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Report: #629379

# Report: Remove Ripoffreport? Kenton J. Hutcherson Hutcherson Law - Attorney Published False and Misleading Statements About Settlement With Ripoff Report

Reported By: Ripoff Report (Phoenix Arizona) USA



Kenton J. Hutcherson Hutcherson Law - Attorney Published False and Misleading Statements About Settlement With Ripoff Report; Falsely Implies That Ripoff Reports Can Be Removed By Hiring Kenton J. Hutcherson. Dallas, Texas

## Remove Ripoffreport? Kenton J. Hutcherson Hutcherson Law - Attorney Published False and Misleading Statements About Settlement With Ripoff Report

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Category: Attorneys & Legal Services

Submitted: Thursday, August 05, 2010  
Posted: Friday, August 06, 2010

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On July 28, 2010, a [press release](#) was issued (available here: <http://www.pr.com/press-release/252020>) by Texas [attorney](#) Kenton J. Hutcherson bragging about a declaration he submitted in a [lawsuit](#) against Ripoff Report pending in federal court in California. Mr. Hutcherson has represented three different parties against Ripoff Report.

In his press release, Mr. Hutcherson describes the [settlement](#) reached with Ripoff Report in one of those cases, stating, "As a part of the terms of the settlement agreement, Xcentric Ventures LLC agreed to prevent future submissions related to Hutcherson's client from appearing on the Ripoff Report website." He then states that pursuant to the settlement agreement, Ripoff Report removed two reports concerning his client. These statements appear to have been made for the purpose of soliciting new clients by making readers believe that Mr. Hutcherson was able to obtain a settlement requiring Ripoff Report to remove material from our site.

Mr. Hutcherson's characterization of the settlement agreement at issue is false, and his omission of key facts from the discussion of the case renders his entire "press release" grossly misleading.

The truth is this—the case which Mr. Hutcherson refers to involved a lawsuit that Ripoff Report brought (we were the plaintiff) against several defendants who we accused of engaging in an illegal cyber-attack against our site in an effort to punish us for defending the First Amendment. There was substantial evidence of Mr. Hutcherson's client's involvement in these attacks, and based on this his client agreed to pay Ripoff Report \$100,000 to help compensate us for costs incurred as a result of the illegal attacks. [Our settlement agreement with Mr. Hutcherson's client did NOT require Ripoff Report to remove any material and did NOT require Ripoff Report to "prevent future submissions" about Mr.Hutcherson's client.](#) These statements are false.

Instead, as part of our settlement we agreed that for a period of 24 months, we would monitor any new reports about Mr. Hutcherson's client and ensure that if a new report was submitted, the author was an actual [customer](#) of the client. Assuming the author was an actual customer, any new reports would be posted. On the other hand, if the author was attempting to submit a phony report and wasn't an actual customer, we agreed not to post that.

Months after this agreement was made, a new report about Mr. Hutcherson's client was

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inadvertently posted without first being confirmed as required by our settlement agreement. To cure our default, we took the unusual step of deactivating the report. Subsequently, the original report was re-posted after Mr. Hutcherson's client breached the settlement agreement.

Based on these facts, it is false for Mr. Hutcherson to claim that we agreed to prevent future submissions about his client, and it is misleading to imply that we removed a report because the settlement agreement required us to do so. Nothing in the agreement required the removal of any reports, and, in any event, the report at issue has been re-posted back to its original location.

Mr. Hutcherson also states in his press release that "even under the protections of the Communications Decency Act, all online content is subject to legal negotiation." Mr. Hutcherson appears to be boasting about his ability to negotiate with Ripoff Report. However, because of Mr. Hutcherson's past conduct, Ripoff Report will NOT agree to any future settlement in any case in which Mr. Hutcherson is involved. If you want to hire Mr. Hutcherson to sue Ripoff Report on your behalf, that's your prerogative, but if you do so, you should expect that the case will be aggressively defended and that no voluntary settlement of the case will occur.

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