



Nicholas Carroll – Curriculum Vitae – 2023

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I am an independent expert witness. As an internet analyst and practitioner of public relations and communications as well as dozens of papers on defamation and reputation management over the past 20 years, I act as expert witness or non-testifying litigation consultant for online/internet/mainstream/social media libel, slander, economic damages, emotional distress, false light and right to privacy cases, and reputation management.

I address both pure defamation cases and situations where defamation becomes part of broader litigation such as harassment, malicious prosecution or contract/employment cases.

Experience in Harm to Reputation, Economic Damages, Emotional Distress, and Media/Advertising Standards and Practices

Harm to Reputation

1998-Present. Worked for hundreds of clients in promoting people, products, and issues through search engines, social media, and mainstream media. In the same years I practiced reputation management in all those venues to counteract malicious, negligent, and reckless libel. www.carrollreputation.com

2009-Present. Provided clients with analysis of reputational harm occurring on social media forums, in mainstream media, email, and gossip; this included locating posts and comments that contained potentially defamatory remarks, infringed on the clients' right to privacy, or portrayed a client in a false light. Also made estimates of the total number of people who viewed or were capable of viewing the negative posts or comments.

2011-2016. Worked as advisor to reputation management firms, primarily dealing with defamation against businesses.

2008. Consulting Senior Web Analyst, IBM. Analyzed Internet traffic from search engines and social media venues, and was responsible for extracting and analyzing social media data as well as purchasing additional social media services.

2000-2003. Bootstrap Institute-Stanford Research Institute. Worked directly with Dr. Douglas Engelbart in the development of a collaborative social media platform for the WWW. Subjects included advanced hyperlinking, worldwide information distribution and retrieval, and human-computer interaction. (Dr. Engelbart's lab invented the computer mouse and online collaboration, and was the first internet node to send an email and use monitors for online communication.)

2001. Library of Congress project on how online users access information. Was information architecture and technical lead on prototype for electronic subject clustering and faceting, based on SUNYA's electronic *Contemporary Thesaurus of Search Terms and Synonyms*.

2000. Lecturer on online search, UCLA Dept. of Information Studies (GSEIS), graduate level.

Economic Damages Analysis

2003-Present. Directly counseled defamed businesses and individual victims on non-legal reputation repair solutions, putting numbers to the costs of real-life solutions. For businesses I have analyzed and calculated financial harms in terms of lost sales, harm to reputation, and cost of reputation repair and presented my findings in numbers and infographics. For individuals I have assessed the costs of seeking a new job, unemployment, lost lifetime career earnings, post-career earnings, moving to a new town, selling a possibly distressed business or home at a loss, moving costs, and the price of relocating family and children.

Experience in Advertising, Branding, Public Relations, and Reputation Repair

Advertising

Royce Baker Publishing: from 1992-2005 used direct-to-reader advertising to expand hardcopy sales beyond bookstore channels, profitably advertising in the *New York Times*, *Washington Post*, *USA Today*, and *Investor's Business Daily*, then expanded into the Canadian market through the *Toronto Globe and Mail* and the *Financial Post*, and internationally through the *Financial Times* and the *Economist*. In 1998 began advertising online with pay-per-click ads, selling over \$500,000 in e-books, six years before Amazon developed the Kindle publishing platform. Total advertising spend exceeded \$1 million.

IBM: promoted IBM Small/Medium business services and products through social media with \$5,000,000 in advertising budget authority.

Federal Trade Commission, 1980-1998: on a pro bono basis advised FTC attorneys on fraud and misleading advertising in the areas of auto repair, telemarketing, and internet advertising.

Branding and Positioning Products, Services, Programs, and Individuals

Xerox: in a time-critical contract to redefine DocuShare content software as an organizational solution instead of a technology service, provided website information design and marketing direction which resulted in the main navigation bar and site architecture being redesigned, and developed a headline formula/template which used active verbs and consistently inserted the word "solution."

McKesson Health Care: promoted automated medication dispensers as safe and reliable.

Wake Forest Health Center: wrote whitepaper to introduce anterior (frontal) hip joint replacement as a low-trauma surgical procedure.

SeaEagle inflatable boats: applied search engine marketing experience to position a new line of boats as the affordable alternative to market leaders such as Zodiac or Avon boats.

Rain Creek Baking: the company was selling wholesale baked goods throughout the Western U.S. Since a Midwestern company had expressed interest in acquiring them, they asked for a new retail website, which resulted in the purchase offer being increased by \$300,000.

Half Price Computer Books: based in Vancouver, British Columbia, the company was having difficulty selling beyond their six physical bookstores. Redesigned their website and applied a mix of search engine optimization (SEO) and national advertising in Canada and the U.S., which increased the website's sales to a level equal to two of their bookstores.

Other: branded and positioned dozens of other products and services for established clients through print, radio, podcasts, websites, and online ads, including Gleanster, Hotwire, IDG Magazines, IKON, Harrison-Hoge Industries, Innovatech Labs, Lowell International Realty, Nimsoft, Quantcast, REVroi, and Wikimedia Foundation.

Public Relations and Publicity

Royce Baker Publishing, placed authors on national radio and TV venues including PBS, WABC, WOR, WGN, KGO, KABC, and CNBC, as well as BBC, and Canadian CBC and CTV. Generated hundreds of book reviews and author interviews in major print publications throughout the U.S. and Canada.

Stanford University, retained to edit/rewrite whitepapers for Stanford India Health Policy Initiative, and after two assignments was re-assigned as their lead writer for diplomatically promoting Stanford's long-term health goals without offending the Indian physicians contributing whitepapers.

SRI (formerly Stanford Research Institute), coordinated national news coverage for the 40th anniversary commemoration of the 1968 "Mother of all Demos" demonstration of the computer mouse, graphics, windows, hyperlinks, and interactive computing.

STAND Affordable Housing, promoted their housing program for poor and low-income people in California through a new mission statement.

Advokids, promoted their child rights advocacy program through website usability and search engine promotion.

Reputation Management and Repair

Hands-on experience in both costing and executing promotional and repair programs.

Stanford Archimedes Project, loss of National Science Foundation funding: wrote a proactive position paper to downplay the loss and emphasize their new endowment from University of Hawaii, resulting in same-day coverage in the KRTN newspaper chain.

Reset Strategies, Louisville, KY: negotiated a cease-and-desist with a slanderous competitor without litigation.

InterContinental Florals (ICF): rumors of impending bankruptcy led to customers not paying for goods, creating a self-fulfilling prophecy. Personally called customers and independent sales representatives, neutralizing the rumors and allowing ICF to collect on overdue accounts.

Ning Yuan Chang vs. Sing Tao Daily, Superior Court of San Mateo County, California: after reading Carroll's expert report Sing Tao Daily cancelled his deposition and settled to Ms. Chang's satisfaction. Sing Tao Daily revised their reporting rules and editorial workflow the following week, and deleted the questionable news stories about Chang from their website.

Consulting/advising over 200 individuals and business owners (people searching online for reputation help, and readers of the book *Fighting Slander*).

Emotional Distress

2003-Present. Have consulted with over 700 individual victims on practical solutions to defamation (moving, job change, school change, etc.), reviewed hundreds of reports from psychiatrists, psychologists and emergency rooms on conditions resulting from defamation including anxiety, PTSD/PTSI, panic attacks, and temporary amnesia, and also developed a familiarity with the anti-anxiety and anti-depressant medications prescribed to defamation victims.

Libel Reviewing and Consulting

Editing

1989-Present. Twenty-eight years experience as a professional editor performing preliminary libel reviews of books and articles, and now of web content.

Journalism

1998-2003. Silicon Valley correspondent writing ecommerce and technical news for the *Chicago Tribune* (and KRTN newswire), *The Times* of London, the *Toronto Globe and Mail*, the *Vancouver Sun*, the *Oregonian*, and as a columnist for Southam syndicate.

1998-2000. Legal columnist for the *Toronto Globe and Mail*, Canada's newspaper of record.

Pro Bono Activity

1995-2003. Counseling writers on libel avoidance and publishing contracts, including members of the Author's Guild and the National Writers Union.

2003-2018. Providing practical (non-legal) advice to defamation victims.

Non-Testifying Litigation Consulting

I have worked with the legal basics and fine details of defamation law with dozens of law firms since 2003 as a litigation consultant. Major media cases usually hinge on points of law – and while libel attorneys in major metropolitan areas know mainstream libel law, they are rarely familiar with gossip campaigns, Web/internet/social media, business defamation, or emotional distress. I also routinely work with business litigators and employment attorneys.

Education

UCLA GSEIS (Graduate School of Education and Information Science), 2000-2001

Lectured on search engine design, search engine optimization (SEO), and social media.

U. of Maryland, B.S. Technology Management, 1987

Information systems, statistics, ethnology, strategic planning, financials, and computer science.

Continuing Education

CLE Courses

“Defending Reputations and Speech in the Age of Social Media,” DC Bar, 10/2/2021

SMX Advanced Search Marketing Training, June 2022

Partial course list: Google Organic Search • Google Analytics • Backlinking • Developing authoritative content • Leveraging semantic search knowledge • Unifying UX, SEO, and content

Publications

Online/Internet/Social Media Defamation – Related Papers, Articles, and Reports

- “A Survey of Social Media Sites and Defamatory Behavior.” November, 2016.
- “Search Engine Optimization and User Behavior.” *Encyclopedia of Library and Information Sciences (ELIS)*, 3rd Ed. Francis & Taylor. 2010. (Reprinted in *Understanding Information Retrieval Systems: Management, Types, and Standards*. CRC Press. 2011.)
- “The Future of End Users and Info Professionals in Information Retrieval.” *Searcher: the Magazine for Database Professionals*. June, 2003.
- “Deconstructing Knowledge: Content Management Replaces Social Engineering.” *Mindjack*. October, 2003.
- “Spinning the Web: The Realities of Online Reputation Management.” *Mindjack*. February, 2003.
- “The Anti-Thesaurus: A Proposal for Improving Internet Search While Reducing Unnecessary Traffic Loads.” (The proposal was endorsed by ICANN, *Search Engine Watch*, *Usability News* and *LISNews*.) November, 2001.
- *Wireless Usability Report 2001-2002*, 55pp. *Network World* magazine cover story. October, 2001.
- *Mousetraps on the Web*, a series of papers about marketing online. April, 1997.

General Articles on Defamation-Related Law and Practice

- “Emotional Distress Damages in Defamation Cases: Defamation is no longer a “rich man’s tort,” but neither has it become the poor person’s surefire lottery ticket.” *American Bar Association Journal*. April, 2019.
- “Winning Defamation Lawsuits.” July 25, 2015.
- “Finding a Slander Lawyer.” September, 2014.
- “The Right to Privacy.” (per Warren and Brandeis, "The Right To Privacy", 1890 and *Olmstead vs. United States, SCOTUS*, 1928.) August, 2013.
- “Libel and Slander Misinformation.” December, 2012.
- “Libel and Slander Per Se vs. Per Quod.” (50 states, with commentary). June, 2012.
- “Statutes of Limitations for Libel and Slander.” (50 states, with commentary). August, 2011.
- “Libel, Slander, and Defamation of Character.” April, 2003.

Psychology, Demographics, and Emotional Distress of Defamation

Papers written from ethnographic studies conducted since 2003.

- “The Cultural Semantics of Defamation: How Culture Can Mean Everything In Deciding Whether a Word Is Defamatory.” September, 2017.
- “Defamation of Character: The Road to Emotional Meltdown.” *Huffington Post*. March, 2016.
- “Defamation In the Workplace: Blue-Collar vs. White-Collar Jobs.” May, 2013.
- “Demographics of Defamation in the United States by Geographic Region.” May, 2013.
- “The Psychology of Defamation Victims: How Slander and Libel Affects Victims' Thinking, Moods, and Behavior.” May, 2013.

Books

Fighting Slander. 2021, 5th edition (first edition published 2003), 175p. Defamation law and recourse; includes jury verdict research.

Law of the Blog: A Guide To Copyright, Defamation, Trademark, and Other Online Legal Issues. 2007, 78p. Defamation and intellectual property law in the U.S. and worldwide.

Dancing with Lawyers: How to Take Charge and Get Results (1st edition Royce Baker Publishing, 1992; 2nd edition Random House, 1997.). 196p.

Most papers listed on this page are accessible at

<https://www.nicholascarroll.com/defamation-resources.html>