



## Nicholas Carroll – Curriculum Vitae – 2022

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I am an independent expert witness. As an internet analyst and author of *Fighting Slander* (2003, 5<sup>th</sup> Ed. published July 2021) as well as dozens of papers on defamation and reputation management over the past 18 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 Publication Standards**

#### ***Harm to Reputation Through Social Media, Websites, and Posts***

**1995-Present.** Worked for hundreds of clients in promoting people, products, and issues through search engines, social media, and mainstream media. In the same period I have actively practiced reputation management in all those venues to counteract both intentional and unintentional libel.

**2008-Present.** Provided clients with analysis of reputational harm occurring on social media forums, in mainstream media, and email. This includes 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 adviser 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 making multi-million dollar decisions on 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.** Technical lead for Library of Congress project on how online users access information.

**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 (if the defamation has not spread too far), 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.

### ***Emotional Distress***

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

### ***Libel Reviewing (preliminary)***

#### **Editing**

**1989-Present.** Twenty-eight years experience as a professional editor performing 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

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

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

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

Lectured on search engine design, search engine optimization, and social media.

### CLE Courses

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

## Publications

### Books

*Fighting Slander*. 2003. Defamation law and recourse; includes jury verdict research. 5<sup>th</sup> edition published July 2021; cover and table of contents online at [www.nicholascarroll.com/fighting-slander/fighting-slander-book.html](http://www.nicholascarroll.com/fighting-slander/fighting-slander-book.html), hardcopy or Kindle version at [www.amazon.com/dp/1737322528](http://www.amazon.com/dp/1737322528) .

*Law of the Blog*. 2007. Defamation, copyright, trademark, and intellectual property law in the U.S. and worldwide.

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

### 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)*, 3<sup>rd</sup> 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*. April, 1997.

## ***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.

## ***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; *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.

*Most papers listed on this page are accessible at*

*[www.nicholascarroll.com/defamation-resources.html](http://www.nicholascarroll.com/defamation-resources.html)*

*Samples of other writing – journalism, encyclopedia articles, etc.—*

*Are linked from [www.nicholascarroll.com/portfolio/writing.html](http://www.nicholascarroll.com/portfolio/writing.html)*