

Understanding your case. Protecting and enhancing reputation. Achieving your business goals.

Winning in the courtroom is only half the battle; being well-positioned in the court of public opinion can be just as critical. That is why devising a well-crafted communication plan has become a major component of litigation. APCO Worldwide's leading global litigation communication practice works to assess and mitigate the potential impact of litigation on an organization's image, reputation, customer relations, marketing efforts and future business plans.

EXPERIENCE

APCO helps corporate, nonprofit and institutional clients to manage the public environment surrounding legal actions by developing a communication plan that is strictly aligned with the litigation strategy. While the legal strategy should be the driving force behind the design and implementation of the communication plan, customized tactics may be necessary to address different audiences and different market environments around the world. APCO's litigation communication experience includes:

- antitrust
- mergers & acquisitions
- class actions
- whistleblower cases
- government & regulatory investigations
- product liability
- trade & competition
- labor & employment
- criminal cases
- intellectual property
- multinational arbitration

CAPABILITIES

APCO's litigation communication team believes that tactics are driven by strategy and seamless integration with in-house and external legal teams. We operate on the premise that research, analysis and an understanding of the global and local environment guide the development of that strategy. APCO offers a full range of services to help clients meet their litigation needs.

Strategic counsel

APCO's practitioners have served at the highest levels in the political, legal, corporate and regulatory worlds and assist clients with thinking through the strategic challenges that may arise during litigation. APCO's range of services in this area includes:

- identifying key audiences and related issues
- evaluating and managing risks from potential detractors
- developing the most important and influential messages to be communicated and identifying appropriate communication channels
- devising public opinion programs to reach key audiences at critical times during the litigation

Intelligence gathering and situation assessment

APCO gathers intelligence to understand the level of interest and activity by third parties and performs risk assessment audits on the impact of the litigation and related events. This includes:

- conducting audits of litigation and reputation threats and soft-soundings of key stakeholder positions and perceptions
- monitoring relevant trials and other judicial or regulatory developments
- identifying, monitoring and analyzing domestic and international media and information sources

Stakeholder relations and third-party ally development

APCO helps identify, recruit and assist third-party allies who are able to put complex litigation into an accurate and relevant context and positively influence perceptions. We also advise on communication and engagement with key audiences, including the government, media, customers, employees, business partners, suppliers, distributors and nongovernmental organizations.

Government relations and legislative strategy

Litigation often carries a parallel need for government outreach. In many markets, government is a key influencer throughout the

litigation process, protecting or hindering business continuity through a complex role that can range from regulator to customer or even competitor. APCO works with its clients to assess governmental opinion, identify risks and develop outreach initiatives that protect long-term interests. In the United States, APCO has former members of Congress and other political experts on staff and has worked to create several communication and political strategies for state and federal legislative and government relations initiatives.

Media relations

APCO assists clients in telling their story in a way that helps preserve their corporate reputation and successfully communicates an alternative view to that being promoted by opposing attorneys and other adversaries. APCO facilitates media efforts by:

- creating a communication plan to coordinate activities among outside counsel, corporate counsel, and corporate public affairs and marketing departments
- developing key message points and rapid-response document templates to support those messages
- identifying, monitoring and analyzing key audiences' positions on related issues

Spokesperson coaching and training

APCO works under the direction of legal teams and coordinates efforts with company spokespersons and allies to help them communicate effectively in an intense public spotlight. APCO's media training includes:

- conducting litigation communication training seminars
- identifying and training select internal and/or external spokespersons
- developing specific scenarios for corporate exercises and rehearsals
- providing on-site support in court, at press briefings and other public engagement areas

Research

Research enables clients to understand the challenges and opportunities associated with the development of a litigation strategy. APCO Insight®, our in-house research and message development team, conducts opinion research to help companies

and their counsels frame issues in ways that are more easily understood by the general public. The research also assists in developing message points that will resonate with particular groups and individuals. APCO has the capability to conduct both qualitative and quantitative research to:

- test arguments, witnesses and exhibits
- empanel mock juries to model litigation strategies
- support the change of venue and examine class certifications
- assess jury selection criteria
- provide expert testimony on methodology
- assess public positioning options

Technology

The Internet revolutionized the flow of information surrounding litigation proceedings and changed the ways in which stakeholder opinions are shaped. Plaintiffs and defendants are increasingly leveraging the Internet as part of a comprehensive litigation communication program, while third-party groups are proactively advocating their own agendas. APCO has extensive experience with online communication strategies that include:

- monitoring online media - from news to online discussion groups
- building systems for Internet analysis and response options as part of the overarching litigation strategy and communication plan
- building relevant local market outreach programs that positively communicate the facts of the proceedings, mitigate negative opinion, build knowledge and develop third-party support

