

D'ORAZIO PETERSON

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THANK YOU FOR YOUR REFERRALS!



We appreciate referrals from our friends, clients, and colleagues – they are the lifeblood of our business. We limit our practice to helping people in accident cases, personal injury and employment matters, and you can be assured that we will treat your referrals exactly as we would want to be treated if we had a problem: with respect, empathy, sound guidance and strong advocacy. While we cannot help everyone, we do our best to dole out sound advice to those who take the step to contact a lawyer.

Why we do what we do

Our clients come to us during some of the most difficult times of their lives, and we love nothing more than to know that we've helped them move forward.

"I contacted [the firm] earlier this year after being terminated in some dubious circumstances. [They are] easy to talk to, immensely knowledgeable, and it is clear [they] care for [their] clients. I felt [they] got to know me, my goals and under [their] guidance, the process was straightforward. Without the hassle and time of going to court, [they] were able to secure a settlement. I would certainly recommend [them] to anyone else who finds themselves in a similar situation"

- Former client

If you have questions, or would like to be removed from this list, just send an email to newsletter@doraziopeterson.com, or call the office.

Employment Law

Personal Injury

Civil Rights



"The best music is essentially there to provide you with something to face the world with."

-Bruce Springsteen



OUR TAKE

FOMO "a pervasive apprehension that others might be having rewarding experiences from which one is absent." (Wikipedia).

I recently read an excellent new book, *Bad Blood: Secrets and Lies in a Silicon Valley Startup* by John Carreyrou. Carreyrou, a reporter for the Wall Street Journal, chronicles the rise and fall of the biotech company Theranos and its enigmatic founder, Elizabeth Holmes.

For those who don't know the story, Holmes was a Stanford dropout who founded Theranos with the idea of changing the way blood is tested around the world. The company "produced" devices that were said to be able to use technology and automation to almost instantly run major blood tests off of drops of blood taken from a fingertip. In theory, the technology would "change the world," to borrow a phrase from Silicon Valley.

Only problem was that the technology was never there and, as the book chronicles, Holmes amassed a fortune (at one point she was "worth" several billion dollars) by convincing nearly everyone she met that the product was all she claimed it to be. At one point the Board of Theranos included two former Secretaries of State (including Henry Kissinger), two former US Senators, and multiple former high ranking military officials.

In the end it all came crashing down, and Holmes was recently charged with criminal fraud by the United States Attorney in San Francisco. The story is a fascinating one if you have the time/interest.

One of the really interesting sub-plots relates to the idea of fear of missing out or "FOMO". Relatively early on, Holmes had secured massive agreements from the drug store chain Walgreens and the grocery store chain Safeway that would place the Theranos blood testing devices in their stores. Each company invested substantial amounts of money in their respective endeavors. Over time, however, multiple people in both

companies observed what they deemed to be major red flags with Theranos and, in particular, with the company's secrecy and its apparent lack of technology. In both cases these individuals brought their concerns to the decision makers within the companies, only to have them ignored. (Not to mention the multiple employees of Theranos who made similar complaints within the company and to its advisory board, which were similarly ignored).

It seems that the leaders of these companies were so concerned about their competition getting a leg up with the Theranos technology, that they were willing to ignore the fact that the technology may never have been present in the first place. The companies ended up losing vast amounts of money on the deals, and people lost their jobs as a result. It seems clear that they continued down the path despite these major concerns for three reasons: 1) FOMO - the fear that someone else would get ahead if they didn't take the risk; 2) because of what's commonly referred to as the "herd mentality" - that is groupthink and a hesitation to go against the large herd; and 3) what is known as the "sunk cost fallacy" - that is the idea that, because you've already invested time/money/resources in an endeavor, you cannot walk away from it even when things are going in the wrong direction.

Making decisions based upon any of these factors is never a good idea. In our world, we routinely tell clients (and potential clients) that, when making decisions about serious legal problems, the best approach, we believe, is to ignore what other people think, forget about pie in the sky thinking, and avoiding making decisions based upon past actions (sunk costs). Instead, we try to focus on the practical side of things - what is the best decision, for this particular individual, at this current moment, and will this decision provide the most likely long-term benefit? In the case of Walgreens and Safeway, changing the decision-making perspective may very well have saved them millions (and jobs, for some).

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NEWSLETTER

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SILLY LAWSUIT OF THE MONTH

I read recently that the company behind RXBars has been sued for alleged mislabeling. The lawyers for the proposed class of plaintiffs allege that the company uses “egg white protein powder,” rather than the egg whites it claims on its labels, and also uses “infused fruit” rather than the whole blueberries that it advertises.

Now, we’re in the business of bringing lawsuits to hold people/companies accountable. But we believe strongly that

those lawsuits should, whenever possible, serve a real purpose/benefit to society (like making products safer).

When I read about the RXBAR suit, I can’t help but think of the Seinfeld episode when a new “non-fat” frozen yogurt store opens. Jerry and friends load up on the stuff, because it’s “non-fat”, except that they start to put on weight from eating too much of it. In the end they realize that “non-fat” didn’t exactly mean healthy...

SCENES OF SUMMER

Living in the Northeast can be tough. Before long, the days will be so short that it will be dark when we wake up and dark when we leave work. So, we need to enjoy these long days while we have them.

Our kids sure have...

Also, don’t forget about our bike helmet giveaway. If you’d like to be entered, send an email to newsletter@doraziopeterson.com

