

# Sample Legal Hold Notice

## LEGAL HOLD NOTICE

### DO NOT DESTROY SPECIFIED DOCUMENTS

Dear Colleague:

Acme is involved in a matter that may involve litigation. To that end we are advising you as a potential custodian of records pertaining to this potential matter that you requested as follows.

Please be advised that you are instructed to hold and preserve **all** documents. Normal records retention policies regarding the destruction of such documents must be immediately suspended. The obligation to retain records applies to records, paper and electronic, currently in existence as well as to records created in the future.

You must retain all records, including memoranda, correspondence, electronic data and any information contained in Company supported databases. Compliance with this records-retention directive is mandatory.

This directive also applies to all company issued computer equipment and electronic data hardware on which any of the described records and information may be stored, including, but not limited to, any desktop systems, laptops, portable storage devices (thumb drives, external hard drives and the like) or portable wireless devices. The hardware itself must be preserved, and should not be transferred to other employees, nor should its data storage function be modified or impaired in any way (such as by removing, replacing, or "wiping" a hard disk).

The scope of the material that must be retained is very comprehensive. It includes all records of all written or graphic matter, however produced or reproduced, of every kind and description, including writings, communications, graphs, sound and video tapes or recordings, photographs, magnetic discs, emails, invoices, calendars, etc. Three kinds of records merit special attention:

**Email and electronic information records:** Email and "electronic information" of any kind must be preserved (i.e., any information created, stored, or accessible by means of computer technology). Do not delete any email (or attachments to any email) in your "in-box" or "out-box" or any email that you may receive or send in the future. Also do not delete any email or other records that you have stored on your computer's hard-drive or on a Company server. If your email system is programmed to erase email after a certain length of time, preserve your email by (1) transferring your email to a personal folder, or (2) transferring your email to a disc. Please be sure any attachments to your emails are transferred as well. Do NOT make decisions about whether an email or other document is 'important'; preserve ALL documents.

**Duplicate Records:** All duplicate copies of records must be preserved. Counsel will determine the status and treatment of duplicates.

**"Personal" Files:** There is no distinction between "official" Company files and your "personal" files. All potentially relevant records you wrote, compiled, or received must be preserved, including any copies you have saved separately from any "official" or "Company" file, including records stored off-site.

Please do not review, sort, categorize, analyze, index, summarize, digest, or screen records in your possession or custody. You should instead just identify the relevant records and retain them as they now are being kept. It is advantageous to assure that the records are preserved in exactly the way they were maintained in the ordinary course of business and disadvantageous to disturb that order. Please inform your administrative assistants and other staff not to discard or delete any documents or other electronic information related to these products.

Attorneys from the Law Department and/or outside counsel will be contacting you to determine whether you have any records that may be relevant to this matter. In the event your records are required for review, the lawyers handling this litigation will make arrangements for segregating and copying your records.

Please share this notice with those members of your department who may also have files or information relevant to this hold notice.

Please refer any questions you may have about the preservation and collection of records, to: [\[Provide contact information here\]](#)

Dated: January XX, 2018