

Yelp Me, Rhonda!

By Reg P. Wydeven
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When I was a kid, my sister loved ‘Little House on the Prairie.’ She read all the books and watched the show religiously. Much to her delight, our family made a pilgrimage to Mansfield, Missouri to visit the Laura Ingalls Wilder Home and Historic Museum. We got to see where Laura lived and where she wrote her stories about growing up as a pioneer girl.

Well, I felt like a pioneer living in the old west at one of the motels we stopped at during the trip.

Our motel room was dirty. The beds were hastily made and not with fresh sheets. The bathroom wasn’t cleaned and the floor definitely wasn’t vacuumed. It was so nasty, it resulted in us leaving and staying at another motel.

AAA helped us plan the trip. When we got back, my dad informed them of the gross motel and suggested they take it off their list of preferred places to stay, and that was the extent of it.

If my sister took her family to see Laura’s home today and had a similar experience, she would probably write about it on Yelp.

Yelp is a website where people can look up businesses and read reviews made by their past customers. Before you shell out a bunch of money on the new steak joint in town, you can look up the restaurant on Yelp to check out other diners’ experiences. Millions of people consult Yelp each week and it has over 100 million reviews from “Yelpers.”

Because of Yelp’s huge popularity, a great review can lead to a booming business, while a poor review can drive customers away. Just ask Prestigious Pets.

Prestigious Pets is a pet-sitting company in Dallas. Michelle and Robert Duchouquette hired Prestigious Pets in October of 2015 to watch their two dogs, Bogey and Barley, and a betta fish, Gordy, while they were on vacation. When they returned, however, the Duchouquettes left a one star review on Yelp for the company. The couple claimed Gordy’s tank looked murky, their billing was wrong and the company tried to charge them for returning their own keys.

In response, Prestigious Pets sued the Duchouquettes for defamation, business disparagement and a breach of contract. The company alleged the couple violated the non-disparagement clause in their contract by posting the negative review, which they asserted was false and defamatory. The lawsuit asked for up to \$1 million in damages for lost business.

The case was dismissed, however, after the Duchouquettes successfully argued that Prestigious Pets’ claim violated the Texas Anti-SLAPP statute. A SLAPP, or strategic lawsuit against public participation, is a lawsuit that is intended to censor, intimidate, and silence critics by burdening them with the cost of a legal defense until they drop their criticism or opposition. SLAPP lawsuits are illegal in many jurisdictions on the grounds that they impede freedom of speech.

And freedom of speech is pretty powerful. The Duchouquettes’ review is still on the Yelp page, which now features a consumer alert reminding reviewers that they have a First Amendment right to express their opinions and Prestigious Pets “may be trying to abuse the legal system in an effort to stifle free speech, including issuing questionable legal threats against reviewers.”

I’m still hoping our folks take us to Hazzard County so I can see the childhood home of the Duke boys.

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