

Exhibit 1

1 **UNITED STATES DISTRICT COURT**
2 **FOR THE DISTRICT OF COLUMBIA**

3
4 HINDU AMERICAN FOUNDATION

Civil Action No. 1:21-CV-01268-APM

5 Plaintiff,

6 v.

7 SUNITA VISWANATH, RAJU
8 RAJAGOPAL, RASHEED AMED, JOHN
9 PRABHU DOSS, AUDREY TRUSCHKE, and
DOES 1-20

10 Defendants.
11

12
13 **DECLARATION OF ERIC W. ROSE**

14 I, Eric Rose, declare as follows:

15 1. I have been retained as an expert by the Plaintiff in this matter.

16 2. I am an executive in public relations, marketing, and communications with over
17 thirty-five years of experience, including fourteen years as a partner in the largest independent
18 public relations firm in Southern California. I have provided counsel to hundreds of clients in
19 various industries, including business, government, and non-profits at the local, national, and
20 international levels.

21 3. I examine facts and provide my opinion based on those facts and my experience
22 handling reputational issues for clients. When an individual or organization faces crisis, legal, or
23 public relations issues that reach the internet, I specialize in mitigating the impact of content and
24 repairing negative reputations.

25 4. While I may use legal terms, I am not an attorney, and this declaration should not
26 be construed as expressing opinions on matters of law that are outside of my area of expertise and
27 are for the Court to determine. My opinions are based on my reliance on the accuracy and
28 authenticity of the evidence I have been provided, my review of the Complaint, independent

1 research, and my years of experience helping companies and individuals deal with reputational
2 issues.

3 5. I have served as an expert witness relating to crisis communications, image repair,
4 and reputation management. I am a court qualified expert witness, I have testified as an expert,
5 and I have opined on matters relating to crisis communications, defamation, damaged image,
6 reputation prevention, and the costs to implement repair programs. Attached as Exhibit A is a true
7 and correct copy of my *Curriculum Vitae*.

8 6. When I take on an assignment, I first develop an initial understanding of the case
9 and its adverse impacts, both qualitative (*using data*) and quantitative (*understanding what*
10 *happened, statements made*) on a person or an organization. I use as a guide a methodology best
11 explained in a 2007 Harvard Business Review article, [Reputation and Its Risks](#), to examine the
12 reputational impact. As noted in the article, an analysis of what the media is saying is especially
13 important because the media shapes the perceptions and expectations of all stakeholders.

14 7. I conducted my analysis with the intent of being fair-minded. Acknowledging that
15 we all have biases, I understand the importance of setting them aside in favor of an objective
16 approach, which is demonstrated through my experience working with numerous clients facing
17 reputational issues. I examine and provide my opinion based on both facts and my experience
18 handling reputational matters for clients. I did not simply assume that the articles and social
19 media posts harmed the Hindu American Foundation's reputation; instead, I relied on an objective
20 approach by examining the Hindu American Foundation's reputation before and after the articles
21 were posted. In preparing this declaration, I have applied an objective method that I would use to
22 evaluate a similar request from the defendants or any other party involved in this litigation.

23 8. Building a reputation used to depend mainly on word of mouth. While useful, this
24 could limit a person or an organization's exposure to only a small group of people. Before the
25 internet became enmeshed in our lives, we'd express our thoughts and concerns to friends and
26 family when people had an opinion. Those people might then spread the news even further, which
27 could increase the harm to a person's or organization's reputation. However, with the popularity
28 of the internet and social media, the ability to quickly damage a reputation is far greater.

1 9. Over the past few decades, our lives have moved online. Whether it's Google,
2 Twitter, Facebook, Instagram, etc., we are increasingly dependent on the internet and
3 smartphones for information. More than [6 in 10 people worldwide are online](#), with over 4.95
4 billion people using the internet as of January 2022. Most internet users (92.1 percent) use mobile
5 devices to go online at least some of the time, but computers also account for an important share
6 of internet activity. Because most people receive information and conduct research online, it's
7 vital that one's online (whether is a person or an organization like the Hindu American
8 Foundation) reputation is in-line with their actual personal and business practices.

9 10. Nowadays, it takes only seconds for people to publish something online that, true
10 or not, can severely impact a person or business's reputation if the defamatory content spreads to
11 millions of people on the internet. The speed at which information travels on the internet means
12 that the veracity of claims made in a news story is almost immaterial.

13 11. Although each person's motivation for using social media (and the internet) varies,
14 the central purpose is almost always to share and learn. The internet gives its users nearly
15 unlimited opportunities and avenues to express opinions, talents, thoughts, pictures, videos, and
16 even private and confidential information across communities and groups of followers, both small
17 and large. This exponentially expands a person's potential exposure to undesirable or offensive
18 content. Internet users have both the freedom and burden of determining the truth of the shared
19 content they see and reacting accordingly. According to [Pew Research](#), 25% of all Twitter users
20 in the United States produce 97% of all tweets. This means that while most people spend time on
21 the internet, not everyone contributes content that ultimately amplifies the voices of those who do.
22 Because of this, statements made by the Defendants to the online audience (through two news
23 articles and amplified through the use of social media) may be the only information regarding the
24 Hindu American Foundation that people see.

25 12. The news we encounter online can often be untrustworthy, false, or biased,
26 especially on social media. People can fall prey to sensationalism or accept certain information as
27 truth if it conforms to their personal opinions. As our dependence on the internet accelerates,
28 certain risks grow in tandem. The circulation of false content, or content tailored to a specific

1 audience's prejudices, can damage an organization's reputation and compromise its integrity in
2 mere minutes.

3 13. George Loewenstein's [information gap theory](#) of curiosity asserts that human
4 beings will often act to fill the gap between what they know and what they want to know. We are,
5 by nature, obsessed with information and have a deep curiosity about the world. And our social
6 media feeds provide us with both novelty and new knowledge that is more accessible at a faster
7 rate than any previous form of media in human history. Our natural curiosity can be satisfied by
8 clicking on a news article or scrolling down an endless social media feed. People are drawn to
9 clickbait headlines like "[Hindu right-wing groups in US got \\$833,000 of federal COVID Fund](#)"
10 because of their natural inclination to curiosity.

11 14. When people encounter reinforcing information online, they often share it, which
12 means everyone in their social circles is exposed to the same information, further strengthening
13 the bias. When an individual's statements and news stories are shared, it can further harm an
14 organization's reputation.

15 15. Journalist Raqib Hameed Naik published a story on Al Jazeera about the Hindu
16 American Foundation which alleged misuse of federal COVID-19 relief funds to funnel the money
17 to "right-wing Hindutva groups" in India. The original article was published on April 2, 2021 and
18 revised on April 27, 2021. The second story, "Call for US probe into Hindu right-wing groups
19 getting COVID fund" was published on April 8, 2021 and updated on April 27, 2021.

20 16. Before the publication of the articles, the Hindu American Foundation had a large
21 number of followers on its social media platforms. Before April 2, 2021, Hindu American
22 Foundation's reputation was viewed positively, and comments on its Twitter feed were almost
23 always positive. One example is a [tweet HAF posted](#) about Senator Todd Kaminsky on hate
24 symbols: "#BREAKING: #NY Senator @toddkaminsky has effectively withdrawn the flawed
25 Hate Symbols bill S2727 defining the ancient #Hindu #Jain #Buddhism swastika as a symbol of
26 hate. THANK YOU to all of our members, activists, supporters, and partners in helping us stop
27 this bill." This tweet post was flooded with supportive comments, thanking and complimenting
28 Hindu American Foundation for their educational engagement with its followers.

1 17. A review of news articles about the Hindu American Foundation before April 2,
2 2021, indicates that the Hindu American Foundation was associated with its advocacy for policies
3 that enhance the well-being of Hindus in the United States and its desire to secure the human
4 rights of Hindus around the world.

5 18. After the articles at the center of this lawsuit were published, posts about the Hindu
6 American Foundations on social media began to have a negative tone and had increasing negative
7 comments and criticism. Examples include Twitter users associating the Hindu American
8 Foundation with genocide. One Twitter user [Hussain Haidry \(@hussainhaidry\)](#), stated that:
9 “Hindu American Foundation” stands more exposed presently for its extreme Hindu Nationalist
10 agenda in American politics and links to BJP-RSS. Especially after Genocide Watch and
11 CalState. So they are going after IAMC- by using News channels and IT Cell, targeting Hamid
12 Ansari.”

13 19. A [Google search](#) after the publication of the Al Jazeera articles showed the Hindu
14 American Foundation being portrayed negatively and as a [“right-wing” organization](#). Other
15 websites, such as [Scroll](#), and [TwoCircles.net](#) amplified the lawsuit and brought more attention to
16 the issue resulting in an increased amount of anger toward the Hindu American Foundation.

17 20. According to its [website](#), the Hindu American Foundation is an American non-
18 profit organization that engages in promoting dignity, mutual respect, and pluralism. Prior to the
19 publication of the Al Jazeera articles, the Hindu American Foundation had a largely favorable
20 reputation. After the Al Jazeera articles, the negative comments and news stories about the Hindu
21 American Foundation increased, taking it away from its core mission and putting it on the
22 defensive.

23 21. A narrative amplified by a news story on the internet, legitimate or not, can quickly
24 become set in stone. When examining statements, I do not separate the words from their context.
25 When one considers the story [“Hindu right-wing groups in US got \\$833,000 of federal COVID](#)
26 [fund,”](#) it is clear that the story is communicating more than just the amount of money the Hindu
27 American Foundation received. Sunita Viswanath is quoted as saying, “All the organizations you
28 have mentioned are sympathetic to Hindutva ideology. American organizations such as the

1 VHPA openly acknowledge that they are inspired by India’s Hindu nationalist organizations, such
2 as the VHP and the RSS. Any American non-profit that perpetuates Islamophobia and other forms
3 of hate should not receive federal relief funds.” The second story, [“Call for US probe into Hindu
4 right-wing groups getting COVID fund”](#) contains statements including: “US taxpayers’ money being
5 used to keep hate groups in business is absolutely unacceptable and should concern all who
6 believe in fairness, justice and government accountability” and “There are families across America
7 still reeling from the human and economic toll of COVID-19, while groups that seem to be
8 essentially serving as front organizations for a violent and supremacist ideology are raking in the
9 windfall from federal COVID funding.”

10 22. An online reputation determines how others perceive an organization when they
11 search for the name directly or stumble upon it online. Statements such as the ones above are
12 important considerations in evaluating the harm caused to the Hindu American Foundation
13 because the statements taken in context of the entire story and considered objectively, upholds a
14 theory that the Hindu American Foundation has ulterior motives and has a dislike and prejudice
15 against the Islam religion or Muslims.

16 23. The internet has become an integral part of contemporary life and the preferred
17 communication medium for billions. Many use it for personal expression, while others see it as a
18 powerful tool to impact society. Unfortunately, some people have ulterior motives and can place
19 false stories in the media and then share the incorrect information to intentionally mislead people
20 and influence their beliefs and actions.

21 24. Due to the ever-changing search engine algorithms, false/damaging claims often
22 stay in search results. Most reputation repair efforts require ongoing monitoring and ongoing
23 maintenance - and, thus, potentially ongoing costs to ensure that the harmed party’s reputation is
24 restored permanently. When I examine cases, I try to determine the following information:

- 25 • Using an academic approach, examine the organization’s reputation pre-publication and
26 post-publication of defamatory comments;
- 27 • How far the harmful material has spread in media publications, and across the internet,
28 including social media;

- 1 • The required steps to clean up the damage;
- 2 • The estimated costs to perform this cleanup; and,
- 3 • What ongoing monitoring and corrective actions will be needed.

4 25. Building and managing the Hindu American Foundation's online reputation means
5 proactively influencing the impression left on internet users, especially those who are actively or
6 reactively seeking to learn more about the Hindu American Foundation. Building a solid online
7 reputation is critical for organizations seeking to market themselves effectively and grow.

8 26. The Hindu American Foundation is a non-profit that relies on fundraising to
9 support its ongoing operations. Financial consequences and lost opportunities often go hand-in-
10 hand with harm to an organization's reputation. In addition to expulsion from the Alliance Against
11 Genocide following the articles and social media posts, the defamatory comments have resulted in
12 the Hindu American Foundation experiencing lost and/or reduced donations from donors who
13 previously contributed to the organization. The organization has also suffered a loss of grants and
14 other opportunities.

15 27. Digital media has dramatically improved the public's access to information about
16 organizations like the Hindu American Foundation and vastly increased the risk of harmful
17 exposure due to the spread of disinformation. Social media platforms such as Facebook, Twitter,
18 Instagram, LinkedIn, YouTube, and search engines like Google, Yahoo, and Bing, have disrupted
19 and realigned access to news by providing instant access to unfiltered information.

20 28. The grapevine effect in public relations is the realization that statements are spread
21 as an ordinary function of human nature to share gossip and items of interest. Public relations
22 professionals know that the dissemination of information is rarely confined to those who received
23 or heard false information. The grapevine effect can occur when stories or social media postings
24 contain significant errors. People who read an account put their own interpretation onto the
25 information they have seen, and then it is passed on in the process of partial or selective recall.
26 This is usually a case of confirmation bias – the tendency to interpret new information to confirm
27 one's existing beliefs. Further, the identity of the sending party plays a role in the credibility the
28 receiving party assigns to the information.

1 29. One accepted methodology among public relations professionals for calculating the
2 impact of a story is through the use of a service that tracks and analyzes media coverage. Critical
3 Mention is a company that provides media monitoring—the collection, tagging, and ranking of
4 media sources: TV, radio, online, print, and social media. Also known as media intelligence,
5 media monitoring originated as a manual process conducted by human “scanners.” These time-
6 consuming actions have been replaced by data gatherers that instantly tag content, making
7 keyword mentions available for search, alerts, reporting and analysis.

8 30. Critical Mention calculates audience and publicity values differently for each media
9 type. This allows them to incorporate relevant data from industry-leading media data providers,
10 including Nielsen and LexisNexis, into accurate audience and publicity estimates. Critical
11 Mention uses different sources to calculate each media type’s audience and publicity values.

12 31. Critical Mention uses [Moreover](#) (owned by [LexisNexis](#)), an online news
13 aggregation and business intelligence service, to provide audience and publicity values for the
14 online news content in the Critical Mention platform.

15 32. The Audience value for the online + print media type is the unique monthly visitors
16 to the entire website. This number is provided to Critical Mention by LexisNexis. The publicity
17 value for online stories is based on the estimated number of monthly visitors to the website and an
18 article’s length.

19 33. The disparaging imputations about the Hindu American Foundation have spread on
20 the grapevine, as evidenced by the two news stories detailed below and by postings on social
21 media. I have located two articles published on AlJazeera.com relating to the Hindu American
22 Foundation. The stories were picked up by other media outlets (Critical Mention Report 1 & 2).

23 34. My search revealed that the first story: “Hindu right-wing groups in US got
24 \$833,000 of federal COVID Fund” [was picked up 8 times](#) and reached a total online audience of
25 1,141,304 with a publicity value of \$51,923.

26 35. The second story: “Call for US probe into Hindu right-wing groups getting COVID
27 fund,” was [picked up 11 times](#) and reached a total online audience of 1,108,369 with a publicity
28 value of \$70,596.

1 36. These figures for audience and value come from a Critical Mention Report I pulled
2 on March 28, 2022. A true and accurate copy of which is attached as Critical Mention Report 1
3 and Critical Mention Report 2.

4 37. Generally, what happens to individual victims like the Hindu American Foundation
5 is that when a sensational falsehood story appears, people develop an interest in the story. This
6 manifests in their own searches of key terms. Though the organization name is an obvious
7 keyword, curious searchers tend to insert additional terms after the name to get more information.
8 Restoring the Hindu American Foundation’s reputation will require suppressing related negative
9 articles that can be easily found that contain information related to the underlying claims in the
10 Complaint.

11 38. I investigated the search phrase “Hindu American Foundation” to see if the search
12 populated related articles because the Hindu American Foundation’s name was mentioned in the
13 article. On April 14, 2022, I conducted a Google search using the term, “[Hindu American](#)
14 [Foundation](#).” The following articles appeared:

- 15 • “[My fellow Hindus sued me for raising alarms about Hindu supremacy](#)” and “[39 global rights orgs’ condemn SLAPP suit filed by Hindu American Foundation against a professor, journalist and three activists](#),” (which is directly related to the allegations relevant to the lawsuit) appears on page three of a Google search and appear on several website.
- 16 • The story “[Al Jazeera condemns threats to Indian journalist for report on Covid-19 funds to US Hindu groups](#),” appears on page five.
- 17 • The story “[Call for US probe into Hindu right-wing groups getting COVID fund](#)” can be
18 found on page six.
- 19 • The story, “[Hindu nationalist groups in US got \\$833,000 in COVID relief fund: Report](#)”
20 can be found on page ten of a Google search and has been picked up by other websites.
21 The story “[Call for US probe into Hindu right-wing groups getting COVID fund](#)” has also
22 been picked up by other websites which demonstrates that the viral nature content.

23 39. When I work on a reputation repair campaign for clients, I use the criterion that the
24 negative material must first be relocated past the tenth page of search results to begin to repair a
25 reputation. However, to rehabilitate a reputation and minimize the likelihood of someone finding
26 false and negative information, we must often suppress false and negative content past page
27 twenty-five.

28 ///

1 40. The Defendants are active on social media and tweeted about the articles. Hindus
2 for Human Rights @Hindus4HR has 6,246 followers. @SunitaSunitaV has 249 followers.
3 Rasheed Ahmed of the Indian American Muslim Council @IAMCouncil has 81.4K followers.
4 @rasheedahmedusa (was previously private but is public now) has 232 followers. John
5 Prabhudoss of the Federation of Indian American Christian Organizations @Fiacona_us has 1,068
6 followers. @john_prabhudoss has 212 followers. Rutgers University South Asian history
7 professor Audrey Truschke @AudreyTruschke has 90.0k followers. There are 2522 retweets of
8 the articles.

9 41. Online Reputation Management (ORM) refers to the strategy and tactics used to
10 present a brand (in this case, the Hindu American Foundation) in the best possible light on the
11 internet. Generally speaking, it involves promoting positive messages and proactively managing
12 negative criticism in the most appropriate manner.

13 42. ORM involves building, monitoring, and suppressing digital content that appears
14 when an organization is searched for on the internet. ORM helps organizations like the Hindu
15 American Foundation ensure that they are represented accurately online. The emergence of social
16 media allows harmful content and false information contained in news stories to be shared quickly
17 and circulated among large numbers of users.

18 43. The Hindu American Foundation's reputation (including its digital reputation)
19 determines how others perceive them and their work when they are searched for or when people
20 stumble across the organization online. Consequently, ORM proactively influences what
21 information people will find online.

22 44. SearchEngine Results Pages (SERPs), which generally show news, videos, images,
23 and third-party content, now represent a key foundational pillar of an organization's overall
24 reputation and brand. Today, negative posts on social media or in news stories can remain on the
25 internet in perpetuity. Fortunately, these results can be adequately managed and influenced to a
26 certain degree through various Search Engine Optimization (SEO) techniques by implementing an
27 ORM campaign.

28 ///

1 45. An effective SEO strategy for the Hindu American Foundation as part of an ORM
2 campaign may include: (1) Optimizing pages of specific websites to appear atop of search engine
3 result pages and rank for target keyword phrases; (2) Featuring genuine social media profiles that
4 accurately represent the Hindu American Foundation; (3) Optimizing articles, landing pages, and
5 media to populate when an interested person googles the “Hindu American Foundation”; and (4)
6 Influencing search engines to highlight positive content about the Hindu American Foundation,
7 while simultaneously pushing negative or irrelevant content down to where it is less likely to be
8 seen.

9 46. Social media platforms can be used by anyone without the restrictions of
10 geographical location or time zone. This content can then be reposted multiple times in various
11 forms by users located anywhere around the world. The trans-jurisdictional nature of social media
12 platforms avails a very large audience to various content, which makes cases involving online
13 news and social media complicated. The uncontrolled nature of this widespread message delivery
14 means the harm created cannot be thoroughly measured. For example, people who became aware
15 of the Defendants’ comments may choose not to associate with the Hindu American Foundation or
16 may disregard future statements it makes. The impacts/effects of harmful communications on the
17 Hindu American Foundation’s reputation may never disappear entirely.

18 47. It seems clear that the Defendants engaged in a deliberate attempt to create a public
19 negative perception of the Hindu American Foundation. In an echo chamber environment, in
20 which statement becomes accepted as truth, the statements contained in the news article and
21 amplified through Tweets damaged the Hindu American Foundation’s reputation.

22 48. A negative reputation can change the trajectory of the Hindu American Foundation
23 and adversely affect its ability to be successful. Defamatory content erodes trust and compromises
24 opportunities. Simply put, controversial content can quickly erode trust in an organization.

25 49. Public relations specialists reduce and suppress online content to repair an
26 organization like the Hindu American Foundation’s online profile through an integrated ORM
27 program. Experienced companies have effective strategies to replace negative search results with
28 favorable coverage.

1 50. As detailed above, there is no dispute that the statements about the Hindu American
2 Foundation have been broadly spread in news articles and social media. The internet provides
3 eternal reputational harm, thanks to content retention. It is my preliminary opinion that the Hindu
4 American Foundation will never be able to entirely remove doubts about its character from those
5 who saw the news stories and social media posts, or those who were otherwise subsequently
6 informed about the claims about the organization that were contained in the news stories or social
7 media posts/messages. Likewise, anyone who chooses to search “Hindu American Foundation” in
8 Google or other search engines can still find the two articles. The Hindu American Foundation
9 has suffered significant adverse consequences from the statements in the articles and Tweets,
10 including:

- 11 a. Damage to its reputation;
- 12 b. Loss of goodwill;
- 13 c. Embarrassment due to false accusations; and,
- 14 d. Unnecessary costs (e.g., need to repair its reputation, time spent refuting the
15 false information).

16 51. The online reputation of an organization like the Hindu American Foundation will
17 determine how others perceive it when searched online. Consequently, ORM proactively
18 influences what information people will find and will help suppress the false/negative information
19 contained in the two news stories and lead people to factual information about the Hindu
20 American Foundation.

21 52. Building and managing the Hindu American Foundation’s online reputation after
22 the publication of the false statements means proactively influencing the impression left on internet
23 users, especially those who are seeking to learn more about the Hindu American Foundation. An
24 agile public relations strategy that includes publishing positive online content will help suppress
25 defamatory content.

26 53. The traditional avenues for communication used to be print media, television, and
27 radio, but with the mass adoption of social media, the use of traditional media has become
28 fragmented. Social media is now an integral part of the internet in terms of the methods of

1 communication in modern society ([Lewis, 2015](#)). It possesses qualities that make it a preferred
2 platform for sharing thoughts and comments with the world.

3 54. The accusations and comments will remain in the public domain forever without a
4 campaign to repair the Hindu American Foundation’s reputation and suppress the harmful content.
5 The Hindu American Foundation will need ORM specialists to “bury” the harmful content through
6 the creation of new positive material (blogs, new website content, and press releases etc.) that
7 ranks higher in search engines than the damaging negative information. My expertise includes the
8 development of such a plan that includes paid ads and the retention of ORM specialists.

9 55. It is understandable that for many people, terms like Online Reputation
10 Management, digital presence, Search Engine Optimization (SEO), reverse SEO, and negative
11 content suppression, may be similar, or even synonymous. ORM is broader and more general than
12 SEO. It involves everything from building an SEO-friendly website with relevant content to
13 having a positive presence on social media, online review websites, forums, and blogs. While
14 SEO is a technique that helps websites and specific digital assets appear higher on Search Engine
15 Results Pages (SERPs), ORM combines different disciplines — online PR, content marketing,
16 social media marketing and monitoring, SEO, community management, and advertising— to
17 proactively build and control the brand’s reputation online. This multi-disciplinary and multi-
18 channel approach is what differentiates ORM from SEO.

19 56. The Hindu American Foundation’s team will need to use paid online ads, web-
20 based articles to repair their reputation. This will necessitate creating ads (including 15-second
21 videos) that can be placed on media platforms to reach the same audience who were exposed to
22 the articles and tweets. I would recommend placing the video ads on Al Jazeera (they have a US
23 audience 1.9 million unique monthly users according to [Comscore](#)) and other news site
24 competitors, (e.g., BBC, CNN, Fox, etc.) which share a similar audience to where the stories
25 appear. The Hindu American Foundation will need to buy ads advertising on search engines such
26 as Google to target people searching for news about the Hindu American Foundation to ensure
27 that the ads are seen.

28 ///

1 57. Defamatory content erodes trust and, as the Hindu American Foundation
2 experienced, compromises opportunities and funding. Online reputation repair involves more than
3 content suppression. The unique nature of this case necessitates a careful analysis in assessing the
4 reputational repair strategy. The costs below are necessary to repair the Hindu American
5 Foundation's reputation and mitigate the negative sentiments about the organization that have
6 resulted from the publication of the stories and Tweets. It is impossible to bring the Hindu
7 American Foundation's internet presence back to where it was prior to the defamation, (*i.e.*
8 *remove the stories from search engines and eliminate the Tweets*) with a well thought out effort,
9 the Hindu American Foundation with outside PR experts can create a neutral or favorable presence
10 for the Foundation that eliminates in the minds of a fair minded public the false claims made about
11 the organization.

12 58. In putting together my recommendations for a repair program, I took into
13 consideration the Hindu American Foundation's reputation before and after the articles and social
14 media posts appeared, and applied my knowledge and experience in putting together reputation
15 repair campaigns. Working with experienced reputation repair professionals, the Hindu American
16 Foundation will need to implement a campaign that includes advertising and suppression of online
17 content. A preliminary yet very conservative estimate of the cost of the reputation management
18 program for the Hindu American Foundation situation is over \$485,000. Three elements make up
19 the cost of the repair program.

20 59. The first cost would be for retaining a reputation management/PR firm at a cost of
21 \$60,000 a year to implement the program and assist with content and ad creation.

22 60. The second part of the repair program involves ORM specialists at \$180,000 for
23 one year. The ORM team would implement a targeted suppression campaign for related keywords
24 and working with the PR team, they can create content to push down the negative stories. When
25 done correctly, and in accordance with Google's policies and best practices, these efforts directly
26 'suppress' or 'push down' the defamatory web pages that are adversely affect the Hindu American
27 Foundation's reputation. Working with the PR team, the ORM team will need to identity and
28 curate the best owned, earned, paid, social, and community-sourced content and ensure they

1 appear most prominently online in as short a time frame as possible. It is my experience that
2 suppression campaigns often require a minimum of one year for measurable and progress.

3 61. Influencing search engine rankings must be gradual and organic. Generally
4 speaking, Google seeks to provide a balance of information, and this of course refers to accounting
5 for and integrating all perceived positive and negative information available for display within
6 specific Search Engine Results Pages (SERPS). The success of a suppression campaign cannot be
7 achieved quickly because results are dictated by search engines. Google is highly secretive with
8 respect to their complex search algorithm. Suppressed negative links can easily reappear on
9 search engines, even from a seemingly minor update to the search algorithm.

10 62. The third part of the repair program I recommend involves advertising. Given the
11 Defendants' refusal to apologize or retract their statements, another part of the internet based
12 portion of the reputation repair campaign that the Hindu American Foundation will need is to
13 advertise on web-based articles and social media. The organization should expect to spend
14 \$245,000 on advertising, which includes the production of two 15-second video ads.

15 63. In addition to placement of the ads on Al Jazeera and other news site competitors, I
16 would recommend that the Hindu American Foundation use Google Ads. Also known as Google
17 AdSense, it consists of a network of 38 million websites encompassing a wide array of different
18 topics that span the internet. These types of ads are known as display network ads where the
19 website is trying to make money from displaying advertisements on websites that use Google
20 AdSense. Search network ads show up when you search a specific term through Google Searches.
21 According to [Valve+Meter](#), "the average cost-per-click across all industries in Google AdWords
22 on the search network is \$2.69." Google now calls them simply Google Ads. The team would use
23 [Google's targeting tools](#) to match the ads with the people that they are targeting as part of the
24 overall campaign. The minimum amount of the advertising campaign I estimate to be \$245,000.

25 64. To put in context the reasonableness of the repair costs, in 2018, Michigan State
26 University spent over \$500,000 in a single month with a public relations firm to monitor the
27 impact on Michigan State surrounding Larry Nassar, who was convicted in the US Olympics
28 gymnastics scandal. The \$500,000 did not include any ORM work.

Exhibit A



ERIC W. ROSE
Curriculum Vitae
Court Qualified Expert Witness

Nationally Recognized Media and Communications Expert

[Eric Rose](#) is a veteran executive in public relations, marketing, and communications with over thirty-five years of experience, including over a decade as a partner in the largest independent public relations firm in Southern California. Eric has provided counsel to hundreds of clients in various industries, including business, government, and non-profit at the local, national, and international levels.

Eric has distinguished himself as particularly skilled in litigation and crisis communications, reputation management, image repair, and counseling. Eric has created public relations and marketing/communications programs for the legal profession and has provided litigation support throughout the United States. Eric has served as an expert information source and analyst for the mass media on issues relating to crisis communications, image repair, and reputation management. He is a respected court-qualified expert witness and has opined on matters relating to crisis communications, defamation, damaged image, reputation prevention and the costs to implement repair programs.

Eric specializes in communicating complex litigation issues so they are understandable, tangible, and compelling to the targeted audience. His most successful work includes formulating communication strategies in preparation for and during litigation and previewing potential outcomes to key audiences to create and shape an environment favorable to the client's position.

Eric has also successfully prepared post-verdict communications strategies to publicize favorable verdicts, diminish unfavorable judgments, and present his clients and their attorneys in the best possible light. Eric works with C-level executives at Fortune 500 firms, where he advises clients on social, online, and traditional media campaigns and develops online reputation management strategies.

Professional Experience

Eric is a partner at [EKA](#), a strategic communications firm specializing in lobbying, public affairs, crisis communications, and litigation support. The firm practices its trade at the intersection of law, media, and public perception, which brings a critical understanding, and a breadth of resources and experience that are unique in the public relations field. The Los Angeles Business

Journal consistently ranks EKA as the largest Los Angeles–based independent public relations agency. Many of the firm’s clients are Fortune 500 companies because of EKA’s national reputation for excellence.

Eric Rose is an industry leader in the areas of crisis and litigation practice. He works with a specifically tailored team that includes attorneys, media and public affairs specialists, and other experts pertaining to the field of inquiry. Eric’s team connects case facts with legal or policy arguments designed to both inform and persuade audiences.

Eric has managed highly confidential situations involving attorneys and financial advisors. Eric has experience in financial and regulatory environments. He is adept at handling and guiding media inquiries, drafting strategic documents and shaping internal and external communications strategies through news releases, community forums, speeches, websites, videos and other media.

Eric advises clients on unique corporate reputation issues, including environmental and safety, major litigation (such as class actions and fraud), natural and human-made disasters, labor disputes, product recalls, layoffs/plant closures, as well as crisis management and social media vulnerabilities. With over thirty years of experience working with investigative reporters, Eric has a unique understanding of reputation management.

Expert Witness Work

As a result of Eric’s extensive background working with law firms and being involved in litigation communication, Eric has amassed a significant amount of experience and expertise in aiding and counseling people, businesses, and other entities who are in a crisis. While Eric primarily focuses on long-term client engagements, he also provides expert witness testimony. The bulk of the cases has been in libel, slander, defamation, reputation repair, and damage to a future professional career. Eric has helped clients determine the reputation repair costs in defamation cases.

Eric has never been disqualified as an expert. Except for clients and cases where disclosure is not allowed, either by law or by contract, this document lists cases where Eric worked on or testified as an expert at trial, arbitration or deposition. Eric has testified in four trials and one 3-judge arbitration hearing.

Rhonda Holmes v. Courtney Love

Eric provided expert testimony in a precedent-setting case involving Courtney Love, who was sued for posting a tweet about her former attorney. This was the first trial in the United States involving allegations of defamation on Twitter. Eric provided expert witness testimony regarding crisis communication, media relations, and reputation management. After an eight-day trial in 2014, a jury decided that Courtney Love should not be held liable for a tweet directed at her former attorney Rhonda Holmes.

Jacob Haiavy v. Theodora “April” Morris

Eric was an expert witness for a well-known doctor who sued his patient for defamatory comments on social media websites. Eric provided expert opinion and analysis on how it is nearly impossible to remove defamation from the internet. His report included a detailed

overview of the steps necessary for content removal and the cost of rehabilitating the doctor's good name and business. Eric examined the impact and dissemination of the comments on social media websites and how those comments harmed the doctor's professional reputation and economic condition. In February 2016, Eric's client won the case, and a California jury agreed with Eric and awarded damages to Dr. Haiavy for rebuilding his reputation.

Lopez v. Healthcare Group and OptumRx

After his patients began informing him that their pharmacists would no longer fill their prescriptions, Dr. Lopez sued two insurance companies. Over six months, the patients were falsely informed by the defendants that Dr. Lopez was a sanctioned provider by the federal government and unable to write prescriptions. Eric was retained to address the effects of the dissemination of false information on the doctor's professional reputation and to determine the appropriate standard of care/crisis response that should have taken place. He also provided an overview of the action necessary to recover the doctor's good professional reputation. In Florida, a three-judge binding arbitration panel heard the case and awarded Dr. Lopez \$1.5 million. Florida, November 2016

Higgins v. Salyer

Dr. Henry Higgins and Dr. Nathaniel Greenwood sued Dr. Rena Salyer for damage to their reputation after Dr. Salyer allegedly spread false and defamatory information to employees, patients, the community, and the media. Eric was retained to address the effects of disseminating false information on the doctor's and practice's professional reputations. Eric was asked to provide an analysis on the potential impact and damage to their image, as well as examine the effects to the practice as a result of the alleged act. He was also asked to offer his expert opinion on the steps the plaintiffs should consider taking to recover their good professional reputation and lost business. The case is currently pending in Texas.

Carter v. Louisiana Pacific Corporation

Cassandra Carter and her friend were on a second-story deck with a concrete patio. Without warning, the balcony gave way underneath, and they fell to the concrete patio, where they suffered severe injuries. Carter sued the manufacturer (Louisiana-Pacific Corporation), the contractor, the wholesaler, and the distributor Taiga. Taiga retained Eric to provide analysis and opinions regarding corporate communication, crisis management, and recall instructions. Eric offered his views on the reports of the other experts who attempted to shift the blame to Taiga. In 2018, the day after Eric's deposition in Nevada, Louisiana-Pacific Corporation settled the case, and Taiga did not have to pay any damages.

CMFG Life Insurance Company et al. v. Banc Insurance Agency, Inc

Plaintiffs CUNA Mutual and TruStage Insurance Agency, LLC sued Defendants Banc Insurance Agency, Inc., and Jeffrey Chesky for defamation and tortious interference based on false and defamatory statements the Defendants communicated to CUNA Mutual's current and potential customers with the intent of convincing customers not to do business with CUNA Mutual. CUNA alleged that the defendants repeatedly and intentionally communicated false statements regarding its business practices to CUNA Mutual customers. The CEO publicly asserted misleading and defamatory communications with the intent to harm CUNA Mutual's reputation and interfere with its current contractual and customer relationships. Eric was asked to provide analysis and opinions on the potential impact and damage to CUNA Mutual's reputation. Eric

established causation and provided CUNA Mutual with the steps necessary to repair the harm to their excellent professional reputation and to give an estimation of the actual costs associated with repairing the damage. The Federal Court case in Wisconsin was settled in May 2018.

Johnney Bennerson vs. Shelley Stevens

Johnney Bennerson, Shelley Stevens, and others were celebrating at a company dinner, and afterward, Ms. Stevens became intoxicated and exceedingly flirtatious with several males. Following dinner, the group dispersed, and Mr. Bennerson eventually retired to his room. Ms. Stevens, perhaps embarrassed by her drunken displays and flirtatious behavior, concocted a false and defamatory story that evening about Mr. Bennerson coming onto and propositioning her. Ms. Stevens then spread malicious lies within the company about Mr. Bennerson for the explicit purpose of retaliating and wrecking Mr. Bennerson's reputation. Eric was asked to analyze the reputational harm to Mr. Bennerson and address the effects of disseminating false information. A judge ruled that Eric's expert testimony was unnecessary given the specific facts of the case. After a jury trial, Mr. Bennerson was awarded damages.

Tammy Na vs. Joo Chan Kim

Tammy Na was at her apartment pool when she encountered Joo Chan Kim. Mr. Kim assaulted Ms. Na by throwing a beer bottle at her after yelling that she had splashed him with water. Mr. Kim then used profanity and threatened to kill Ms. Na. Unknown to Ms. Na, who is a highly respected artist, Mr. Kim took photos of Ms. Na and posted them on a popular Korean website. The post contained offensive language and falsely accused Na of engaging in sexual acts with other people. Eric was retained to address the effects on Na's reputation as a result of the dissemination of false information. Eric was asked to provide an analysis and offer his opinion on the potential impact and damage to Ms. Na's image and examine the effects on her reputation. After the first day of a jury trial in Los Angeles, the case was settled to the satisfaction of Ms. Na.

Steven Krawatsky et al. v. Rachel Avrunin et al.

Rabbi Steven Krawatsky was fired from a private Jewish school in Pikesville, amid allegations he abused boys at a camp. He denied the allegations and was never charged with a crime. Rabbi Steven Krawatsky and his wife, Shira, filed a lawsuit claiming several parents engaged in destroying his reputation and his ability to earn a living. He sued the New York Jewish Week for defamation, invasion of privacy, and intentional infliction of emotional distress. Eric was retained to address the effects on Rabbi Steven Krawatsky's professional reputation as a result of the dissemination of false information. Eric was asked to provide an analysis and offer his opinion on the potential impact and damage to the Rabbi's image and examine the impacts on his reputation arising from defamation. Furthermore, based on his extensive experience working with reporters to correct false and misleading stories, Eric was asked to give his opinion regarding the reporting of this information. Eric was also asked to provide recommendations on the steps Rabbi Krawatsky and his wife should consider recovering the Rabbi's professional reputation. The case is pending in Maryland state court.

McGlothlin v. Hennelly

James McGlothlin is a founding member of The United Company, which is the parent company of Scratch Golf, LLC. The company owns the Hilton Head National Golf Club. Mr. Hennelly

posted a link on Facebook to an article about a corruption investigation involving then Virginia Governor Bob McDonnell and monies Gov. McDonnell's wife received as a consultant to The United Company. Mr. Hennelly was also accused of making defamatory comments on Facebook about Mr. McGlothlin. Eric was retained to provide an analysis of reputational harm and offer his professional opinion on damages associated with repairing Mr. McGlothlin's reputation caused by the dissemination of defamatory information. The case was dismissed by the parties.

Gish v. Le Sage

Dr. Robert G. Gish sued his former spouse Celeste E. Le Sage for defamation and to overturn portions of their divorce settlement. In the lawsuit, Dr. Gish alleges that his ex-wife sent emails to 80 friends, business associates, and relatives stating, among other things, that Dr. Gish was abusing alcohol and was a danger to his patients. Dr. Gish alleges that his business and reputation were impacted as a result of libelous comments. Eric was retained as a rebuttal expert witness to counter the assertion that Dr. Gish's reputation was permanently damaged. The case in San Diego was settled.

Vernon Unsworth v. Elon Musk

Vernon Unsworth, a British cave diver, sued Tesla CEO Elon Musk for defamation after Musk repeatedly accused Unsworth of being a pedophile. Musk and Unsworth got into a brief feud last year following the rescue of a soccer team that was trapped in a cave in Thailand. Mr. Unsworth, who helped with the rescue operation, criticized Musk's plan to save the team with a "kid-sized submarine." Musk insulted Unsworth by calling him a "pedo guy" on Twitter. He doubled down on the insult by tweeting, "bet ya a signed dollar it's true," then elaborated even further in emails to reporters flatly asserting that Unsworth had moved to Thailand "for a child bride who was about 12 years old at the time." Mr. Unsworth sought \$5 million in actual damages, \$35 million in assumed damages and \$150 million in punitive damages. Eric was retained as an expert witness for Mr. Unsworth to provide an analysis regarding reputational harm and provide his opinion on the costs associated with repairing the damage to his reputation. Mr. Unsworth's counsel determined that it was not necessary to introduce Eric's expert testimony at trial to establish actual and/or presumed damages. Mr. Musk prevailed in US District Court for the Central District of California

Andrzej Wrobel vs. Lynn Tilton, Patriarch Partners LLC

Andrzej Wrobel filed a lawsuit against Patriarch and Lynn Tilton for defamation per se, violating his contract and firing him to avoid paying him bonuses he said he was owed. The lawsuit accuses Ms. Tilton of writing a letter to Forbes magazine stating that Mr. Wrobel stole from the company. Mr. Wrobel contends that Ms. Tilton knew or should have known the defamatory statement accusing Mr. Wrobel of stealing was not true. Eric was retained to offer an opinion on the required steps to clean up the damage and provide the estimated costs associated with this repair. The case is pending in the Circuit Court of the Fifteenth Judicial Circuit for Palm Beach County, Florida.

David Smith v. Optum, Inc.

David Smith filed a claim against Optum. Inc and Optum Services Inc. for defamation and abuse of process. Stemming from a lawsuit filed by Optum against Mr. Smith alleging a breach of contract and misappropriation of trade secrets for Smith intending to work with a competitor, in

violation of his restrictive covenants. Smith’s defamation claim arises from allegations by Optum that Mr. Smith walked away with confidential information when a spokesperson for UnitedHealth Group (Optum is a subsidiary of UnitedHealth Group Incorporated) told the media that Mr. Smith “violated his employment agreement and stole confidential company property on his way to go to work for a competitor.” Eric was retained to determine how far the damaging material has spread across the internet and social media, the required steps to clean up the damage, the estimated costs to perform this cleanup, and what ongoing monitoring and corrective actions would be required going forward. The case in Massachusetts settled.

Michael Rapaport v. Barstool Sports

Actor Michael Rapaport sued media outlet Barstool Sports, where he once hosted a podcast, for firing him — and then claiming he had herpes. When Mr. Rapaport was fired, Barstool’s president David Portnoy said it was due to the comedian’s tweet calling listeners “losers in life,” Mr. Rapaport’s lawsuit claims Barstool began targeting him well before that and that in November 2017, one of Barstool’s bloggers wrote a post titled, “Michael Rapaport is a Fraudulent Sack of S***,” the lawsuit said. Then, a few days before his firing, another Barstool writer tweeted that Rapaport was “a creepy herpes ridden failure.” Rapaport also complains that the company began selling T-shirts of him in a clown nose with a sore under his mouth after he was fired. The lawsuit claims the tweet “was done with actual malice in an effort to convey that Mr. Rapaport suffered from herpes and to harm Mr. Rapaport’s reputation. Eric was retained to assess the damages to Mr. Rapaport’s reputation. Three years after the lawsuit was filed, a federal judge dismissed the defamation portion of the lawsuit.

Paul Edalat & Olivia Karpinski v. Cahill & Denterlein Worldwide

The parties, in this case, have been involved in litigation against each other over various matters since 2016. Mr. Cahill paid the Denterlein firm to produce and circulate a pitch letter to media outlets that contained numerous false statements. Denterlein’s published stories containing false allegations. Eric was retained to address reputation repair for Paul Edalat & Olivia Karpinski as a result of the dissemination of knowingly false information. The case is pending in Orange County Superior Court in California.

Michael J. Ligotti and Whole Health LLC v. United Healthcare Service

Dr. Michael Ligotti filed a complaint against United Healthcare Services (United) after they stopped paying claims billed from Whole Health by Dr. Ligotti. United also refused to pay claims from the facilities where Dr. Ligotti was a Medical Director and claimed that Dr. Ligotti did not have an “active license.” United Healthcare informed patients and the medical facilities, where Dr. Ligotti was the Director, that he was involved in fraudulent practices and misrepresented himself to patients as a Doctor. Eric was retained to address reputation repair for Dr. Ligotti and Whole Health LLC as a result of the dissemination of false information. Eric was asked to provide an analysis, offer opinions, and examine the potential impact and damage to Dr. Ligotti from the distribution of false information. Eric was also asked to provide recommendations for actions Dr. Ligotti should pursue to recover his reputation. The case is pending in the United States District Court for the Southern District of Florida.

Dennard v. The Arizona Board of Regents

Political commentator Paris Dennard claims Arizona State University intentionally released an investigation into misconduct to damage his reputation. Mr. Denard alleges that a 2014 report into alleged sexual comments in the workplace led to lost wages and future opportunities. Mr. Dennard alleged that an ASU employee disclosed and detailed the contents of harassment allegations about Mr. Dennard to The Washington Post, which resulted in him losing his job as a CNN commentator. Eric was retained to assess and address the need for reputation repair associated with the dissemination of the confidential employment report to the media. The case in Arizona was settled.

Elder v. Clymer

Kevin Elder, Paul Huether, and Go Wireless, Inc. sued Raoul Barrie Clymer for defamation and interference with contractual and economic relationships. Mr. Clymer was accused of creating a website and disparaging the Plaintiffs to damage the Plaintiff's reputation and business dealings. Eric was engaged in assessing and addressing the need and costs associated with a reputation recovery program. A Riverside County Superior Court judge issued a judgment and injunction awarding Plaintiff's damages.

Gillman v. Toronto Transit Commission

A father and son who were caught on camera in an altercation with transit enforcement officers two years ago are suing the TTC. The two were involved in a violent brawl with two TTC special constables after an NHL game when Mr. Gillman accidentally brushed up against one of the officers. The officer then threw Mr. Gillman against a wall and punched him repeatedly. A video of the incident seen widely on the news and social media showed Mr. Gillman kneeling with his head on the ground while the officer struck him in the ribs. Eric was retained to address the reputation repair of the Gillman's. The case was settled in October 2021.

Davis v. Commissioners of Madison

Mr. Davis was arrested and booked at Madison County Jail for issues concerning traffic violations. While being held, Davis witnessed the officers and jail staff mistreating a female arrestee and Mr. Davis expressed his disappointment in their behavior. Following this verbal altercation, one of the officers entered into the arrest log that Mr. Davis had been arrested on charges of "sex offender registration violations." This information circulated online and on publicly accessible websites. Mr. Davis has never been accused of any sexual crimes but was then branded a sex offender in his community by the County Jail employees. Eric was retained to address the reputation repair for Mr. Davis due to the dissemination of false information. The case in Madison County Indiana settled in February 2021.

Fuller v. City of Scottsdale

Shawn Fuller sued the City of Scottsdale and Scottsdale City Attorney Sherry Scott, alleging that he was fired because he ordered an audit that found the prosecutor's office withheld potentially exculpatory evidence in nine DUI cases. In his lawsuit, Mr. Fuller claimed the defendants published documents relating to his firing to third parties, which included false information. Eric was retained to provide an expert opinion and analysis of the reputational damage to Mr. Scott. The case is pending in Arizona.

Jonathan J. Rotella and the Center of Wound Healing v. Kelly Duke

Eric was retained to serve as a rebuttal witness in this case on behalf of the Defendants. Eric was asked to analyze and offer his insights, comments, opinions and conclusions of the Plaintiffs expert witness. Eric was also asked to review the alleged reputational harm and alleged damage to the Plaintiffs as a result of the actions and misrepresentations of the Defendant, Kelly Duke.

Harkins v. Major League Baseball

A defamation lawsuit was filed against Major League Baseball and the Los Angeles Angels by Brian Harkins, the longtime clubhouse attendant who was fired for supplying illegal ball-doctoring substances to pitchers. Harkins' alleged defamation and false light and claimed that the publicity surrounding his firing unfairly cast him in a negative light that impacted his ability to find employment. Eric was retained to assess the reputational harm to Mr. Harkins. The Orange County 4th District Court of Appeals reversed a Superior Court decision to dismiss Mr. Harkins' defamation complaint against the Angeles and Major League Baseball, sending the case back to the lower court for a jury trial.

Adam Lyons v. InsuranceZebra, Inc.

Mr. Lyons solely founded The Zebra, an insurance comparison website, in 2011. In 2018, Mr. Lyons departed from The Zebra to pursue other business ventures. The lawsuit is the result of The Zebra's attempt to write Mr. Lyons out of the company's history. This attempt was documented in statements made by The Zebra, representing to the general public that another person "started" the company. Eric was retained to serve as a consult and expert witness in the area of public relations, reputation management, media, and communications, specifically concerning disparaging statements made by The Zebra with respect to the damages incurred by Mr. Lyons. An arbitrator issued an order granting summary judgment for The Zebra, on the ground that The Zebra's statements weren't disparaging towards Mr. Lyons.

Brandon Boudreaux v. Robert P. Jarvis

Brandon Boudreaux is seeking damages from attorney Robert P. Jarvis after the salacious claims were made in a press release sent to members of the media. Mr. Boudreaux is one of many individuals who has been dragged into the case of Lori Vallow, which has made national and international attention. Mr. Boudreaux is the ex-husband of Vallow's niece. In the pair's contentious custody battle, a press release was sent by Mr. Jarvis claiming, "Brandon Boudreaux has a history of victimizing women, which is probably an extension of his use of extreme and dark pornography." The statements were false. Eric was retained as an expert witness concerning the reputational harm incurred by Mr. Boudreaux due to various public statements made by the defendants. The court awarded Mr. Boudreaux \$700,000

Darren Oglesby v. Wells Fargo Clearing Services

Darren Oglesby is the president and founder of Oglesby Financial Group (OFG) in Monroe, Louisiana. OFG hired defendant Amber Fife as a Wealth Plan Assistant who entered into a non-solicitation agreement. Fife became employed by Wells Fargo Advisors, where she and her boss worked together to target and disparage Oglesby and illegally solicit OFG clients. While Mr. Oglesby was honored abroad as the Money Concepts World Leader and Financial Planner of the Year, Fife and her boss spread rumors that he was arrested. Clients complained that Fife contacted them to solicit and divert their business from OFG to Wells Fargo Advisors. During these calls, Wells Fargo Advisors misrepresented to OFG clients that the FBI had arrested

Oglesby and that OFG client accounts would be frozen, urging them to immediately transfer their business to Wells Fargo Advisors. Eric was retained to determine the cost of the repair campaign concerning the damages incurred by Darren Oglesby & Oglesby Financial Group. The case is pending in Louisiana.

Christopher Nairn v. Firdaus Mohd Husin

Christopher Nairn is a real estate agent in Colorado. Mr. Husin purchased a house in 2020. Mr. Husin created defamatory social media posts that expressed his displeasure with the interactions, both business and personal, with Mr. Nairn. The post claimed Mr. Nairn was falsely representing his work, was not following through with his previously communicated efforts, and made a series of malicious and harmful claims that the court ruled were defamation per se. Eric was retained to determine the cost of the social media repair campaign. Eric testified at trial, and the jury awarded Mr. Nairn damages.

Glabman Technology Solutions Inc v MHT Advisors Inc.

Eric was retained to provide his expert opinion and analysis in connection with the claims and defenses asserted by the Defendants in this case. Eric reviewed documents and information and determined that the Plaintiffs suffered no reputational harm due to the alleged defamatory statements made by the Defendants. The case is pending in Orange County, Ca.

Examples of Work

COVID-19

The depth and breadth of the COVID-19 Pandemic changed daily. Eric assisted a large hospital, multiple universities, gaming companies, airport-related businesses, manufacturers, an international restaurant chain, a non-profit that supports public safety agencies, and a large union with Pandemic communications and crisis management. Among the matters, Eric has assisted clients with their employees who contracted COVID-19, employees who died as a result of coronavirus, supply chain and transportation disruptions, severe reductions in demand for products and services, layoffs, increased operational expenses amid revenue shortfalls and reputational risk, and damage to the brand.

Intellectual Property and Technology

Data breaches are among the worst kind of modern corporate crises because of the financial and emotional impact of numerous individual customers. Protecting reputation is not necessarily about the crisis, but about how the situation is handled and the actions are taken to restore trust. When consumers are personally threatened or affected by a breach, they can become powerful influencers of public perception when their stories are amplified across social networks. When millions are individually threatened, their reaction can severely damage an entire business, regardless of size. Eric has worked on numerous data breach cases and has helped his clients with comprehensive response programs to repair damage and restore customer trust after a data breach.

Hazing Death

When a student died in a fraternity hazing incident, a major university hired Eric to help the university deal with crisis communication and crisis management immediately. Eric assisted the

university immediately after the incident, during the formal investigation, and through the conclusion of the event (which had attracted national attention).

YMCA Drowning

When a young camp counselor drowned at a YMCA camp, Eric was enlisted to assist with crisis and reputation matters. Eric quickly developed communications for the campers, parents and provided a media statement that the YMCA issued to reporters who inquired about the incident. The communications informed interested parties about the death and the investigations, informed them about supportive services for those who needed help grieving, and offered condolences to the drowning victim's family.

Food Recall

Eric has assisted several major brands with food product recalls. In one case, Eric received a call from an international food company after they received reports from various places in the United States that customers reported illness resulting from consuming their product. The biggest initial challenge was to determine the scope of the recall in the face of incomplete information. Eric worked with the company's CEO, legal counsel, and sales team to assess the facts, substantiate the accuracy of the information and subsequently relay that information concisely and transparently to the public and other stakeholders. Eric drafted scripts for the company's reference when assisting customers and drafted releases addressing both wholesale, and consumer recalls. In the end, a full recall was avoided, and an escalating crisis was halted within five days of the initial call.

Outbreak Response Plan

When a large Southern California hospital identified a person who had been diagnosed with active tuberculosis (TB), Eric worked with the hospital and the County Health Department. Eric developed a detailed outreach plan to determine the health status of patients and staff who were identified as being in close contact with the person diagnosed with TB. As part of the program, Eric created a comprehensive Outbreak Response Plan (ORP), which included the composition of the response team, the creation of detailed notification procedures, local and state public health responsibilities, data management, communication, training, education, community partnerships and identification of all possible ways to disseminate the outbreak and testing information to the public, stakeholders, and partners. The most critical component of the plan was to ensure that every potentially impacted person was identified and notified. Topic fact sheets, e.g., description of an outbreak investigation, the transmission of TB, and treatment, were also created.

Criminal Issues & Government Investigations

When a national university discovered that a member of the faculty had committed academic fraud involving multiple college athletes, the school hired Eric to assist with formally notifying the NCAA of the violations, developing an approach to get everything out in the open, and creating a process for rehabilitation of the sports program. Eric's strategy began with the premise that if the school does not tell its story on its terms, someone else will tell it for them. The university leadership did not want to "conceal and cover-up" what occurred or mislead the public. Eric developed a "reveal and reform" strategy, which resulted in the NCAA accepting the university's self-imposed sanctions.

Title IX lawsuit

Few college experiences are as shattering as being the victim of a sexual assault. After a former college student was found guilty of raping a fellow college student off-campus, the college was sued by the victim. Eric worked with the college's legal team and the school's administration on communications with all stakeholders regarding the Title IX lawsuit.

Misconduct By A College Coach

When numerous collegiate athletes made social media posts accusing several coaches of misconduct, including allegations involving sexual misconduct, Eric was retained to assist with crisis communication. Eric worked with the college's legal team and developed a comprehensive communication program for all stakeholders. An independent investigator was retained, and the employees involved were immediately put on leave.

Sexual Harassment/Employment Discrimination/Labor

Eric has applied the same philosophy and principles of proactive media management and scrupulous honesty when clients came to us as sexual harassment allegations and stories broke across the nation.

- A highly respected television producer who had been honored multiple times for his leadership on women's issues learned that a prominent lawyer was going to accuse him of sexual harassment publicly, Eric preemptively issued a statement for our client and publicly exposed the situation, which resulted in the media casting doubt on the veracity of the claims.
- When a legendary entertainment executive was faced with assault charges, Eric assisted in crafting his unequivocal denial regarding the allegations to the media and the entrepreneur in shaping the announcement that he would be stepping down from his various businesses to protect hundreds of employees. He also committed himself to continue his personal growth, spiritual learning and listening.
- When a major NYC restaurateur was accused of sexual harassment and was alleged to have subjected employees to unwanted sexual advances, public groping, and lewd text messages, Eric was retained to protect the brand and assist the client in restoring the restaurateur's reputation. Eric then put an action plan in place to defend the client against personal attacks, customer complaints, and blatant falsehoods.
- When *The New York Times* contacted a famed director about a notorious movie mogul's alleged sexual assault of the Director's former girlfriend, Eric helped the Director get ahead of the issue by detailing his account of how he confronted the executive over the casting of his next movie. He also described what he hopes the entertainment industry will do to reform itself in the wake of an ongoing harassment and abuse scandal. The headlines that followed all portrayed our client in a positive light and focused on the abuses of the executive and the industry in general.

- When a California school district began hearing complaints from a large group of parents and a Legal Aid Law Center alleging significant Title IX issues at the high school as related to male and female locker rooms, the superintendent retained Eric's services. Eric designed a communication program to address the concerns and avoid potentially costly litigation. He advised the superintendent to personally inspect the facilities with a few parents to assess the needs and viability for upgrades. Eric's communication plan included an overview and outline of changes the school would make to achieve Title IX compliance. In addition, he worked with the district to publicly announce the new women's locker room makeover and to highlight four new women's sports at the school: water polo, golf, tennis, and soccer. The plan to proactively inform the community that all students had equal access to facilities and an equal opportunity to participate in sports demonstrated that the district was committed to Title IX. The plan worked, and costly litigation was avoided.
- Numerous police officers filed a lawsuit claiming years of race and gender-based harassment, discrimination, and retaliation. The police department immediately placed a gag order on all plaintiffs. Working with the police officers' legal team, Eric constructed a communications theme and successfully placed stories in all local papers, which resulted in extensive traditional and social media coverage. In addition, he arranged for media coverage of the gag order itself, which shaped public opinion and put the police department on defense. This ultimately required the department to respond to both the complaint and the attendant media coverage of the allegations.
- After an award-winning journalist who admitted to sexual harassment and recognized that his office behavior was unacceptable wanted to reemerge after apologizing publicly and privately to victims, Eric worked with him on a robust social media strategy that included videos and op-eds. The effort aimed to show that the journalist rightfully paid a substantial financial and societal price for actions that occurred more than a dozen years ago and that he deserved a second chance.

The Invisible Plume

In October of 2015, a massive gas leak was discovered adjacent to the residential community of Porter Ranch. Over 30,000 residents had to relocate after suffering illnesses caused by the natural gas leak. The media interest in the issue was sparse because, even though it was the single worst human-made gas accident in history, the problem was not discernable to the public eye. Eric was retained by several law firms to bring attention to the crisis. Eric worked with the legal team to share infrared footage of the leak—which made the invisible gas visible. Immediately upon releasing the video, the story gained worldwide attention as a result of a significant social media effort. News headlines described the situation as a “catastrophe” and a “disaster,” and the lawyers who released the video were highly sought after by news organizations around the world. The case was settled in October 2021 for \$1.8 billion.

Pension System

The largest County retirement system in the United States which manages a portfolio of over \$71 billion in assets for the benefit of over 180,000 members and retirees retained Eric to assist with

communications issues. Eric developed communications programs for the retirement system and has acted as spokesperson on various matters.

Media Expose On Psychiatric Patient Safety

When a newspaper informed a hospital that they were doing a series on inpatient psychiatric patient safety and quality of care and that the hospital was going to be the subject of one of the stories, Eric was retained to act as a spokesperson for the hospital and to create a communications plan.

Threatened Litigation

After a teacher at a Northern California Jewish school was cleared by authorities of inappropriately touching a student, the parent retained legal counsel and threatened to bring a civil lawsuit. Eric created a communication strategy that included a media statement, statement to parents and faculty, and subject points if a lawsuit was filed.

Hotel Labor Issue

For two years, Eric assisted a well-known hotel in Los Angeles with their ongoing labor dispute. The hotel was involved in a dispute, which included numerous workers filing complaints with the California Labor Commissioner's Office. For over six months, the employees (who were union assisted) engaged in regular picketing and other activities while demanding that management agrees to card-check, which does not ensure true employee free choice. Eric developed communication strategies to inform the public that the hotel supported the secret ballot election process conducted by the National Labor Relations Board to protect employees' right to vote in a neutral, private environment. Eric worked with the hotel and their legal team to petition the National Labor Relations Board to hold supervised secret ballot elections.

Celebrity Horse Trainer

When numerous horses died in 21 months, a Hall of Fame trainer received massive attention that harmed his reputation. Eric implemented a communication strategy that had three objectives: (1) highlight the trainer's commitment to horse safety and his history of success with minimal injuries, (2) protect his well-earned reputation, and (3) set the tone for the debate as opposed to responding to false charges. Eric was able to achieve these objectives by demonstrating a desire for solutions, showing that the horses died of factually unclear reasons, and demonstrating on social media that the trainer was also seeking conclusive results for the cause of death. We pushed outside agencies to conduct independent investigations, perform their own necropsies, and look for other causes, including contaminated soil and air quality. Three months after the campaign began, the trainer and his staff were cleared of any wrongdoing by the Horse Racing Board.

Horse Racing Deaths

After the death of two dozen horses at a horse racing track, Eric helped his client with media and crisis communications. Eric worked with executives to announce stricter standards, including a "zero tolerance" stance on race-day medication and stricter rules on the use of riding crops. The changes resulted in praise from critics who called the move "a historic moment for racing." In addition, Eric oversaw communications to key stakeholders and the announcement that the track would provide money to help the horsemen impacted by the decision with the rehabilitation,

retraining, rehoming, and aftercare of any horses unable to race as a result. The campaign included a significant amount of traditional and social media advertising.

International Church

Following the inditement of a church leader with human trafficking, child porn and child rape, Eric assisted the Church with communicating to current and prospective congregants and the media. Eric implemented a reputation repair program to broaden the Church's communications efforts to reach a wider audience, building bridges to key communities as part of a larger effort to influence perceptions of the Church and its work going forward. Eric developed core themes, storylines and messages designed to best position the Church publicly. Eric created key messages and assisted Church leaders in anticipating and preparing for opposing attacks and arguments. Eric developed press releases, case summaries and other materials to successfully tell the Church's unique story to ensure perceptions of the Church were framed correctly.

National Railroad Company

From 2008 to present, Eric has worked with a large national railroad company to manage the communications involving a highly controversial \$900 million expansion project. Eric works closely with the company's general counsel and prepares messages for a variety of internal and external audiences, including employees, customers, vendors, and the financial/investment communities. The reputation campaign involves digital repair, paid advertising and media outreach. Eric also monitors traditional media, blogs, websites, and trains company spokespeople in effective communication response.

National Construction Company

For several years, Eric has worked with one of the largest publicly traded, diversified infrastructure providers and construction companies in the nation. Eric worked with the company on media relations, crisis communication, and internal communications to help protect their reputation regarding border security work. The efforts included paid advertisements in traditional and social media, as well as an ongoing paid digital media campaign.

Threatened Nurses Strike

When nurses at a large Southern California hospital threatened a ten-day strike, Eric developed a comprehensive communication campaign aimed at hospital employees, the media, community stakeholders, and the union. The threatened strike involved conflicts over compensation, benefits, and staff workloads. Understanding that a strike could hurt the hospital's reputation, finances, and patient care, Eric created a variety of communications to ensure all parties know that delivering safe, high-quality care to the community was a top priority. Through a series of press releases and fact sheets, the hospital made it clear that it had taken the necessary steps to fulfill their responsibilities to the community and had contracted with qualified and experienced replacement RNs in the event of a strike occurred. After months of tense negotiations and recognizing striking nurses would be replaced, a strike was averted.

Class Action Lawsuit

When a major utility company overcharged customers over \$70 million following the rollout of a flawed billing system, Eric provided strategic communication services to the out-of-state law firm that brought a class-action lawsuit asserting claims for fraud, negligent misrepresentation, breach of contract, unjust enrichment, and violations of the California Legal Remedies Act and

California Unfair Competition Law. Eric worked with the law firm, both pre and post settlement, ensuring that customers and the media understood the settlement provisions, which included the return of funds owed to customers. The agreement also required that the utility company implement specific customer service performance metrics and submit to court oversight even after all funds were repaid to the customers.

Threatened Environmental Litigation

When an exclusive private school discovered potentially carcinogenic materials had contaminated their campus, school officials were deeply concerned that misinformation would incite panic and decimate enrollment. Highly visible environmental mitigation work, including drilling and restricted access, made it imperative that the community was informed of the situation in a way that made them feel confident, comfortable, and safe. Eric set up a social media monitoring effort and worked closely with the school's legal and technical experts to develop and implement a series of meetings and outreach activities to communicate the facts and address parent fears and concerns. The environmental mitigation program was completed, and school enrollment was not affected. Through proactive efforts, the school was able to avoid any mention of the issue in both traditional and social media outlets.

Environmental Justice

Rattled by high levels of carcinogenic hexavalent chromium in their city, residents waged a campaign with local regulators and the media to stop our clients from expanding their medical waste treatment plant operations to seven days a week. Our client's operations are located about 700 feet from the nearest home and under 1,000 feet from an elementary school. Despite going through extensive permitting, evaluations, assessments, and reviews before being granted a permit to operate the plant, the community used the client's desire to expand operations as a rallying cry for environmental justice. Eric was retained by the medical waste company to protect their reputation, develop and implement a comprehensive communications plan, and work with the public affairs team to prepare them for public meetings. As part of the campaign, Eric developed bilingual communication and convinced the plant operators to open the operations for organized tours. Eric created a detailed bilingual Myths and Facts booklet that addressed the popular myths about the plant and dispelled myths with verifiable facts from independent third parties. The campaign was research-based. As a result, the plant received the necessary permits to operate seven days a week.

Product Defect Case

When a large California utility sued a Japanese multinational engineering, electrical equipment, and electronics company for \$7.6 billion for delivering equipment that ultimately led to the permanent closure of a plant, Eric was retained by the Japanese company to develop a comprehensive communications plan. Three years after the case was filed, his client scored a major victory when the plaintiffs were awarded \$125 million, which was less than the liability limit under the contract. Eric worked very closely with the company's lawyers and in-house public relations team and approached the challenge from three perspectives: public relations, government relations, and legal. Eric identified the most probable scenarios likely to play out and then developed a detailed plan to deal with each scenario's messaging. When the award was announced, the story was picked up by over 250 newspapers and trades worldwide lead our client's stock to soar.

Unfair Competition Lawsuit

After losing a large fraction of market share to a competitor who misrepresented his product to the public, Eric's client brought suit in federal court seeking damages and an injunction against false advertising. Eric mobilized public opinion by coordinating public interest groups, which adversely affected individual consumers, public health specialists, and regulatory agencies in support of the client's position. He successfully placed news stories nationwide, questioning the honesty of the competitor's advertising and raising legitimate concerns about the safety of the competitor's product. The competitor agreed to settle out of court following a public hearing by an influential legislative committee. Settlement terms are confidential, but the competitor changed his advertising practices to eliminate the false claims that were relevant to the lawsuit.

Municipal Crisis Communications

When two people died and twelve others were injured after a runaway car carrier slammed into a bookstore and coffeehouse, Eric helped the municipality manage its communications. Within hours of the accident, Eric worked with city officials to offer sympathies to the loved ones of the two people killed in the collision. As a result, Eric issued numerous demands to the state addressing the significant and ignored safety issues the city raised over the years. Eric provided reporters and editors with a timeline and key documents showing that the state had been put on notice and that warnings were ignored. Eric made city officials accessible to reporters and quickly organized a news conference with local and state officials. Using tested crisis techniques, Eric assisted the city in being responsive during the first 72 hours of the crisis and not operating on a 9-to-5 schedule. The city called for the state to ban trucks on the highway and when reporters called the state for comment, there was no immediate response. As a result, news stories the night of the incident laid out the facts from the city and immediately shifted attention to where it rightly belonged.

Discolored Water

After city, county and state public health officials issued a boil-water order when the water provided to residents was discolored, Eric was retained to assist the water district with creating factual communications regarding the water supply. Eric organized drafted press releases, created fact sheets and organized a press conference to help explain how the water district was going to resolve the issue and replace the aging infrastructure that has led to sediment buildup and brown water.

Personal Injury Litigation Appeal

Eric managed litigation communications following a horrific traffic accident involving a publicly-traded transportation company. The incident involved nearly fifty vehicles and resulted in multiple fatalities. Eric's work focused on directing traditional and social media attention to the primary cause of the accident (faulty road design and management) and reducing speculation concerning the client's involvement. His research on the flaws of road-construction, speed limits, and safety warnings enabled him to persuade the media to reverse their initial conclusions and to withhold judgment on the ultimate cause of the accident.

Western Sugar Cooperative v. Archer-Daniels-Midland, Co

For over four years, Eric handled litigation communications for the Plaintiff in a \$1.6 billion-dollar misleading advertising case. Eric worked for the producers (Plaintiff) of table sugar who sued the inventor of high fructose corn syrup (HFCS), alleging that the defendant ran a television and print campaign that contained false representations about HFCS. These representations constituted false advertising under the Lanham Act and a violation of California's Unfair Business Practices Act. Eric worked closely with the legal team and was responsible for framing key issues and ensuring proper perceptions as the case moved to trial. Halfway through the dispute, the sugar processors and the inventors of HFCS announced a secret out-of-court settlement.

Western Sugar Cooperative v. Johnson & Johnson

For several years, Eric handled all the litigation communications for the plaintiffs in a false-advertising lawsuit against the company that makes the sweetener Splenda. The campaign involved paid media, social media, and earned media. Filed by five US sugar companies, the Lanham Act litigation focused on the claim that Johnson & Johnson deliberately misled consumers with its "made from sugar, tastes like sugar" advertising campaign. The plaintiffs alleged that the defendants intentionally misled consumers about whether Splenda was natural and continued the advertising campaign knowing that people were confused. After a month-long trial, Johnson & Johnson settled the lawsuit just after the jury reached a verdict that would have gone against Splenda. Settlement talks began after jurors asked the judge for a calculator and expert reports from both sides on how to determine damages. According to one juror quoted at the settlement time, the jury was set to award a substantial amount.

Post-Verdict Defamation Lawsuit

Eric's clients filed a defamation and intentional infliction of emotional distress case against a prominent businessman. Following a successful verdict, Eric implemented a traditional and social media strategy, which arranged for media coverage that included stories on the verdict and the litigator's success. The story was covered worldwide. In addition, the successful litigator was named "Litigator of the Week" in several publications.

SpaceShipOne

In 2004, Eric was responsible for the public relations efforts surrounding the launch of SpaceShipOne, the first privately developed spacecraft to reach suborbital space with the first-ever civilian astronaut. After multiple visits to the Mojave Airport to tour onsite facilities, Eric coordinated the PR, logistics, and event staging to host over 600 credentialed journalists. In addition to event press materials, Eric created detailed hypothetical crisis materials, including speeches and press releases to be disseminated in the event of a disaster. Media outlets from Chile to China and around the world reported on the SpaceShipOne launch. Over 300 local and international newspapers featured the flight, with many including coverage as a front-page story.

Actors' Equity Association

When actor Ed Asner filed a lawsuit against Actors' Equity Association (AEA), Eric worked with the ATA to explain to members and the media why the union was fighting to ensure that small theatres paid minimum wage to actors. For years, actors worked in theatres with under 100 seats for small performance stipends, as essentially volunteers. The communication campaign

centered around the fact that labor unions exist primarily to advocate for better wages and working conditions for its members and the AEA was no exception. A federal court eventually dismissed the case, and 99-seat theatres began paying actors the minimum wage.

Airline Crash

In October 2000, an airline jet crashed while attempting to take off under poor weather conditions. Eighty-three of the one-hundred seventy-nine passengers were killed aboard the flight headed to Los Angeles. Eric moved quickly to assemble a team of crisis and media specialists to help the airline company manage the flow of information to passengers, family members, employees, government officials, key stakeholders, media reporters, and the general public.

September 11 Terrorist Attacks

In the hours after the tragedy of September 11, Eric led the external proactive media outreach efforts for a major U.S airline in Los Angeles and assisted the airport authority. His work included crisis and public relations support, offline and online media monitoring, and subject research. Additionally, Eric implemented pre-approved crisis-related media materials/messages and developed new announcements for the airport staff and the Los Angeles Mayor. The effort's success resulted in the City of Los Angeles retaining Eric to create and coordinate a massive post-September 11th event for the airport.

This represents a partial list of the public relations and public affairs work Eric has done over his career.

Reactive Litigation Communication

Church Sex Abuse

In 2002, when the Archdiocese of Los Angeles was named in a lawsuit accusing the Cardinal and other high-ranking clergymen in the archdiocese of keeping evidence of child molesting away from law enforcement officials and shielding abusive priests from criminal prosecution, the archdiocese hired Eric to handle media relations.

Qui Tam Lawsuit

When a hospital chain reached an agreement with the US Department of Justice to settle a whistleblower (qui tam) lawsuit filed by a former employee, Eric drafted the press release for the hospital and developed communications documents to be used with employees, key stakeholders, and elected officials.

California Proposition 65 Lawsuit

When an environmental organization presented California Proposition 65 (which requires the state to publish a list of chemicals known to cause cancer or birth defects) against most major manufacturers of chocolate products, Eric helped ensure that the announcement was a "one-day wonder" that gained no media traction. Before the announcement, he prepared key documents, selected and secured third-party advocates, hired media-trained spokespeople, and produced B-roll. Eric conducted extensive opinion research to test the messages and to evaluate which spokespeople would be most credible among key audiences. At the Plaintiff's press conference,

he distributed the client's statement, subsequently providing B-roll to select media, and a spokesperson. The case was successfully characterized as a "sham." There was limited media follow-up, the minimal settlement went unreported, and chocolate sales were unaffected.

Private Antitrust

A leading inkjet printing company faced several lawsuits from smaller competitors and refillers alleging anti-competitive practices. Since public sympathy appeared to be on the side of the "plucky little fellow" challenging a "bullying behemoth," Eric was hired to make the company's case more sympathetic to the general public. Working closely with the client's legal team, he developed a series of communications themes that his testing demonstrated would resonate with audiences outside the courtroom. By stressing that his client assured quality and improved consumer choice, Eric successfully blunted the opponents' campaign to paint his client as an enemy of the public interest.

California Labor Commissioner Lawsuit

When the California Labor Commissioner's Office cited a large supermarket chain and claimed that the company forced some workers to work while sick, told others to apply for unemployment while quarantining or isolating with COVID-19, the parent company hired Eric to develop and implement an aggressive communications plan to fight back against the baseless allegations.

The cases above represent a partial list of crisis communication work Eric has done throughout his career.

Reputation Management

Corporate Reputation Management

With electricity bills spiking sharply in California, the public outcry became a daily newspaper story, leading a Fortune 500 company to turn to our team for help. The client wanted to calm local opinion, accustom people to the long-term reality of higher bills and educate them on the broader issue of a broken wholesale market and lack of power supply. Eric was also tasked with garnering support for efforts to improve the situation and to guard against a public and political backlash against deregulation or other harmful measures. As the energy crisis began in California, our client needed to maintain an important place in the debate without being seen in the same light as the much more troubled electricity providers.

After conducting exhaustive research with electricity customers and a media audit of electricity coverage, Eric led a team that implemented a paid and earned media campaign, which allowed the company to weather the electricity crisis. Tactics included placing numerous newspaper and radio ads, op-eds, editorial board meetings, press releases, paid online media, new marketing materials, and the development of ratepayer assistance programs. The insights gained from the telephone research and focus groups and a detailed media audit guided the plan's development. The multi-year effort succeeded in calming public and media hostility in gaining acceptance of the broad power crunch and in providing an understanding of why bills rose so high. The reputation effort refocused the debate away from the utility and toward the underlying and more widespread issues. Eric's team successfully kept attention away from our client and diverted it

to where it mattered—among legislators, other officials, and Wall Street. We not only protected the client’s corporate image but enhanced it.

Businessman Fined by Federal Government

After a businessman agreed to pay a multi-million dollar fine for failing to pay his workers minimum wage or overtime, the media attention was overwhelming. Search results of the company and the CEO only showed the negative media stories. Eric oversaw a team that implemented a robust digital repair campaign that included paid ads in newspapers, social media and online. After 18 months, page one of search engines showed positive searches for the client’s name and his companies.

Medical Diagnostics Company

When the US Attorney indicted a business associate for allegedly scamming insurance companies out of nearly \$300 million, the company’s management team and highly qualified doctors retained Eric to help ensure that the crisis (that did not involve an employee) did not disrupt business operations, damages their reputation, or negatively impacts their relationships in the medical industry.

Recycling Firm

After one of the dominant providers of metal recycling was accused by two District Attorneys of consistently violating the anti-metal theft laws, the company agreed to pay a multi-million dollar fine to settle the case, and Eric was retained to implement a reputation repair campaign. The paid digital and media campaign shifted the dialogue back to the company’s strengths, rather than being defined by the litigation.

Equity Firm

After news reports speculated that a Wall Street Equity fund was under SEC Investigation, Eric was retained to develop a comprehensive reputation repair campaign. The campaign which utilized paid social media, earned media, and digital repair helped properly inform key stakeholders of the facts.

Country Club

A waitress filed a lawsuit against a well-known country club alleging discrimination and retaliation. At the same time the lawsuit was filed, her attorney went to the media to get the club to settle. In her case, the Plaintiff claimed wrongful termination, retaliation, intentional infliction of emotional distress, a hostile work environment, sex discrimination, breach of contract, and various labor law violations. Facing questions from members about the litigation, Eric was retained to provide internal communication and media support. Eric developed a reputation effort to explain that the lawsuits were the product of disgruntled ex-employees and a publicity-seeking lawyer and labeled the allegations ridiculous, salacious, and unfounded. The plan included paid and earned media. A trial was held, and the jury rejected all the claims of the former employee.

Environmental Management Company

Eric provided a media relations and reputation management company to a national environmental compliance and remediation construction company. This happened when a reporter for a large newspaper sought an interview regarding the failure to execute a contract

with a government agency for the cleanup of contaminated properties, despite being awarded the bid through an RFP process.

Tax Services

In 2005, the dominant provider of tax services with a national network standing for quality and reliability reputation and integrity was under attack by consumer activists, government officials, and the media. Eric helped develop and assemble a team to implement a comprehensive brand reputation and image program. The reputation repair campaign was based on market research and included a significant amount of paid media that was successful and helped to protect and enhance the firm's legacy as a high-quality, high-integrity provider of sophisticated tax/financial services for middle Americans.

Holding Company

When a holding company in the utility field wanted to institute a branding initiative that would help to increase the stock market valuation of the Fortune 500 company and achieve positive recognition for the company and the executives, Eric oversaw the development of the paid media reputation plan and implementing the multi-year strategy.

Major Utility

A major natural gas company was perceived as aloof and did not have an integrated community outreach program. Eric developed a long-term systematic outreach plan to key community stakeholders. Because of Eric's efforts, they now monitor social media platforms and proactively address reputation issues.

Music Promoter

Following the drug overdose death of a fifteen-year-old attending a rave, Eric was hired to assist the national company that hosted the event by creating a reputation and repositioning campaign. The campaign's purpose was to deflate and deflect negative misconceptions tied to the company's festivals and events, namely the perceived connection to illegal drug use. Critical to the success of the efforts was ensuring that the campaign worked across multiple platforms: traditional media, social media, and interpersonal communications. The multi-year reputation repair campaign involved paid and social media along with a robust earned media component was so successful that the company was able to grow and maintain its leadership position in the industry.

Family Spokesperson

Eric was hired by a family who owned hotels and an NBA basketball team to handle the negative attention they were receiving in both mainstream and local media. Eric created and implemented an earned and paid media strategy for the family that allowed them to maintain fan loyalty and garner respect from their business partners, concurrently selling the team for a record profit.

UFC Star

Following the arrest of an Ultimate Fighting Champion superstar on a misdemeanor charge of domestic violence, Eric handled all media relations.

Union Campaign

When the Service Employees International Union (SEIU) identified a major hospital chain as its primary target and began attacking the core values and community service records of several hospitals because they refused to allow a card check for organizing, Eric developed a communications strategy to disclose the facts and protect the hospitals' reputation. While the hospital chain was not opposed to union organizing efforts, the management felt a secondary voice was necessary to combat the SEIU's misinformation. We developed a multi-disciplinary campaign to challenge the SEIU's claims and provide employees with accurate information about the potential impact and costs of union representation. To rebuild pride in the hospitals, we developed a few key initiatives focused on employee morale. Simultaneously, the hospitals launched a targeted and aggressive education campaign, which provided accurate information about union organization to constituents (i.e., religious community, elected officials, patients, medical staff, hospital communities, and the public).

After conducting research, the reputation repair campaign centered around ads that featured employees who represented the hospitals' true spirit. A series of communications pieces featuring community service outreach programs were used in mailers and social media. In addition, a brochure was created that focused on the hospital chains' mission and its commitment to the underserved individuals to combat the SEIU's attacks on those issues. The brochure was used in online communications and mailed to key stakeholders. The strategy to highlight individual programs rather than debate directly with the union helped neutralize the issues. As a result of Eric's efforts, the service employees overwhelmingly rejected union membership in favor of maintaining their direct relationship with management.

Supermarket Chain

Two years before a non-union supermarket chain announced that they were going to open up over 100 stores in California, Eric was hired to help the company deal with several potential issues that derailed other companies' entry into the state. Eric and his team assisted the international chain with research and planning. A detailed reputation rollout plan was developed that utilized paid radio, television and newspaper advertising along with earned media. Traditional social media and social media influencers along with web advertising, were utilized to define the company before entering the California market.

Labor Dispute

For two years, Eric directed an independently owned hotel chain in Los Angeles with a labor dispute. Eleven workers filed complaints with the California Labor Commissioner's Office, alleging they had missed breaks required by law. Several weeks later, workers went on an all-day strike to protest these allegations. For over six months, workers engaged in regular picketing and other activities while demanding that management agrees to card-check. Eric developed communications to inform the public that the hotel supported the secret ballot election process conducted by the National Labor Relations Board to protect employees' right to vote in a neutral, private environment. The union refused to participate in an election process and began a "corporate campaign." Eric worked to aggressively counter claims by touting the hotel's industry-leading wages and benefits packages, its outstanding workplace-safety record, and its role as a recognized leader in promoting a diverse workforce. Eric worked with the hotel and its legal team to petition the NLRB to hold supervised secret-ballot elections. Two years after the

dispute began, the owner decided to sell the hotel and asked Eric to develop a plan to allow for a union. The client then told prospective buyers they would be purchasing a hotel with a unionized workforce and that the ongoing labor dispute had been settled.

Law Enforcement Unions

Eric has an extensive background in local government, public policy, labor relations, political campaigns and law enforcement. He has used his detailed knowledge to provide numerous law enforcement clients with public relations and strategic communication services, local government lobbying, and political and issue campaign management. Eric has assisted law enforcement and prosecutor labor unions with community outreach, coalition building, and political campaigns. Eric has worked extensively with local governments on innovative, community-based solutions to complex criminal justice issues.

International Food Manufacturer

For the last three years, Eric has been working on a project for an international food manufacturer that makes olive oil. The project includes monitoring a variety of social media sites and developing responses to consumer and media concerns. Eric's job was to determine when and how the company should respond to traditional and social media stories.

Municipal Communications

When a City learned that a popular restaurant and market decided not to move forward with their proposed development plans, developers blamed the City Council, Mayor and City Manager. The city hired Eric to develop communications to show that the applicants abandoned the project and sought a scapegoat. Eric's efforts highlighted the city's remarkable job of balancing enthusiasm & excitement for the project with the legal obligation to protect the public interest. In the end, the community understood that the city was committed to the project from day one and that the developer abandoned the project for financial reasons.

The reputation examples represent a partial list of the reputation work Eric has done over his career.

Crisis Communication

Among many and varied assignments, Eric has assisted clients in all aspects of dealing with national media, including *60 Minutes*, *Dateline*, *20/20*, *Fortune*, *The Los Angeles Times*, *New York Times* and many local media outlets. Eric has counseled clients on product recalls, guided clients on public image problems arising from legal disputes or government investigations, coordinated readiness plans, and conducted crisis simulations for global corporations.

Eric has counseled clients on protecting their reputations in the wake of rogue employee actions. He has also trained company spokespeople facing hostile questions from investigative reporters or a wary investor community. He has prepared CEOs to testify before legislative bodies and provided responsive, on-the-ground support when a crisis occurred.

As part of his crisis communication practice, Eric has helped companies develop ironclad policies and practices for handling personal, confidential, and sensitive information in the workplace. For a client in the medical field, Eric helped develop responsible data-handling

practices, workplace privacy policies, and the implementation of regular training programs for employees.

The examples above represent a partial list of hundreds of crisis and reputation communication programs Eric has developed and implemented throughout his career.

Development of Crisis Communication Plans

Throughout his career, Eric has developed outreach and crisis communications plans for a broad range of local, national, and international clients. Eric's crisis projects created a structure for communicating with internal and external stakeholders, in the event of a crisis that affects the reputation or normal business functions of the organization. Eric's plans ensure every aspect of the plans aligns with this common goal. Plans developed include:

- A crisis communication plan for Southern California franchise owners of an international fast-food chain. The plan focused on how franchise owners should communicate with employees, partners, customers, media, the general public, and any valuable stakeholders. The plan was reviewed and approved by the corporate communications team.
- A crisis communication plan for a large Southern California casino. The plan included guidelines for the casino to deal with emergencies and unexpected events. The plan included steps to take when a crisis first emerges, how to communicate with the public.
- A crisis communication plan for a large Japanese electronics company that is one of the world's largest manufacturers of computer printers and information and imaging-related equipment.
- A crisis communication plan for an American multinational toy manufacturing company headquartered in Southern California.
- A crisis communication plan for an international company that exports olive oil to the United States.
- Management and crisis communications for an international airline.
- A recall and crisis plan for an American biopharmaceutical company that has discovered and developed numerous commercialized therapeutics.
- A crisis communication program and plan for a waste management and environmental services company headquartered in Texas.

The examples of the work above represent a partial list of what Eric has developed for clients.

Media Training for Senior Executives

Eric conducted media training workshops, seminars, and individual coaching sessions for senior executives. Eric has taught over 700 individuals how to shape a media message so that they can say everything you need to say in 30 seconds or less and how to get quoted precisely the way they want on the messages they want.

Publications

Throughout Eric's professional career, he has written on a wide variety of subjects related to public relations, crisis communications, and reputation management for business as well as for specialty areas (e.g., legal marketing/litigation support). Eric has written many articles for various local, regional and national general business publications, including newspapers and websites. Eric has also been quoted extensively in books on communications and crisis management.

Branders: What to do when things go wrong, Branders Magazine – March 7, 2018

<https://www.ekapr.com/branders-what-to-do-when-things-go-wrong>

Chief Crisis Officer: Structure and Leadership for Effective Communications Response: Quoted Extensively

Author, James F Haggerty, ABA Book Publishing ISBN 9781634251778 Publication April 2017

Communication Law: Practical Applications in the Digital Age 2nd Edition: Quoted Extensively

Authors: Dom Caristi & William Davie ISBN 9780367546694 November by Routledge

Not Her Mother's Daughter: The lessons of Lisa Bloom, City Watch – October 23, 2017

<http://www.citywatchla.com/index.php/los-angeles-for-rss/14241-not-her-mother-s-daughter-the-lessons-of-lisa-bloom>

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<http://www.thecrimereport.org/viewpoints/2014-12-what-cops-get-lit-up-reacting-to-a-law-enforcement-c>

The False Claim Of An LA County Sheriff's Deputy Being Shot By A Sniper Leads To A Classic Fail in Crisis Communication – September 6, 2019, Witness LA

<https://witnessla.com/op-ed-the-false-claim-of-an-la-county-sheriffs-deputy-being-shot-by-a-sniper-leads-to-a-classic-fail-in-crisis-communication>

The ABCs of Source Attribution – and Tips on Negotiating it

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How a Crime Hoax Taught a Lesson in Crisis Communications

<https://thecrimereport.org/2019/09/09/how-a-crime-hoax-taught-a-lesson-in-crisis-communications/>

What to do when things go wrong: protecting the brand

<https://www.ekapr.com/branders-what-to-do-when-things-go-wrong/>

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<https://www.citywatchla.com/index.php/archive/4218-shopper-alert-hidden-restocking-fees-draw-consumer-anger>

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<https://thecrimereport.org/2015/03/24/2015-03-why-police-need-shotspotter>

Does your reputation online reflect who you really are?

<https://link.medium.com/4uBgr3t0R3>

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Contributor on communications practices: An Independent Examination of the Los Angeles Police Department 2020 Protest Response

<https://www.ekapr.com/wp-content/uploads/2021/03/report-2021.pdf>

McDonald's Re-writes Playbook for Corporate America and Crisis

<https://www.pnewsonline.com/McDonald%27s-crisis-Easterbrook>

Disney Attacks Scarlett Johansson Instead of the Facts

<https://pnewsonline.com/johanssen-disney-crisis/>

Seminars & Speaking Engagements

Throughout his professional career, Eric has spoken, written, and lectured on a wide variety of issues regarding public relations, crisis communications, litigation support, and social media.

- Media, Communications and Reputation Management Training – League of California Cities
- Crisis Communications Training – California Bar Association – MCLE Credit
- Guest lecturer on crisis and litigation communication at the University of Southern California (USC)
- Guest lecturer on reputation management at the California State University Northridge, (CSUN)
- Seminar for LAPD management regarding social media, mass communication, and mass gatherings
- Seminar of the California Police Chief's Association responding to social media and reputation management issues
- Workshop for the San Diego County District Attorney's Office on crisis management in the digital era
- Workshop for the Ventura County District Attorney's Office on social media for communications

Media

Eric is a frequent media commentator on crisis and reputation management issues and is a [regular guest expert](#) on CNN, Fox News, and KCBS/KCAL television. Topics range from the current political stories of the day to crisis communication issues. Eric is also frequently quoted in [local and national newspapers](#) regarding crisis and reputation issues.

Career Achievements

- Sabre Award Winner, Public Affairs
- PRSA Silver Anvil Award Winner, Corporate Reputation/Brand Equity

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