

"I've often said that in strategic litigation, the court of public opinion is almost as important as the court of law. It's critical to align your litigation strategy and your public relations strategy to ensure success."

-- Edwin Meese III, former U.S. Attorney General



Litigation communications, whether corporate or individual, civil or criminal, has two objectives: success in the courtroom and reputation protection. These two objectives can be seemingly at odds if not carefully managed with a savvy strategic communications team supporting the legal team. And loss in one and victory in the other is no success for any company or individual.

Lawsuits, government investigations, bankruptcies, criminal charges against a company, its management or employees – all can take many months, if not years to resolve, a time during which a cloud can hang over a company's or person's reputation. While "presumed innocent until proven guilty" applies inside the courtroom, its opposite applies outside in the court of public opinion.

Ideas. Actions. Results.

“You want to influence the press because you know [it] may impact the decision maker and the press may also impact the brand of the client.”

Tom Hoopes, attorney, LibbyHoopes

Added to the mix are two other factors:

- ◆ A media environment that is insatiable and constant, with challenges ranging from the comments posted below the articles, pop-up websites, the likes of TMZ.com, and blogs.
- ◆ Prosecutorial and regulatory officials at the federal, state and local level increasing skilled at utilizing the frequently voracious media to their advantage.

Why do you need Rasky Baerlein?

At Rasky Baerlein, we have a long track record on a wide array of litigation matters. We support your legal team, utilizing our expertise to manage the media and communications with your key constituencies.

To be successful in litigation communications, a host of activities must be carefully coordinated with the legal team, and sequenced. Among them, the most critical steps are to:

- ◆ **Crystallize** complex legal arguments into concise, easy-to-understand and memorable statements for the media and key audiences such as investors, customers, employees, and peers.
- ◆ **Prepare** documents such as holding statements and Q&A's ready for the inevitable media call seeking comment.
- ◆ **Media train** spokespeople, and prepare them for all aspects of media responses.
- ◆ **Anticipate** where the story will go. Our experience enables us to assess and predict how a story might unfold. Understanding which angles reporters will take to continue a story can help prevent or mitigate unwanted coverage.
- ◆ **Advocate** for the client's reputation and point of view. This can be done as the on-the-record spokesperson, through the attorney's or as unseen advisors. It is coordinated with the attorney and client, utilizing the best strategy to support the legal position and protect the reputation at stake.

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Our Promise to You

We will work with the legal team to support your objectives. We will offer smart counsel on strategies to be successful both in the legal process and in protecting your reputation.



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