

## **URGENT LEGAL MATTER: NOTICE TO PRESERVE EVIDENCE**

**DATE:** [Date]

**TO:** [Name of Custodian/Company Name]

**ATTN:** [Legal Department/Information Security Officer]

**ADDRESS:** [Physical Address or Registered Agent Address]

### **RE: Notice to Preserve Electronically Stored Information (ESI) Relating to Data Breach Incident**

Dear [Name],

This letter serves as a formal demand for the preservation of all relevant records and data in your possession, custody, or control related to the data breach incident discovered on or about [Date of Discovery].

This request specifically includes, but is not limited to, communications and data transmitted via ephemeral messaging applications (e.g., Signal, WhatsApp, Telegram, Slack, Wickr, or similar platforms).

#### **1. Suspension of Deletion Protocols**

You are hereby directed to immediately suspend all routine or automatic deletion, "disappearing message" settings, shredding, or overwriting of data. This includes disabling any "auto-delete" or "self-destruct" timers within ephemeral messaging tools used by employees, contractors, or executives involved in the response to, or discovery of, the breach.

#### **2. Scope of Preservation**

Please preserve all records from [Start Date] to the present, including:

- Direct messages, group chats, and voice memos.
- Metadata associated with communications (timestamps, participants, read receipts).
- Log files, access logs, and administrative dashboards.
- Device backups (mobile phones, tablets, and workstations) that may contain cached messaging data.
- Encryption keys or credentials necessary to access archived encrypted content.

#### **3. Identified Personnel**

Preservation efforts should prioritize the accounts of the following individuals:

[List Name 1, Title]

[List Name 2, Title]

[List Name 3, Title]

#### **4. Consequences of Spoliation**

Failure to take immediate steps to preserve this evidence may result in legal sanctions, adverse evidentiary inferences, or other penalties in any subsequent litigation or regulatory investigation.

Please acknowledge receipt of this letter in writing within [Number] business days and confirm that the necessary "Legal Hold" has been implemented.

Sincerely,

[Your Name]

[Your Title]

[Your Organization]

[Contact Information]