



February 4, 2020

Re: Civil Actions - Strategic Lawsuits Against Public Participation - HB 379

My name is Luther Lowe, I am the Senior Vice President of Public Policy for Yelp, an online platform dedicated to connecting people with great local places. Our users have written over 200 million reviews on everything from coffee shops and restaurants to DMVs and doctor's offices.

In order to maintain consumer platforms like ours, we strongly advocate for legislation that protects consumers' ability to share honest, first-hand experiences with their peers without fear of threats, fines, or lawsuits.

Maryland residents have a deep tradition of sharing opinions, whether directly through word of mouth to friends and neighbors, in newspaper editorials, on TV, or, increasingly, on the internet. The "feedback economy" has taken root and consumer review platforms, like Yelp, are empowering people to make more informed decisions by allowing them to tap into others' experiences.

As consumer review platforms have grown, however, some businesses have tried to stop people from sharing their opinions online, and have gone to great lengths to do so.

For example, in 2016, a Georgia-based dentist filed a lawsuit in a Baltimore circuit court over reviews left on Yelp and other platforms. The writer of these reviews was also from Georgia; however, the defendant at the other end of this lawsuit was a fictitious Baltimore resident. Legal documents were forged and a court order in favor of the plaintiff was written and signed. This was orchestrated by a reputation management company based here, whose owner used this scheme in multiple cases and states. While this scheme was eventually uncovered and the owner punished, it speaks to the extremes some will go to silence critics.

Strengthening Maryland's anti-SLAPP law to include issues of public concern is an easy way to protect consumers from unscrupulous actors that directly target them for sharing their opinions online.

By definition, the claims made in a SLAPP are meritless — they're simply malicious actions designed to establish a dilemma for the speaker: remove the speech at issue, or spend tens of thousands of dollars, if not much more, and several years defending your right to honestly speak about everyday experiences.

At Yelp, we believe that litigation is a poor substitute for customer service. This is why we are supportive of HB 379 and believe it will provide Marylanders with a powerful tool to fight back against entities that seek to chill their legitimate speech. The protection of free speech, both offline and on, has always been, and should continue to be, a top priority of the government. We applaud the committee for taking up this issue and look forward to a future where people can share their firsthand experiences with local businesses without facing the threat of a SLAPP.