still remember that she carried our prototype equipment all by herself traveling to Europe to do demos to our investors. I also remember we traveled together to a manufacturer in China. She arrived early that day and got to the plant meeting with manufacturing managers and took a tour in the cleanroom to make sure it was up to production. She then left for her next flight in the evening. Considering she is a vegetarian, I don't understand where her energy was from.

I also noticed that she did not have much experience of management. Her first real job was a startup CEO. She had to rely on other managers to oversee the daily operations. Some of the managers were not from the biotech industry. Their understanding of the development process and timeline might not really make too much sense. They often forced deadlines and Elizabeth was sold easily all the time and overly optimistic about the development progress. There were many problems that were overlooked. It was a systematic management problem due to her inexperience. That is why I was not surprised many years later when I heard that things went wrong with Theranos.

I am really sad that Theranos did not achieve the goals it meant from the beginning. I believe Elizabeth is a good person with all the good intentions. She is an ambitious and fearless leader. I wish Elizabeth well. I am hoping she will come back someday to the tech world to make her dream of changing people's life come true.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Daniel Qi', written in a cursive style.

Daniel Qi



Honorable Judge Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5<sup>th</sup> Floor  
280 South 1<sup>st</sup> Street  
San Jose, Ca. 95113

Dear Judge Davila:

My wife and I have had the pleasure of knowing Elizabeth Holmes for the last four years. During this time, we have been impressed with her genuine and kind nature. We have observed her in social settings with my family and others and she has always been very accepting and kind in all circumstances. When we first met Elizabeth, she was dating Billy Evans. She did not have a child at that time, but we were impressed as she would interact and play with our three children and get to know them. Our children have grown to love Elizabeth and her kind nature. They like to talk, play games, and enjoy time together. My wife and I have had similar experiences and we too appreciate Elizabeth. She has been very kind and welcoming. We have celebrated holidays, birthdays, etc. and we have thoroughly enjoyed all events together.

As life has progressed on, we have seen the joy experienced from Elizabeth and Billy welcoming their baby [REDACTED] into their life. We have personally seen the growth and joy that has entered their life when they became parents. [REDACTED] is truly loved, and they pour their heart and soul into being parents while trying to balance life. Elizabeth is an amazing mother. We have noticed the joy and focus she brings to making motherhood a priority in her life. She understands the importance of raising her son and the significant impact that will make on his life. It is truly special to see her love for him and the joy she has being a mother.

I share these thoughts because we truly care for Elizabeth. Based on knowing and interacting with someone for four years you get to know their true nature. You see them in various setting, challenges, celebrations, etc. I have never observed any negative behavior from Elizabeth. However, I continue to be pleasantly surprised at the kind gestures and genuine approach to friendship and care that Elizabeth has for our family. We appreciate you taking the time to read this letter. Please feel free to call or email with any questions, thank you and we wish you the best.

Sincerely,



Bryce Raleigh, Tara Raleigh, E [REDACTED] (13), B [REDACTED] (12), and K [REDACTED] (7)

[REDACTED]

[REDACTED]

To: Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 - 5th Floor  
280 South 1st Street  
San Jose, CA 95113

August 17, 2022

Dear Judge Davila,

My name is Debbie Raleigh, I am the Aunt of Billy Evans — Elizabeth Holmes partner and Wills Father. I have enjoyed working in the field of Property Management and Real Estate sales in San Diego County for the past 34 years. My family is my greatest joy, as well as, my testimony of a Loving Heavenly Father and His Beloved Son, Jesus Christ.

I've enjoyed getting to know Elizabeth over the last four years. We've enjoyed holidays together, specifically Christmas and Independence Day with our family. Baby [REDACTED] was the highlight of our holidays. Elizabeth is a patient loving mother. She's always sensitive to [REDACTED] needs. Elizabeth has always been a caring, helpful, kind niece. She puts others needs first instead of her own. When someone wants to share a few thoughts with Liz she always has a listening ear. Elizabeth is a spiritual individual. She has shared her thoughts about God and her feelings of His Love for her and all people. I only know the kind hearted, nurturing woman Elizabeth has been to me and our family. I wanted to share a picture of Elizabeth and [REDACTED] during our Christmas Eve family celebration.

Thank you Judge Davila for your time,

*Debbie Raleigh Aug 18, 2022*  
Debbie Raleigh





Dear Judge Davila,

My name is Julia and the first time I met Liz was at my wedding, when she attended with my cousin Billy, on August fourth two thousand and eighteen, as of tomorrow I will have had the pleasure of having her in my life for four years. Immediately upon meeting Liz she was kind and gracious to my husband and I as she congratulated us and introduced herself. I remember watching her and Billy together that day and having the distinct thought that they cared for each other very deeply. Over the time she has spent with our family and been in our lives she has brought joy, laughter and happiness and I truly feel we are blessed to have her. I remember getting to see Liz and Billy at a Christmas party just a few months after our wedding and she took the time to talk with my husband and I, genuinely listening to us, asking about what did for work and where went to school, how we'd met. I realized then what a great listener she was and I appreciated that she took the time to truly get to know us better. When Liz made the effort to come spend my grandmothers eightieth birthday with our family, I knew she was someone special. She came to the house and was so sweet spending time catching up with everyone, she talked with me one on one and told me about her family, where her and Billy were living at the time and how she liked it. She asked about how my husband and I were doing and what was new with us and I just remember feeling grateful for her openness and vulnerability as she talked with me and how thoughtful she consistently was, every time we got together, in asking about our lives and being genuinely interested in who we were. We're big on tradition in our family and every Christmas Eve we spend at my grandmothers home. Last year when Billy and Liz came with their sweet baby [REDACTED], it was the first time I got to meet the new baby and the first time I had the pleasure of meeting Liz's parents, who were kind and wonderful people to be around. That was such a special evening spending time with all of them and getting to see how our family had grown and the vital part that Liz played in that growth. Immediately when she came into the house that Christmas Eve she was so excited to introduce everyone to baby [REDACTED]. She doted on him and was so proud to be a new mother, it truly beautiful to see. My husband and I had gotten [REDACTED] a little gift, nothing big, just a simple book and little toy but by the way Liz's eyes lit up when we told her we had something for him, even before he'd opened the gift, she was so kind and grateful that we had included her son, you'd have thought we'd lassoed the

moon for him. I could see how much she loved him and how much it meant to her that we cared about him. She was incredibly gracious with us and made us feel appreciated. Liz thanked us multiple times and showed off the gifts we'd given to [REDACTED] and that made us feel so special. She even took the time to call me a few days later, I didn't have my phone on me so she left a voicemail with Billy and [REDACTED], the message was so thoughtful and spoken with such genuine kindness that I kept it and still have it on my phone today. I'm the kind of person who keeps birthday, holiday cards and notes and that's what the message from Liz felt like, a personal note of gratitude and love. Just this last Easter, when we got to see Liz, Billy and [REDACTED], she sat with me at the kitchen table chatting and talking about how fast [REDACTED] was growing up and then we tried to help teach [REDACTED] to say my name but the best part was that she told him my name was Auntie Julia, which was a really tender moment that made me feel so important and included in their lives. Liz is a part of our family and I just love her, my cousin Billy and their beautiful son so much. There's something so special about how when a family grows and your love extends to new members, because of the memories and special moments you share together, that you can't picture what it was like before they were a part of that family unit. That's how it is with Liz she's added so much to our family and I feel truly blessed to have Elizabeth in my life. There is no person that could love my cousin Billy better than her and for that I am so grateful.

Sincerely,

Julia Raleigh

08/03/2022

To: Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 - 5th Floor  
280 South 1st Street  
San Jose, CA 95113

August 18, 2022

Dear Judge Davila,

I am writing regarding my personal relationship/experience with my niece Liz Holmes.

My name is Michael Raleigh, Billy Evans and Liz are my nephew and niece. I live in San Diego area with my wife Debbie who is Billy's Aunt. We have five children and five grandchildren who thank goodness happen to all live in San Diego County. We feel fortunate. I am a Realtor for the past 30 years and am actively involved in my church.

Just a quick note on Billy. I've watched him grow into the man he is and have witnessed the wise choices and quality associations he has kept over the years and know he is devoted to Liz and they're little son [REDACTED] wholeheartedly. Billy has a large capacity for compassion and interest in others and He & Liz are similar in that way.

I've known Liz for the past 4 years and because of family gatherings at the beach, home and Christmas, we've been able to spend time together in informal settings. The only Elizabeth Holmes I know is happy, positive, and overall genuinely values relationships above everything else. In my conversations with her I'd have to say aside from her relevant questions to me, she's fairly reserved and listens more than she talks. She is pretty mellow most of the time trying to keep up with little [REDACTED] needs and "Life." I know she's intelligent because she's witty! You have to be smart to have wit.

We've celebrated together at our daughter's wedding, Bar BQ's, beach walks, dog walks, holidays etc..

I'll give a brief capsulated firsthand experience that sums up my take on Elizabeth Holmes.



Last Christmas Eve will go down as an Epic Family gathering at Grandma Genny's — my Mother in-law — house with all the family including Billy, Liz & [REDACTED] and Liz's parents Chris & Noel. Watching Liz during our white elephant gift exchange laugh and take some ribbing and dish some back was a relief knowing her and Billy and her parents were facing a very difficult storm in their lives. It was the first Christmas Eve we have been able to spend together and was very special! I say Epic having been to the previous 39 annual Christmas Eves in that house. Lots of love, singing Christmas Carols, reading from Luke -The Christmas Story together with Billy's Booming voice. Food etc.. I was happy for the occasion of the Holiday but also that Liz and Billy and her parents could be around people who know them best. A place of refuge from the noisy world of public opinion. A time to cherish what we have and hold most dear. They were with those who had no preconceived notions having no reason to judge them because there's nothing to judge. Just decent regular old family.

Liz was actually quite good about letting our three daughters and granddaughters hold [REDACTED] once in a while during our evening together. I did see that "First Baby" look from Mama Liz more than a few times trying to keep track of where he was. Liz has openly mentioned her faith a few times over last few years and how relevant it is in her life. I was personally glad to hear that from her. Her parents have been very genuine and friendly with us. Thoughtful to send flowers for different occasions. Noel seems like a sweetheart.

Last thought: I felt the true Spirit of Christmas on that evening together with Family. In the back of my mind I knew there was a trial going on but you couldn't tell by looking around the room. A number of times I saw Liz smile at me and others throughout the evening. It was calming, it was relaxed not forced. There was a warmth and peace from her that was sincere. I saw happiness in her face that was coming from inside out. You can't fake what I saw and felt. It was genuine. At a time of personal trial for her, I saw Liz reaching out to me and other family members through a glowing smile and a few soft spoken words of love and cheer. Seeing and talking with her, watching her move forward with grace and dignity under extremely stressful

2

and troubling circumstances. Watching her put [REDACTED] needs before her own is humbling and inspiring. But that's who she is and who I have come to know.

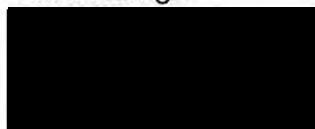
I can only express what I have experienced personally with Liz. She's a smart girl no doubt, but she's no mastermind. She wants good things for others. She put herself out there in the game to make a difference instead of sitting on the sidelines. What she was involved with professionally was big girl big boy stuff and you have to be accountable, however, IF she did error, it was on the side of an overall intent to improve lives and quality of life.

Thank you your Honor, for taking the time to read my personal insights and experience with Liz.

Take Care

*Michael L. Raleigh*  
*August 18, 2022*

Mike Raleigh



3

Justin Randolph

[REDACTED]  
[REDACTED]  
[REDACTED]

September 7, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

I have known Elizabeth since childhood — she and I attended middle school and high school together in Houston, and we since established a deeper friendship after I moved to the Bay Area in 2010.

I respect that a jury has found Elizabeth guilty of four of the charges brought against her. I am writing to offer a more complete picture of who she is, given my interactions with her for more than 25 years, in hopes that you will find Elizabeth’s character warranting of a lower sentence.

I first witnessed her quiet determination to learn and contribute to something greater than herself while in the classroom. Specifically, we were in the same organic chemistry class in 10<sup>th</sup> grade, and I remember well how it was typical of her to remain in the science lab long after class was over — meticulously documenting her lab experiments and diligently focusing on her studies. While working together in classroom teams, she was eager to help and to contribute to the rest of the of team without any need to take personal credit or attention. While it was clear she was intellectually-gifted and highly-intelligent, I never observed any sense of arrogance, egotism or entitlement common of others with such talents.

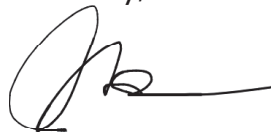
As a friend, she has exhibited similar care and attentiveness. She has remained readily-willing to lend support — even in the midst of her own legal challenges — as I struggled over the last few years through a difficult relationship and



breakup with my ex-partner. Whenever I have asked for guidance, she has selflessly made herself available for a walk or a dinner – listening intently and eager to offer care, guidance, and advice.

I realize the Federal Sentencing Guidelines, although not mandatory, provide the court with recommendations, and I realize how significant the possible sentence could be. I hope that you will find Elizabeth's life and work to warrant a low sentence. I have no doubt she has learned deeply from her own challenges, and I'm confident she remains eager to contribute positively to those around her in the future in the years to come.

Sincerely,

A handwritten signature in black ink, appearing to read 'Justin Randolph', with a stylized flourish extending to the right.

Justin Randolph

August 15, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila,

I write in reference to the forthcoming decision you will soon make regarding Elizabeth Holmes. My connection with her began at the time of her encounter with the Justice system, though I have a long and warm history with her father and mother. Her father Christopher was my Chief Financial Officer when I was U.S. EPA Administrator in the administration of President George H. W. Bush, and we have remained close over the years since then.

Early in the preparations for her trial her father, knowing that I was then living a few blocks from her apartment in San Francisco, asked me if I would check in on her, do what I could to improve her outlook, and remind her that she was not without friends. I invited her to lunch where we talked about her life and activities, her reacquainting with Stanford classmates, sailing on the Bay, her sudden exposure to free time and non-working afternoons, a life she had never allowed herself from the age of nineteen. Her father had indicated that she was very down, which she tried hard not to give in to. My immediate impression was how young she was, which I should have known.

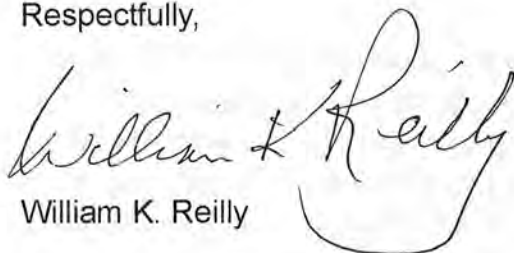
I am a practicing Catholic and, knowing of her own childhood faith brought up the importance of maintaining a spiritual perspective and trusting the consolations of her religion. She responded enthusiastically to my suggestion that she speak with a wise and charismatic Dominican priest. I alerted him to her situation and to my sense of her emotional and spiritual needs. He was open to helping her but made clear that the request had to come from her. She initiated a series of conversations with him which she has said she found inspiring and uplifting.

A year or more later I invited Elizabeth and her fiancé to come to lunch at our home in [REDACTED]. I was struck by her mature and accepting objectivity regarding her situation, not apparently angry or resentful, not despairing, taking life day by day. She seemed to have grown since our first encounter.

Her fiancé and later her baby appeared to be a steadying focus and even to introduce a measure of humor, and domestic happiness, and other people to be concerned about. Elizabeth made clear during our luncheon conversation that she retains her sense of mission to help humanity.

I pray that you and she will find a constructive path for her to lead a productive future.

Respectfully,

A handwritten signature in cursive script that reads "William K. Reilly". The signature is written in black ink and is positioned to the right of the typed name.

William K. Reilly



September 21, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila,

This letter is written on behalf of Elizabeth Holmes. I have known Elizabeth since our Freshman year in college. When we first met, we shared a love for changing the world and pushing ourselves to make an impact in healthcare for the people that we love. I remember how hard we both worked in college on weekends to achieve our dreams - Elizabeth and I would spend our weekends in research laboratories in hopes of discovering or creating something that could better the lives of the people we saw suffering around us. We were inspired by the endless possibilities of innovation to help others. I understand how Elizabeth has been portrayed in the media, but the person I know had dreams that were rooted in the best intentions, who believed that the best way to achieve our dreams were to work hard and be honest.

Elizabeth was and continues to be a truly caring and kind friend, a compassionate individual, and loving mother. In my journey as a young professional woman facing challenges in the business world of healthcare, Elizabeth always extended a hand to motivate me to take small steps while thoughtfully dreaming big. I have memories of specific conversations about the inequities of healthcare and how much potential there is to create a healthcare system for all that is equitable, accessible, and above all, based in empathy. These conversations were never about monetary gains or how famous one could be, but grounded in the impact we could have on healthcare and, ultimately, the betterment of people's lives. This dedication was for the good of humanity, and potential for new discoveries in science, a sentiment I know she carried with her throughout her work.

I, and many of Elizabeth's friends and colleagues, know her to be a human being with a great heart. In my friendship with Elizabeth, I have never once doubted her character, decision-making, or intentions.

Kind Regards,

A handwritten signature in black ink that reads "Sonia Samagh, M.D." The signature is written in a cursive, flowing style.

Dr. Sonia Samagh, MD, MBA

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 - 5th Floor  
280 South 1st Street  
San Jose, CA 95113

August 10, 2022

Dear Judge Davila:

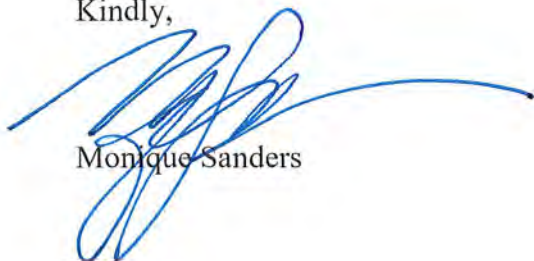
Over the last five years, the Elizabeth Holmes I have gotten to know is a kind, contrite and humble, loyal and sincere, intelligent and engaged, woman and mother.

Elizabeth has spent over 200+ hours volunteering on a statewide [REDACTED] sexual abuse hotline... offering support and consolation for those in dire need. Something she was not able to resource in her own time of vulnerability and need. Her plan is to spend 12-48 hours every week volunteering and being available for others. I have spoken to her at length about this time in her life, and I came away with a clear understanding of her true conviction to service and support of those up against sexual abuse. This is a time of putting aside her own needs and if she can help just one young person not be abused, or not be swayed and manipulated into an untenable or uncomfortable situation, she feels her time has been well spent.

Five years ago, I had the privilege of meeting a kind, quiet, yet subdued Elizabeth at my son's apartment in San Francisco, on Mother's Day. The importance of this day seemed irrelevant then. But now as I look back, none of us knew that both myself and this gathering of friends would witness the incredible maturation and evolution of this young woman. She has gone from a disguised subject of tabloid fodder, to acquaintance, to loyal friend, to valued member of their inner circle, to loving partner to Billy, and now, to devoted Mother to [REDACTED]. The transformation has been immense. Elizabeth has fiercely refocused her life and is dedicated to teaching and nurturing her son to the best of her ability. Wholesome family life and the simple pleasures of raising [REDACTED] give her the greatest joy.

May Elizabeth be judged on the full scope and entirety of her life to date, and not just one snippet of her vulnerable and impressionable time at Theranos, where her reality was full of insurmountable physical and emotional distress. She has spent equal parts of her life riding the Theranos Roller Coaster, as she has spent fighting for her life post Theranos. She should be given credit for her evolution and growth, maturity and contrition at trial, and evaluated for the woman she is now.

Kindly,



Monique Sanders

Honorable Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

August 2, 2022

Dear Judge Davila,

My name is Breanne Smith. I was first introduced to Elizabeth (Liz) Holmes through our significant others; they have known each other since childhood. The day I met Liz, I was largely unaware of her story and her prominence, therefore I was able to get to know her in an unbiased way, sans any preconceived notions influenced by media reports. Liz is loving, loyal and ambitiously benevolent.

The night I met her, my fiancé and I had been invited over to our mutual friend's home for dinner. As soon as I arrived, Liz introduced herself with the warmest smile and, unlike many first interactions I have experienced, she truly took time to get to know me, share stories and form a friendship. My first impression of her was warm, genuine, and kind, which holds true to this day; we quickly became friends as a result.

Liz is the friend I can always count on to listen and encourage me. Throughout the years she has been there for me when I faced a headwind in my own career and her own strength has inspired and motivated me to persevere and pursue my ambitions and dreams. She is also one of the most thoughtful people I know- she sends handwritten cards and will thoughtfully text or call just to check in on me and let me know she cares. When I moved up to San Francisco last year, I knew no one. With this in mind, Liz introduced me to all of her friends and ensured I would have the support of her community. You can tell a lot about someone through the people around them, and I haven't met a friend of hers that I didn't like or did not trust.

God blessed Liz with a child last year and seeing her as a mom has validated how I've always felt about her - patient, loving, and kind. We have had long talks about how we were raised and how we would want to raise our children. Liz told me she wants her child to be surrounded with love, to have strength, and to find his passions. Motherhood isn't for everyone, but Liz was born to be a mother, she nurtures and loves her baby so much. Despite everything going on, her being a new mother, she still shows up for me. I think her strength and resilience is admirable.

I am shocked and saddened to see Liz who I know to be so kind, selfless and benevolent, in the position she is today. It is painful for me to see her portrayed so differently in the media, to the world, versus who I know her as. Her sole purpose in building this company was to help others. That is who she is to her core. As a friend Liz has shown selflessness in her hardship, genuine care and love for me and all others around her. She is a good human, loving mom, and a valuable friend. It is my sincere hope that you take this letter into consideration when determining her future.

Sincerely,  
*Breanne Smith*  
Breanne Smith



**DAVID L. SOKOL**



August 11, 2022

The Honorable Edward J. Davila  
San Jose Courthouse, Courtroom 4, 5<sup>th</sup> Floor  
280 South 1<sup>st</sup> Street  
San Joes, CA 95113

Re: United States v. Elizabeth Holmes, case no. 18-cr-253

Dear Judge Davila,

Thank you very much for the opportunity to submit this letter in regard to your consideration of appropriate sentencing outcomes for Elizabeth Holmes. Over my 44-year business career, I have been Chairman and Chief Executive Officer (“CEO”) of three public companies. In late 1999 I sold 81% of MidAmerican Energy Holdings Company to Berkshire Hathaway and I remained as Chairman until March 2011. While at Berkshire Hathaway I was also Chairman of Johns Manville Company and NetJets. Since leaving Berkshire Hathaway I have been a private investor and I am currently Chairman of Atlas Corp. a NYSE listed company. My first CEO appointment was in 1983. Over this 44-year period, I have been intimately exposed to the laws and regulations which govern both private and public companies as well as investing in public securities, private securities and venture capital. I humbly suggest that my perspective, stemming from both my business experience and my knowledge of Ms. Holmes’ character, may be useful for this Court to consider as it contemplates her sentencing. I very strongly urge leniency.

How I Met Ms. Elizabeth Holmes

I have no historic family or business relationship with Elizabeth Holmes. As discussed below, I met Ms. Holmes in the spring of 2015.

In the fall of 2014, I was an executive committee member and Chairman of the Horatio Alger Association of Distinguished Americans, an organization which celebrates the American dream and provides scholarships for thousands of young men and women who have overcome extraordinary adversity to attend college or trade schools. To date, the Association has in excess of 30,000 alumni scholar recipients and we have distributed over \$225 million in scholarships which are funded exclusively through Member contributions.



During the fall of 2014, the Association had its normal board of directors meeting at which it annually selects approximately 10 individuals who will receive the Horatio Alger Award at the following awards ceremony which is held in Washington, DC in early April. The Award honors individuals who have demonstrated unusual purpose and perseverance in their professional or personal lives, often overcoming significant adversity. As such, they serve as role models for our scholarship recipients. I was Chairman of the selection committee that year and at the conclusion of the meeting and having selected our nominees, one of our newer members, Byron Trott, made an unusual request. Mr. Trott recommended that we add Ms. Elizabeth Holmes to the nomination list which we had just approved after two hours of discussion. This request was unusual in that we were provided no prior information on Ms. Holmes. Mr. Trott made an impassioned plea for us to break protocol and select Ms. Holmes based upon his personal due diligence and confirmation that she is "the real deal" and that she would make an ideal role model for our young female scholars. Only a few of our board members had even heard of Ms. Holmes and there were several objections to Mr. Trott's request due to a lack of familiarity with Ms. Holmes and the last-minute request. Ultimately, the board approved Mr. Trott's recommendation and Ms. Holmes received the Horatio Alger Award in April, 2015.

My first personal introduction to Ms. Holmes was during the Thursday awards event in Washington, DC that spring of 2015. During an extended question and answer period with our scholarship recipients, she was very thoughtful, encouraging and inspirational. Following the awards ceremony, I was very favorably impressed by Ms. Holmes' kindness and openness when mingling with myself and others at the after party. She expressed excitement at being able to mentor and communicate with our scholars and seemed genuinely humbled by the honor of the award.

I additionally enjoyed meeting Ms. Holmes' parents who quickly conveyed a very genuine love of their daughter and deep pride about her dreams of improving blood testing costs and availability. They were unpretentious, caring parents and seemed very grounded.

My wife and I have closely followed Ms. Holmes' career and this prosecution. Throughout this period, we have only increased our belief in Ms. Holmes' honesty, kindness and intellect.

#### What is Venture Capital Investing?

Over my 44-year business career, I have had the pleasure of building multiple businesses and I have taken three companies public. Through my career, I have invested in venture capital transactions which have been failures and successes. I believe it is important to explain as simply as possible the difference between venture capital investing and investing in existing proven businesses whether private or public.

When investing in existing, proven businesses you have the opportunity to review the past performance of the company and its financial results; its future plans; the quality of the management team; the company's competitors and then how the company compares. Also, you will be capable of comparing the value proposition of this investment versus this company's competitors. You would evaluate the price to earnings ratio, profit margin and the soundness of the companies' balance sheet to weather future economic changes as well as their ability to invest in expanding the business. You would be able to create a projection of possible future profitability based upon past performance.

By contrast, when investing in venture capital, you have virtually no historic information to evaluate. Your investment will predominantly be based upon an estimate of the value of the business "if" the venture is successful as well as the management team's ability to hopefully make it successful. Venture capital is inherently very risky investing and often only 1 out of 10 such investments prove successful. The reason is obvious in that most venture capital ideas are attempting to do something never before tried or achieved.

In my own case, my biggest investment blunder was losing \$300 million in what appeared to be a very high probability technical extension of one of our existing businesses. I provide below the details of this experience as I believe the Court may find it instructive as it considers Ms. Holmes' conduct and appropriate sentencing.



### My Zinc Venture Capital Experience

One of MidAmerican Energy Holding Company subsidiaries was a geothermal energy company which has developed and commercialized multiple geothermal power plants which sold their power to Southern California Edison for resale to their various customers. At the time, we were considered the leader in geothermal power development and generation worldwide.

Several of our geothermal power plants in Southern California utilized a deep geothermal reservoir to extract super-heated brine in order to utilize heat exchangers to create steam which then drove electric generators.

In essence, the super-heated brine was utilized to boil clean water in a heat exchanger (think tea pot) and the steam produced expanded in a turbine which is connected to an electric generator.

We had extensive experience over a decade with this very successful technology. The reason we utilized the heat exchanger to create steam was that the super-heated brine was a very complicated compound of various minerals and chemical compounds which are formed in nature and heated by molten magma in the earth's crust. Due to these complexities, the brine was extracted from deep in the earth's crust, passed through the heat exchanger, and reinserted into the underground reservoir at a somewhat lower temperature.

Years before while designing the metallurgy for the heat exchangers so that they could resist the corrosive nature of the super-heated brine we analyzed many samples of the various constituents held in the brine. Consistently, we discovered commercial amounts of zinc and magnesium as well as smaller amounts of gold and silver.

Beginning in the late 1990s, one of our geothermal chemistry experts developed a theory that we could create a device which would be filled with a specialty designed resin which could attract particles of zinc or other specific elements. The device would operate much like a sand filter utilized to keep swimming pools clean except it would utilize specially designed resins to attract specific elements from the brine.

I was initially skeptical of the idea given that such a device had never been developed or utilized on such complicated liquids as super-heated brine. However, the enthusiasm of our team and the extraordinary economic model which showed outstanding financial potential if this device could be proven to work convinced me to explore this potential further.

After requiring my team to develop a detailed proposal to prove this concept at a bench scale, I and our Board of Directors approved a \$15 million expenditure.

The results of the 12-month bench scale research project proved very successful. While the results demonstrated that such a technology could be ultimately worth several billion dollars, it also identified multiple technical challenges which would have to be overcome in perfecting the process.

As a result of this study, we again agreed to expend approximately \$100 million to build a single full-scale unit which would be designed to overcome the various technological challenges identified by the first study.

After approximately an additional six months of design and construction on this first full-sized unit, our team of engineers and operators were confident that they identified solutions to the technical challenges. Further, they completed a forward-looking model which indicated that this proposed full-scale zinc extraction facility would be worth approximately \$1.5 billion. The bad news was that the final full-scale facility would in total cost \$250 million and take 18 more months to complete.



Following extensive challenging of the team's solutions we determined that the risk/reward analysis warranted us expending this further amount given that return on our total investment of \$275 million would be \$1.5 billion or nearly a 5.5 to 1 return. Our team's predicted probability of success was 80% at this point.

Sadly, when the facility was fully completed 18 months later, testing results consistently showed inadequate recovery percentages of zinc. After three months of continued testing, modifications and analysis it was determined that an unanticipated chemical reaction between the actual brine and the resin, essentially blinded the resin and substantially reduced the recovery percentages.

We spent additional sums thoroughly analyzing what had occurred to be certain we had not missed something. Unfortunately, the final result was that a potentially revolutionary technology was proven not to work. We had to immediately write off a loss of \$300 million in investment which included tearing down the facility. The only final recovery was the scrap metal.

While this was the biggest mistake of my career, it was made in good faith in an attempt to find a far more cost-effective method of extracting zinc from the earth in an environmentally benign fashion requiring no mining. Importantly, while I accept responsibility as CEO for the decision to proceed, I like Ms. Holmes based my decisions upon the technical expertise of our scientists and experts. Our scientists did their best to develop this technology and we fully understood the risks involved. The financial projections were not falsified as they were based upon the assumption that our technology would work. However, it did not!

I relay this story because my failed zinc project was a classic example of venture capital investing. I am by no means proud of this result; however, under similar circumstances, I would make the same decisions. It is through this high risk and high reward investing that great human progress has been achieved.

#### The Securities and Exchange Commission Investigation

Your Honor, I have followed Ms. Holmes' prosecution closely and I have read hundreds of pages of testimony and witnessed several days of testimony in the court room. The prosecutors have followed essentially the script of the multiple articles from the Wall Street Journal, and the subsequent book and movie based thereon. That story paints Ms. Holmes as a villain in the long tradition of journalistic zeal to find, and sell, scandal. That story is based largely upon conjecture and unverified assumptions. However, at the same time, the Securities and Exchange Commission ("SEC") conducted a nearly 18-month investigation of Theranos and Ms. Holmes. As you are aware, the SEC is the agency of the United States government specifically responsible for reviewing and regulating our financial markets, punishing insider trading and identifying financial fraud. Additionally, the SEC fully understands the risk acceptance which "Qualified Investors" make when investing in such risky ventures.

The SEC made no finding of guilt on behalf of Ms. Holmes and accepted a settlement of five-hundred thousand dollars. Significantly, as you know, the SEC applies a lower standard of proof than in the criminal case, and still made no finding of Ms. Holmes' culpability. Certainly, the SEC's technical knowledge and expertise far surpasses that of a jury of typical Americans, particularly in such a complicated venture capital undertaking.

#### Ms. Holmes had the opportunity to sell hundreds of millions of dollars of stock – but did not!

In the 2015 timeframe, Ms. Holmes was offered the opportunity to sell hundreds of millions of dollars in her stock holdings in Theranos. She turned down that opportunity because she felt that she should not profit until all of her investors had returned their investment profitably.

It is beyond reasonable judgement that someone intending to commit fraud would decline an opportunity to cash in hundreds of millions of dollars from an investor anxiously wanting to invest in Theranos.



Not only did Ms. Holmes not accept such an opportunity, she has been rendered bankrupt by this criminal litigation and will have a legal fee repayment obligation in the many millions. Additionally, she has been essentially in purgatory during the three-year period of these indictments.

The Ms. Elizabeth Holmes I have known for seven years is not a criminal

Over the period that my wife and I have known Ms. Holmes, there has not been a single moment where she has exhibited anything but kindness, intelligence and determination to find better and more cost-effective health care solutions for everyone.

Having interfaced quite often with Ms. Holmes while she was being attacked, she never attempted to mislead us in any way or to avoid accepting responsibility for her business decisions. Her greatest frustration that she has shared with me was the extraordinary amount of time and money Theranos was having to spend defending itself from one attack after another from various sources. I understood her frustration given that as a private company such attacks are unusual at best.

Frankly, in my opinion, had those dollars been utilized to complete the technology Ms. Holmes was trying to finish, we might very well have lowered the cost of blood testing significantly by now.

This was not, and is not, a House of Cards

The prosecution took every opportunity to paint the picture that Theranos was a fraud, a house of cards and that Ms. Holmes was the cause. If their picture was correct, why did an unrelated financial institution pay in excess of \$100 million to purchase the numerous patents which Ms. Holmes and her team created? In my \$300 million zinc loss, there were no valuable assets remaining. The firm which purchased Ms. Holmes' patents had expressed a view that they may be worth over \$1 billion dollars. That is not a house of cards.

Conclusion and Thoughts for Your Honor

In over 40 years in business, I have experienced a great deal. I have had the privilege of developing and growing three companies which we took public on the New York Stock Exchange. I lost \$300 million in a zinc venture. I have made numerous successful investments and I have made my share of mistakes in business.

Additionally, I am a true believer in America's capitalistic meritocracy and our system of justice. As such, I accept the jury's decision in Ms. Holmes' trial. However, I also believe that such a trial revolves around extremely complex business realities which would be complicated for an experienced business person let alone someone not trained in such things as venture capital investing, accounting, proforma projections and related legal concepts and laws. As a knowledgeable investor, I can say with certainty that I would not have found Ms. Holmes guilty on any of the wire fraud charges. Many business mistakes were made, which is not unusual in such a venture by such a young person, but I find no fraud. Just as Ms. Holmes' decisions were not all flawless, neither is the jury system flawless.

I would respectfully ask your Honor to consider the following points as you consider sentencing:

1. Ms. Holmes is a very good person. Kind, smart and a positive contributor to society. She will do far better for society if she is able to continue her inventing ways. There is nothing to be gained by incarcerating her. She is a danger to no one. She has already suffered immeasurably.
2. Theranos was not, and is not, the house of cards the prosecution painted it to be. An unrelated financial institution has paid in excess of \$100 million to purchase the numerous patents which Ms. Holmes and her team created and expressed a view that they may be worth over \$1 billion dollars. That is not a house of cards.



3. The focus the prosecution made to the jury that the forecasted profitability of Theranos was never achieved and therefore must have been fraud was perhaps overly impactful on the jury as they did not understand the difference between venture capital and lower risk investing. The proformas for venture capital investments necessarily assume that the technology "will" work. The fact that the Theranos technology was only proven to work for a portion of the many tests hoped for would necessarily mean that the forecast would be missed.

In my opinion, it appears that the jury did not understand this reality.

4. Ms. Holmes, is in my experience and opinion, a person of high integrity and she at no time intended to commit fraud. To the contrary, Ms. Holmes wanted to change the world by creating a better and less intrusive blood testing device. She still believes in the technology, as do those who bought the patents.

She has paid an enormous price for her failure to achieve success at Theranos but failure is not a crime.

I am thankful that we live in a country where striving to invent new and better solutions to historic problems is praised. Failure, while unfortunate, is understood and recognized as part of the innovative process. Failure is often the precursor to success. Demonizing and criminalizing failure will stifle people's willingness to try. Thomas Edison failed over 1,000 times by his own estimate. He was not a criminal. Neither is Ms. Holmes.

5. Lastly, no public good will be served by incarcerating Ms. Holmes. She poses no danger to anyone. She openly acknowledges her business mistakes and she did not benefit in any material way notwithstanding the opportunity to do so. Her suffering, including among other things extreme public ignominy, financial bankruptcy and the terrifying prospect of incarceration while the mother of a new baby, provides more than ample deterrence to others.

I urge the court to understand the extraordinary circumstances of this situation. A very complicated research and development business venture. Years of an uninformed journalistic narrative and movie. Nearly three years from indictment to conclusion of the trial.

Elizabeth is bankrupt from this process and will spend the rest of her life attempting to repay legal costs. Let her utilize her intellect and compassion to better the world.

I appreciate your Honor's patience in accepting the length of this letter. I would be happy to answer any questions which this letter may create as you grapple with your sentencing obligation. Your Honor, justice fairly administered, is the hallmark of our self-governing society. This Court's compassion and understanding are required to find fairness out of the complexity.

Sincerely yours,



David Sokol  
Chairman, Teton Capital, LLC



**August 27, 2022**

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

**Dear Judge Davila:**

I am writing you this letter in support of my dear friend, Elizabeth Holmes. My path with Elizabeth first crossed at Stanford University in 2003, but it wasn't until New Year's Day 2019 that we were introduced, and a beautiful friendship blossomed. Your Honor, I feel it is important for you to know that my introduction to Elizabeth was unlike most people who met her in 2019: I didn't know who she was. As I was getting ready to leave for brunch with a mutual friend, my boyfriend at the time told me I should google her. I told him no; I wasn't interested in reading the media's take on who she was or about what she may or may not have done. So off to brunch I went. Over the course of our two-hour meal, we talked about Stanford, what our mutual friends were up to, and I shared with her a bit about me. At the end of our meal, my assessment of the woman I'd met was that she was kind, warm, thoughtful, sensitive, and above all else: genuine. I arrived home later that day and decided to google her. Your Honor, the picture painted of "Elizabeth Holmes" by the mainstream media and internet at-large was nothing like the person I'd spent time with. And in the three years since then, Elizabeth has stayed true to the warm, kind, and genuine person I met. Our friendship was solidified as forever and always status in 2020 when we learned that we share an unfortunate and unbreakable bond, and since then I've come to know her well beyond surface level. She cares deeply for those in her inner circle and is truly a wonderful friend. Her selfless and giving nature shines through every time I speak to her. She's always asking how I'm doing, how I'm feeling, and what's going on in my life? It never ceases to impress me that someone who is going through what's she's going through has the capacity to make space to inquire about others. That's just Elizabeth.

Your Honor I'd also like you to know that she comes from a loving family. During the Trial, I stayed with her a couple of nights and got to meet her parents. After a home cooked dinner

one evening and at the end of a very long Trial Day (I'm sure you remember), Elizabeth's Mother announced she was ready for bed. As Mrs. Holmes' said her goodnights, she walked around and kissed each of us on top of our heads. It'd been 30 years since I'd had a friend's mother do that to me and in that very moment, I was brought back to the first time I'd met Elizabeth, on that cold New Year's Day back in New York and how I'd found her to be so warm, genuine, and kind. Mrs. Holmes' small gesture of love and appreciation validated everything I know to be true about Elizabeth, and offered me a window into the loving, supportive home she was raised in.

At her core, Elizabeth is a selfless person with a big heart. She does not have a single bone in her body that would willfully or intentionally harm another. The woman who sits in front of you is humble, thoughtful, and a committed citizen of this country who truly and passionately wants to make the world a better place.

Your Honor, Elizabeth is not a danger to society. If afforded the opportunity, I'm confident she will give back as a contributing member to our community and spend her life helping others. It is with so much humility and grace that I ask you to please consider these facts as they support the Elizabeth I know and love as you weigh the options for her future.

With deepest appreciation for your consideration,



**Erica Sorgi**

June 30, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

My name is Lauren Stat. I advise companies on their business strategies and sit on several boards. I am proud and humbled to call Elizabeth (Liz) one of my closest friends.

Liz has always inspired me to do the right thing. From the first day we met at Stanford to now, her bright enthusiasm to learn and to make the world a better place continues to give me hope and pushes me to take the right path in my own personal journey, even if it is the harder one.

It was during the first week of classes at Stanford in the fall quarter of 2002 when we first met. After just one Chemical Engineering 101 lecture, we became fast friends, both delighted and surprised to find a twin flame within the walls of the Stanford chemical engineering department. I was a sophomore and she was a freshman. I was quick to explain that most of the learning in STEM classes was done through extensive problem sets, which was homework to be done within the week. Completing these problem sets without the help of a teacher's assistant or a group of peers was considered virtually impossible. Should you be lucky enough to be invited into a study group, you would have access to problem set solutions that were treated as treasured relics and handed down from the older students to the younger students.

Liz appreciated and understood the "lore of the problem sets" but hesitated when I declared that we must find ourselves a great study group. She had full confidence that we could learn everything and complete all of the work on our own, just the two of us. There was no need to rely on those relics of dubious morality. And so with her leadership, we proceeded to learn the right way, the hard way.

I remember one week during which we modeled the function of a kidney in Matlab, a task which was considered to be one of the hardest problem sets in the course. Everyone else I knew had relied on guidance from teaching assistants and answer keys to get it right. Instead, Liz and I stayed up all night together, glued to our computers and



the equations dancing across the screen, while our friends did what many students do on a Thursday night in college.

I learned so much with Liz.

After her rape, she was both broken and resolute, using her anger and hurt as an impetus to make the changes she so strongly believed in. My heart was broken when she left Stanford to start Theranos; I was devastated to lose my friend and study partner, and missed the spark and inspiration to learn the hard way.

We lost touch after Stanford, as we both immersed ourselves in work and she became involved in an abusive relationship. Fortunately, we were able to rekindle our friendship as our careers shifted and her stifling relationship came to an end. We have spent so much time together that I can say with full confidence that she has the same heart and moral compass that she did when we were back at Stanford.

She seeks to do the right thing, always. She trusts in her advisors, mentors and friends. She continues to trust, even though many have failed her and have not stood by her. She learns the hard way, and challenges those around her to continue to grow and learn as well. She is an incredible mother, and I could not wish for a better friend.

Respectfully,

A handwritten signature in black ink that reads "Lauren Stat". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Lauren Stat

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 - 5th Floor  
280 South 1st Street  
San Jose, CA 95113

August 10, 2022

Dear Judge Davila:

My name is Debbie, and I am a friend of Elizabeth Holmes. We've known each other for about 15 years; first meeting as undergraduates at Stanford, then both venturing into entrepreneurship as young female founders, and nowadays, spending time together as new moms with our little kids in tow.

First, a little about me: I am an engineer, inventor, and entrepreneur. For the past 10 years, I have been working as the Founder and CEO of a children's media and toy company whose mission is to get kids excited about science, technology, engineering, and math. I live in Los Angeles with my husband and two young sons.

I'm writing to you because I feel compelled to share my insights into Liz's character as both her friend and as a fellow female entrepreneur. I hope this letter helps give you a fuller picture of a person whose future rests in your hands.

People who only know of Liz through the media assume the worst of her, which is such a shame because if they knew the true Liz the way I know her, they would see that she is a loving mom, a loyal friend, and a well-meaning person who wants to make the world a better place.

As a new mother, Liz brims with joy over her son, [REDACTED]. She is a wonderful, caring parent who is always dotting over her son. Motherhood comes easily and naturally to her. On our long walks with side-by-side strollers, we compare notes on breastfeeding, developmental milestones, sleep training, and all sorts of other parenting topics. The mere thought of ever being separated from my children makes me feel physically ill, and I know this thought weighs on Liz every day as her sentencing draws near. Liz once told me that [REDACTED] has brought her a whole new sense of meaning and purpose in life. [REDACTED] is thriving under Liz's loving care, and he is the light that has helped lift her up during such an incredibly challenging time.

Liz is a thoughtful and loyal friend – the kind of person who calls you on your birthday, who remembers when you have a big pitch meeting and checks in to see how it went. She's a great listener who always gives you her full and undivided attention. She's made the effort to show up

to important events in my life, and it was never lost on me that each time she came, she was risking negative publicity from being out at a social gathering. She's never asked me for anything – in fact, she didn't even ask me to write this letter, and perhaps that is partly why I am writing it. I know she'd do the same for me.

Liz is a socially minded person who strives to make a positive impact on the world. I firmly believe she started Theranos because of her genuine desire to help humanity. During her Theranos years, she gave up her entire social life because she was so passionate about this greater purpose. She wasn't in it for the money or the fame, she was driven by the prospect of changing people's lives for the better by giving them more affordable, easier access to data on their health. Even now, after everything that has happened, she still looks for ways she can positively contribute to society. She recently told me that she has been undergoing training and doing volunteer crisis hotline work to help other domestic abuse victims.

I vividly remember the first time I felt an inkling that Liz had been abused by Sunny. It was in March of 2018. We were having breakfast and she was describing her experience working with him. She confided in me that for many years she had idolized him as the smartest businessman she'd ever known. She confessed how difficult it was for her to build up the courage and self-esteem to finally break up with him and fire him from the company. She described this moment feeling like she had "broken free of a spell". The way she described it at the time felt troubling to me, and I knew something was wrong, but I didn't know how to articulate it.

Over the past few years, I've done quite a bit of research on abuse and I've learned that victims and their close confidantes often don't know how to recognize abuse, especially as it is unfolding. As a result, the abuse continues behind closed doors as victims cede control and decision-making to their abusers. This leads to isolation from friends and family, poor decision-making, and a loss of autonomy. Years later, when Liz finally built up the courage to voice to her friends and family that Sunny had abused her, I thought back to that breakfast. I thought back to her monk-like behavior, her lack of friends while she was at Theranos, and the sheer isolation she must have felt at that time. It all made so much sense.

Liz was under crippling pressure at such a young age - a time in life when most of our peers were just deciding what college courses to take, Liz took on the weight of solving a global public health problem while appeasing dozens of investors 20+ years her senior. From my own experience as a young startup CEO, I can empathize with how much pressure there is to keep your lead investors happy and follow their guidance on big company decisions. In Liz's case, Sunny was a lead investor, with a successful startup already under his belt, so it makes sense she would have followed his lead.



Liz and I attended some of the same entrepreneurship events in Silicon Valley while she was at Theranos. These events often featured panels and fireside chats, where prominent people in business would make the case that a key reason less than 2% of venture capital goes to women is because female founders don't present bold enough visions. The advice at these conferences was to picture what massive success would look like in 5 or 10 years, and sell *that* vision, because *that's* what male founders were doing, and *that's* what venture capitalists expect to see. When I think back to my younger days as a CEO, I was frequently told that my financial projections were too conservative. I know Liz experienced immense pressure as a young, inexperienced, and impressionable new entrepreneur, and I think it's important to consider the unique challenges she faced as a first-time female founder and an abuse victim.

I've spent a fair amount of time with Liz over the past few years and in all my interactions with her, she's seemed deeply remorseful about what has happened, the mistakes she's made and the people whose lives were negatively impacted. She has suffered from the loss of her dream, her job, her status, her livelihood, and her reputation. She will never be able to go out in public or apply for a job without the barrage of negative media forever following her. Through this difficult time, her deep and undying love for her baby boy has helped lift her from the deepest pits of depression and help her find purpose and meaning in life. I've witnessed her journey as she tries to learn how to love herself again and re-ignite that passion within her to make a positive impact on her family, her community, and the world.

Sincerely,

A handwritten signature in black ink that reads "Debbie Sterling Glasband". The signature is written in a cursive, flowing style.

Debbie Sterling Glasband

8/10/22

**CARL W. STERN**



August 31, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 - 5<sup>th</sup> Floor  
280 South 1<sup>st</sup> Street  
San Jose, California 95113

Dear Judge Davila:

First of all, thank you for your kind attention. I imagine that the circumstances of this case must present unique challenges, and I very much appreciate the care that I know you are taking to make perfectly balanced decisions. In that spirit, I am grateful for the opportunity to add some context, and I very much appreciate you taking the time to read this note.

I have known Elizabeth Holmes' father (an extraordinary public servant) for almost seventy years, and I have known Elizabeth since she was a teenager. I am no stranger to business: I spent 37 years with Boston Consulting Group (six as CEO and the ensuing eight as Chairman). I spoke with Elizabeth from time to time over the course of the Theranos saga; so, I heard her side of the story firsthand as it unfolded: quite different from the point of view purveyed by the news media.

There are a few points that I would like to register by way of context as you contemplate what an appropriate sentence might be. My contention is that society would be best served by leniency.

The first point I'd like you to consider deals with Elizabeth's motivation. My guess is that most cases involving financial fraud involve rather blatant grasping for personal profit. That pattern would not apply here. Elizabeth's motivation centered right from the start on making a central component of healthcare affordable for all (including governments, which could certainly use some relief!). That this was her main motivation - indeed her only one, in my opinion - is clear from the fact that she never sold shares on the secondary market, as she was personally consumed in her belief that she could make her invention work right until the bitter end. Totally focused on her mission, she squirreled away no funds to build a personal nest egg for herself or her family, leaving her with nothing. She was (and is) a bit of a social zealot - and society is the poorer for her failure.

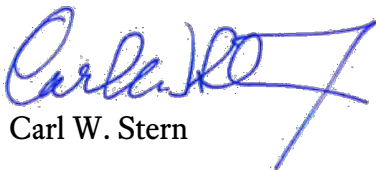
Not so everyone, however. Had she been successful, she would have collapsed a rather large profit pool enjoyed by the lab testing duopoly. Her conviction spares some very sophisticated investors and their advisors embarrassment over their failure to perform adequate due diligence (actually, as an investor in ventures myself, their complaints strike me as rather disingenuous).

There has been a lot written about making an example of Elizabeth *pour encourager les autres*, the guardians of the Silicon Valley “bro” culture that urges fledgling entrepreneurs to “fake it ‘til you make it.” If that’s the objective, focusing on a woman who didn’t cash out seems an odd choice. Except that the copious publicity (some of it admittedly her own fault for putting herself out there too early) must have made her a tempting target, I suppose. Still, when I see so many doing so much worse with seeming impunity – and profiting handsomely – it leaves me with a bit of a sour aftertaste.

The final point I’d like to make is that society is best served by Elizabeth being out there, free to invent. The fire in her belly burns unabated. She feels her purpose is to serve humankind. She may have failed in her first shot, but so have many others. She is an immense talent with so much to offer. Every day she spends off-mission will leave the world the poorer for it.

Thank you once again for your consideration, Judge Davila.

Respectfully,

A handwritten signature in blue ink, appearing to read "Carl W. Stern", with a large, stylized flourish extending from the end of the signature.

Carl W. Stern



Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

August 16<sup>th</sup>, 2022

Dear Judge Davila,

I have known Elizabeth for nearly five years. She and I met soon after she met her Partner Billy Evans, who has been a close friend of mine since we both moved to San Francisco in 2015. I have had the opportunity to watch her relationship with my close friend grow into a strong and committed partnership in which she shows unwavering love and support. I have been there to witness her growth as a mother to her son [REDACTED]. Our time together has also I also given me the opportunity to witness her passion and enthusiasm for science. In particular, scientific endeavors that could help others. It is for those reasons I have composed this letter and am submitting it on her behalf, today.

If I have learned anything from my own relationship with my partner, it is that the true nature of an individual is grown and influenced by those with which they chose to spend time. As Billy and Elizabeth's relationship grew and they spent more time together, it became clear the positive impact that Elizabeth was having on him as a person. For example, I recall when Elizabeth and Billy returned from a months long camping trip across the western United States, he displayed a new level of compassion in his demeanor, a strong sense of intention with his actions, and a heightened desire to listen to and look at others with purpose. I attribute these changes, at least in part, to Elizabeth's ability to have a positive impact on those around her.

Fast forward to this past year, I have also had the ability to witness Elizabeth and Billy grow their family to include their son, [REDACTED]. Unsurprisingly, the attention she gives her son demonstrates a clear, passionate, and unwavering approach to motherhood. I recall at a birthday celebration at Elizabeth and Billy's home, listening Elizabeth speak about their son, [REDACTED]. Yes, the stories contained the bragging and doting that is expected to be on display when any new parent is speaking about their child. But what I remember most was that the time we spent with Elizabeth and [REDACTED] that day was mostly spent listening to Elizabeth talk about the excitement she felt about the future [REDACTED] had in front of him, and how excited she was to teach, learn from, and impact her son, much in that same way she had done with her partner and my close friend.

Beyond Elizabeth's commitment to family, I have also witnessed her enthusiasm for science and helping others. It is easy for me to fall into scientific conversations that revolve around the theoretical. But when diving into various scientific topics with Elizabeth, which would happen often during the various moments we have spent in conversation, the focus always remained objective – what impact could this have on the lives on others, how can it help them? This makes for stimulating conversation, yes, but more so, and more importantly for that matter, this clear resolve and focus on helping others through her passion for science makes those around her begin to share that some focus and objective.

Sincerely,



Jordan Stern

# THE Webb SCHOOLS

September 5, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila,

I write this letter in support of Elizabeth Holmes, someone I have known since she was in middle school. In my role as Head of The Webb Schools, a boarding prep school in Claremont CA, I have the wonderful opportunity to meet many of the school's alumni. One such person is Elizabeth's father, Chris Holmes, Webb School Class of 1964. Chris' son Christian also is a Webb graduate. When visiting Chris and his wife Noel at their home in Houston many years ago, I met Elizabeth and was impressed with how mature she was for her age. She had a mission of making the world a better place and was very clear about that. We had a wonderful dinner table conversation, and I was beyond impressed.

We have not communicated a great deal since that visit, but Elizabeth did come to the Webb campus in 2014 when her father won a prestigious Webb alumni award. At that time, Theranos was thriving, and I had a meaningful conversation with Elizabeth. She was so incredibly proud of her father and spoke about how he instilled values in her and Christian that will last a lifetime. She also said she was convinced that the Theranos product would change the world, not just for those of us civilians in the U.S. but also for our brave military men and women and millions of people all over the world. She was sincere and genuine, and it was actually quite moving.

I have also spent a great deal of time with Chris and Noel and know through them what Elizabeth has been going through as this episode plays out so publicly. I am writing to let you know that I continue to believe that Elizabeth is a sincere person who still stands to make the world a better place. She has already endured an unfathomably difficult passage of time in all she and her family have been going through. This is my perspective on it, and I am happy to have a follow up conversation at your convenience.

Thank you and most sincerely,



Taylor B. Stockdale  
Head of Schools



Alice Warnecke Sutro



September 1, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila,

I know Elizabeth from Stanford. We were in the same freshman dorm. We were best friends that year and the next until she dropped out. I really wish she had not quit school. I have missed her since then and writing a letter like this nearly makes me cry. I remember talking to her about the decision. She said that entering the professional world immediately, with the opportunities presented to her thanks to her research and her skillset, was the best way she could be of service to society. That has always been her goal and the driving force behind her work. To serve people and make the world a better place.

What I miss is her genuine love, her compassion, her support, and her creativity. I miss my friend. She dedicated herself so completely to her project that we did not see each other for years except periodically. During those visits and phone calls we would return to our favorite topics from freshman year. We would share about the books we'd read that always had overlapping themes. She read and studied religion, Buddhism, art and the pursuit of self-actualization and happiness. The goal always in our personal reading lists was how to be more kind, compassionate and dedicated to our respective passions. For me, that is art. For Elizabeth, it is science. She deeply believed in modelling dedication and passion to inspire others. She is loyal and dedicated to her friends, just like she was to her business.

Her creativity also makes her who she is. She can dream, and she can step into others' shoes to feel what they feel. Scientists and artists are alike in these ways. They are also generous with themselves, always giving to society, to make the innovations and artworks that lift us all up in spirit. I think this part of Elizabeth has also been a driving force in her life.

To convey the depth of her goodness, I can illustrate with an anecdote. Freshman year our friend hid her bicycle to pretend that it had been stolen. Elizabeth didn't get it, she was very upset, she didn't understand how you could joke in a mean way like that, pulling people's beliefs into discomfort and distress. That was not in her nature. She was very straightforward and engaged with people with a high level of integrity. At that moment, she showed a type of innocent belief in the essential goodness of people that you can only truly believe in when that is how you yourself inhabit the world. That's Elizabeth and how I know her to be.

Thank you for your time,

A handwritten signature in cursive script that reads "A. Sutro".

Alice Warnecke Sutro



Maria E. Suter



Hon. Edward Q. Davila  
San José Courthouse - Courtroom 4 - 5th Floor  
280 South 1st Street  
San José, Cd 95113

Agosto - 9 - 2022

Honorable Juez Edward Q. Davila

Por medio de la presente, hago de su conocimiento mi amistad con Elizabeth Holmes; a quien conozco hace 30 años.

La puedo describir como una persona muy especial; estudiosa, responsable, disciplinada y con mucha determinación en todo lo que se propone hacer. Siempre manifestando su educación y los valores con los cuales ha sido creada.

Elizabeth es muy especial para mi, desde que la conozco nunca ha cambiado; noble, generosa; disfruta mucho a su familia en los cumpleaños, -Chanksgiving y Christmas.

Atentamente  
Maria E. Suter M.

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113  
July 31, 2022

Dear Judge Davila,

I am writing on behalf of Elizabeth Holmes, my friend of 25 years, to tell you about her character: generous, earnest, resilient, and kind. Elizabeth and I met in seventh grade at St. John's School in Houston, Texas. She was new to the school and I immediately adopted her as my best friend. She traveled with my family and was always game for an adventure, like getting a golf-cart license or learning a cheerleading routine to the "Space Jam" soundtrack. My parents liked Elizabeth because she was a good influence and never a whiner. If she spent the night at my house on a Friday, she had to be back at her house by 8am every Saturday for Chinese lessons. We were dorky and energetic, big fans of costumes and themed dinners. She had a "Clueless" themed birthday party where I won "best costume." Elizabeth was my date to every school dance. We were attached at the hip. In 1999, I went away to another school and we temporarily lost touch, though I heard through the grapevine that she became very studious without me there to distract her.



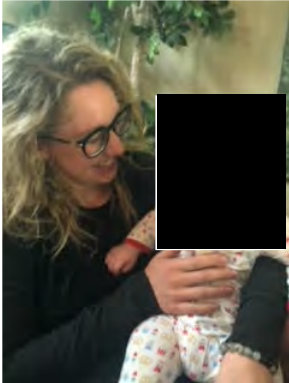
In Summer 2014, by coincidence Elizabeth and I attended the same academic conference (at the time I was a PhD candidate of English at the University of Texas) and we crossed paths on the lawn before my panel. I remember blurting out, "You got your braces off!" and we both giggled like kids. She had a packed schedule, but she made time to meet me for breakfast. I noticed that she seemed muted, intense, and tired. She wouldn't order off the menu, but ate carrots out of a box and told me ingesting chlorophyll gave her enough energy to sleep only four hours a night. I laughed at this, but she was serious. She asked about my dad, whom she had loved, and I told her he had recently died in part due to the nebulousness of medicine. Elizabeth reached out to hold my hand. She looked into my eyes and said, "Preventing that is the reason we're doing what we do." Then she missed her flight in order to catch up with me.



From that day forward, we were back to being close friends. Elizabeth would call me in the middle of the night from her lab to ask questions about my classes, my students, my husband, my brothers. She seemingly had no personal life, could only speak freely to me if we spoke at odd hours, and sometimes asked me strange questions, such as "why did you leave me?" I explained that I had gone to a different high school for carpool reasons, and that she had done nothing wrong to drive me away. She seemed so lonely, and I worried about her. When I was in Oakland to visit a friend, Elizabeth drove two hours each way in order to see me at a perfect stranger's house. She was in the middle of a public firestorm, but she repeatedly made the time to call me, to visit me, to see my mom, to meet my husband and my friends.



Then Elizabeth called me to tell me about Billy. She was, as my dad would say, “kicked in the butt by love.” Billy loved her for the same reasons I loved her. He saw the person she was in her heart: affectionate, unselfish, and tenacious. Elizabeth and Billy traveled cross-country together in a stinky truck with their giant dog in order to meet my first baby. Dogs were not allowed in our house, so they chose to sleep in the truck with him. I could see immediately that the lightness of my old friend was back. Elizabeth’s hair was wild, she wore comfortable clothes, and she laughed openly and made fun of herself. She held my baby and was eating normal food again—no more regimented, pre-packed vegetable boxes. Billy is irreverent and level-headed, with a supportive family and a generous spirit to match Elizabeth’s. We should all be so lucky to witness a partnership like theirs.



When Elizabeth became a mother, she called me from the delivery room, joyful and smitten. She sends me videos of Baby [REDACTED] eating blueberries (which she cuts individually), giggling on walks, and playing with/ riding their dog. On Christmas, she FaceTimed me to show off their matching family plaid pajamas. [REDACTED] is one month older than my second son, [REDACTED], and we finally got the babies together for their first birthdays this summer. They looked like twins! Elizabeth is a hands-on, loving, attentive mother. When she walked across the room, [REDACTED] waddled after her like a baby satellite. He got upset when she left the room for a moment. I began to feel panicked, imagining him spending extended time away from her were she to be incarcerated. They are utterly bonded, and it is unfathomable to me as a mom myself with a baby the same age to comprehend the cruel pain they would both endure were they to be separated.



Back in December 2021, I flew down to California to attend one day of Elizabeth’s trial. I had just had Baby [REDACTED], so Elizabeth and Billy helped arrange my travel and brought me a cooler full of ice packs to the courtroom to store expressed milk. Elizabeth was pumping too at the time, sometimes even while she was on the stand. During breaks in court, Elizabeth checked in on me to make sure I had snacks, drinks, and a comfy cushion. She brought me candy and showed me her pump and its parts, encouraging me to upgrade my four year old machine. Amid absolute chaos, Elizabeth was focused on the needs of others. I got coffee with Elizabeth’s mom, Noelle, and chatted with her group of girlfriends who had all come to show support. There are so many people who genuinely know and love Elizabeth, who is a real person with a

resilience I have never seen in anyone else. We want her son to be able have his mother present in his formative years. I want my friend of 25 years to have the opportunity to finally, freely live her life, to have a shot at normalcy, to watch her son grow daily and make his first, hopefully lifelong, friends.

Sincerely,

Maley Thompson, PhD





Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

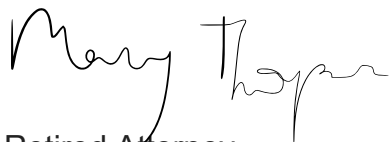
Dear Judge Davila,

I admire and love Elizabeth Holmes. She has been a part of my family inner circle for over 20 years. She is still a close and loyal friend to my daughter Maley. They met at St John's School in Houston and I got to know her mom Noelle and her brother Christian. Elizabeth spent many nights at our home and traveled with us on family trips. I hated having to get up early on Saturdays to get her ready to be picked up for her early Mandarin lessons at Rice University. She always strove for excellence.

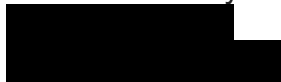
Even at a young age, Elizabeth was driven and focused and brilliant. She could interact well with adults, but I liked her best when she and Maley were just being young silly girls. She was also there with supportive words for me personally at a difficult time. She is a giving, not a taking, person.

Elizabeth is honest and true. She believed in Theranos and was not business sophisticate enough to swim in the deep waters of the tech world. I believe she was vulnerable to the bullying personality of an older man who was happy to use her genuine sincerity. I am crushed at the idea of Elizabeth being separated from her sweet baby and loving partner for any amount of time. She is still an inspiration to me and the people who really know her. She tried to change the world for the better.

With deepest regards,  
Mary Holmes Thompson



Retired Attorney



ALEXIS TOBIN

The Honorable Judge Edward Davila  
United States District Court, Northern California  
San Jose Courthouse, Courtroom 4 (5<sup>th</sup> Floor)  
280 South 1<sup>st</sup> Street  
San Jose, California 95113

August 26, 2022

Your Honor,

My name is Alexis Tobin. I am writing this letter of support on behalf of Elizabeth Holmes. Though Elizabeth and I grew up very close to one another geographically, it was not until we were a bit older that I really got to know Elizabeth. I say this because although we are technically family, I know her very much as a peer and a friend, therefore my perspective is as such. In the time I have spent with her over the better part of the last fifteen or so years, I have always known her to be incredibly kind and forthright even to a fault. I remember one of our first conversations as "adults" at my family Christmas party and thinking, "Wow, I can't wait to spend time with her, and I can't believe how great that conversation was". In the years since then I have always thought of Elizabeth not only as being far smarter than I, but more importantly, truly as someone with the utmost integrity. She is kind, honest, and a wonderful woman who I very much respect both as a friend and as my family. I hope you will take into account the opinions of those that have really known her character and good intentions, as opposed to the conclusions drawn by those whose interests are served by scandal, not by the relatively boring truth.

Thank you very much for your consideration.



Alexis D. Tobin



Donald L. Tschirhart, MD



Hon Edward J. Davila  
San Jose Courthouse  
Courtroom 4, 5th floor  
280 South First Street  
San Jose, CA 95113

Dear Judge Davila:

It is my pleasure to submit this letter of support for Elizabeth Holmes, who is now under your consideration. I worked for Theranos from March, 2016 until June of 2017 and Elizabeth was my immediate supervisor.

In late 2015 my very good career as laboratory director at one of Los Angeles' finest hospitals was headed for a brick wall. Our hospital had gone through its first bankruptcy sale and was headed for a second. Hopes of successful reorganization or even finding a friendly buyer were melting like a discarded ice cream cone on the asphalt. Just to prove the situation can always get worse, I was diagnosed with metastatic carcinoma. That is when I met Elizabeth Holmes.

I was more than a little surprised to find out that Elizabeth wanted to personally interview me. Although it was true that my position would directly report to her as CEO, I did not expect that kind of direct involvement. This is the first lesson about Elizabeth; she was a dedicated and hard-working person who wanted to be personally involved in her company. In all my time with her, she worked tirelessly late into the evening almost every day. She would call me sometimes late at night with some burning technical question.

It is appropriate to ask why I would take on such a job, after all by the time I got there in March of 2016 we were already in negotiations with the CLIA regulators trying to save our license. The answer is because I am one of the few laboratory directors that had experience with this type of "negative" CLIA inspection. In 2000 our hospital brought in a new leadership team which could only be described as a disaster. In desperation our own employees made complaints to the CLIA regulators, which resulted in a "negative" inspection. I was able to identify the real problems and negotiate a successful outcome for us. I learned from that experience that these types of inspections always stem from complaints filed, which must be multiple. In the case of Theranos, we know those complaints were filed by the same people that created a storm of negative publicity, because they proudly admitted it. The CLIA inspector after evaluating the complaints moves to shut down the offending laboratory by conducting a relentless "negative" inspection. They do not expect a laboratory to survive such an inspection, and indeed most do not. It is a bit like going to court after a grand jury indictment; the odds are not good.

One much-discussed aspect of Theranos is the technology. While the Theranos machine never had the through-put rate to completely replace conventional analyzers in a laboratory, it did have many excellent uses that I found quite exciting. Near the end, we had an independent third party consultant evaluate the business case for the machine as it actually was and they concluded it would generate a billion dollars in revenue in the first ten years. None the less, the investors decided to force bankruptcy; it was clear that



factors other than profitability played a role in their decision.

Although Elizabeth Holmes was not able to bring to market a finished product, the accomplishments of Theranos are still significant and will change the laboratory world forever. As one of the few people who experienced having my blood drawn at a Theranos site, I now dread the dreary and humiliating experience of normal phlebotomy. Elizabeth revised the process from the ground up, and it was fabulous. Theranos also developed, tested and manufactured a system for micro blood draws, including transportation and loading of the specimens; this research is infinitely valuable to our future. I have heard people who have been misinformed compare Edison to a countertop chemistry analyzer; indeed there are many such systems on the market. Edison was a hundred times more than that, it was an entire laboratory in a package that could literally be put in a suitcase. The technology was brilliant. Additionally, the information system aspects were ground-breaking. We are just now starting to get some of that sophistication in the regular lab through so-called middleware systems. Edison was digitally monitored at every step from the front end to the back end. It could be remotely monitored from anywhere in the world, allowing anyone to have a true state of the art laboratory tests wherever they were, be that your own bedroom or a third world clinic. The potential uses were mind-blowing.

If this sounds impersonal, it is because I only knew Elizabeth as my boss. I can tell you that she was a workaholic and had little personal life. She was never a flashy person and contrary to her detractors I never saw any evidence that she was infatuated with money. She did not wear expensive clothes or jewelry and I never once heard her talk about buying any expensive personal item. She had a black SUV and a driver/security officer that she used and rightly so at that point; to my knowledge she did not own a personal car. Near the end she volunteered even to give up her ownership of the company in hopes of saving it. My only real glimpse into her true personal life was meeting her parents when Elizabeth courageously gave her famous lecture to the American Society of Clinical Chemists in Philadelphia. Her parents were very real, very down-to-earth people and they spoke of her like any proud parent speaks of their child. I never saw anything in Elizabeth that would lead me to believe that she was anything other than what she claimed to be. Everyone at Theranos liked her; she was strong, she fought for us and she treated us well until the last moments.

In the end we have an intelligent, fearless woman who took on a huge project that should have changed the world and nearly succeeded. I am not personally aware of any wrongdoing on her part, and to the contrary, I found her unbelievably dedicated to her work and accomplishing what she set out to do. There are hundreds of failed Silicon Valley CEO's out there and I have never heard of any of them facing this outcome. Elizabeth and the world have lost a great dream, it is just that the world is too ignorant to understand what they have lost.

As a judge, you must faithfully serve the law, I expect no less. I only ask that you also consider the immense contributions that she has made to the field of laboratory medicine and to humanity, even if at this point, they don't understand what they have been given. I hope in some way that you can find her redemption in these good deeds.

Sincerely,



Donald L. Tschirhart, MD

Former Laboratory Director  
Theranos, Scottsdale

CHASE UNTERMEYER

[REDACTED]  
[REDACTED] [REDACTED]  
Honorable Edward J. Davila,  
United States District Judge  
San Jose Courthouse  
280 South First Street  
San Jose, California 95113

Dear Judge Davila:

We write seeking leniency in the sentencing of Elizabeth Holmes.

We have known Elizabeth since she was a little girl, first in Washington and then in Houston. Her parents, our close friends, are godparents to our daughter Elly, making Elizabeth her "god-sister". She always had time to play with Elly when we were all together for lunches and dinners. Times spent with the Holmes family were loving and happy, so we are sure Elizabeth will provide the same environment for her son [REDACTED].

Elizabeth was a dedicated and diligent student here in Houston. At an early age she chose to study Mandarin — independently, in addition to a heavy academic load — out of a very far-sighted recognition



that knowing the language would be highly important in the world she would enter as an adult. She told Elly all about Stanford, which Elly eventually attended and loved.

It was abundantly clear to us that Elizabeth, while in high school and in college, was dedicated to helping her community, with big dreams about making the world a better place. She undoubtedly founded Theanos with this goal.

We therefore hope that with this factor in mind you will grant her leniency.

Thank you, Your Honor, for considering our earnest request.

Sincerely,

Chang Anthony

Diana C. K. Clutey



Martin G. VanTrieste



August 15, 2022  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

My name is Martin VanTrieste, and I am a pharmacist with 39 years of experience in the pharmaceutical and medical device industries working in R&D, Manufacturing, Quality and the founder of two non-profit organizations, Rx-360 and Civica Rx. Most recently, I retired as the Founder and CEO of Civica Rx, a non-profit generic drug company that is working on eliminating drug shortages that hospitals face daily and significantly lowering the cost of medications to consumers, such as insulin and cancer treatments.

I was asked to help Theranos in 2017 by Fabrizio Bonanni, a Theranos Board member and previous colleague of mine from Amgen, to serve on the Theranos Board Compliance Committee. The purpose of my role was to provide expert guidance on FDA (U.S. Food and Drug Administration) regulations, expectations, and current Good Manufacturing Practices. I specifically provided guidance and oversight on how to comply with these FDA requirements.

My engagement began as a result of Theranos' difficulties with the FDA and other regulatory bodies. During my committee involvement, Ms. Elizabeth Holmes was thoroughly engaged, wanted to learn and make improvements at Theranos. She embraced our recommendations, worked hard to implement the recommendations, and understood what went wrong previously. I felt her openness to continuous improvement was adopted within the company and was extremely helpful in making rapid changes and continuous improvements.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Martin G. VanTrieste".

Martin G. VanTrieste

July 13th, 2022

Dear Judge Davila,

My name is Hung Vu and I was a Production Manager at Theranos for three years. I am touched and thankful for the opportunity to tell you what I know about Elizabeth Holmes. In 2014, I was in need of a job after being laid off for a while, [REDACTED]

[REDACTED] That time period was not only rough for me, but also a great number of workers in California. I was very grateful, and still am today, for the opportunity to have worked for Theranos. A great burden had been lifted when I got the job offer, and I will never forget how much it meant to me at the time.

I had gradually gotten to know Elizabeth Holmes as I worked for Theranos and I wanted to share my thoughts about her with you. I believe that her vision to revolutionize blood testing was only a means to help provide a solution to a great problem our society faces. From her passion, I gathered that she is a very intelligent, kind, and caring person. During my first few years, I did not have direct interactions with her, but I witnessed her actions to help me formulate my own opinions. One thing I had noticed was that she cares so much about the employees and their families. When planning for company events, she would ensure that the quality of the setups and foods offered reflected the hard work of the employees. She also reached out, to her best ability, to thank the employees for their dedication to the company. When engaging during company meetings, she built a sense of community and informed us about the products.

During one of the many company meetings, she was in tears when she had to announce that the company would shut down. I could never forget to see how heartbroken and emotional she was to have her vision and dream come to an end. It was so sad to see her so worn out from the mess of the state of the company. As the company was nearing its end, I had a chance to get to know her better, not as a founder of the company, but more so as a person. During that time, she worked with the employees more closely and became aware of what their opinions of the news was.

Before I departed, Elizabeth gave me a picture frame of a tiger resting on a Buddha's head. Buddha's peaceful and calm nature has tamed a big ferocious tiger. This was my interpretation of her telling me that for a person to reach enlightenment, they need to be humble and kind. Whenever I look at that picture, it gives me a sense of serenity, a feeling so powerful that I would not want to do anything evil-natured. I cherished it because it carries a powerful meaning and I know that she believes in Buddha's teachings to become a genuine and kind person.

Now that Elizabeth Holmes has a child, I am sure she will be more careful in her decision-making process. Becoming a mother will help her become stronger in setting a good example for her son. For someone to have been through such a disastrous event in her life, I know she will continue to learn and grow to be the best mother and person she can be. She is the type of person that would do everything in her power to teach and provide for her son no matter the circumstances. Her resiliency throughout everything she has experienced should attest to why she should still have the opportunity to prove herself. I really appreciate being given the opportunity to tell you my own thoughts about the person who I looked up to and still admire.

Regards,

Hung Vu

A handwritten signature in cursive script that reads "Hung Vu".

July 13th, 2022





JIMMY WALKER, LTD.  
BUSINESS | SPORTS | ENTERTAINMENT

August 1, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davilla,

I understand Mrs. Holmes has been convicted of 4 counts of wire fraud and conspiracy to commit wire fraud. This letter is to share my personal experience with Elizabeth Holmes, and to ask for leniency with her case.

I met Elizabeth 7 years ago, when she was awarded the 2015 Horatio Alger Award of the Horatio Alger Association of Distinguished Americans in Washington D.C. Since then, we have talked many times and I now consider her a personal friend.

Throughout the time I have known Elizabeth, I have seen her as a good person; someone who is intelligent, generous and kind. She is also hard-working and trust-worthy. In fact, I know she has worked with the homeless at St. Vincent De Paul in San Francisco. I also have observed her being an excellent mother to her son, [REDACTED], and she is a good wife to her husband, Billy Holmes.

Perhaps most importantly, I have had conversations with Elizabeth since the trial, and I know she feels deep regret about anything she has done wrong. Her contrition is real and appreciable, and I ask this court to observe it, as I do, and to be as lenient as the law permits in dealing with her. I know she is truly a good person and deserving of a second chance as so many good people are entitled.

Sincerely,

A handwritten signature in black ink that reads 'Jimmy Walker' in a cursive, flowing script.

Jimmy Walker

[REDACTED]

October 2, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Reference: Elizabeth Holmes

Dear Judge Davila,

My name is Dan Warmenhoven. For 15 years I served as the CEO of NetApp, Inc. (NASDAQ:NTAP), and I have also served on numerous public and private company boards. I joined the Board of Directors of Theranos, Inc. in November 2016 well after the issues that you are familiar with took place. [REDACTED]

[REDACTED] My goal was to finish the product, get it into the marketplace, and try to salvage the company. I stayed on the board until the company ceased operations in October, 2018. I did not receive any compensation for my board duties.

The purpose of my letter is to request leniency in the sentencing of Elizabeth Holmes.

Elizabeth left Stanford at age 19 to pursue a dream and founded Theranos. She was very creative and technically brilliant, but she was also very naive and had no business experience, no financial management experience, and no operational management experience. She was dependent on advice from others and more specifically her Board. But the board was full of luminaries such as George Schultz, Henry Kissinger, General James Mattis and others with similar backgrounds. None had any business experience. Because of their lack of business experience they were unable to advise her, especially regarding how to present the company and how to interact with shareholders. The board acted more like cheerleaders than helping keep the organization focused on achievable progress.

Elizabeth is an idealist who wants to make the world a better place. Her passion was to revolutionize medical systems by making blood testing fast and inexpensive. She is a genuinely good person with a good heart who relied on others for advice and guidance, but she often received very bad guidance which I believe is the root cause of the issues you are familiar with. She always put the interests of the company ahead of her own. She took a meager salary and never sold a share of her stock. For all her efforts, after 15 years at Theranos she was virtually penniless.

My request is that you take these factors into consideration in your sentencing decision. She made mistakes, but I believe many of her mistakes were the result of bad advice, and were not motivated by any desire on her part to deceive or defraud anyone.

Thank you for your consideration.



Daniel J. Warmenhoven

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 - 5th Floor  
280 South 1st Street  
San Jose, CA 95113

July 31, 2022

Dear Judge Davila,

I am writing to share my personal views of Elizabeth Holmes' character. We first met about a decade ago while I was serving as President Obama's Assistant Secretary of Defense for Nuclear, Chemical and Biological Defense Programs. I visited her in Palo Alto at the suggestion of two of my mentors, former Secretary of Defense William J. Perry and former Senator Sam Nunn, and have kept in touch with her ever since.

During our first conversation it became clear that we had a shared passion for reducing infectious disease and biological weapons threats. We envisioned a world where individuals would have in-home access to diagnostic tests, and the data would be shared into a global "weather map" for forecasting and isolating epidemics. Indeed, she helped accelerate a revolution in distributed diagnostics which every American is now experiencing with in-home Covid tests. Soon parents will be able to run tests to know immediately and precisely what is causing a fever in their child, and to treat them accordingly.

I believe the reason Elizabeth has so much passion about promoting this vision is her deep sense of humanitarian purpose. She cares deeply about making the world a healthier and better place for future generations. Now as the young mother of a baby boy named [REDACTED] she is driven even harder to make a better world. This is apparent in her volunteer work with rape trauma victims, and in her everyday life.

As you do your duty in sentencing Elizabeth, please take these aspects of her altruistic character and loving parenting into consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. C. Weber', written in a cursive style.

Hon. Andy C. Weber



Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

Liz and I met in the fall of 2018 through mutual friends. About a month into our friendship, we had a heart to heart that is still fresh in my memory ... We were sitting on a tiny white sofa by the window in my San Francisco bedroom and Liz's eyes were filled with tears. She made so many mistakes at Theranos and was deeply sorry for its outcome, she told me. If she could do it all over again, she would have made very different business decisions and trusted different people, she confided. I could see the regret in her tears and hear it in her voice. Liz showed more introspection and remorse than what I'd personally witnessed in any other failed founder, and I had seen many in my decade of investing.

I'm an investor in early-stage companies. A few of my first-time founders made it; most did not. Despite losing a tremendous amount of money in some situations (high 8 digits), I've actually never faulted anyone except myself. Even with the best of intentions, all can go wrong. Sometimes it takes as little as one innocent misstep. Most first-time founders are visionary but naïve about how to build a business and how long it takes to build a business (this second point is especially true). Thus, when working with a first-time founder I believe it's me, the more experienced board member, who must ensure that the business plan is actionable, the financial projections sensible, and the product works. For example, recently one of my companies gave me a set of financial projections to review before a fundraising. I cut the numbers by over 50% because I see operational hiccups that the first time CEO doesn't yet have the foresight to see.

With this context, on leaving this conversation with Liz, I asked myself to let go what I had heard and read about her to discover who she is on my own. This is what I have concluded – Liz is one of the best people I know, and our friendship has been the most surprising and beautiful thing that's happened to me in the last few years of my life.

Extremely genuine, giving, and selfless, Liz is unlike anyone else I've met in Silicon Valley. For example, small as they may be compared to hers, my life's needs and challenges have often taken center stage in our friendship. She took time away from her trial preparations to help me recruit advisors to support my career (with incredible insights as a function of her own experience on who can truly be valuable versus who I might perceive to be valuable) and she has helped me emotionally navigate several difficult personal situations. Irrespective of what has happened in her own life (conviction, skin cancer, Covid), she has continued to call, write, and be there for me in a way that no one else has. She has been the best friend that one can ask for. So much so that I've often felt like a lesser person before her.

[REDACTED]

Four years later, I'm drafting this letter that I never imagined to be writing with many tears in my own eyes. The imminent possibility of losing her is crushing. I ask that you please consider the possibility that perhaps the world has misread Elizabeth Holmes and that you give it another opportunity to get to know her the way that I have. I also hope that you can give her the opportunity to do right for the people around her and for the world, as she so desperately wants to.

Sincerely,

*Yinne Yu*

Yinne Yu

August 28, 2022

Aug 28, 2022

Hon. Edward J. Davila  
San Jose Courthouse, Courtroom 4- 5<sup>th</sup> Floor  
280 South 1<sup>st</sup> Street  
San Jose, CA 95113

Dear Judge Davila,

Based on our 27 years of friendship, I believe Liz is an idealist who only had positive intentions when starting and building Theranos. She doggedly pursued Theranos not to maximize personal gain, but because she genuinely wanted to make the world a better place.

Even in high school, her idealism and drive to help people stood out. During sophomore year, Liz led efforts to help victims of the Kosovo War—a world away from Houston. I interviewed her for our school newspaper (see attached pics at end of letter): *One SJS student, Elizabeth Holmes ('02), is trying to make a difference. After studying independently about the events in Kosovo, Holmes was appalled by the situation. She said, "We come from a society where everything is wonderful. Most of us cannot even begin to imagine the extent of the atrocities in Kosovo." ... Holmes felt so sorry for the victims in Kosovo that she decided to do something to help them. She researched various Kosovo relief organizations; and she finally decided to raise money for "Save the Children", an organization which provides supplies (such as food and vaccines) to the tortured refugees and also gives them the means to become educated so they can begin a new life. So far students and faculty have donated more than \$1,000... In the upcoming weeks, Holmes plans to do even more to help the people in Kosovo. She will collect money for "Save the Children" at Kinkaid and Episcopal High Schools, give a presentation to the SJS middle schoolers to educate them about Kosovo, and start raising money for the Houston division of UNICEF. Holmes believes, "We have the potential to reform and to prevent the horrors of this world if we simply learn and act." (The Review, May 26, 1999).*

Liz and I attended middle and high school together in Houston, Texas. We became close in high school when we were the only two women in our Computer Science AP class. We bonded not only over C++ homework assignments, but also watching "Legally Blond" at slumber parties and making gingerbread houses together at Christmas time. Liz and I lost touch after high school, as we attended different colleges. While she was busy with Theranos (sacrificing fun and friendships for her mission to help others), I was across the country doing medical school and then neurosurgery residency. We reconnected again in 2019 when we were both back in the Bay Area, and it was like we had never been apart. I found the same kindness and caring in Liz in her 30s that I had known as a teenager raising money for the children in Kosovo. Liz and Billy have become two of my closest friends over the last several years, and my partner and I have spent countless evenings sharing meals with them and their families.

Despite all the challenges Liz has faced over the last few years, she has put her friends and family first. I have seen first-hand her love for Billy and her family and witnessed the amazing partner and daughter that she is, and the amazing mother that she has become to little [REDACTED].



She has also been a wonderful and staunchly loyal, caring friend to me. My work as a neurosurgeon is time-consuming and stressful, and Liz has always been there to listen to me and let me vent my frustrations, to cheer me on, and sometimes just to let me cry. I still remember her dropping everything, leaving a dinner in the city to drive 40 minutes to come over to my house to comfort me after a particularly grueling day at work. As I was crying and sharing my frustrations, I couldn't help but appreciate how much less severe my issue was than what Liz has been facing. Nevertheless, Liz did not minimize my problem. She listened patiently, hugged me, and made me feel supported—the best thing a friend can do.

I have also witnessed first-hand the profoundly negative effects of this case on her, Billy, and their parents. Her punishment has already been severe, and I humbly request you consider and acknowledge the extraordinary reputational and emotional suffering she has endured in the last seven years. Not only has she lost her company and everything she worked for for over a decade, but she has become a pariah in our community. I have many friends who, although they have never met her, do not want to spend time with Liz. I cannot invite her to dinner or events with most of our friends, and I cannot speak about my friendship with Liz to most people, as I am judged merely by my association with her. I cannot overemphasize the degree to which Liz is ostracized by people who do not know her and the degree to which this social isolation has affected Liz, Billy, and their families. Despite this, Liz has kept her head up and remained a staunchly loyal, kind friend, daughter, partner, and mother.

Liz still has an opportunity to have a positive impact on society through her family, friends, and future good works. As her friend spanning nearly three decades, I hope you will give her that chance.

Sincerely,



Corinna Zygourakis  
Assistant Professor of Neurosurgery  
Stanford University School of Medicine



May 26, 1999

## Kosovo Relief

■ by Corinna Zygourakis ('02)

Many people around the world believe that the massacre in Kosovo is the greatest horror and wrongdoing since World War II. Thousands of people are being brutally murdered.

Hundreds of thousands of people are being forced out of their homes in Kosovo by the Serbs and relocated to crowded and insufficiently supplied refugee camps in Albania and surrounding countries.

But one SJS student,

Elizabeth Holmes ('02), is trying to make a difference. After studying independently about the events in Kosovo, Holmes was appalled by the situation. She said, "We come from a society where everything is wonderful. Most of us cannot even begin to imagine the extent of the atrocities in Kosovo. In fact, most Americans don't understand that these massacres are on the same level as the Holocaust. Milosovich [the Serbian leader] is practically a Hitler reincarnated."

Holmes felt so sorry for the victims in Kosovo that she decided to do something to help them. She researched various Kosovo relief organizations; and she finally decided to raise money for "Save the Children," an organization which provides supplies (such as food and vaccines) to the tortured refugees and also gives them the means to become educated so that they can begin a new life. So far students and faculty have donated more than \$1000.

Next, Holmes—together with Shivani Gupta ('99) and Zoe Stewart ('01)—posted signs all over the Upper School campus, urging people to contribute to "Save the Children". These posters had pictures of people being tortured and killed; the

Elizabeth Holmes heard Picts's poignant story. At least two students were crying as Picts took them on a journey through Kosovo and described the horrible atrocities he had witnessed. Holmes said, "What Picts described defies the imagination. The Kosovo children have been exposed to inconceivable horrors. When Picts and his fellow officers from "Save the Children" gave the kids some crayons, all of the kids drew pictures of their parents being killed, their houses being set on fire, or people being tortured. When Picts asked the kids what they wanted the most, the children said that, first, they wanted to see their families; second, they wanted to go home; third, they wanted to go back to school; and fourth, they wanted their pets. The kids also said that they missed playing games like soccer; so the "Save the Children" organization brought more than a hundred soccer balls to the children, allowing them to play and temporarily forget their problems. Picts described terrifying scenes of women and children being forced out of their homes, men being shot and slain, little girls being raped, and families being separated. He described his visits to the freezing cold refugee camps with no food, water, or supplies. The refugees had not taken showers in weeks and had nothing except the clothes on their backs."

Nelson added, "Picts's speech was heartbreaking. One of his most moving stories was his account of a visit to one refugee camp. He entered a little room and found a mother with her two daughters and two men. The men were just informing the woman that her husband and her father had been murdered by the Serbs. The kids



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Next, Holmes—together with Shivani Gupta ('99) and Zoe Stewart ('01)—posted signs all over the Upper School campus, urging people to contribute to "Save the Children". These posters had pictures of people being tortured and killed; the signs had messages such as: "Your parents are murdered in front of you. Your classmates are dying of starvation." Then Holmes distributed envelopes to every advisory to collect donations for "Save the Children." Holmes said, "The response to the relief fund has been great at SJS. Even before I gave envelopes to the advisories, students were coming up to me and contributing twenty and sometimes fifty dollars for the relief fund. Perhaps students don't realize how big of a difference they can make. Every dollar counts. With only twenty dollars, an entire family in Kosovo can be sustained for a week. So with the amount of money that SJS has contributed, fifty families can survive for a week."

Then, Holmes attempted to educate SJS students about the situation in Kosovo by arranging a conference call with Tim Picts, an official of "Save the Children" who had just returned from Kosovo. Mary Catherine Blanton ('02); Caroline Gaston ('02); Stephanie Nelson ('02);

they wanted to go back to school; and fourth, they wanted their pets. The kids also said that they missed playing games like soccer; so the "Save the Children" organization brought more than a hundred soccer balls to the children, allowing them to play and temporarily forget their problems. Picts described terrifying scenes of women and children being forced out of their homes, men being shot and slain, little girls being raped, and families being separated. He described his visits to the freezing cold refugee camps with no food, water, or supplies. The refugees had not taken showers in weeks and had nothing except the clothes on their backs."

Nelson added, "Picts's speech was heartbreaking. One of his most moving stories was his account of a visit to one refugee camp. He entered a little room and found a mother with her two daughters and two men. The men were just informing the woman that her husband and her father had been murdered by the Serbs. The kids were too little to understand what was going on. But the mother was sobbing. Picts held the woman's hand and watched her cry."

Holmes narrated yet another touching story: "A Serbian soldier entered the home of some Kosovo inhabitants. He held a gun to the mother's head and threatened to kill her daughter if she did not turn over all of their valuables. So the mother handed over all their possessions to the Serb. Then the soldier slit the throat of the father and forced the mother and children out of their home."

In the upcoming weeks, Holmes plans to do even more to help the people in Kosovo. She will collect money for "Save the Children" at Kinkaid and Episcopal High Schools, give a presentation to the SJS middle schoolers to educate them about Kosovo, and start raising money for the Houston division of UNICEF. Holmes believes "we have the potential to reform and to prevent the horrors of this world if we simply learn and act."

September 28, 2022

The Honorable Edward J. Davila  
San Jose Courthouse, Courtroom 4 – 5th Floor  
280 South 1st Street  
San Jose, CA 95113

Dear Judge Davila:

I write with a personal reflection about Elizabeth Holmes, as I have known her during my lifetime. I met Elizabeth shortly after she was born, as her parents are close friends of my parents, and her parents are my chosen godparents. As such, I have spent time with their family over the years, including together with their children when they were young, and at Christmas, Easter, and other family gathering times. During that time, I got to know the family very well, and I consider them to be without equal in terms of their integrity, caring, and commitment to public service. That is the environment in which Elizabeth grew up.

I have had more limited connection with Elizabeth than her family over the years, given our geographies and the fact that she grew up mostly in Houston and then moved to California. Nevertheless, I have always found her to be kind, caring and genuine, as well as driven. I believe her drive to succeed is deeply motivated by the desire to help others, a cornerstone of her family's approach to life.

Thank you for the opportunity to share these reflections about a close family friend.

Sincerely,

Lisel Loy

A large black rectangular redaction box covering the signature and any handwritten notes.



Joan E. Tobin



The Honorable Judge Edward Davila  
United States District Court, Northern California  
San Jose Courthouse, Courtroom 4 (5th Floor)  
280 South 1st Street  
San Jose, California 95113

November 9, 2022

Dear Judge Davila,

I am writing to you because you hold the future of a good woman in your hands. I have had long years and a great deal of experience with Elizabeth, as a relative, as a friend, as a business woman and occasional mentor; and can attest that she is a woman who is not and never has been the self-serving, manipulative Svengali-like person that she has been portrayed to be. She is, in fact, an extremely nice person who is loving and kind, a wonderful mother and a well-intentioned, thoughtful person who is ethical, honest and hard-working. It is not in her nature to conspire to defraud. She is simply not that sort of person - by nature or upbringing, or any other reason.

I am not saying that she might not have made mistakes - I know of no businesspeople - in fact of no people at all - who have not made decisions that they would do differently; but Elizabeth is not a person who would deliberately conspire to advance her ends by dishonest means. She just wouldn't. It is not in her.

I know Elizabeth's story from many years with her and her family. It is that of a young person who wanted to do something good - and who was untutored in the myriad realities of business and very naive in personal relationships, an awkward young person with little experience and a big commitment to do good. Elizabeth does not run away from her responsibility for herself, but she has already been made into a public pariah, lost her reputation, lost everything she had, been punished severely by the SEC and been used as the vehicle from which journalists and filmmakers have made a great deal of money selling their own versions of her. Please, Judge Davila, I hope you will agree that enough is enough. She has a beautiful and happy baby son, and is pregnant with a second child. She is a wonderful, thoughtful and caring mother which I know from being with her and her son for days on end. He is beyond important to her, and her next child will be as well. Please do not send her to jail. She has paid and paid already in so many ways for whatever misjudgments she made. They were not ones of ill intent. With every ounce of experience in my 78 years, on public corporate boards, as a successful owner of a medium sized business, as one who has been through some difficult business experiences, and as a close family friend and older friend of Elizabeth's, I know she is a good person, and not what she has been painted to be. Please, please use your power and judgement to let her stay with her son, have her next child in freedom and peace, and fade from intense public view.

Thank you very much for your consideration.

Sincerely, (signature on next page)

79.1



*Joan F. Tobin*  
Joan F. Tobin



*Pg. 2*

To whom it may concern:

I have known Liz Holmes for 20 years at this point, from when we were freshmen in college at Stanford in 2002. She came in with the reputation as the Mandarin-speaking protégé of freshman class. She was well liked that year, but it always seemed that as if she was interested in doing something more than just learning. We knew each other socially and were friendly having friends in common. In sophomore year when I learned Liz had left Stanford to pursue a startup, it was not surprising. We didn't stay in touch since the last time I saw her on campus at a frat party until 12 years later I saw her on the cover of Forbes, and I was quite surprised having myself become an entrepreneur in the biomedical industry.

Since that time, we reconnected at our 10<sup>th</sup> year reunion in 2016 at Stanford and have stayed in touch, occasionally grabbing sushi when I visited Palo Alto. She remained very friendly as I remembered her from the college days, with a very strong focus on helping people – which she wholeheartedly believed she was doing at Theranos. Even when she was extremely busy, she found some time to discuss key questions, or think 'big ideas' on how healthcare delivery in America needed to be reformed.

I believe Ms. Holmes is a good person, who was extremely caring about everything she took part in. She tried to extend a helping hand to everyone around her while at Stanford and always had a great sense of humor. I am hopeful that she will not be punished too harshly.

DocuSigned by:  
  
294C473BD7394A8...

Sincerely,

Gerald Commissiong