



**M. Gary Miles**  
Editor & Publisher  
Detroit News

Dear Mr. Miles:

We are writing in response to an article, *Company Sued Over Flint's Water Crisis Wages Digital PR War During Trial*, written by Detroit News reporter Kayla Ruble. The article not only relies on faulty third-party data (while disregarding the first-party data that Veolia North America (VNA) provided to Ms. Ruble), it also improperly credits as true baseless innuendo from an attorney openly hostile to VNA. With these flawed sources, the article goes on to allege, among other things, that VNA waged a “digital PR war” to influence the jury pool – an extremely serious *and false* allegation that VNA vehemently denies.

For these reasons, which we have elaborated upon below, we request the article be taken down while it undergoes a thorough editorial review and fact check. Any subsequent article that is published, if at all, should correct the numerous inaccuracies and incendiary allegations contained in the story as currently written.

As we shared with Ms. Ruble in response to her requests prior to publication of the article, VNA made a modest purchase of Google Search ads to coincide with the launch of the VeoliaFlintFacts.com website in 2016, to defend its reputation after plaintiff lawyers and former Attorney General Schuette started a litigation campaign designed to pin the blame for the Flint Water Crisis on VNA. Any wrongly accused company would feel compelled to do the same thing, and it is a standard practice for any such organization to purchase advertising to inform the public about its position. It is, furthermore, a fundamental right in this country under the First Amendment to take such steps to defend one's good name.

**Since their purchase in 2016, the ads have not been updated and VNA has done nothing to “ramp up” their visibility.** The purchase was for keyword-based ads, which would be seen by individuals searching for information on the Flint lawsuits and/or Veolia in the United States and Canada. We made it clear to Ms. Ruble there was **no targeting at all beyond targeting by keyword and by country—the United States and Canada**—yet her article insinuates that there could have been zip code-



level targeting or geofencing, even though she did not bother to ask us before publication. To be clear, there was no such targeting.

We also note that Ms. Ruble states in her story that she relied on “internal communications” to reach her conclusions, but when asked prior to publication what these “internal communications” entailed, she refused to elaborate on them with our team. It also bears noting that, while the story mentions such “communications,” it does not actually say what they are or how they demonstrate any impropriety.

As we explained to Ms. Ruble, it should come as no surprise to anyone with a basic understanding of how Google Ads work that these types of ads generate more clicks during periods of higher-than-average interest. For example, when a new development in the Flint cases takes place, such as news about the State of Michigan’s more than \$600 million settlement on behalf of government defendants, the start of the trial involving VNA as a defendant, or the mistrial that the court declared after plaintiffs failed to prove their case, searches for relevant terms would naturally increase. This, in turn, would lead unsurprisingly to a subsequent spike in ad views and clicks. The more views and clicks, the more Google would bill VNA after the fact. This process takes place without any change in the underlying budget or ad parameters and the ad buyer remains totally passive.

Thus, at no point and in no way were the ads “ramped up,” “broadened,” “targeted,” “blitzed,” or altered in connection with the recent bellwether trial, as is implied and directly alleged on multiple occasions in Ms. Ruble’s story. Simply put, at certain points in time, more people became interested in the story, searched for relevant terms, and thus saw VNA’s ads.

These ads launched six years ago, in 2016. Since then, the total spend has been **\$38,900**, less than **\$6,500** per year on average. To insinuate that a few thousand dollars a year in Google Search ads constitutes a “digital PR war” is hyperbolic and grossly misleading. It is also entirely inappropriate to insinuate—without proof—that jurors in the recent trial or any other trial were or would be unduly influenced by VNA’s public relations efforts. Potential jurors in any case are subject to a stringent juror selection process, during which they are asked by the judge and the lawyers to what extent they are familiar with the case and the parties involved. Any potential juror who has any possible bias in favor or against any party is filtered out. After being selected for jury duty, they are then instructed to avoid reading about the case or doing any independent online research. VNA’s constitutionally protected speech is no more likely to impact any trial than statements made in the press, online, or in podcasts by counsel for the plaintiffs.

You should also know that, during the trial, plaintiffs’ attorneys attempted to stifle VNA



from sharing our story of a very public trial—broadcast to the world on Zoom—via the Veolia Flint Facts website and an associated Twitter handle. This attempt was rejected by the presiding judge. When Mr. Stern talks about “burning the Constitution,” apparently he forgot about the First Amendment. Perhaps he would rather try his case in Moscow after all.

We are also obliged to respond to Mr. Stern’s allegation of a “disinformation campaign.” Mr. Stern has made this same allegation in his failed attempt to chill VNA’s speech. He has, to date, not identified one statement on VNA’s website or Twitter account that could constitute “disinformation.” VNA has consistently been on the side of the truth in this case. When VNA wanted to call key State of Michigan and City of Flint officials—including Governor Snyder and Flint’s Emergency Managers—to the stand at trial, Mr. Stern vociferously opposed these efforts to make these officials face a jury for the first time ever. It is clear from these past several months that Mr. Stern wants to tell a story about Flint, just not the right one.

Additional details are provided below about the faultiness of the third-party data upon which Ms. Ruble relied on in her article (while entirely disregarding the first-party data that VNA provided her). As you conduct your editorial review and fact check, we will be happy to provide any additional information as needed.

Again, the claims and allegations in Ms. Ruble’s story are both false and extremely serious. VNA acted fully within its rights to communicate the truth in good faith and in response to allegations which were being lobbed against it – allegations which did not stand up in court. Given the myriad inaccuracies and misleading commentary published in the story as currently written, we reiterate our request that you pull it down and undertake a thorough review of the facts.

We look forward to hearing from you.

Sincerely,

Carrie K. Griffiths  
EVP, Chief Communications Officer  
Veolia North America