



DEPAUL UNIVERSITY

OFFICE OF THE GENERAL COUNSEL

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APPENDIX A EXAMPLE ONLY

CONFIDENTIAL MEMORANDUM ATTORNEY-CLIENT PRIVILEGED

DATE: [INSERT]
TO: [INSERT DISTRIBUTION LIST]
FROM: OFFICE OF THE GENERAL COUNSEL
CC: IS LITIGATION COORDINATOR, CDM IS COORDINATOR, RECORDS
MANAGEMENT
RE: LEGAL HOLD NOTICE FOR MATTER [INSERT MATTER NAME]

This Notice is to inform you that you must retain and preserve certain materials, including hard-copy documents and electronically-stored information (ESI), which may be relevant to potential or pending litigation. This is a routine process that DePaul University follows pursuant to its attached Legal Hold and Record Preservation Policy when it is put on notice of a potential or actual dispute.

This Notice relates to an action pending against DePaul in [INSERT COURT OR AGENCY]. The action alleges that [INSERT BRIEF DESCRIPTION OF MATTER]. It is critical that DePaul retain relevant records both to defend itself and to comply with its obligations under the court rules.]

Paralegal Deborah Banks (DBANKS5@depaul.edu, 312-362-7193) will be your contact for this Notice in the Office of the General Counsel. Attorney [INSERT NAME AND CONTACT INFORMATION] is DePaul's lawyer responsible for this matter. As always, we ask that you do not discuss this sensitive and confidential matter with anyone other than the Office of the General Counsel. Additionally, we ask that you direct all legal inquiries to our office, and that you alert us if anyone attempts to contact you regarding this matter. Any written communication to the Office of the General Counsel regarding this matter should be clearly marked ATTORNEY-CLIENT PRIVILEGED.

CATEGORIES OF DOCUMENTS AND INFORMATION TO PRESERVE

Until the Office of the General Counsel cancels this Notice in writing, you must preserve the following categories of documents and information – even if it otherwise would be your practice to discard such items. The time period relevant to this matter is [INSERT TIME PERIOD]. Thus, any documents or information used from [INSERT TIME PERIOD] is subject to this Notice.

- [INSERT LIST OF RELEVANT MATERIALS]
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<p>José D. Padilla, Vice President and General Counsel Rick Raguse - Kathryn Stieber - Mary Devona - Anastasia Katinas - Marla Morgen - Laura Warren</p>
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CONFIDENTIALITY NOTE: The information in this Memo may be privileged and may contain confidential information included only for the use of individual(s) named above and others who have been specifically authorized to receive it. If so, and if you are not the intended recipient, you are hereby notified that any review, use, dissemination, distribution or copy of the communication is strictly prohibited.

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TYPES OF MATERIALS TO PRESERVE

The requirement to preserve applies to all types of written and paper documents, such as memos, correspondence, files, PowerPoint slides, spreadsheets, drafts, and forms, and not only to formal paper documentation, but also to informally generated papers, such as handwritten notes, day planners, calendars, and diaries. Additionally, the directive to preserve applies to all types of ESI, including electronic documents (e.g., MS Word, PowerPoint, Excel), e-mail, databases, text files, images, calendar information, voice-mail messages, and audio or video recordings.

This directive applies to individual workstations as well as to DePaul network and systems. This means you should preserve, pursuant to the Instructions below, all (1) potentially relevant files stored on your hard drive; (2) potentially relevant e-mail stored in your Outlook inbox and folders; and (3) potentially relevant files stored on DePaul servers.

INSTRUCTIONS

1. Please take steps to preserve all listed categories of documents and ESI and to suspend the routine destruction of such materials.
2. Please refrain from doing any work that has the potential to destroy potentially relevant documents and ESI. In certain cases, it may be necessary to disable automatic deletion functions, implement or alter regular archiving functions, save to the network, and ensure the preservation of back-up or archive materials.
3. Follow the attached instructions on how to copy your e-mail archives to a new designated folder on your network drive.
4. Understand that IS may archive your e-mail going forward for purposes of this matter only and that there may be a short downtime when archiving begins. (IS will endeavor to minimize any user inconvenience.)
5. Complete the attached Information Survey regarding sources of potentially relevant information and return it to the Office of the General Counsel.
6. If you create documents that are relevant to this matter, please save major revisions as a new document or version so that prior drafts are preserved.

ERR ON THE SIDE OF PRESERVATION

If you are uncertain as to whether a particular document or category of ESI should be preserved, please err on the side of preservation and do not destroy the document or ESI. Failure to preserve relevant information could result in significant penalties against DePaul.

QUESTIONS AND FOLLOW-UP

If you are uncertain as to how to preserve documents and ESI, please contact Deborah Banks in the Office of the General Counsel. If you have questions regarding how to copy your e-mail archives and ESI to the network, please contact the IS Litigation Coordinator.

If you know of anyone not on the distribution list who may have information relating to this matter (or if you believe you are on the list in error), please contact Deborah Banks immediately.

To the extent necessary, our office may be in touch with some of you in the coming weeks to gather more information or to collect the documents and ESI that you are retaining.

Thank you for your continued cooperation with this matter.
