

# Bad Review? Bad Response? Bad Idea!

Presented by Jennifer Ellis & Daniel J. Siegel

October, 2016

## About Jennifer Ellis

- ▶ **Ethics Attorney**
  - ▶ Lowenthal & Abrams, PC
- ▶ **Law Firm Marketing Consultant**
  - ▶ Jennifer Ellis, JD, LLC
- ▶ **Speaker/Author**
  - ▶ Technology, Social Media & Marketing
  - ▶ Law Practice Management
  - ▶ Ethics
- ▶ **Contact:** [Jennifer@JLEllis.net](mailto:Jennifer@JLEllis.net) or [Jennifer@LowenthalAbrams.com](mailto:Jennifer@LowenthalAbrams.com)



# Bad Review? Bad Response? Bad Idea!

Presented by Jennifer Ellis & Daniel J. Siegel

## About Jennifer Ellis

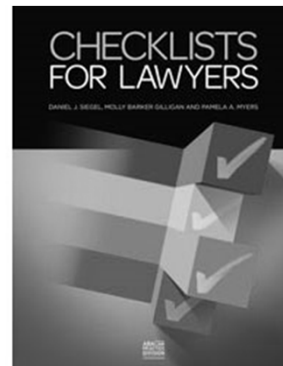
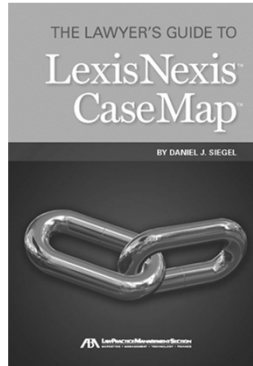


## About Dan Siegel

- ▶ Law Offices of Daniel J. Siegel, LLC
  - ▶ Practicing Attorney - Focusing on Appellate Writing & Ethical Guidance for Attorneys - Assisting Lawyers With the Things That Keep Them Awake All Night
- ▶ Integrated Technology Services, LLC
  - ▶ Legal Technology/Law Office Workflow Consultant
- ▶ Contact: [Dan@TechLawyerqy.com](mailto:Dan@TechLawyerqy.com) or [Dan@DanielJSiegel.com](mailto:Dan@DanielJSiegel.com)



## About Dan Siegel



## Ethics - Technology



- ▶ Most states have added competence with technology to their rules.
  - ▶ Based on ABA Model Rule 1.1 Comment 8.
  - ▶ To maintain the requisite knowledge and skill, a lawyer should keep abreast of **changes in the law and its practice, including the benefits and risks associated with relevant technology**, engage in continuing study and education and comply with all continuing legal education requirements to which the lawyer is subject.
  - ▶ This concept is an umbrella over all use of technology, including seeking and responding to online reviews.
  - ▶ Learn how review sites work.

## Ethics - Confidentiality

- ▶ Model Rule 1.6 requires lawyers to maintain confidentiality.
- ▶ This includes in responses to reviews

## What is Confidential Information?

- ▶ What is confidential information related to representation?
- ▶ “Information relating to representation” is generally recognized to be very broad and is not limited to secrets or confidences.” Iowa Supreme Court Att’y Discipline Bd. v. Marzen, 779 N.W.2d 757, 765-67 (Iowa 2010)

## Why Reviews?

- ▶ Potential clients use reviews to make hiring decisions.
- ▶ 92% of consumer use online reviews to determine if they can trust a business.
  - ▶ <https://www.vendasta.com/blog/online-review-monitoring-yelp-reviews/>
- ▶ This number is up from 88% in 2014.
  - ▶ <https://www.brightlocal.com/learn/local-consumer-review-survey-2014/>

## Polling Question

Do Reviews Happen To You?

## Reviews Happen

## Reviews Happen

**LawyerRatingZ**  
Find, rate and review Attorneys and Lawyers



**Pissed  
Consumer**

**Avvo**

**10.0**



Superb

**5.5**



Average

**1.0**



Extreme  
Caution

● Misconduct



No Concern

## Both Happy and Angry Clients Write Reviews

- ▶ Most sites do not require you to make an account, people can still review you
  - ▶ AVVO
  - ▶ LawyerRatingz
  - ▶ Martindale
  - ▶ Yelp
  - ▶ Google Business
  - ▶ Facebook
  - ▶ Many, many others

## 97% of Lawyers on AVVO

- ▶ AVVO seeks to create listings for all lawyers
  - ▶ Provides limited information if you do not claim your account
  - ▶ Includes information about public discipline
  - ▶ Allows people to write reviews

# Bad Review? Bad Response? Bad Idea!

Presented by Jennifer Ellis & Daniel J. Siegel

## Prepare for Reviews

- ▶ Make your own online presence first
  - ▶ Seek positive reviews (in an ethically appropriate fashion)
    - ▶ Do not offer anything in exchange for reviews
  - ▶ Target most important sites
    - ▶ AVVO
    - ▶ Google
    - ▶ Yelp
  - ▶ Send polite email or letter asking for reviews from happy clients
    - ▶ Make sure this is acceptable under your ethics rules
    - ▶ Include instructions on writing reviews
      - ▶ Include links

## Reviews Happen

**LawyerRatingZ**

Find, rate and review Attorneys and Lawyers

HOME



SEARCH



BROWSE



RATE



BEST



ARTICLES



attorney reviews

MAP & INFO

Attorney

Camp Hill, PA

Practice Area: Divorce / Family Law

Firm:

Phone:

Profile updated: 8/6/12 [Submit profile update](#) [Subscribe to profile updates](#)



Rating: 2.3 out of 5 based on 3 reviews.

Attorney has a poor overall rating on LawyerRatingz.com.

The following postings have not been substantiated by LawyerRatingz.com.

### Questions and answers about this attorney

Have a PUBLIC question about this attorney? Ask here

Post




Like Share





# Bad Review? Bad Response? Bad Idea!

## Presented by Jennifer Ellis & Daniel J. Siegel

### Good Reviews Happen

KEY	Date	KNOWLEDGE	COMMUNICATION	TENACITY	WORK QUALITY	VALUE	Comments	
	3/26/14	1	1	1	1	1		
	Registered users can <a href="#">respond publicly to this rating</a>							
	9/5/12	5	5	5	5	5	_____ has been a God-Send for me and my daughter. My husband of 14 years is a doctor and things had become unbearable. I will only say that _____ has been there for me and has been very supportive and caring. She listens and doesn't judge. This has been a very hard time for me but _____ presence and support has made the difference! _____	
	Registered users can <a href="#">respond publicly to this rating</a>							

### Bad Reviews Happen

	5/6/10	1	1	1	1	1	she hates women and never listens to clients. she thinks she is god. you hire a lawyer to represent you, not judge you. that should be left to god. she forgets that the client is the customer and she is hired to get results in the court room and not to be the judge in the living room. she is overpriced and over rated. if you want to pay for opinion, then go ahead. she is abrupt and most conversations end with her yelling. As a business woman for so many years i have never had an experience with a lawyer like this. there is only one view point and opinion and it is her's. i would never recommend her to anyone. she makes lot's of promises but doesn't follow through. she is disconnected emotionally and seems more focused on the money, \$27,000 plus for custody. this is not about money, its about trust and the best interest of the kids. if you decide to go with her make sure you a man with no women in your life. If your lady is next to you then "May God Bless You!"	
	Registered users can <a href="#">respond publicly to this rating</a>							

## Bad Review? Bad Response? Bad Idea!

### Presented by Jennifer Ellis & Daniel J. Siegel

#### Mistaken Reviews Happen (PissedCustomer.com)

is a lawyer in Philadelphia Pennsylvania who is very dishonest, incompetent and money hungry. He will send you erroneous bills and will continue to bill you even after you pay everything he asked for. He will continue to find ways to bill you way after he loses your case. His main focus is how much he can make when he takes a case. During trial he takes his paralegal with him in court and charge double fees as if you had hired 2 attorneys. Worse is, he is incompetent and can't articulate a clear defense for his clients. His billings are fraudulent and he will wait just before he goes to trial or before he files a motion for you, to tell you that you have to come up with an additional funds depending on how rich he thinks you are. He will then threaten to quit your case the day of the trial to coax you into giving the money he asks.

He is basically a heartless thief and a charlatan who should be barred from practicing law and ripping off his clients. In court he is a total \*\*\* who cannot articulate his thoughts very well in front of a judge. He lost most if not all of his cases according to all other lawyers I asked in his area. He lost an easy case for me that according to at least a dozen lawyers I consulted after the case told me the outcome would have been different if I had a different lawyer. If you care about your case and want a fair day in court, stay away from attorney . He will try to get every penny he can possibly get from you mercilessly and still lose your case.

This review is a subjective opinion of a user.

#### Reviews Happen - Response to Mistake

Mar 05, 2015 #954372 Philadelphia, Pennsylvania

This review confuses me with a different attorney. The information in the review does not and could not apply to me.

First, because it references a "defense," it appears to apply to a defense attorney, which I am not.

Second, the review addresses how I handle trials, although I am no longer a trial attorney, and have not done trial work in more than 14 years.

Third, when I did conduct trials (generally on behalf of plaintiffs in personal injury matters), I never had a paralegal, and all fees were on a contingency basis.

Fourth, my practice is and has for more than a decade been primarily focused on handling wills and estates and alcoholic beverage law. None of these matters has ever gone to trial.

Fifth, I have never had a client complain about my bills, which are usually based on flat fee or percentage arrangements. Sixth, I do not have a record of ever representing a client named "Morgan." While I regret that Morgan2014 was unhappy with her attorney, she must have confused me with someone else.



Polling Question  
Will Bad Reviews Happen To You?



Ethics and Responding to Reviews

## The Rules and Responding to Bad Reviews

- ▶ Do the Rules of Professional Conduct impose restrictions upon a lawyer who wishes to publicly respond to a client's adverse comments on the internet about the lawyer's representation of the client?
- ▶ Yes.

## Rule 1.6: Confidentiality

- ▶ "(a) A lawyer shall not reveal information relating to the representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation or the disclosure is permitted by paragraph (b)"  
(Model Rule 1.6)

## 1.6(b)(5) Defense

- ▶ “(b) A lawyer may reveal information relating to the representation of a client to the extent the lawyer reasonably believes necessary:”
  - ▶ “(5) to establish a claim or defense on behalf of the lawyer in a **controversy** between the lawyer and the client, to establish a defense to a criminal charge or civil claim against the lawyer based upon conduct in which the client was involved, or to respond to allegations in any **proceeding** concerning the lawyer's representation of the client”

## Restatement 3<sup>rd</sup> §61-67: Confidentiality

- ▶ The Restatement is clear in terms of when confidential client information can be revealed. It also provides a self defense option under §64:
- ▶ “A lawyer may use or disclose confidential client information when and to the extent that the lawyer **reasonably believes necessary** to defend the lawyer or the lawyer's associate or agent **against a charge or threatened charge** by any person that the lawyer or such associate or agent acted wrongfully in the course of representing a client.”

## Comment C: Charges and Imminent Threat

- ▶ “A lawyer may act in self defense ... only to defend against **charges** that imminently threaten the lawyer or the lawyer’s associate or agent with serious consequences...”

## Comment E: All Options Exhausted

- ▶ “The lawyer must believe that options short of use or disclosure have been exhausted or will be unavailing or that invoking them would substantially prejudice the lawyer’s position in the controversy.”

## The Key Terms

- ▶ Defense (Rule 1.6 and 64)
- ▶ Reasonably necessary (Rule 1.6 and 64)
- ▶ Charge or threatened charges (64 and comment c)
- ▶ Controversy (Rule 1.6(b)(5) and 64 comment e))
- ▶ Proceeding (Rule 1.6(b)(5))

## Key Terms Not Defined

- ▶ Many of the terms in the rule and the Restatement are undefined and unclear.
  - ▶ Most ethics attorneys believe that confidential information may not be shared for purposes of defense relating to a review.
  - ▶ A minority of ethics attorneys argue that lawyers should be able to respond to reviews with confidential information.
  - ▶ **Must Understand:** Bar associations and disciplinary boards are using the rules to require a legal action of some kind and do not allow sharing of confidential information for response to reviews.

## Conclusion

- ▶ Criticism on the Internet does not trigger the required proceeding, controversy under the Rule or charges under the restatement.
- ▶ Respond to negative reviews by providing confidential information at your own risk!
- ▶ Keep in mind, there are not only ethical issues, but PR concerns as well.

New Hampshire Bar Association Ethics Committee,  
NH Bar News, Feb. 19, 2014

- ▶ In response to a client's online comment that the lawyer took the client's money for a hearing that he knew he could not win, the Committee advised that "while you may be permitted to make some sort of limited response to your client's postings, you are not authorized to make the disclosures that you propose."
- ▶ [https://www.nhbar.org/legal-links/Ethics-Opinion-2014-15\\_05.asp](https://www.nhbar.org/legal-links/Ethics-Opinion-2014-15_05.asp)



Los Angeles County Bar Association Professional  
Responsibility and Ethics Committee Opinion 525  
(Dec. 6, 2012)

- ▶ A lawyer may publicly respond to comments as long as the attorney's reply
  - ▶ (1) does not disclose any confidential information;
  - ▶ (2) does not injure the former client in any matter involving the prior representation; and
  - ▶ (3) is proportionate and restrained.
- ▶ <http://www.lacba.org/docs/default-source/ethics-opinions/archived-ethics-opinions/ethics-opinion-525.pdf>

San Francisco Bar Association (Op. 2014-1):

- ▶ A lawyer is not barred from responding to an online review by a former client - when the former client's matter has concluded.
- ▶ The lawyer's on-going duty of confidentiality prohibits the lawyer from disclosing any confidential information about the prior representation absent the former client's informed consent or a waiver of confidentiality. San Francisco Bar Association.
- ▶ [https://www.sfbar.org/ethics/opinion\\_2014-1.aspx](https://www.sfbar.org/ethics/opinion_2014-1.aspx)

## Pennsylvania Bar Association (Op 2014-200)

- ▶ Analyzes “whether the Pennsylvania Rules of Professional Conduct impose restrictions upon a lawyer who wishes to publicly respond to a client’s adverse comments on the internet about the lawyer’s representation of the client.”
- ▶ Concludes “that the lawyer’s responsibilities to keep confidential all information relating to the representation of the client, even an ungrateful client, constrains the lawyer.”
- ▶ Concludes “that a lawyer cannot reveal client confidential information in response to a negative review without the client’s informed consent.”
- ▶ <https://www.pabar.org/members/catalogs/Ethics%20Opinions/formal/F2014-200.pdf>

## Punishments Cause Press



<http://tinyurl.com/kry4t6l>

### **Lawyer accused of revealing TMI in response to bad Avvo review is reprimanded; overdraft also cited**

POSTED JAN 21, 2014 11:45 AM CST

BY DEBRA CASSENS WEISS

Like 83 Share

Tweet

A Chicago lawyer accused of disclosing confidential information about a client in response to his bad Avvo review has been reprimanded partly for the revelation.

## Improper Responses = Bad Results

BEFORE THE HEARING BOARD  
OF THE  
ILLINOIS ATTORNEY REGISTRATION  
AND  
DISCIPLINARY COMMISSION

In the Matter of:

BETTY TSAMIS,  
Attorney-Respondent,  
No. 6288664.

Commission No. 2013PR00095

FILED --- August 26, 2013

COMPLAINT

## AVVO Review and Unwise Response

► Client posted review

- I paid Ms. Tsamis \$1500 to help me secure unemployment while she knew full well that a law in Illinois would prevent me from obtaining unemployment benefits."

► Tsamis responded

- "This is simply false. The person did not reveal all the facts of his situation up front in our first and second meeting. [*sic*] When I received his personnel file, I discussed the contents of it with him and informed him that he would likely lose unless the employer chose not to contest the unemployment (employers sometimes do is [*sic*]). Despite knowing that he would likely lose, he chose to go forward with a hearing to try to obtain benefits. I dislike it very much when my clients lose but I cannot invent positive facts for clients when they are not there. I feel badly for him **but his own actions in beating up a female coworker** are what caused the consequences he is now so upset about."

## Disciplinary Response

- ▶ “By stating in her...AVVO posting that [client] beat up a female coworker, Respondent revealed information that she had obtained from [client] about the termination of his employment. Respondent’s statements in the posting were designed to intimidate and embarrass [client] and to keep him from posting additional information about her on the AVVO website.”
- ▶ Respondent engaged in the following misconduct
  - ▶ Revealing information relating to the representation of a client without the client’s informed consent
  - ▶ Using means in representing a client that have no substantial purpose other than to embarrass, delay or burden a third person
  - ▶ Conduct which is prejudicial to the administration of justice or which tends to defeat the administration of justice or to bring the courts or the legal profession into disrepute

## Final Result

- ▶ Joint stipulation
  - ▶ Punishment for review but also a trust fund irregularity
  - ▶ Found mitigating factors - no prior problems and remorse
- ▶ Reprimand and Public Admonishment

## Good Idea/Bad Idea?



Posted by Richard R.  
April 10, 2013

### Claims To Be "On Your Side" Is False

I Paid Ms. Tsamis \$1500 to help me secure unemployment, while she knew full well that a law in Illinois would prevent me from obtaining unemployment benefits.

**Betty Tsamis's response:** *"I am disappointed that this former client feels the way he does. I disagree with how he has presented the facts and they are contradicted by his written engagement agreement with me. I dislike it very much when my clients lose but can assure prospective clients that I do not misrepresent outcomes in any case."*



Posted by Dan  
April 2, 2013

### A Very Disappointing Experience

Clearly values her time above her service. Needed to research basic premises of the law, then billed for the time spent researching. Was often dogmatic and confrontational. Clearly insecure regarding her abilities and skills. Missed appointments without warning. Never communicated any strategy on how she was going to handle my case. When you seek legal counsel, you need someone professional, skilled and knowledgeable. Betty Tsamis is none of these things.

**Betty Tsamis's response:** *"I am disappointed that this former client feels the way he does. I disagree with how he has presented the facts and they are contradicted by his written engagement agreement with me. I dislike it very much when my clients lose but can assure prospective clients that I do not misrepresent outcomes in any case."*

## Attorney Suspended

- ▶ Disciplinary Actions
- ▶ Office of Lawyer Regulation v. Peshek, 798 N.W.2d 879 (Wis. 2011)
- ▶ Suspended a lawyer who wrote and published an Internet blog that revealed confidential information about current and former clients that was sufficiently detailed to identify those clients using public sources.

## Conclusions

- ▶ If you decide you must respond:
- ▶ “The trick is to not get defensive, petty, or feel the need to directly refute what you perceive is wrong with the review. It’s far more effective to think of future readers when writing the review, rather than the original reviewer.”

Avvo, Inc. General Counsel Josh King  
(<http://on.wsj.com/1q9WqTM>)

## Conclusions

- ▶ A lawyer’s responsibilities to keep confidential all information relating to the representation of a client, even an ungrateful client, must constrain the lawyer
- ▶ A lawyer cannot reveal client confidential information in a response to a client’s negative online review absent the client’s informed consent.

## Polling Question

### How Would You Respond to a Bad Review?

## Some Potential Responses

- ▶ Responses should be proportional and restrained.
- ▶ Potential responses:
  - ▶ We are sorry that the client was not satisfied with their representation. Unfortunately, ethical rules constrain us from providing a direct response to this client's concerns in public. We strive to provide the best representation to each and every client.
  - ▶ Ethical rules constrain us from fully responding to this individual's review. However, we welcome a call to discuss their concerns. Our firm strives to provide the best representation to every client.

## Pennsylvania Recommends

- ▶ “A lawyer’s duty to keep client confidences has few exceptions and in an abundance of caution I do not feel at liberty to respond in a point-by-point fashion in this forum. Suffice it to say that I do not believe that the post presents a fair and accurate picture of the events.”
- ▶ See Formal Opinion 2014-200

## Suing Over Defamatory Reviews

Is Suing a Good Idea?



## Triggers “Streisand Effect”

- ▶ Creates publicity and draws attention to client’s concerns
- ▶ Could result in malpractice suit or ethics complaint
- ▶ Lawsuit creates the requisite “proceeding” under RPC 1.6(c)(4).
- ▶ May share confidential information as necessary to pursue or defend against claim



## Successful Suit - Texas (Yelp lawsuit)

- ▶ Texas law firm sued a client over a negative Yelp review, posted after the firm sued for fees
- ▶ Former client complained in review that “this firm not only won’t help you - they intend to do you harm if they can’t extract enough money of you[.] They are disorganized, deceptive, manipulative and largely disrespected....”

## Texas Suit (Continued)

- ▶ Firm was successful
- ▶ \$100,000 verdict
- ▶ Review removed
- ▶ For a period, another negative review from a different person was posted. (Referred to original negative review.)
- ▶ Grissom & Thompson, LLP v. Browning

## Successful Suit - Florida

- ▶ Defamation suit against client and client's husband
- ▶ "No integrity. Will say one thing and do another. Her fees outweigh the truth."
- ▶ "Altered her charges to 4 times the original quote with no explanation."
- ▶ \$350,000 verdict
- ▶ Upheld on appeal
- ▶ Settle with non-client defendant
- ▶ Client defendant created her own website to talk about the case (she is trying to go forward pro se.
- ▶ Blake v. Ann-Marie Giustibelli, P.A.

## Successful Suit - Georgia

- ▶ Georgia appeals court affirmed verdict in favor of divorce lawyer against former client who described her as a "CROOK lawyer" and an "Extremely Fraudulent Lady" on an online business rating site.
- ▶ \$405,000 verdict
- ▶ *Pampattiwar v. Hinson*

## Recent Lawsuit: Terrible PR


- ▶ Young woman injured in car accident. Hired firm. Fired firm.
- ▶ Wrote negative reviews.
- ▶ Firm asked to remove or adjust.
- ▶ Woman refused, wrote more reviews.
- ▶ Firm sued.

June 30 · Richmond, TX

If you're looking for a good law firm to fight for your case, PLEASE DO NOT go to \_\_\_\_\_ even if they offer you a lower percentage than other law firms. Please don't waste your time. This is my first accident, and a major one too. I was recommended by my uncle, so I thought they couldn't be so bad because I saw few bad reviews online. After 3 days, they didn't tell me anything about the doctor I needed to go to. I was in a lot of pain. Not only that, they didn't know where the hell my car was! And they came to my house and into my room to talk to me when I was sleeping in my underwear. Seriously, it's super unprofessional! After that, I found someone else to switch to. I asked them for a release letter without interest. They didn't want to write me one until a week later. Not ONLY that, they also put a LIEN on all 3 insurances including my own. I called them, and they told me they were only charging the fees for 2 days. I said that was fine and told them to put it in writing because I needed it, but they kept intentionally ignoring me. I came in the office to meet with my previous attorney, but he literally ran off. I introduced myself, and 30 seconds later he took off! So please DON'T waste your time at \_\_\_\_\_

# Bad Review? Bad Response? Bad Idea!


Presented by Jennifer Ellis & Daniel J. Siegel

NEWS SPORTS ENTERTAINMENT CONSUMER COMMUNITY

## Woman sued over bad online review

By Joel Eisenbaum - Investigative Reporter  
Posted: 6:20 PM, July 25, 2016  
Updated: 8:25 PM, July 25, 2016


<http://www.click2houston.com/news/woman-sued-over-bad-online-review>

SECTIONS

## Texas Law Firm Sues Ex-Client Over Bad Yelp Review

*John Council, Texas Lawyer*  
July 28, 2016 | 1 Comments

<http://tinyurl.com/z7fnrt4>

Local US & World Sports Business A&E Life Jobs Cars

## Law firm sues woman after she posts negative reviews on Facebook, Yelp

Will Axford, Houston Chronicle Updated 3:47 pm, Wednesday, July 27, 2016

<http://tinyurl.com/hgb2a8r>

## People Piled On

- ▶ Resulted in substantial bad press
  - ▶ Numerous bad reviews on Yelp and Google.
  - ▶ Law firm website crashed or taken down
  - ▶ Many articles written in Houston news
    - ▶ "I feel like they're trying to pull every single penny out of me, "Cai said, "just because I didn't want to be their client"
    - ▶ <http://www.houstonpress.com/news/law-firm-sues-20-year-old-waitress-over-unflattering-yelp-facebook-reviews-8606161>
  - ▶ ABA article
    - ▶ [http://www.abajournal.com/news/article/law\\_firm\\_sues\\_ex\\_client\\_over\\_her\\_online\\_reviews\\_about\\_pushy\\_and\\_super\\_unpro](http://www.abajournal.com/news/article/law_firm_sues_ex_client_over_her_online_reviews_about_pushy_and_super_unpro)
- ▶ Another lawyer offered to take on the defense pro bono
  - ▶ Filed motion to dismiss
  - ▶ Case ongoing

# Bad Review? Bad Response? Bad Idea!

Presented by Jennifer Ellis & Daniel J. Siegel

## Suits Bring Attention

THE WALL STREET JOURNAL. BUSINESS

### LAW BLOG

On cases, trends and personalities in business

6:29 pm ET  
Jul 11, 2014  
LAWYERS & LAW FIRMS

#### Lawyers Responding to Negative Online Reviews Tread Tricky Path

By JACOB GERSHMAN CONNECT



Lawyer who sued her client for allegedly misleading her during consultation wins appeal

POSTED MAR 31, 2014 10:45 AM CDT

BY DEBRA CASSENS WEISS

Google grissom & thompson yelp

All Maps News Shopping Images More Search tools

About 604,000 results (0.51 seconds)

**Grissom & Thompson L L C - Lawyers - Downtown ... - Yelp**  
www.yelp.com › Professional Services › Lawyers › Yelp › Grissom & Thompson L L C in Austin, reviews by real people. Yelp is a fun and easy way to find, recommend and talk about what's great and not so great in ...

**Grissom & Thompson Llp - Lawyers - French Quarter ... - Yelp**  
www.yelp.com › Professional Services › Lawyers › Yelp › Grissom & Thompson Llp in New Orleans, reviews by real people. Yelp is a fun and easy way to find, recommend and talk about what's great and not so great in ...

**Firm sues ex-client over Yelp review that claims firm will ...**  
www.abajournal.com/.../ex-client\_sued\_over\_yelp\_review... › ABA Journal › Jul 14, 2014 - A Texas law firm has sued a former client over a negative Yelp review, ... Grissom & Thompson claims in the June 24 lawsuit (PDF) that Austin ...

**Grissom & Thompson | Reviewinc Blog**  
blog.reviewinc.com/online-review-tag/grissom-thompson/ › Oct 7, 2014 - Back in July of this year, a Yelp user by the name of "Joe B" wrote a negative review of Grissom & Thompson, a firm that represented him in a ...

**PDF lawsuit - Amlaw**  
pdfserver.amlaw.com/tw/Grissom-ThompsonvBrowning-petition.pdf › Jun 24, 2014 - Plaintiff, Grissom & Thompson, LLP, is a Texas Limited Liability ... published a statement by written communication on the Austin Yelp website ...

**Law Firm Files Defamation Lawsuit Over Ex-Client's Yelp ...**  
www.texaslawyer.com/.../Law-Firm-Files-Defamation-Lawsuit-Over-ExC... › Jul 8, 2014 - But Joseph A. Browning said everything he wrote in the post is true.

**Firm Claims Yelp Author 'Admitted' to Libel, Defamation ...**  
www.texaslawyer.com/.../Firm-Claims-Yelp-Author-Admitted-to-Libel-D... › Nov 3, 2014 - "Each and every statement published was false and made with malice, in order to injure plaintiff," Grissom & Thompson alleges about ex-client ...

**Lawyers Responding to Negative Online Reviews Tread ...**  
blogs.wsj.com/...lawyers-responding-to-negative... › The Wall Street Journal › Jul 11, 2014 - yelp. By Jacob Gershman ... Texas Lawyer this week reported on a lawsuit filed by Austin firm Grissom & Thompson LLP against a former client ...

**Grissom & Thompson v. Browning**  
ncac.org/grissom-thompson-v-browning/ › Jul 10, 2014 - Grissom & Thompson alleges that Austin resident Joseph A. Browning used Yelp to publish "disparaging and blatantly false statements" about ...

## Before You Sue: Ask

- ▶ How many people will actually see the review?
- ▶ Will suing over the review cause it to get more attention than it otherwise would?
- ▶ Do you have positive reviews to counteract one negative review?
- ▶ Will the review actually do any damage?
- ▶ Why are you *really* suing?
- ▶ What will suing accomplish?

# Bad Review? Bad Response? Bad Idea!

Presented by Jennifer Ellis ([Jennifer@JLEllis.net](mailto:Jennifer@JLEllis.net))  
& Daniel J. Siegel ([Dan@DanielJSiegel.com](mailto:Dan@DanielJSiegel.com))

October 26, 2016