

## **INTERNAL MEMORANDUM / LEGAL ADVISORY**

**TO:** [Department Head Name / Records Custodian Name]

**FROM:** [Legal Counsel Name / Risk Management]

**DATE:** [Insert Date]

**SUBJECT:** Urgent Advisory: Risk of Spoliation of Evidence Regarding [Reference Matter/Case Name]

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### **1. PURPOSE OF ADVISORY**

This memorandum serves as a formal advisory regarding the potential "spoliation of evidence." Spoliation occurs when evidence relevant to legal proceedings is destroyed, altered, or lost. This advisory is issued to prevent legal sanctions and adverse judicial rulings against the organization.

### **2. IDENTIFICATION OF SUBJECT MATTER**

Legal proceedings are currently [pending / reasonably anticipated] concerning:  
[Insert Brief Description of Incident, Claim, or Investigation]

### **3. MANDATORY DUTY TO PRESERVE**

The organization is under a strict legal obligation to preserve all information and physical items that may be relevant to this matter. This duty supersedes any standard document retention or deletion policies currently in place. You are directed to immediately suspend the routine destruction of records related to this subject.

### **4. SCOPE OF PRESERVATION**

Preservation efforts must include, but are not limited to:

- Electronic communications (Emails, instant messages, and voicemails).
- Physical files, handwritten notes, and internal reports.
- Electronic data (Database records, spreadsheets, and metadata).
- Physical evidence (Damaged equipment, logs, or site materials).
- Video surveillance and access control logs.

### **5. CONSEQUENCES OF NON-COMPLIANCE**

Failure to preserve these materials may result in "Spoliation Sanctions," which can include:

- Monetary fines and legal penalties.

- An "Adverse Inference" instruction (where the court assumes the missing evidence would have been harmful to our case).
- The striking of pleadings or dismissal of our defenses.

## **6. ACTION REQUIRED**

Please confirm receipt of this advisory by [Date]. You are required to notify all staff members within your department who may possess relevant materials of their obligation to preserve such data immediately.

Direct any questions regarding the scope of this request to the Legal Department at [Phone Number/Email].

Sincerely,

[Signature]

[Title]