Editorial

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Case Releases: How to Avoid a Publication Horror Story

Case writers using primary data[1] to create a case must provide a written case release before the case can be published in *The CASE Journal*. The case release grants the journal permission to publish a case that includes data developed from proprietary information (interviews, observations, internal documents and the like). The release process is essential for three reasons: protection, validity and relationship building (Rock, 2012).

Protection. In the increasingly litigious world we live in, inappropriate use of proprietary data may result in legal action for defamation and libel (Emerald Publishing, 2021). Permission to publish forms or case releases may be needed to protect both the publisher and the case writer from legal action when primary data sources are incorporated into a case. *Defamation* is defined as the "offense of injuring a person's character, fame or reputation by false and malicious statements." (Garner and Black, 2019). *Libel* is a particular type of defamation referring to the publication of statements that cause damage to the reputation or livelihood of an individual or organization (Garner and Black, 2019).

Emerald Publishing Group (publisher of *The CASE Journal* and *Emerging Markets Case Studies*) advises case writers "to inform the subject (person or organization) and to seek their consent" (Emerald Publishing, 2021) before submitting the work. The consequences for defamatory statements include publication of a retraction notice or the retraction of the case from the online version of the journal (if legally required). The case release form used by *Emerging Markets Case Studies* is provided as Exhibit 1.

Release forms provide assurance that "the participating organization is knowingly and willingly providing information for dissemination and educational use" (Rock, 2012). Signed releases provide protection for the publisher and the case writers for cases based on primary data. If only secondary data sources were used, the expectation is that those sources will be appropriately cited, but no release is needed.

Validity. Sound research methodology requires assurance of the validity of the data gathered. Emerald's Publication Ethics requires that the "research has been conducted with the highest standards of rigour and integrity" and that "the work does not include libellous, defamatory or unlawful statements" (Emerald Publishing, 2021). The case release allows the individual or organization to review the data provided and correct any misconceptions or misrepresentations contained in the case. Case writers often rely on this process to secure the cooperation of the individuals or organizations in the case writing process. The promise to permit the individual to review the case and make any corrections before publication may be critical to gaining their consent to participate in the case research process.

Relationship building. Case writing is one way to bridge the gap between research and practice. Good relationships between case writers, educational institutions and the individuals and research sites (organizations) are essential to case research. Case writers depend upon gaining the business community's cooperation in case research through a mutual understanding that the case will contribute to student learning and development.

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Case writers must also "respect and protect the legitimate confidentiality and privacy concerns of the organization and individuals involved" (Rock, 2012).

Stages of case release

It is not uncommon for case writers to use several stages of releases depending upon the complexity of the case and organization. Three stages come to mind:

- *Preliminary or initial release* – The objective of this release is to inform the individual of the process that will be used to develop the case (informed consent), the confidentiality of any data gathered, and to gain permission to proceed with the case research. A signed and dated initial release opens the door for case research to begin. Without this agreement, the case writer would need to move on to another organization or write the case using only publicly available sources.
- *Intermediate case release* – Some case writers seek individual releases from any directly quoted individual in the case. These releases are obtained after the main case has been developed but before submitting it to a conference, teaching it in a class, or sharing it with key individuals in the organization. The purpose is to allow the individuals to review how they are portrayed in the case and provide them with an opportunity to make any corrections they wish before senior executives can review the case. Although the case writer has faithfully quoted the individual, he may not wish to have his superiors see his statements and may wish to soften them or otherwise make changes. This type of release is not required for publication but may be necessary for maintaining a good relationship with the employees and the organization. Compact Cases are less likely to require this type of release as the word limit often does not permit quotes from multiple individuals.
- *Final release to publish* – This is the release required by most publishers before publication of the case, whether standard length or Compact Case (Exhibit 1). Generally, the consent to publish must be signed by someone one level higher than the position held by the primary source (Vega, 2017). The primary source may wish to have the organization's legal counsel review the case before signing the consent to publish. Although there are horror stories in the case writing community about legal counsel advising executives not to authorize the publication of cases, clearing any legal objections may help secure the executive's consent. Meeting with the executive and the legal counsel may be necessary to iron out any conflicts. Ask, "What can reasonably be done so that the case is acceptable to you?" (Rock, 2012). Accommodating organizational concerns may be enough to secure a favorable outcome but be prepared to move on to another project if the executive and legal counsel do not sign the consent to publish. Remember to share your "horror" story over a cocktail at the next case writers workshop you attend! Someone may offer to buy you a drink to commiserate!

No release necessary for instructor's manual

If you have used primary data of any sort in developing your case, you must obtain a signed consent to publish form and provide it to the publisher. The Instructor's Manual does not need to be reviewed by the organization and its executives before publication. The Instructor's Manual contains your analysis of the case situation and should not contain any data that was not already included in the case itself. Because the Instructor's Manual is not published (only provided to authorized instructors), it does not require a signed consent. However, that does not mean that libelous, defamatory or unlawful statements should be included in the IM. Case writers need to preserve any

Table 1 Cases in this issue

Case title and target audience	*Authors*	*Synopsis*
Streaming Success: Positioning Roku's Future in a Hypercompetitive Industry Target Audience: Undergraduate or graduate level Strategic Management courses Compact Case	Erin Pleggenkuhle-Miles, Christopher Winchester, A. Erin Bass and Thomas West	As the market disruptor of how media was consumed, Roku had been connecting customers, publishes, and advertisers with its unique capabilities for over 10 years. With the belief that all TV content should be available through streaming, Roku had forever changed the traditional model of how media was distributed and consumed. By capitalizing on the previously untapped economic opportunity of TV streaming platforms, Roku had made itself the premier streaming broadcast service for users, content publishers, and advertisers. The company was now faced with the difficult task of finding the best ways to keep innovation high and continue to grow
Amazon GO convenience stores: Skip the lines Target Audience: Undergraduate Marketing Management or Retailing courses Compact Case	Anthony Furnelli	In 2018, Amazon opened high tech convenience stores across a number of metropolitan cities in the United States offering a checkout-free experience for customers. This case evaluates the marketing aspects of the move including industry structure, store format and customer loyalty. The underlying question is how will Amazon, the company that pioneered online shopping, perform in an offline retail marketplace that is highly competitive? Will Amazon be able to leverage its massive technology power and shakeup offline retail? Will changing market forces caused by the pandemic reshape retail as we know it?
Challenges of Moksh Organization: An epitome of humanity Target Audience: Undergraduate students in Social Entrepreneurship or Organizational Behavior courses	Nikhil K. Mehta, Shubham Chourasia and Aswini Devadas	The case dealt with the challenges of a non-government organization (NGO) that included conducting respectful last rites of unclaimed dead bodies. As the NGO grew, Ashish Thakur, the initiator of Moksh started facing resource management challenges viz. volunteer induction, fund-raising, and managing non-human resources. These issues are deeply embedded in several social stereotypes about dead bodies. Learning covers strategies of four generations of NGO development, a NET model of social leadership, breaking social stereotypes related to dead bodies and last rites (necrophobia), designing social communication, and opportunity to assess faulty rationalizations, do critical thinking around the socio-religious practices
For the Sustainability of the Forests, the Tigers and the Tribals: Royal Bank of Scotland in the Kanha-Pench Corridor, India. Target Audience: Undergraduate and graduate students studying sustainability and corporate social responsibility	Vineeta Dutta Roy	The case study is about the coming together of several important agencies working in the areas of Forest and Wildlife Conservation, Climate Change adaptive planning for ecosystems and communities, social upliftment and CSR in the Kanha Pench landscape of Madhya Pradesh in Central India. The challenges are many. For one, the landscape is a rapidly degrading one, if interventions for its revival are not put in place soon enough, it may not only jeopardise the survival of its human inhabitants which are already living here in poverty, it will extinguish the chances of the long-term sustainability of the species of Tigers living in the protected Tiger Reserves of Kanha and Pench
Board Structure Changes after Accounting Fraud: The Case of Schneider Electric Target Audience: Upper level undergraduate and graduate students in Managerial Finance, Corporate Finance, International Finance or Auditing courses	Benedicte Millet-Reyes and Nancy Uddin	This business case is centered on the analysis of Schneider Electric, a French multinational corporation, who had to restate their financial statements in 2011 because of accounting fraud. Following this event Schneider undertook major changes in their board structure to improve internal control mechanisms. This pedagogical business case familiarizes students with international differences in ownership and board structure, and emphasizes potential corporate governance changes after financial statement fraud

(*continued*)

Table 1

Case title and target audience	*Authors*	*Synopsis*
A perfect storm: How high levels of risk and weak internal controls resulted in violations of the Foreign Corrupt Practices Act Target Audience: Undergraduate and graduate auditing classes	Diana Franz	This case is based on Weatherford International's settlement with the Securities and Exchange Commission and the Department of Justice. Weatherford provided equipment and services in the oil and gas industry. Because international markets were growing faster than domestic markets, Weatherford made a strategic decision to pursue growth in international markets. The oil and gas industry has high levels of operating risk as did the countries that Weatherford decided to pursue operations in. However, despite the decision to take on additional risk, Weatherford failed to implement adequate systems of internal controls. The title of the case "A Perfect Storm" refers to Weatherford's trifecta of operating in an industry with high levels of corruption risk, countries with high levels of corruption risk and failing to implement adequate internal controls despite those high operating risks (Department of Justice 2013). Weatherford was ultimately assessed a $152 million penalty for its violations of the Foreign Corrupt Practices Act (FCPA) that included bribery, volume discounts, improper payments, and kickbacks
Do not let it derail: The District Head's Dilemma Target Audience: Undergraduate courses in project management, strategic management, leadership, and public policy. Executive-level training programs.	Harikrishnan Ramesh Varma and Ram Kumar Kakani	Palakkad District Magistrate (DM) Gayathri Nair was tasked with acquiring 130 hectares of land for a government-sponsored Public-Private Partnership project to set up a railway coach factory in Palakkad. After taking the landowners into confidence and fast-tracking the administrative process through the line departments, she successfully acquired 93 hectares of land for Phase I of the project. But the intervention from local politicians and activists halted the next phase. Gayathri was pressured by her bosses to solve the standstill in four weeks. Unable to make the owners realize the benefits of the project, she witnessed a showdown between the agitating masses and the district administration. The entire episode is worsened by the partisan media coverage. The only options open to Gayathri, as the head of the district administration, are either to go ahead with a forceful land acquisition, and thereby, risk the wrath of the public or abandon the project and bury the months-long back-breaking teamwork. How could Gayathri handle the situation better? What steps could she take at various stages to ensure a balanced outcome for all the stakeholders in the project?

relationship between themselves and executives for ongoing community/university partnerships or the development of future cases. Do not risk that relationship by including inappropriate negative statements in the event the executives somehow gain access to the IM.

Case release frequently asked questions

Q1. Is a case release required for disguised cases even though I have changed the names of all quoted individuals and the company?

A1. YES, even disguised cases developed using primary or proprietary data require a signed case release before they can be published. The release protects the case writer and publisher from legal action should the true identities become known.

Q2. I cannot get the legal department to agree to authorize the publication of the case. Can I disguise it and publish it without a release?

A2. NO, a case release is always necessary when primary or proprietary data is used in developing the case. You could rewrite the case using publicly available data sources, remembering to cite any sources appropriately. Alternatively, you could file the case away and wait for time to pass. Sometimes sources will agree to sign a case release after the case event is no longer current news. You might also explain to the executives that the publication process is likely to take between six months to one year. The events will no longer be "current" or strategically relevant to competitors after that time.

Q3. What should I do if the protagonist will not sign the case release no matter what I do?

A3. Most case journals do require a signed case release if primary data has been used. It will not be worth your time to withdraw the case from one journal and submit it to another. The outcome will most likely be the same regardless of the journal you choose. Without a release, the case is unpublishable. You could put it in your desk drawer for a while, as described in A2. However, your most likely recourse will be to move on to new projects. Consider obtaining a preliminary case release on any future project to avoid this same disappointing outcome. Getting a signed preliminary release is no guarantee that executives will sign a final case release. Still, permission troubles at the beginning of the process may be a warning signal of potential problems later.

In this issue

This issue includes seven cases (Table 1) focused on a wide variety of companies, locations and issues. Each case has a strong IM providing effective teaching strategies, theoretical linkages and complete answers and analysis to all discussion questions. *TCJ* IMs have been rigorously peer reviewed to ensure that adopting faculty can teach these cases as well as the authors. Enjoy!

Note

Primary data is often defined as data collected by the researcher through in person interviews, observations and internal records. Secondary data is available publicly such as journalistic articles, websites and social media.

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Exhibit 1

Consent to Publish-Release Form (Adapted from Emerald Publishing, 2021)

Final Release to Publish

Case Study Title

Author

I hereby confirm that I have reviewed the above-entitled case study in full and on behalf of the organization in question, I provide my full permission for the case to be published in its entirety for the life of the work in all languages, and all formats by Emerald Group Publishing for commercial distribution.

By signing this form, I warrant that I am authorized to grant full permission.

Name

Position

Address

Organization

Email

Signature

Date Reviewed and Signed

Exhibit 2

Preliminary or Initial Release (Naumes and Naumes, 2015)

Case Writer's Personal Contact Information

To: [Case Writer]

I give my permission for a case study analysis of [company name] to be conducted.

I understand that I, or my assigned representative(s), will be given the opportunity to review the case for accuracy and will receive a copy of the final report for my use. I also understand that the information obtained may be used in the classroom, for presentation at professional conferences, and for publication in journals and/or textbooks.

By my signature, I affirm that I am authorized by my company to grant such permission.

Signature

Name (please print)

Title

Date