



POLICY TITLE
Records Management Policy

POLICY NUMBER
6-005

Responsible Unit: <i>Office of Vice President for Finance and Business Affairs</i>	Effective Date: <i>06/21/2019</i>
Responsible Official: <i>Vice President for Finance and Business Affairs</i>	Last Reviewed Date: <i>01/1/2008</i>
Policy Classification: <i>Governance</i>	Origination Date: <i>05/2/1990</i>

I. POLICY STATEMENT AND RATIONALE

The Southern University System Board of Supervisors (System) established this policy to provide a systematic method for developing a formal records retention schedule in accordance with *LA R.S. 44:411*.

II. POLICY SCOPE AND AUDIENCE

These guidelines are formulated to provide uniform direction regarding methods of records retention, retrieval and safekeeping of records, destruction of records, and the development and maintenance of record retention schedules for the System. This policy will apply to all records created and received by System employees.

III. POLICY COMPLIANCE

Failure to adhere to the policy may result in actions under the appropriate Handbook for faculty and staff.

IV. POLICY DEFINITIONS

- a. *Approved Retention Schedule* - A retention schedule which has been approved by the State Archivist or his designee.
- b. *Electronically Stored Information (ESI)* - Includes but is not limited to: electronic files; communications including email and instant messages sent or received and voicemail; data produced by calendar software; and information management software. In addition to specific data that are electronically stored and readily retrievable, ESI includes data that may not be visible that is generated

by computer hard-drive, email and instant messaging, information management software, handheld computer devices (i.e. iPhones, iPads, Blackberry® devices, etc.), telecommunications devices and back-up storage devices. ESI may be stored on different electronic devices and removable devices (i.e. internal and external drives, PDAs, smart phones, servers, laptops, backup tapes, thumb drives, CDs, DVDs) and may also reside at different locations (i.e. on the home or work systems, institutionally owned or personal systems in department files, etc.).

- c. *Evidence* - Includes all records, whether electronic or paper form, created, received, or maintained in the transaction of University business whether conducted at home or at work.
- d. *Litigation Hold Notice* - An order to cease destruction and preserve all records whether paper or electronic that must be retained during litigation notwithstanding the institution's records retention and disposition schedule.
- e. *Litigation Hold Officer* - The individual appointed to serve as the official institutional representative with the authority and responsibility to oversee litigation hold procedures, coordinate with the System office and determine appropriate actions relative to the disposal of documents.
- f. *Litigation Hold Procedures* - Suspension of normal operation of document destruction policies for particular records that are relevant to pending litigation.
- g. *Records* - All documents, papers, letters, books, drawings, maps, plats, photographs, magnetic or optical media, microfilm, photograph, motion picture film, or other document or any other material, regardless of physical form or characteristic, generated or received under law or in connection with the transaction of official business, or preserved by an agency or political subdivision because of other informational or legal value. This term shall not be construed to include library and museum material developed or acquired and preserved solely for reference or exhibition purposes, extra copies maintained for convenience in reference or stocks of standard publications, or processed documents.
- h. *Records Management* - The systematic application of management techniques to the creation, utilization, maintenance, retention, preservation, and disposal of records for the purpose of reducing costs and improving efficiency of records keeping. Includes management of filing and microfilming equipment and supplies; filing and information retrieval systems; files correspondence, reports, and forms management; historical documentation; micrographics; retention programming; and vital records protection.
- i. *Records Series* - A group of related or similar records, regardless of medium that may be filed together as a unit used in a similar manner, and typically are evaluated as a unit for determining retention periods.
- j. *Records Retention Officer* - The individual appointed to oversee records management at the institutional level.
- k. *Retention and Disposal Schedule* - A set of disposition instructions prescribing how long, in what location, under what conditions, and in what form records series shall be kept.

V. POLICY IMPLEMENTATION PROCEDURES

a. Records Management Officer Designation

In compliance with R.S. 44:411, on or before July of each state fiscal year, the Chief Executive Officer (System President/Chancellor) of each System institution will designate a Records Management Officer to act as liaison between the Division of Archives and the institution on all matters related to records management for the term of one year.

The institution will communicate the Records Management Officer designation by completing form SS ARC 940, Records Management Officer Designation form, (including a signature of the Chief Executive Officer and the date the designation was signed) and submitting the completed form to state archives in accordance with R.S. 44:405.

The institution may change its designee before the designation period has expired by notifying the State Archivist within 30 days of such a change by completing form SS ARC 940. (R.S. 44:405)

b. Designation of Records Coordinators

The Chancellor of each institution within the System, shall designate a Coordinator for Records Management in each department who has adequate knowledge of the institution's organizational structure and operations and can communicate effectively with institutional personnel and the Records Management Officer. The Coordinators will coordinate records management activities between the Records Management Officer and the various departments within the institution. The Coordinators shall have the authority to oversee records management at the departmental level, including:

- 1) Development of the retention schedule;
- 2) Compliance with legal requirements; and
- 3) Processing disposal requests and destruction of agency records as necessary.

c. Retention Inventory

To facilitate the development of a system retention schedule in compliance with R.S. 44:411, each institution will:

- 1) Review the functions and activities of the institution
- 2) Develop a list of records produced, received, and maintained by the institution;
- 3) Identify the inclusive dates, the medium and volume of records maintained for each record series held by the institution. This provision may be facilitated by the institution completing a Records Management Inventory Form (SS ARC 960) for each record series to document the decision process.

d. General Rules on Record Retention Time Frame

The Record Retention and Access Section of the Office of Management and Budget (OMB) Uniform Guidance (2 CFR Section 200) (Attachment A) provides the Federal requirements for records retention and access for recipients of Federal Awards. Section 200.333 states that financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a sub-recipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. The only exceptions are the following:

- 1) If any litigation, claim, or audit is started before the expiration of the 3-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.
- 2) When the non-Federal entity is notified in writing by the Federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period.
- 3) Records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition.
- 4) When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 3-year retention requirement is not applicable to the non-Federal entity.
- 5) Records for program income transactions after the period of performance. In some cases recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-Federal entity's fiscal year in which the program income is earned.
- 6) Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).

In accordance with R.S. 44:36, records should be maintained for three (3) years. However, if there is litigation, or unresolved audit findings, the records should be maintained until final action has been taken.

e. Writing the Retention Schedule

Each department within the institution will submit a draft retention schedule to the Records Management Officer for review. In developing the draft, each department will:

- 1) Determine the length of time for each record series based on the administrative, legal, fiscal and any history/information value. The general rules on record retention time frames stated within this Policy, should be used as a guide.
- 4) Develop specific retention and disposition instructions for each records series, including transference of inactive records to an appropriate record storage facility. Also develop instruction for the maintenance of long term or permanent records within the institution, and/or transfer of custody of permanent records to the State Archives.
- 5) Develop a draft retention schedule, using form number SS ARC 932 providing a brief description of the records series, suggested retention period for each records series, recommended disposition instructions for non-permanent records. R.S. 44:405

f. Retention Schedule Maintenance

Each institution in the System will review its retention schedules annually to identify any records series requiring an addition, amendment or deletion to the institution's approved schedule. Each institution will submit an Amended SS ARC 932 to State Archives.

g. Retention Schedule Renewal

In accordance with R.S. 44:405 the institution will submit its record retention schedule for renewal ninety (90) days prior to the five-year anniversary of its approved schedule.

h. Records Transmittal and Storage

- 1) Prior to the delivery of records to the State Records Center for storage, an institution must provide the Records Center with a completed Record Transmittal and Receipt Form (SS ARC 103). This form will serve as an inventory sufficiently detailed to enable the Records Center to retrieve any records needed by institution for reference (see <https://www.sos.la.gov/HistoricalResources/PublishedDocuments/ssarc-103-sample.pdt>).
- 2) After completing the transmittal forms for the boxes to be stored at the State Records Center, the department will forward the SS ARC 103 to the Records Management Officer for review and approval.
- 3) The Records Management Officer will mail or fax the transmittal to the State Records Center at least two weeks prior to the date of transfer the institution is requesting.
- 4) The State Records Center will contact the Records Management Officer to finalize the delivery date.
- 5) The State Records Center staff or the Records Management Officer may postpone or rearrange delivery dates in special circumstances or emergency situations.

i. Requesting Stored Records

The Records Management Officer may request access or check out stored records by adherence to the following procedures:

- 1) The Records Management Officer must contact the State Records Center by either mail, fax, phone or email requesting access to or check out a file(s) or box(es) by listing the Records Center box number for the boxes being requested and providing file name if particular files are being requested; and
- 2) The State Records Center will contact the Records Management Officer when the records in question are ready for review or pickup. The institution's employee will be required to show proper identification before access to the records will be granted.

j. Disposal of Records

Twice a year the State Records Center will generate disposal requests for institution records that have met the retention periods. The disposal requests will be forwarded to the Records Management Officer for disposal approval. The institution has 45 days to respond to the request. The State Records Center reserves the right to return to the Agency any records listed on the disposal request after the allotted 45 days lapse.

k. Disposal of Records not located in the State Records Center

In accordance with R.S. 44:411, the institution will secure written approval from the State Archivist prior to the disposing of any records of the institution.

The institution wishing to dispose of records listed on its approval retention schedule will submit to State Archives Form 930. Form SS ARC 930 must have the signature of either:

- 1) Records Management Officer as designated in LAC 4: XVII, Chapter 1
- 2) The Chief Executive Officer, or
- 3) The General Counsel for the System

l. Destruction Authorization

The Records Management Officer will be notified within thirty (30) days by the State Archives upon receipt of a Disposal Request that:

- 1) The disposal request has been approved;
- 2) The disposal request has been denied with an explanation as to why approval was not granted;
- 3) The disposal request contains records that should be transferred to State Archives; and
- 4) The disposal request requires more research and requires an additional thirty (30) days to issue a response.

m. Disposal Methods

Once approval for disposal has been granted, the institution should dispose of the records in a manner acceptable to the level of confidentiality the records require.

The institution may use any acceptable disposal method, such as:

- a. Shredding (Primary)
- b. Incineration
- c. Maceration
- d. Pulverization

n. Imaging System Survey

In accordance with R.S. 44:413, each institution will complete a State Archives Imaging System Survey and provide any amendments to the survey in a timely manner when original information provided is no longer accurate.

- 1) Survey Information-Each institution will provide the following information to the State Archives.
 - a. A listing of all records series maintained/managed by the Imaging System being surveyed.
 - b. The hardware and software being used (including model and version number) including total storage capacity.
 - c. The type and density of media being used by the Imaging System.
 - d. The type and resolution of images production.
 - e. The institution's quality control procedures for image production and maintenance.
 - f. The institution's backup procedures for the Imaging System and where (on-site, off-site) and how many sets of images exist.
 - g. The institution's migration plans for purging images from the Imaging System that have met the retention period.
- 2) New System/Initial Survey Implementation-In addition to completing the Imaging System Survey, any institution implementing an imaging system on or after June 1, 2003 must contact the State Archives prior to implementation to ensure that a retention schedule, approved by the State Archives, is in place and that the system can comply with the schedule's requirements.
- 3) In the event that any changes in the initial information provided on an institution's Imaging Survey response, the institution will submit an amendment to the survey response within ninety (90) days of change occurring.

o. Acceptable Means of Records Preservation

In accordance with R.S. 44:410, electronic digitizing(imaging) is an acceptable mean for records' preservation for the maintenance of shott-term and long-term/permanent records.

p. Short-term Records

The System institutions utilizing imaging for the creation and maintenance of short-term records, may use imaging without maintaining the original or a microfilm copy of the original provided that:

- 1) The records series has been included on the institution's retention schedule approved by State Archivist;
- 2) Quality control inspection of the images is conducted prior to the destruction of the original source documents to ensure the visibility and accessibility;
- 3) The proper approval has been secured from the State Archives prior to the destruction of the original; and
- 4) The records series maintained on imaging system are stored in such a manner as to comply with the retention requirements.

q. Long-term/Permanent Records

In accordance with R.S. 44:410, institutions utilizing imaging for the creation and maintenance of long-term and/or archival records; may use imaging for administrative purposes provided the following:

- 1) It maintains the original source documents for the retention period listed on the Agency's retention schedule, or
- 2) A microfilm back up is produced of the records and store the microfilm with the State Archives.

r. Electronic Mail (Email)

Email should be retained based on content and not on media type or storage limitations. Institutions should not encourage employees to unilaterally discard email because of artificial limits email box capacities.

Email should not be treated as a single record series for retention scheduling purposes. Email should be incorporated into existing records series maintained by the institution.

Transitory Email Records

Transitory records are records that have limited or no administrative value to the institution and are not essential to the fulfillment of statutory obligation or to the documentation of institution functions. Example: junk mail.

There is no retention required for a transitory message, employee may delete immediately without obtaining State Archives approval.

Electronic Mail Record

Electronic mail records are records that have administrative, financial, legal, or archival value to the Agency and the State, or are required to be maintained under

state or federal law for a specified amount of time. Examples of these records can include but are not limited to the following:

- 1) Records that document FEMA claims or actions taken during Presidentially declared disaster
- 2) The procurement process (RFP, Bid, contract, purchase, delivery and acceptance) of grants and projects
- 3) Records generated during the licensing or renewal process for regulatory processes
- 4) Time and attendance, leave requests, disciplinary issues and other personnel related matters
- 5) Legal issues including public records requests and legal holds

Retention

The retention requirement for email records must follow suit with records with similar content found in other media (i.e., paper, film, an electronic image). In the event that the content of the message does not fit into an existing record series or an approval retention schedule, the email should be maintained in a manner consistent with R.S. 44:36 and should be added to the institutions' approved retention schedule if the series is expected to remain active.

s. Training Program

The training provided by State Archives will be incorporated into the Records Management Program. Each Records Management Officer will keep the institution's staff informed of the training schedule posted by State Archives. The Records Management Officer will systematically assign staff for classes on an ongoing basis.

t. Litigation Hold Requirements

General

There are circumstances when records that are involved in litigation, or which can be reasonably anticipated to relate to foreseeable actions must be preserved until the resolution of such litigation. A litigation hold requires the retention of relevant paper and electronic records for an indefinite period of time due to pending litigation. Any and all records which might provide insight into the litigation must be maintained until the completion of the issue.

There are severe and potentially costly penalties under federal law for not retaining such documents.

Authorized Personnel and Responsibilities

- 1) SU System Office - The General Counsel shall be responsible for providing all institutional oversight, guidance and assistance.

- 2) SU System Institutions - The Litigation Hold Officer shall be responsible for coordinating with the SU System Office and institutional personnel.

Notification Process

- 1) Any institutional personnel who become aware of litigation, threat of litigation, other legal action or investigation by any administrative, civil or criminal authority shall immediately notify the Litigation Hold Officer.
- 2) Employees who have received notice of pending or potential claims or action against the institution must submit such notice to the designated individual/office within two (2) business days of receipt of such notice.
- 3) The designated individual/office shall notify the Litigation Hold Officer within three (3) business days of receipt of such notice. In addition, the General Counsel for the SU System shall be notified of any legal action or investigation no later than three (3) business days subsequent to the designee's receipt of such notice.

Litigation Hold Process

- 1) The institution has a legal obligation to preserve evidence and records, including electronically stored information (ESI), that may be relevant to pending or potential legal actions, such as lawsuits, government audits and administrative hearings. Federal law requires the institution to take action in the form of a litigation hold to preserve all paper and ESI information that may be relevant to the claim,
- 2) The Litigation Hold Officer will issue an official Litigation Hold Notice (Attachment B) regarding the matter to the appropriate individuals, including the institution's Information Technology Services/Office within three (3) business days of receipt of notification of pending litigation.
- 3) The notice shall provide the categories of electronic and paper documents, including ESI that must be retained and preserved in their original format.
- 4) All employees who receive a litigation hold notice must acknowledge receipt, understanding and compliance with the notice by returning a signed copy of the notice to the Litigation Hold Officer.
- 5) All employees who receive the litigation hold notice must compile paper and electronic documents and data as instructed in the notice letter, Retention shall extend to any new electronic information generated after the hold has been put into place which may be relevant to the subject of the notice,
- 6) It shall be the responsibility of the Litigation Hold Officer to retain all records responsive to the notice until receipt of written notification that the litigation hold has been removed. Electronic records must be retained in the original format (saved to a disk/CD and/or saved in a secure folder on the system server that is not subject to automatic or unannounced deletions.)
- 7) If affected personnel use home computers for institutional related business (including email on institutional accounts) they must preserve the data on those computers.

- 8) Such retention efforts could actually predate any official notification. Records relating to any complaints, grievances or controversies which could potentially rise to the level of a lawsuit shall be retained.

VI. POLICY RELATED INFORMATION

This policy is required by LA R.S. 44:410, et seq. (<http://www.legis.la.gov/Legis/Law.aspx?p=y&d=99731>) and additional procedural information regarding the Records Management Program can be found in the Louisiana Administrative Code at LAC 4:XVII, Chapters 1-15 (<https://www.doa.la.gov/Pages/osr/lac/books.aspx>).

VII. POLICY HISTORY AND REVIEW CYCLE


This is an existing policy that was last reviewed on January 1, 2008. This policy is subject to a five-year policy review cycle.

VIII. POLICY URL

The information regarding the Records Management Program will be posted to the System Board's website under Board Policies at www.sus.edu.

IX. POLICY APPROVAL

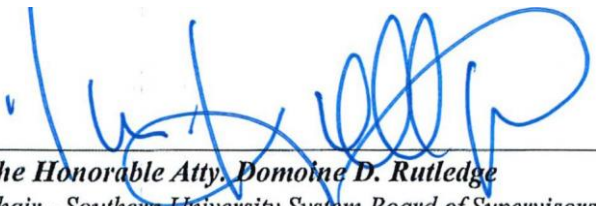
The effective date of this policy is determined by the approval date of the President- Chancellor of the Southern University and A&M College System and the Board of Supervisors of the Southern University and A&M College System.



Ray L. Belton, Ph.D.
President-Chancellor, Southern University and A&M College System

6-21-19

Effective Date of Policy



The Honorable Atty. Domoiné D. Rutledge
Chair - Southern University System Board of Supervisors

Effective Date of Policy

ATTACHMENT A

RECORD RETENTION AND ACCESS

§ 200.333 Retention requirements for records.

Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a sub-recipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. The only exceptions are the following:

- (a) If any litigation, claim, or audit is started before the expiration of the 3-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.
- (b) When the non-Federal entity is notified in writing by the Federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period.
- (c) Records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition.
- (d) When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 3-year retention requirement is not applicable to the non-Federal entity.
- (e) Records for program income transactions after the period of performance. In some cases recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-Federal entity's fiscal year in which the program income is earned.

Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).

(1) If submitted for negotiation. If the proposal, plan, or other computation is required to be submitted to the Federal government (or to the pass-through entity) to form the basis for negotiation of the rate, then the 3-year retention period for its supporting records starts from the date of such submission.

(2) If not submitted for negotiation. If the proposal, plan, or other computation is not required to be submitted to the Federal government (or to the pass-through entity) for negotiation purposes, then the 3-year retention period for the proposal, plan, or computation and its supporting records starts from the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.

Below are examples (which are merely illustrative but not exclusive) of the types of data, information and records in electronic and paper form that must be preserved and retained in connection with this matter, including, but not limited to, communications by or between the Plaintiff and all of the named Defendants, including you:

- Any and all correspondence, including letters, memoranda, faxes, text messages, voicemail messages, emails, and/or other data, information and records in electronic and paper form related to, connected to, or discussing the allegations and issues in the above-referenced lawsuit;
- Any and all documents, including correspondence, memoranda, faxes, text messages, voicemail messages, emails, tape recordings, and/or other data, records and information in electronic and paper form in any way related to, connected to, or discussing the allegations in the above-referenced lawsuit;
- Any and all reports and/or investigations, notes, summaries, and witness statements concerning any claims, grievances, complaints made by the Plaintiff and/or regarding the allegations in the above-referenced lawsuit and/or relating to the Plaintiff;
- Any and all notes, meeting minutes, meeting agendas or calendar entries, memoranda, summaries, and/or other data, information and records of any kind in electronic or paper form, documenting telephone calls, meetings, or other discussions regarding issues relating to the allegations in the lawsuit filed by (NAME OF CLAIMANT); and,

The documents and information you must preserve also includes potentially relevant electronic data or electronically stored information ("ESI"). Current and former employees' laptops, PCs, handheld devices (such as iPhones, iPads, Blackberry® devices, etc.), and any other hardware provided to employees by any of the Southern entities (including removable storage devices such as USB "pen" drives or removable hard drives) are considered ESI and includes, but is not limited to, the following:

- Email messages and attachments;
- Word processing documents;
- Spreadsheets;
- Databases;
- Calendar entries;
- Voice mail messages and files;
- Computer drawings;
- Backup voice mail files;
- Presentation documents;
- Graphics
- Images (e.g., TIFF files, JPEG files, etc.)
- Animations;
- Instant messages and/or IM logs;
- Backup email files;

- Deleted emails;
- Program files;
- Backup and archived tapes;
- Text messages; and,
- Temporary document destruction procedures.

Effective immediately, it is critical that you not delete, over-write, or otherwise alter or destroy any documents or ESI which may be relevant to this case. Further, to ensure proper maintenance of ESI, please do not attempt to open, save or otherwise manage potentially relevant ESI at this time without my prior approval. You must preserve potentially relevant electronic from any source, including the following:

- Laptops, PCs, tablets, notebooks, handheld devices (such as iPhone, Palm® or BlackBerry® devices), including removable storage devices such as USB "pen" drives or removable hard drives;

This list may not contain a comprehensive listing of all data, information and records in electronic and/or paper form that must be preserved, so you should and must make a good faith effort to ensure that all data, records, recordings, and information in electronic and/or paper form are preserved and retained insofar as they relate, even tangentially, to the above-referenced lawsuit. Failure to preserve such data, information and records that Southern is required to preserve could impair the defense of this lawsuit and could also result in fines or other penalties. If you have questions as to whether any information is subject to this "Litigation Hold Notice," please take the position that such information/documents are subject to the litigation hold and preserve and retain such information and documents consistent with the dictates outlined herein.

Moreover, a substantial number of the records at issue constitute "public records" under the Louisiana Public Records Act, and should be maintained under that state statute.

Furthermore, the Southern University System must retain all information regarding this matter, regardless of how or where it is stored. This means that Southern must retain paper documents, drafts of documents, handwritten notes, electronic documents, information stored on computers, electronic information on iPhones, Blackberrys®, iPads, or other similar devices, email messages, text messages, and any attachments, spreadsheets, databases, paper and electronic calendars, computer drawings, and any other documents or files created on the computer system of the (NAME OF CAMPUS), or the Board of Supervisors for the Southern University and Agricultural and Mechanical College, and/or any affiliated entities that may be in possession of pertinent information.

To ensure the preservation of electronic information, consider the following sources of documents and information:

- Personal computers maintained at home by employees and/or personal laptops, that contain work-related information (this category includes documents as well as information contained in personal email accounts);
- System-wide and/or departmental network shared drives and individual user drives; System-wide and/or departmental or regional/local email servers;
- Databases; Servers; Archives;
- Back-up or disaster recovery systems; and,
- Any other local or centralized storage media which may be accessed by members of your department.

This Litigation Hold Notice takes precedence over any other document retention and/or destruction policies and guidelines that would otherwise require the destruction of the information/records/electronic data discussed in this memo. Therefore, **effective immediately, no one should delete, over-write, alter or destroy** any documents or files, whether paper or electronic, which may relate, in any way, to the above referenced lawsuit. In the event that you have disposed of information relating to this matter or if you are unsure as to whether to preserve a particular piece of information, please let me know immediately so we can provide further guidance and direction. Please let me know immediately if you have any potentially relevant information in your possession that may relate to this matter and/or if you have already turned over that information. Also, please let me know immediately if you have any potentially relevant information that has been discarded.

Thank you in advance for your cooperation, and please do not hesitate to contact me if you have any questions regarding this memo or what data, information and/or records in electronic and/or paper form must be preserved and retained.

Sincerely,

General Counsel