

Chapter 4: The court of public opinion

“Our reputation is more important than the last hundred million dollars.”

Rupert Murdoch

ONE OF the essential attributes of a law firm is the ability to manage the reputations of its clients. This is a fundamental part of a law firm’s role. On one hand, this is one of the outcomes of technical excellence, especially in litigation. On the other, this is increasingly recognised as a discipline in its own right. As such, it is in the domain of specialists – either a specialist reputation management agency, or a law firm that specialises in the defence of reputation.

Rapid rebuttal

Richard Elsen, one of the founders of The Byfield Consultancy, is a master of the art of legal reputational PR. Having been in the business for about 12 years, he is the hidden hand behind many of the most sensational legal stories during that period, from the defence of Michael Jackson after Martin Bashir’s documentary, to the story of the ‘NatWest Three’.

He learnt the business when he set up the British Labour Party’s Rapid Rebuttal Unit in 1993. After its shock defeat in the 1993 election, Labour realised that it was consistently losing the argument when other political parties made accusations. Simply put – the mud was sticking, and other political parties were throwing a lot of it.

The solution was part technical, part management. A system called Excalibur was used to digitise every piece of written material which was relevant. Excalibur automatically indexed the documents, giving the Rapid Rebuttal Unit access to every piece of political writing and commentary published in the UK. Using it, Elsen’s team could swiftly find arguments against accusations or inconsistencies in arguments, minutes after they were made – and send them to the press. “We learnt from bitter experience that if we let allegations go unchallenged, they are perceived as truth. On the other hand, if we do challenge them, we can kill the untruth, and we get the opportunity to say something about our opponents. We did it quickly. That was the key. Effectively, it was reputational PR for the Labour party,” he says.

Elsen’s approach when acting for his law firm clients is similar. He is called on to influence the press – and with it, public opinion – during legal disputes. He is retained by the law firm’s client, on the understanding that a win in the court of public opinion is money well spent.

“There are two parties in a highly-polarised atmosphere. It is important in this context to strike early and get the media to move in your direction,” Elsen explains. “For example, when I act on the defence side, the strategy is to be able to challenge what has been said about you, to chip away at the confidence of journalists. A journalist who is 70 per cent sure of a story is less likely to

go to press with it if someone is pointing out that some of the facts are wrong. They will not take that chance.

“PR can be a useful tool. If I were there to bully and muddy the water, I wouldn’t be much use to journalists or to my clients. My job is to get clarity into the situation, or to look for balance. You can be a law firm, a celebrity or a rich businessman – it’s about containing a crisis. Inject clarity, take the heat out of it and take out the emotion.”

Elsen’s technique is to move beyond legal argument to the way that argument is framed. Although he does not influence a judge or a jury (as soon as a case goes to trial, his job is over), he seeks to keep the case away from the court and achieve a resolution elsewhere. Or, when a case has been decided, his role is to manage the implications of that decision for the reputation of the party.

The reputational PR process

Stage one – the initial approach

When managing a controversial case, law firms have to accept that the media will be interested, Elsen says. The price we pay for having a strong and independent press is that the journalists don’t always do what we want them to – and that might involve them contacting lawyers or their clients, to ask about a dispute. It is at this point where most of the reputational damage can be done. Elsen advises on the best approach in this situation: “If you get a call from the *Daily Mail*, for example; pause, stop there. Take a number. Don’t say anything. Too many people get straight into discussing the story on the phone, because they are not used to talking to journalists. Even lawyers make this mistake, and it’s always a problem,” Elsen says. The information disclosed at this time is rarely helpful, and having a quote on the record gives a story life – without control.

Stage two – information gathering

“When I am asked to act for someone in a lawsuit, I’m usually called in later than I should be,” Elsen says. “Usually it is when the *Sunday Times* is already on to the story, and someone has had a call and said something that, perhaps, he/she should not have.”

Managing the situation cannot start until there has been a thorough audit of the relevant facts. Elsen will usually read all the documents overnight.

At this point, he can only manage the reputation of his clients effectively if he knows the risks. “It is helpful if clients are as open as they can be in the circumstances. Full disclosure helps me. I have had occasions where clients have not been truthful, and that’s usually not a good thing,” he says.

Stage three – making contact

The media may or may not be in possession of the relevant facts of the story. They may be acting on partial information or rumour, or they might simply be fishing. This might be a difficult conversation, as journalists will usually have settled on a storyline, and will not want to be dissuaded.

“When I approach journalists, I ask them what the story is and what they need, and sometimes, this is not a pleasant conversation. Journalists are time-poor and resource-poor, and they have a stressed-out news desk on their back. Sometimes it helps to provide some quotes and give our side of the story. Often, we only want a fair hearing, to give the story some context,” he says.

Stage four – finding the story

For a fair hearing, it is essential to find something that will interest the press. This is not always the first aspect of the case that comes to your attention. It might be one aspect only of a complex story.

An example is the case of the 'NatWest Three' – the three traders threatened with extradition (and eventually extradited) to the US as part of the investigation into fraud at Enron. Elsen acted on behalf of the accused, who were being sued by Dutch Bank Rabobank for \$517m, accusing them of "the deliberate looting of Enron assets".

"For a long time we were talking about the charges that the guys were facing, and it wasn't having an impact," Elsen explains. "They were willing to stand trial in the UK, because they believed they were innocent."

A protestation of innocence fails an important test – they would, of course, say that. It's not sufficient to change the momentum of the story, and without momentum, it's impossible to manage reputation. "What caught the imagination of the press was the debate about British citizenship, and whether the extradition treaty was fair. A lot of editors woke up to the fact that there could be a wave of extradition requests on the back of this. The CBI considered it a threat to British industry. Ultimately, we can't change the legal process, but we could limit the reputational damage in the British press," says Elsen.

Even by renaming the three defendants as the 'NatWest Three', with its echoes of historical miscarriages of justice, helped to achieve that. It was, in the words of veteran reporter Nick Davies, who covered the media story in his book *Flat Earth News*, "an emotional national campaign, which was supported by every major newspaper and which drew in the vociferous encouragement of numerous pressure groups, MPs from all three main parties and a host of senior businessmen... what happened? PR happened".

Stage five – managing the media

This is an imperfect process at best – there may be multiple news sources, journalists

working on different angles, rumours being reported as fact and misunderstandings to correct. In an age of 24-hour news reporting and rapid response newswires (as well as internet reporting), the media cannot be fully controlled. Where reputation is concerned, momentum is everything. As Elsen explains: "The media eats up news much more quickly, and also there's a different type of journalist online. What can end up being printed can be wrong – even if you think they understood the facts when you explained the problem to them."

Depending on whether Elsen is acting for the claimant or the defence, the media strategy will change. For the defence, he seeks to add context, background and explanation, while challenging the accuracy of the points that the claimant is making if there are reasons to do so. Acting for the claimant, Elsen uses the opposite strategy – seeking to focus on very few points, specific allegations and specific legal points, rather than broadening the discussion.

Stage six – managing the process

Realism is the key to success as the case drags on. Elsen is often faced with clients who expect him to control the press – especially those who have lived for a long time in environments where the press is government-controlled or owned by a few powerful figures. "Clients will sometimes come to me and say 'I'm suing someone for £1m, but I'm a bit concerned how I will look, can you keep it out of the press?'. We can't keep it out, but what we can do is try to make sure it is fair," he says. "One of the services we can perform for our client is to tell them what is coming tomorrow in the newspapers, whether it will be supportive or difficult."

Part of providing management is keeping the story moving. This means dealing across a broad section of the press – including

those journalists who are critical and damaging, attempting to turn around their perception. “A common mistake,” says Elsen, “Is if you only feed one or two favourite journalists, you have the rest of the pack running after you.”

Finally, if the case goes to trial or tribunal, or any public event, the press will want pictures. It is paramount, Elsen says, when managing reputation, to avoid the look of guilty people. That means giving the paparazzi (‘the paps’) the pictures that they will get anyway. It’s almost impossible to sneak a client in and out of a building without getting snapped – and what Elsen calls “a run-up-the-road picture” is worse than no picture at all.

“We do deals with the Paps by telling them which entrance we will walk in and where we will walk out, and we give them three minutes to take any shots they want. Simple things like making sure our client wears a different tie every day, so that there are fresh pictures, are important” he says.

Stage seven – the world goes on

Whatever the result of the specific case or project, the relationship between press, lawyers and client will continue long after the specific case is forgotten. An essential part of reputational PR is to introduce hygiene to the process, i.e., containing the dispute, so as to not adversely affect the reputation of the client or the law firm afterwards.

One of the ways in which this can be accomplished is by transferring the handling of events to the reputational PR consultant or firm. Afterwards, the law firm and client can use their existing communications team to deal with other matters. “Good lawyers rightly understand that handling the media is an event risk. Some clients have a PR team, but multimillion dollar legal suits aren’t their territory,” Elsen says. “I can handle that

part of the job for them, and it means that afterwards, their relationship with the press has not been soured, even if the work I did was controversial.”

Case study: The Franklin Mint

When, after the death of Princess Diana, The Franklin Mint launched the 12-inch ‘People’s Princess Doll’, the Diana Memorial Fund was far from amused. The fund, which had been gifted the intellectual property rights to her image by Diana’s estate – and by 1999 had already raised £71m through licensing – had not licensed her image for the doll, and launched a ‘right of publicity’ claim under Californian law against The Franklin Mint.

The Californian courts ruled against the Diana Memorial Fund, noting that Princess Diana had been a resident of a country, which had no equivalent law. After the appeals process was exhausted, The Franklin Mint launched a countersuit for £13.5m, alleging malicious prosecution. The dispute was settled out of court in 2004 after years of publicity and public argument, with the proceeds being donated to charity. The prosecution cost the Memorial Fund £4m.

Retained by The Franklin Mint to defend its image in the UK, Elsen used the British press to turn round the reputation of his client, who had received heavy criticism when the suit was launched. “Some people thought The Franklin Mint memorabilia was tacky,” he said. “We saw it another way, and we considered that the Fund might have been using this as a way to establish a precedent. The Franklin Mint’s message was that you can’t exert rights in death that you didn’t exert in life.”

In reality, Elsen’s message was more hardball and populist than that. He placed stories in the press that The Franklin Mint could not, treading a fine line between criticising the conduct of the Memorial Fund

and alienating Diana's supporters – exactly the type of customer that The Franklin Mint wanted to attract.

Stage one of the plan was the story that the Memorial Fund was not, in fact, protecting the dignity of the Princess's memory, having made £5.8m from licensing 'Princess Beanie Babies' alone. "We hit back by pointing out that the Memorial Fund had sanctioned Diana ashtrays, and her image on a tub of margarine. The legal outcome could have gone either way, but The Franklin Mint needed to stem its reputational damage in the media, because it could win the case, but still lose commercially," Elsen says. The newspapers were regularly happy to use anonymous quotes from sources close to The Franklin Mint to balance comment from the Memorial Fund.

Stage two was to point out that the prosecution was diverting money from the charities that the Fund was meant to be supporting. The high point of the campaign was probably the revelation, in May 1999, of the amount of money the Memorial Fund had committed to legal fees. Ironically, the legal teams were spending money to argue in the press over whether they were too expensive. "We managed to achieve a story on the front page of *The Times*: 'Every month the Diana Memorial Fund received £30,000 in donations, and every month it spent £30,000 in legal fees'," Elsen recalls. The story was picked up by every press outlet and the BBC – with hindsight, it was a decisive turning point in the public relations battle.

Eventually, the cost of the legal battle resulted in the Memorial Fund temporarily halting the distribution of money to the 127 charities it supported. The legal settlement prevented it from discussing the case – but in a statement, it acknowledged its critics. "It is very easy with 20/20 hindsight for people to say that launching the lawsuit was a mistake,

but we did it on the best legal advice and for the best intentions," it said in 2004.

The result was that The Franklin Mint, originally perceived as exploitative, managed to create the impression that the Memorial Fund was not acting responsibly – which must have been unlikely in a country so dedicated to keeping the memory of 'The People's Princess' alive. In the end, even Diana's former colleagues often criticised the Fund: "I think it's very unfortunate that a charity that has done so much to help so many people hasn't been able to run itself," Diana's former private secretary, Patrick Jephson, told the BBC in 2005.

Case study: Michael Jackson

When *Living With Michael Jackson* was broadcast, the interview with journalist Martin Bashir was an immediate sensation. The overnight headlines in the press portrayed a deeply unflattering portrait of the singer, reflecting the content of the documentary. In desperation, Jackson's handlers turned to Elsen to try to salvage his reputation.

"I was instructed the day after the documentary aired, on 4 February 2003," he recalls. "After the documentary was filmed, Michael Jackson realised how awful it was going to be. He did the usual 'I'm firing all my people', and basically had few people who would look after his interests."

In a conference call with Jackson's advisers, Elsen said that the reputational damage "was so bad that doing nothing was not an option".

"Our opinion: the publicity that surrounded the documentary was a career-killer if he didn't try to fight back. It was the first time he had granted that access, and as the deals which he made were broken, he decided to fight."

That fightback began through Elsen talking about how he was "devastated and

feels utterly betrayed”, and holding the opinion that the documentary was a “gross distortion of the truth and a tawdry attempt to misrepresent his life and his abilities as a father”, but as the story was running across every media outlet – and also worldwide – the sheer volume of work in containing the story was huge. “It was absolutely exhausting, but not to do something would have been a catastrophe,” Elsen says.

The interest in the story was so high that news outlets, including CNN, published Elsen’s press release verbatim, presenting the documentary’s producers as untrustworthy; alleging that they had reneged on an agreement that Jackson’s children would not be featured in any way in the broadcast programme.

“Michael is deeply upset that the programme sensationally sets out to use two or three pieces of footage, giving a wholly distorted picture of his behaviour and conduct as a father... Michael believes that what was eventually broadcast was a salacious ratings chaser, designed to celebrate Martin Bashir, and which was indifferent to the effect on Michael personally, his family and his close friends.”

It was, the release concludes, “a travesty of the truth... I am surprised that a professional journalist would compromise his integrity by deceiving me in this way”.

Despite the serious allegation contained in the documentary, it was not hard to persuade the press that there was another story to be told, and Elsen helped fuel that by releasing video footage to the press captured by a friend of Jackson named Hamid Moslehi during the filming of the documentary. Swiftly packaged as a documentary (‘the footage you were never meant to see’), the video showed Bashir praising Jackson: saying that his attitude “almost makes me weep” because it is “so natural, so loving and so caring”.

Elsen admits that his work could not save Jackson from trial, but that “without the work we did, the collateral damage would have made it impossible for Michael Jackson to be in public again”. On the other hand, his reputational help merely frames the debate. “At that point, we have to walk away”.

Outsourcing reputation protection

At Schillings, John Kelly, described by Legal 500 as “acting swiftly, no matter what day or time of day service is required”, has represented Nicole Kidman, Sharon Osborne, Angelina Jolie, California governor Arnold Schwarzenegger, Portsmouth Football Club and Northern Rock, and he is an expert in defamation, breach of confidence, privacy, intellectual property and commercial litigation. He heads Schillings Consultancy, which advises corporate clients on brand and reputation-protection strategies.

Schillings is a reputation-protection firm, and as such, is increasingly involved in working for corporate clients. “What used to be buried on the business pages is now the first item on the news. Now business stories are the new celebrity news at the moment. When people are affected by every change in the interest rate, they follow this, whereas before, they didn’t care... but people who work in the media sometimes lose sight of how upsetting it is for someone to read something untrue about them.”

It’s natural, he says, and should be expected, that the organisations that influence our lives are now interesting to journalists – especially when they have a constant need for news. “Look at the media publications, and the news is consistently evolving. The BBC competes to be the first breaking news with Sky, and so the news is up in minutes, and if that news is wrong, it’s incredibly important to nip the story in the bud.”

That's the first principle of reputation protection – act in minutes. This means a certain amount of forward planning, and it also means that law firms, which use Schillings as a specialist reputation management service, need to act without delay, or else they fear that, after the crisis abates, the client will blame the incumbent firm and flounce off to Schillings.

We work with the large firms which realise that sometimes they need to use a specialist. Afterwards, we're not going to try to poach the client. When we finish our job, we hand the client back," Kelly says.

Properly and promptly handled, effective reputation management for crisis stories usually goes unnoticed by everyone except the people involved. "For our corporate clients, 80 per cent of what we do is to stop unlawful stories from being published. No one will ever hear about them or what we did," he explains.

The way in which this is achieved can sometimes lead to arguments (or reach court), but usually, it is straightforward. Schillings deals with the in-house counsel at the media outlet, with whom it has an ongoing relationship. It doesn't speak directly to journalists. "We don't have a reputation as a bully. It doesn't help anyone to be a bully. We have a good working relationship with the lawyers at all the newspapers, which helps. There are times when we fight, but we try to be professional about it. We are used to dealing with each other, so it means we can get straight to the nub of the problem. It's a strength in dealing with this type of work, because most times, when we speak, we understand each other," he says.

Effective reputation protection gets ahead of the story – if you are behind it, you can rarely catch up, and you can't stop publication. That means delays or incomplete disclosure are a disadvantage.

However, it's not a foolproof service. Sometimes (much to Kelly's frustration – he calls it "irresponsible"), the client simply has no warning that a story is about to break, and it is much harder to deal with the consequences of trying to repair the relationship afterwards.

According to Kelly, the attributes needed for reputation-protection work are calmness in a highly-pressurised environment and directness in expression. It's not for every lawyer. "Sometimes you have an hour, or half an hour to stop a story," he says, adding that in that case, you need to make sure the lawyer you deal with understands the situation as quickly as possible.

Schillings picks its clients carefully, aware that its own reputation depends on its conduct. "It will always depend on the facts of the case; there are times when a client comes to me and I have to say 'it's a bad case'. If this is the situation, I wouldn't take it on. We don't want to destroy our own reputation over that," he says.

Others would say that when you deal in reputation protection, you are guaranteed to get your hands dirty. *Private Eye* has occasionally singled out Schillings and its clients for criticism. Kelly doesn't consider that its work to uphold the reputations of clients damages the firm's own reputation. "We don't think it hurts us – in fact, when you've been successful in championing the rights of others, it's a minor consideration."

The danger of 'legal chill'

The phrase, used pejoratively (and increasingly by people outside the profession) refers to the practice of issuing the threat of legal action against a critic, in order to silence them. Its literal meaning makes no comment on whether or not the threat is reasonable or justified; it's simply part of managing the client's interest.

While ‘legal chill’ has undoubtedly been useful as a way of managing the client’s reputation, in several high-profile cases recently, it has backfired spectacularly. The act of issuing a serious legal threat can be interpreted as corporate bullying, and an indication that the client is more intent on stifling debate than reaching the truth. In some cases, this can inflict far more reputational damage than would have occurred if you had done nothing. It’s a lesson that when something must be done, finding something and doing it may not be the answer.

Some of the most high-profile cases of reputational damage by ‘legal chill’ have involved libel tourism: the practice of using the English court to bring libel actions against authors whose books have not yet been published in the UK. There are signs that some of the most extravagant proponents of libel tourism against US authors will, in future, win Pyrrhic victories at best, as almost every major US newspaper has carried articles criticising the tactic, and – by implication – the integrity of the clients and their lawyers.

It may also lead to legislation. The Free Speech Protection Act 2008, a Senate companion to a House bill introduced by US representative, Pete King, and co-sponsored by representative, Anthony Weiner, would bar US courts from enforcing libel judgments issued in foreign courts against US residents, if the speech would not be libellous under US law.

Away from libel tourism, ‘legal chill’ has also become a dangerous tactic thanks to the internet. One of the most notable recent examples was the spat between London local radio station LBC and journalist and Doctor Ben Goldacre, author of the ‘Bad Science’ column in the *Guardian* newspaper (<http://www.badscience.net>). Goldacre, a well-

known critic of journalists who propagate unfounded scare stories on alleged links between the MMR injection and autism in children, criticised LBC broadcaster Jeni Barnett for a broadcast, which he considered irresponsible: “Jeni exemplifies every single canard ever uttered by the anti-vaccination movement,” he posted, and added a 44-minute audio clip of the broadcast to support his argument. Soon afterwards, he was consulted by LBC’s lawyers. Goldacre then posted:

“LBC’s lawyers say that the clip I posted is a clear infringement of their copyright, that I must take it down immediately, that I must inform them when I have done so, and that they ‘reserve their rights’. This raises several problems: firstly, I don’t even know what ‘reserving your rights’ means. They are a large corporation worth around a billion pounds (genuinely), whereas I am an individual, they have a legal team, whereas I have no money; they are making threats using technical terminology and I actually don’t understand what those words mean.”

He did, however, respond to the threat, and removed the clip. However, this simply spurred the blogosphere into action – a week later, at least, 50 bloggers had written articles about the broadcast. At least five had taken the time to prepare transcripts of chunks of the programme, and many others simply reposted the audio. Public comment was now not limited to the content of the broadcast, but it extended to how LBC preferred to use lawyers to silence critics, rather than discuss the issue. An early-day motion criticising the programme was put down in parliament. Someone launched <http://www.oust-jeni-barnett.com>. The amount of traffic to Goldacre’s blog was so huge that it temporarily crashed the site.

There was a strong case that, in posting 44 minutes of a broadcast LBC was selling as a paid download, Goldacre had exceeded the boundaries of 'fair dealing'. On the other hand, thanks to this legal threat, hundreds of thousands of people formed a critical opinion of the broadcaster, the employer and the employer's lawyers.

Litigation communications

Amy Greenfield is founder and managing partner at Van Prooyen Greenfield LLP, which provides strategic communication counsel for clients involved in high-profile litigation. Lori Teranishi is chief operating officer and director of the firm's San Francisco office. They explain why law firms should employ specialist counsel in newsworthy cases.

"The legal and media worlds operate by different rules. Lawyers focus on what happens inside the courtroom, where defendants are innocent until proven guilty. Outside the courtroom doors, however, the reverse is too often true in the media. As they aggressively argue their case in court, law firms, and their clients involved in newsworthy cases should seek out litigation communications counsel to help ensure that they articulate their positions just as effectively to the public. External litigation communications counsel helps protect a client's reputation during a high-profile trial, by explaining legal arguments for the general public, by managing public perceptions, and by combating misinformation. This strategy is increasingly being used in legal proceedings, leaving counsel and their clients, who skip this crucial defence, at a serious disadvantage.

"A well executed litigation communications strategy provides the context and clarity needed to give the general public a common sense understanding of the legal positions involved in the most complex cases. This is

a very specific, targeted practice. It is neither spin control, nor is it, strictly speaking, public relations, which focuses on improving the client's general image. Litigation communications is designed to protect the image of corporations in litigation – or facing the prospect of litigation – whatever the outcome of the case.

"Litigation communications experts understand the law and legal process as well as the media. They work with lawyers to ensure that their client's positions are articulated in a way that supports the client in the public eye, without compromising legal arguments. They also understand how to make the company's position known to all its key audiences – media, shareholders, customers and business partners. While communicating with all of a company's stakeholders is important, it becomes acutely critical during litigation.

"Consumer and activist groups, along with many attorneys, have become very adept at managing stories. They plan news conferences and press releases to gain the maximum exposure, and to inflict the maximum damage on their opponents. A company may not get a second chance to control the damage caused by these kinds of attacks.

"An effective approach to litigation communications encompasses strategic counsel regarding the public implications of legal decisions, as well as planning for communications before, during and after resolution of a legal case. It is essential that a litigation communications strategy works hand-in-hand with the overall legal strategy, so that lawyers remain in charge of the case as effective communications outreach supports that effort. The most important step is to develop sound communications protocols that best serve the client and protect confidential

legal information through attorney-client privilege. For that reason, the attorney, and not the client, should directly retain the external litigation communications counsel. Generally, attorney-client privilege will apply if a company provides strong proof that its public relations counsel, whether in-house or at an agency, enables counsel to provide legal advice.

“It is important to retain litigation communications counsel and create the communications strategy as early in the process as possible, so that the corporate position can be articulated from the very start of the case. The communications experts will be most effective if they are made part and parcel of the litigation team, and included in as many of the legal strategy discussions as possible. This close working relationship will help in crafting the most effective arguments outside the courtroom. The communications team also needs to be kept apprised of all milestones in the case, in order to be prepared for media queries and news. Part of any litigation communications programme will involve monitoring and reacting quickly to changes in the way the case is being reported, or to shifting public sentiment.

“Protecting attorney client privilege is crucial in litigation communications matters. If the communications team cannot be privy to the confidential details of a legal matter, then it cannot effectively counsel the client. Of equal importance, the client must obviously feel comfortable that sharing the information will not create liabilities. In order to protect privilege, any litigation communications firm should be engaged separately and distinctly from the regular public relations firm activities. This means executing a separate formal engagement letter. Even if the same firm that is used for day-to-day work is being engaged for the

matter, there must be a separate contract. Additionally, if the public relations firm is working on a law firm’s client matter, the public relations firm should be hired by the law firm, and report directly to the lead attorney on the matter.

“An effectively executed litigation communications strategy will mean the difference between owning the story and letting the story own you. An entity’s good name is one of its most valuable assets, and addressing the media aspect of high-profile litigation is crucial to protecting reputation. While the court of public opinion is not a legal court, its judges can be similarly powerful.”