

## Nude Photos as a Bargaining Chip?

December 23, 2016 | [Thomas B. Hudson](#)

Every time you begin to think you've heard every strange story that has ever been told about car dealers, along comes another one. This one comes from my home state, Georgia, as recently reported by *The Telegraph*, which relied on the allegations in the car buyer's lawsuit because the reporter was unsuccessful in trying to reach the dealership's attorney and general manager.

According to the article, after Amy Graham and her husband traded in two used cars for two new cars, Jeff Smith Chevrolet agreed in writing to add leather seats to one of the new vehicles. Shortly afterward, Graham's husband asked about the leather seats and was told the dealership wouldn't be installing them because it wasn't getting a good deal on the trade of his truck.

Graham posted a negative comment about the experience on social media. Evidently the dealership discovered her online post because she claimed that an employee told her by phone that the seats wouldn't be installed until her comment was deleted. Then, after being told the call was being recorded, the employee said the dealership had nude photos of Graham.

The employee said the dealership would share the photos with Graham's husband if she didn't delete the negative comment. He went on to say that he knew she was a teacher, a statement she took as a threat that the photos would be revealed to her school.

Graham sued the dealership and Jeff Smith Management Inc., claiming that they were liable for intentionally inflicting emotional distress and publicly disclosing "embarrassing private facts."

I need to remind you that the description of the dealership employee's actions in the case is, at this point, only an allegation by a plaintiff in a lawsuit. Nobody has proved anything yet. If Graham can prove her case to a jury, then our collective jaws can drop.

Now I'm just guessing, but I think it's unlikely that you could find in the dealership's Complaint Management Policy an entry that says, "When a buyer complains, threaten to publicly air nude photos." So that tells me it is quite possible that the dealership's management knew nothing about the behavior of the employee doing the alleged threatening. You do have to wonder, however, what sort of basic training that employee had been exposed to (sorry, couldn't resist). Are employees instructed that there is such

a crime as extortion and that threats of public humiliation as a means of forcing a customer to withdraw criticism of the dealer might just be a teeny, weeny problem?

Ethics training for car dealership employees? Sounds like a possible growth industry to me.

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