

Litigation Hold Notice

To: Employees of Company A Who May Have Relevant Information

From: In-house Counsel

Re: **Litigation Hold**
Preservation of Relevant Information:
Paper Documents and Electronically Stored Information

Date: May 31, 2011

We are currently involved in a dispute involving John Doe and Jane Smith, both former clients of Company A. Mr. Doe and Ms. Smith allege, among other things, that Company A violated the Washington Debt Adjusting Act and the Washington Consumer Protection Act. This is a putative class action that we intend to vigorously defend.

During the course of litigation, it is important that Company A is able to make its paper files and electronically stored information available to our own lawyers and, if discovery requests are issued to us, available to the lawyers representing the other parties in the case. ***It is crucial that you take affirmative steps to preserve both paper documents and electronically stored information that are relevant to this dispute and that are in your custody or control.*** The failure to preserve these materials could be detrimental to our position in the litigation. We request that you preserve paper records and electronically stored information, including email, electronic calendars, financial spreadsheets, Word documents, and other information created and/or stored on your computer, relating to clients in Washington State. The above list is intended to give examples of the types of records you should retain. It is not an exhaustive list.

The time period at issue in this case is 2007 to the present. Although this time period might be adjusted as the litigation proceeds, this date span is a good starting point to assess the materials you should preserve.

Please note that our Company has in place a records retention schedule. During the time this records hold is in place, you are requested to suspend compliance with the records retention schedule (which might otherwise dictate that you discard records) for those documents and electronically stored information that you determine are relevant. ***Do not discard documents or electronically stored information that is relevant. Do not delete, overwrite, alter, or destroy such materials.***

Our IT staff has been notified of this Litigation Hold. IT will be working with our legal staff to ensure we implement the Litigation Hold. We will follow up with more information as the litigation proceeds, including advising you when the Litigation Hold is lifted. In the meantime, if you have questions, please contact me.