

David Gingras

From: David Gingras
Sent: Friday, January 15, 2010 12:40 PM
To: 'Frank Eppes'
Subject: RE: [redacted]; www.RipoffReport.com

Mr. Eppes,

Sorry it took a couple of days to respond to you, but I had to pass your request along to a technical person for an investigation.

It appears you're correct – we removed the name “ [redacted] ” from the report as initially promised, and then the change didn't stick and the name came back.

The exact reasons for this aren't known, but the tech person did confirm that they were looking into it and will be fixing it shortly.

We'll get that changed back ASAP and hopefully it won't come back this time.

Thanks for your patience.

David Gingras, Esq.
General Counsel
Xcentric Ventures, LLC
<http://www.ripoffreport.com/>

Ripoff Report

PO BOX 310, Tempe, AZ 85280
Tel.: (480) 668-3623
Fax: (480) 248-3196

From: Frank Eppes [mailto:[redacted]]
Sent: Wednesday, January 13, 2010 9:43 AM
To: david@ripoffreport.com
Subject: RE: [redacted]; www.RipoffReport.com

Mr. Gingras,

You may recall the e-mail correspondence we had before the holidays. Unfortunately, based upon a Google search I just did, the name “ [redacted] ” is still coming up with your web-site as the top or 2d from the top listing. I am hopeful that this is an oversight that you remain willing to change. Please let me know the status at your earliest convenience. I hope you had a good Holiday season and once again thank you for the consideration you have shown my client.

Frank Eppes
Eppes & Plumblee, PA

From: David Gingras [mailto:david@ripoffreport.com]
Sent: Wednesday, December 02, 2009 6:34 PM
To: 'Frank Eppes'
Subject: RE: Joseph Shaluly; www.RipoffReport.com

Mr. Eppes,

This change has been submitted to the site; it should be completed within 24 hours or so.

Please note – having received literally thousands of similar requests, it is exceptionally rare for Ripoff Report to agree to make this type of change. However, you can inform your clients that our decision was based in large part on the fact that their lawyer sent a simple, straightforward request which did contain the usual pages and pages of blustering threats we often see. This level of basic professionalism is increasingly rare, and we felt it was appropriate to reward it in this instance.

Happy holidays.

David Gingras, Esq.
 General Counsel
 Xcentric Ventures, LLC
<http://www.ripoffreport.com/>
David@RipoffReport.com

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From: Frank Eppes [mailto:]
Sent: Wednesday, December 02, 2009 3:24 PM
To:
Subject: RE: ; www.RipoffReport.com

Mr. Gingras,

Thank you for your prompt response. I have discussed this matter with my client and your proposal is acceptable to them in conformity with everything contained in your e-mail below. I really appreciate your consideration in this matter.

Sincerely,
 Frank L. Eppes
 Eppes & Plumblee, PA

From: David Gingras [mailto:]
Sent: Tuesday, December 01, 2009 7:01 PM
To:
Cc: EDitor@ripoffreport.com
Subject: www.RipoffReport.com

Mr. Eppes,

I am general counsel to Xcentric Ventures, LLC which operates the website www.RipoffReport.com. I have received and reviewed your letter dated November 24, 2009 which requests the removal of this report: <http://www.ripoffreport.com/drunk-drivers/> .htm

I understand from your letter (and the two rebuttals posted to this report) that the report involves a person who died in 2008. I further understand that the concerns raised in your letter primarily relate to the fact that the decedent's teenage daughter (who shares his unusual surname) is having trouble when people perform a Google search for her and then find the story on Ripoff Report about her father.

In light of these concerns, I have several comments.

First, as a general rule, Ripoff Report does not remove reports. There are numerous factual and legal reasons for this policy explained on our website here:

<http://www.ripoffreport.com/ConsumersSayThankYou/WantToSueRipoffReport.aspx> Indeed, we have spent millions of dollars in legal fees over the past several years defending our users' rights to post comments, and to date we have never lost a case. As such, we are generally not willing to serve as the arbiter of disputes over the accuracy of a report.

Second, although we generally are unwilling to remove or redact reports, we always have the editorial discretion to do so. In this instance, while we are not willing to remove the original report, we believe that Mr. [REDACTED] daughter should not be punished for mistakes her father may have made during his life. As such, and in keeping with the Christmas spirit, we are willing to help as follows – we are willing to partially redact the report by removing the name “[REDACTED]”. This would hopefully mean that anyone searching for [REDACTED] should not see the report in the search results.

If this is acceptable to you, please let me know and this change can be made within a few days.

Finally, though it goes without saying, this offer should not be construed as an admission that we are under any obligation to change or remove this report. On the contrary, we firmly believe that we are under no legal obligation to make any such changes. However, there are times when the requirements of law are secondary to moral obligations, and in this case, we believe that making a rare exception to our general rule is a reasonable thing to do.

David Gingras, Esq.
General Counsel
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<http://www.ripoffreport.com/>

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No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.426 / Virus Database: 270.14.88/2538 - Release Date: 12/01/09 19:32:00

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 9.0.709 / Virus Database: 270.14.83/2529 - Release Date: 12/02/09 00:33:00

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.426 / Virus Database: 270.14.90/2540 - Release Date: 12/02/09 19:43:00