

**INTERNAL LITIGATION HOLD MEMORANDUM**  
**Pre-Litigation**

Attorney-Client Privileged Communication

*[Memo addressed to a targeted, limited group of individuals reasonably likely to have responsive documents]:*

As a result of certain claims that have been raised regarding the [Agency], it is imperative that [Agency] preserve all documents and electronic information that may be relevant to these claims. Neither [Agency] nor any of its employees have been sued, but [Agency] has been apprised of claims that make it reasonably probable that litigation may be instituted against [Agency]. This memorandum is being addressed to you because you have been identified as an individual who may have documents and electronic information that are related to these claims.

You are directed not to discuss the claims at issue, or the contents of this memorandum, without first discussing them with legal counsel. Legal counsel can assist you with your duties to comply with the terms of this memorandum. This direction is made to ensure that the rights and interests of all individuals involved with these claims, including the right of privacy, are safeguarded.

The claims appear to relate to the following issues: *[define]*

Because no lawsuit has actually been filed, it is difficult at this time to narrow the scope of what categories and types of documents and electronic information must be retained. You should, therefore, err on the side of preservation. Further, you must undertake retention of this information regardless of [Agency's] retention policies or any other policies applicable to the documents. You should also note that electronic information includes emails, voicemail messages, and all types of information that is commonly created, stored, and transferred by computer.

The assistant attorney general assigned to assist in this matter will be in contact with you shortly to provide you with further guidance and discuss any questions you may have. In the meantime, do not hesitate to contact Risk Management or the Solicitor General of the office of Attorney General.