

Chapin & Long, P.C.

*Richard A. Chapin
James E. Long*

Attorneys at Law
1704 S. Neil Street, Suite A
Champaign, IL 61820

217.352.1400
217-352-1401 (Fax)

June 21, 2013

Via U.S. Mail & Email – [REDACTED]

Re: Suburban Express, Ltd.

Dear Ms. [REDACTED]

Please be advised that my office represents Suburban Express, and they have asked that I contact you regarding your March 18, 2013 review on Yelp.com. While you certainly have a First Amendment right to state your opinions on the internet and criticize my client, you do not have a right to make false and defamatory statements against it. The tenor of your review and all of the online activities you are directing against Suburban Express in an attempt to negatively portray it show a level of hostility towards my client that points to more of a motive on your part than to just share an opinion.

With regard to your Yelp post, the following statements are false:

1. "Even if you buy a ticket, you are not guaranteed a seat as Suburban Express oversells all of their trips."
2. "Tickets don't sell at fixed prices."
3. "After only vaguely eluding to their service in another view (I didn't even mention them by name), I found myself immediately banned from their website."
4. "One time I boarded the bus and took a seat at the front. The woman driving the bus didn't seem to know the way to the highway and actually solicited directions from the passengers."
5. "Do you really feel comfortable having your credit card information on file with these people?"

With regard to No. 1, Suburban Express guarantees every seat for a customer who has legitimately purchased tickets. If there has ever been an occasion where someone did not have a seat available to them after legitimately purchasing a ticket, then the individual that informed you of this situation was on a bus where another passenger had boarded illegally and/or improperly.

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With regard to your second claim that "tickets don't sell at fixed prices," everyone that purchases a ticket purchases the same for a "fixed price." If you are somehow making an issue with differing prices for tickets purchased at differing times, this would be a complaint you should have with all modes of commercial transportation. Companies that offer travel services offer lower prices for tickets purchased in advance, tickets purchased at the last minute or tickets purchased at various times. If you are somehow alluding to something else, this claim is patently false. Again, everyone that purchases a ticket from my client is fully advised of the cost of that ticket and any associated fees prior to confirming their purchase.

With regard to your claim that you were banned from my client's website, this is another example of your difficulty telling the truth. Despite your review discussed in this letter as well as all of your various other online activities related to my client, Suburban Express has never banned you from using their service, nor are you currently banned.

Finally with regard to your claim about the driver asking for directions, this is also false. On the two occasions that you used Suburban Express, the driver for those buses had driven over 100 trips for my client by that time, and there is absolutely no way that she was asking for directions to the highway for either of your trips.

Again, you are certainly entitled under the First Amendment to state your opinion and criticize my client with the language you use if that is the way you want to present yourself to the public at large. However, you are not allowed to make false and defamatory statements in an effort to damage my client. Accordingly Suburban Express requests that you remove the false and defamatory statements in your Yelp review within the next ten days. Otherwise, my client will have to consider pursuing the appropriate legal action to address your false statements and damage caused by them.

Thank you.

Sincerely,

CHAPIN & LONG, P.C.

James E. Long
jlong@chapinlong.com

JEL:kte