

**PRESERVATION OF EVIDENCE LETTER**

**Date:** \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

**VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED  
AND FIRST-CLASS MAIL**

**To:**

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**From:**

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**SUBJECT: NOTICE TO PRESERVE EVIDENCE REGARDING POTENTIAL LITIGATION  
CONCERNING [DESCRIBE THE MATTER, E.G., THE INCIDENT OF JUNE 1, 2024,  
INVOLVING PROPERTY DAMAGE AND PERSONAL INJURY]**

Dear \_\_\_\_\_ :

This letter serves as a formal demand and notice to you, and any individuals or entities acting on your behalf, to preserve all documents, records, and electronically stored information (ESI) related to the above-referenced matter. This notice is issued in anticipation of, or in connection with, potential litigation.

**I. THE MATTER REQUIRING PRESERVATION**

This preservation notice pertains to a potential legal dispute arising from [Provide a concise description of the incident, dispute, or investigation, e.g., "an incident that occurred on or about June 1, 2024, at 123 Main Street, Anytown, State, involving a collision between a vehicle operated by John Doe and property owned by Jane Smith, resulting in significant property damage and potential personal injuries."]. We believe that you possess information and materials relevant to this matter.

## **II. SCOPE OF EVIDENCE TO BE PRESERVED**

**You are hereby instructed to preserve all evidence, regardless of its form, that relates in any way to the aforementioned matter. This includes, but is not limited to, the following categories of information and materials:**

**1. Documents:** All written, printed, or graphic matter, including correspondence, memoranda, reports, contracts, invoices, receipts, notes, calendars, diaries, photographs, blueprints, drawings, charts, graphs, manuals, policies, procedures, and any other tangible items.

**2. Electronically Stored Information (ESI):** All electronic data, including emails, text messages, instant messages, voicemails, audio recordings, video recordings, social media posts, website content, databases, spreadsheets, presentations, word processing files, metadata, server logs, backup tapes, hard drives, mobile device data, and any other digital information. This includes data stored on personal computers, laptops, tablets, smartphones, servers, cloud storage, and any other electronic devices or systems.

**3. Physical Evidence:** All physical objects, samples, products, equipment, tools, vehicles, machinery, components, or other tangible items that may be relevant to the incident or dispute.

**4. Witness Information:** Identification of all individuals with knowledge of the facts, including their contact information.

This preservation obligation extends to both original and duplicate copies of all relevant materials. You must ensure that no relevant information or materials are altered, deleted, overwritten, destroyed, or otherwise made unavailable. This includes suspending any routine document retention or destruction policies that might otherwise apply to the relevant information.

## **III. DUTY TO PRESERVE AND CONSEQUENCES OF SPOILIATION**

You have an affirmative duty to preserve all evidence that is relevant or potentially relevant to this matter. The intentional or negligent destruction, alteration, or concealment of evidence ("spoliation") can result in severe sanctions by a court, including adverse inference instructions to a jury, monetary penalties, exclusion of evidence, or even dismissal of claims or defenses.

This letter constitutes formal notice of your obligation to preserve evidence. Failure to comply with this demand may be brought to the attention of the court and may result in the imposition of sanctions.

## **IV. CONTACT INFORMATION**

If you have any questions regarding this Preservation of Evidence Letter or the scope of the requested

preservation, please contact the undersigned at the address or phone number provided below.

We expect your full cooperation in preserving all relevant evidence.

Sincerely,

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**Signature:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**Email:** \_\_\_\_\_