



Kobre & Kim's International Private Client Team

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Ultra-High-Net-Worth Individuals Can Mitigate Reputational Risks Arising From Disinformation

Disinformation is the creation and proliferation of inaccurate information with the intent of causing harm. It poses a significant threat to ultra-high-net-worth individuals as it is often designed to cause serious financial and reputational damage. Our team provides useful tools below to help mitigate risks and combat harmful narratives.

Disinformation (misinformation's nastier and more vengeful older brother) is the creation and proliferation of inaccurate information with the intent of causing harm. It poses a significant threat to ultra-high-net-worth individuals as it is often designed to cause serious financial and reputational damage. From disgruntled former business partners seeking retribution to political adversaries trying to influence governments against their targets, disinformation can cause a ripple effect of dire consequences.

Intentionally spreading false information can not only corrode the truth but also permanently impact one's reputation and lawfully held assets. Bad actors' current technological capabilities are evolving at a fast pace, and the scope for damage is huge. Earlier this year, an elaborate scam saw a finance worker at a multinational firm pay US \$25 million to fraudsters after attending a video call with deepfake recreations of his colleagues, including the organization's chief financial officer.

As fraudulent activities become more sophisticated and accessible, risks continue to grow. Tackling such disinformation can be highly complex, but the tools below can help mitigate risks and combat harmful narratives:

1. **Be Vigilant.** Make sure you have a dedicated team monitoring for even the most innocuous information online which could signal the beginning of a disinformation campaign. Having a well-prepared team working together with lawyers and communications professionals can prove efficient, especially when dealing with cross-border disputes, which will require local

knowledge of the tools and levers available in each jurisdiction. Keep an eye on your adversaries as well and ensure that you have escalation protocols and lines of communication in place to respond to a global development instantly. Preventing the development of new factual inaccuracies is as important as containing the ones that are already causing harm.

2. **Undercut False Statements.** Have an account of the actual position ready to deploy and back up critical claims with documentary evidence to the extent possible. Be prepared to respond to and dismantle any false allegations.
3. **Identify Falsehoods for Third Parties.** Reputable institutions may unwittingly lend their credibility to those spreading damaging false information. Consider bringing the falsehoods to these third parties' attention so they can avoid furthering the disinformation campaign.
4. **Stem the Flow and Identify Your Stakeholders.** There are usually multiple ways to stem the flow of disinformation. Consider targeting the originating publication, social media platforms, and search engines. Ensure that you know who to contact and how to contact them quickly so that you can correct the false narrative and mitigate the harm. As disinformation gains steam, understanding the source and intent behind inaccurate claims is vital to avoid simply playing whack-a-mole and will help to quickly and strategically correct the record and slow down the campaign.
5. **Think Ahead.** Consider the implications of your present actions on future decision-making; anticipating potential scenarios helps you and your team act confidently as the ongoing disputes continue to unfold.

While many seek to take advantage through the spread of false information, at-risk individuals and businesses should explore affirmative steps to protect themselves from its potentially devastating consequences.

About Kobre & Kim

Kobre & Kim focuses on cross-border disputes and investigations, often involving severe allegations of fraud and misconduct. With 15 cross-border locations, we provide offensive and defensive multi-jurisdiction litigation and crisis management strategies to UHNWIs with global business interests to preserve their assets, liberty, and reputation.

- Our global team includes roughly a dozen former U.S. and UK government lawyers who, along with our civil litigators, sit across EMEA, Latin America, Asia and the U.S.
- Our industry-recognized experience in helping “businesses and successful individuals to understand and deal with the reputational and privacy issues that have the potential to put them in the spotlight,” according to *Citywealth*.
- Our onshore and offshore lawyers – including an integrated group of U.S. litigators, offshore lawyers qualified in key jurisdictions, Hong Kong solicitors, and English barristers and solicitors – help clients identify vulnerable assets and mitigate reputational harm caused by investigations.
- Our ability to coordinate legal strategy and work closely with a range of stakeholders (including crisis communications and public relations firms) allows us to formulate holistic strategies to preserve reputation and mitigate privacy concerns.