

# PRACTICAL ADVICE

FROM THE SECURITIES INDUSTRY DEPARTMENT



Fox Rothschild LLP  
ATTORNEYS AT LAW

## CRISIS MANAGEMENT AND COMMUNICATIONS SERVICES

Reputation has always been at the core of corporate viability. With the advent of swift and broad communication vehicles, the challenge of protecting your company's reputation and managing its public image has increased considerably. Blog postings can result in defamation suits from competitors. Staff may reveal trade secrets online and damage your company. Employment discrimination litigation can arise from web site comments.

Worse yet – with a knock on the door and a search warrant or subpoena in hand, federal and state civil and criminal agents can change the fortunes of a company in an instant. Such blatant government intrusion may not be the only incident foretelling dark times – some corporations uncover their own problems and seek to disclose them to both regulators and the public in the most efficient and truthful way.



At Fox Rothschild LLP, our attorneys are skilled at guiding corporations through the myriad of public relations challenges they face as they seek to extricate themselves from these predicaments. We offer a number of services designed to help you protect your corporate reputation and prepare for potential crises. Our media-savvy attorneys regularly provide integrated risk mitigation and crisis response services to companies in the financial services, insurance, retail and other sectors.

Crisis management planning is a crucial component of your corporate risk management program. No one likes worst-case scenarios but if you think about them in advance, you are less likely to have to live through them. Every company or institution concerned about its business and reputation must assume the worst and develop a game plan before a crisis occurs.

Fox Rothschild's comprehensive crisis avoidance, communications and management services allow us to partner with you, your in-house legal team and your communications and human resources professionals to ensure that accurate information about your company and its actions is conveyed to the public.

Our services include:

### Risk Audit

Our attorneys will conduct a comprehensive assessment of your risk factors for potential crises. From privacy and data security audits to employee communication policies, we will identify

any gaps in your risk profile and recommend actions to eliminate or mitigate those liabilities. As part of the assessment process, we will:

- Determine the risks your company faces;
- Assess sensitive information and how it is stored, accessed and disseminated;
- Identify existing or needed internal controls to ensure centralized messaging; and
- Evaluate how firm resources are being used to impact corporate reputation.

### Policies/Procedures

We will craft or update your corporate policies and procedures on employee communications to ensure you are well insulated from potential litigation. Our attorneys will ensure that your policies are comprehensive and incorporate new technologies. In assessing your policies, we will consider:

- How your policies govern employee speech;
- Whether blogs and social networking sites are addressed;
- If employees are aware their communications on your resources are not private; and
- Whether the company has a formal approval process for employees to blog at work.

In the heat of a crisis, corporations need the agility to respond quickly and effectively to potentially damaging circumstances. With the assistance of our crisis management team, our clients can take proactive steps to insulate themselves before problems arise so they can then move swiftly to mitigate damage if a crisis erupts. Improvisational thinking in the heat of the moment rarely results in sound business decisions. The attorneys at Fox Rothschild will ensure that your company decides its crisis management strategy in advance and handles its crisis communications adeptly should a problem arise.

## Crisis Management Plans

Our attorneys will work with your team to craft a crisis management plan that maps out potential responses to your most likely problematic scenarios. Drafting a crisis management and response plan *before* a problem occurs is a key step to ensuring measured and adept handling of any future crisis. We will work with your company's senior management to make informed decisions about how the company will handle a variety of possible scenarios from media relations strategies to internal communications. Once you have established a crisis management plan, we will collaborate with your employee relations staff to ensure it is communicated clearly and effectively to staff so they will know the appropriate procedures to follow should a crisis arise.

## Crisis Communications

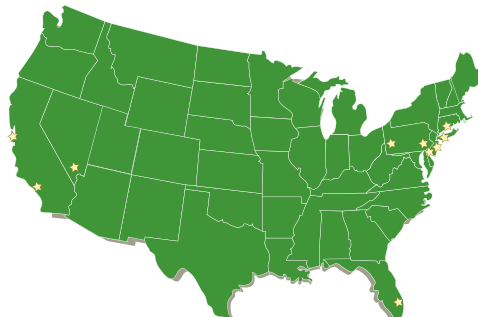
While we strongly encourage proactive planning to mitigate damage from unplanned crises, Fox Rothschild recognizes that sudden and serious situations arise, and our attorneys are available to provide advice on communications strategy. Our media-savvy attorneys help clients to:

- Minimize the risks for libel, defamation, slander and invasion of privacy claims by drafting and reviewing news releases and public statements;
- Coach and train in-house communications professionals;
- Ensure the broadest messaging permissible under various privilege standards;
- Craft effective public responses to potentially damaging allegations; and
- Respond to media inquiries with a clear, credible message while still insulating the company from liability.

## Let Our Experience Be Your Guide®

Fox Rothschild LLP is a full-service law firm built to serve business leaders. Over the past 100 years, we have grown to more than 450 lawyers in 15 offices coast to coast. Our clients come to us because we understand their issues, their priorities and the way they think. We help clients manage risk and make better decisions by offering practical, innovative advice.

For more information about Fox Rothschild LLP, please visit [www.foxrothschild.com](http://www.foxrothschild.com).



### CALIFORNIA

*Los Angeles*  
1800 Century Park East  
Suite 300  
Los Angeles, CA 90067  
310.598.4150  
Fax: 310.556.9828

*San Francisco*  
235 Pine Street  
Suite 1500  
San Francisco, CA 94104  
415.364.5540  
Fax: 415.391.4436

### CONNECTICUT

*Stamford*  
One Landmark Square  
21st Floor  
Stamford, CT 06901  
203.425.9500  
Fax 203.425.9595

### DELAWARE

*Wilmington*  
Citizens Bank Center  
Suite 1300  
919 N. Market Street  
Wilmington, DE 19801  
302.654.7444  
Fax: 302.656.8920

### FLORIDA

*West Palm Beach*  
Esperante Building  
222 Lakeview Avenue  
Suite 700  
West Palm Beach, FL 33401  
561.835.9600  
Fax: 561.835.9602

### NEVADA

*Las Vegas*  
3800 Howard Hughes Pkwy  
Suite 500  
Las Vegas, NV 89169  
702.262.6899  
Fax: 702.597.5503

### NEW JERSEY

*Atlantic City*  
1301 Atlantic Avenue  
Suite 400  
Atlantic City, NJ 08401  
609.348.4515  
Fax: 609.348.6834

*Princeton*  
Princeton Pike  
Corporate Center  
997 Lenox Drive, Building 3  
Lawrenceville, NJ 08648  
609.896.3600  
Fax: 609.896.1469

*Roseland*  
75 Eisenhower Parkway  
Roseland, NJ 07068  
973.992.4800  
Fax: 973.992.9125

### NEW YORK

*New York*  
100 Park Avenue  
Suite 1500  
New York, NY 10017  
212.878.7900  
Fax: 212.692.0940

### PENNSYLVANIA

*Blue Bell*  
10 Sentry Parkway  
Suite 200  
Blue Bell, PA 19422  
610.397.6500  
Fax: 610.397.0450

*Exton*  
Eagleview Corporate Center  
747 Constitution Drive  
Suite 100  
Exton, PA 19341  
610.458.7500  
Fax: 610.458.7337

*Philadelphia*  
2000 Market Street  
10th Floor  
Philadelphia, PA 19103  
215.299.2000  
Fax: 215.299.2150

*Pittsburgh*  
625 Liberty Avenue  
29th Floor  
Pittsburgh, PA 15222  
412.391.1334  
Fax: 412.391.6984

*Warrington*  
2700 Kelly Road  
Suite 300  
Warrington, PA 18976  
215.345.7500  
Fax: 215.345.7507

For further information, please contact:

Ernest E. Badway at 212.878.7900; [ebadway@foxrothschild.com](mailto:ebadway@foxrothschild.com)  
Robert C. Clothier at 215.299.2845; [rclothier@foxrothschild.com](mailto:rclothier@foxrothschild.com)  
Joshua Horn at 215.299.2184; [jhorn@foxrothschild.com](mailto:jhorn@foxrothschild.com)  
Joseph M. Pastore III at 212.878.7900; [jpastore@foxrothschild.com](mailto:jpastore@foxrothschild.com)  
Visit us on the Web at [www.foxrothschild.com](http://www.foxrothschild.com).

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