



The Lukaszewski Group

Management Consultants
In Communications

WHO WE ARE AND WHAT WE DO

AREAS OF PRACTICE

Litigation Communication Management

The Lukaszewski Group Approach

Litigation communication management is one of the most highly specialized areas of practice. When the communications process is mismanaged, there are severe and often very damaging consequences. Just as lawyers are extremely cautious about internal and external communications, as non-lawyers the strategies we suggest are knowledgeable, compatible with overall legal strategy, yet carefully address the critical reputation and constituent concerns we know will arise.

Our approach is to:

- Reduce management paralysis and frustration high-profile litigation can cause by developing appropriate communications options.
- Help everyone involved understand the impact of communicating and not communicating during litigation.
- Show the legal advisor useful, often novel communications options.
- Prepare action options that anticipate all possible vulnerabilities and variables, recognizing that more and more communication is carried out beyond the courtroom.

Our approach helps the organization's senior management and their lawyers effectively move through the various stages of litigation – able to run the business and deal with employee and other key constituent concerns while remaining on top of their entire legal situation.

Brief Descriptions of Recent Projects

- **Criminal litigation**: Worked with Fortune company whose chairman had been indicted, along with six other company officials, in a product-tampering case. Coached executives and wrote or co-drafted many of the documents that were used in public, including the CEO's allocution in court at sentencing. Managed and advised communications over the six-year length of the criminal trial sequence.

- **Criminal prosecution/civil litigation**: With corporate counsel and in cooperation with outside counsel, prepared visibility scenarios, statements, and action/reaction plans for high-profile civil and criminal cases involving medical product malfunction, negligent death, and permit violations.
- **Embezzlement**: Counseled CEO in preparing for and managing implications of government investigation into currently employed senior executive. Following indictments, developed company position and coached CEO in communicating with employees.
- **Executive deception**: Advised legal team and a special committee of outside directors following discovery of executive malfeasance involving diversion of stock options, sexual harassment, and use of corporate funds for personal purposes.
- **Financial litigation management**: For financial services company, developed response strategy to potentially negative and reputation-damaging media coverage following aggressive action by limited partners and a resulting adverse decision by Chancery Court regarding management of an investment fund.
- **Government investigation**: Provided strategic counsel to senior management of international consulting group regarding government investigation into consulting practices and alleged financial impropriety.
- **Legal issue management**: Created appropriate legal public affairs management education guides and manuals related to civil and criminal legal proceedings.
- **Legally driven investigations**: For a variety of clients involved in circumstances requiring intense internal investigations, provided key management insights and visibility threat guidance to the law firms conducting the investigations.
- **Litigation**: Helped major U.S. East Coast city prepare for its adverse visibility in connection with a class action lawsuit involving community water supply contamination with possible carcinogenic agents.
- **Litigation communication management**: Managed internal and external communications for senior executives faced with \$61 million government fine following intensive investigation by U.S. Attorney. Counseled current management during trial and conviction of former senior executives.
- **Litigation media analysis**: For a large medical products company facing civil and criminal prosecution due to patient deaths, developed media analysis approach that reduced the corporation's need to more widely publicize its adverse legal situation. Results of the media analysis satisfied the judge's requirement that all potential victims had a reasonable opportunity to come forward due to the previous media coverage of the case.
- **Litigation visibility coaching**: Advised, coached, and mentored corporate officers through visibility problems caused by criminal prosecution of previous management.

- **Medicare fraud:**
 - Counseled executives of well-known teaching hospital charged with billing irregularities.
 - As an expert to top-ten public relations firm, provided strategic counsel prior to public disclosure of settlement and prepared spokesperson and senior executives of well-known teaching hospital charged with billing irregularities for anticipated media coverage.
- **Product liability litigation management:** Counseled senior executives and legal team on management of communications response before, during, and after trial/settlement of high-profile product liability litigation. Reviewed depositions of key witnesses for potential vulnerabilities and issues that could become public during trial and the subject of media attention.
- **Trial information management and communication:** As an expert to top-ten U.S. public relations firm, developed strategic approaches for managing flow of information and prioritizing communications during highly publicized criminal trial of client company's senior marketing executive. Provided on-site counsel and feedback during the trial and reviewed transcripts for issues and vulnerabilities that could become the center of a news story.