



Preservation Letter Template: Third Party's Obligation for Data Preservation

Regarding: Data Preservation – [Legal Matter]

Dear [Name],

This letter is to notify you that [Plaintiff/Defendant] has reason to believe that electronic information residing within the technology infrastructure and information assets of [Company Name] may contain evidence critical to the aforementioned legal matter.

In support of this, discovery requests submitted in the aforementioned legal matter seek to collect, parse, and review electronic information within computer systems, removable electronic media, and other electronic devices owned and/or operated on behalf of [Company Name] in the performance of [Business Process]. Sources of electronic information that must be preserved may include, but are not limited to, electronic documents, email and electronic correspondence, images and graphics, deleted files, spreadsheets, databases, system usage logs, Internet history and cache files, as well as enterprise user information, such as contact lists and calendars.

As a result of the fragile and volatile nature of electronic information, [Plaintiff/Defendant] has an obligation to take reasonable steps to ensure that electronic information is safeguarded and preserved until the full resolution of this legal matter. Data preservation includes, but is not limited to, ceasing all data destruction activities, automatic email deletion functions, backup tape recycling, hard drive reformatting, and cache removing procedures.

Please note that clearly defined laws and rules barring the destruction of evidence directly applies to electronic evidence and any information created or stored in digital form that is relevant to a case. Failure to take all reasonable steps towards preserving electronic information will damage the aforementioned legal matter and result in severe penalties against you and [Company Name].

Please direct all questions or concerns to [Representative Name].

Thank you for your attention in this matter.

[Signature]