

LITIGATION HOLD NOTICES

What is it?

A Litigation Hold Notice (LHN) is a notice from the Attorney General's Office to University Officials mandating that they preserve specific information and prevent the deletion, destruction, modification or removal of emails or other files.

Pursuant to federal rules, the University is required to take all reasonable steps to identify all hard copy and digitally maintained files that may contain documents, including e-mail and records of telephone calls that may be relevant to the case.

We are required to follow this protocol anytime we *reasonably believe* that an issue or incident could lead to litigation. Therefore, there may not – and may never be – an actual lawsuit associated with the person identified in your letter. However, the University must take these steps to ensure that it is complying with federal law. Failure to do so could result in sanctions being issued by the court that could seriously harm our ability to defend the case.

It is important to refrain from any discussions relating to the matter outside of the presence of the University Attorney General's, as those conversations will not be protected by the attorney-client privilege and thus subject to discovery.

Why is this important?

As a state employee, you have an affirmative duty to comply with all Litigation Hold Notices. Failure to do so could result in serious consequences. First, your failure to comply with the letter will result in disciplinary action. Second, it could compromise the case and cause the court to impose large fines against the University.

How do you make sure you're in compliance?

1. Read the letter.
2. Immediately refrain from destroying, altering and/or deleting any documents (including email messages) that pertain to the individual identified.
3. Email your SAIT liaison and ask that they disable any automatic delete functions on your email and/or files. Please cc: the Attorney General's Office on that email.
4. Contact the Attorney General's Office if you know of any other University Officials who might have information pertaining to this individual.
5. Do not discuss the issue or incident outside the presence of University attorneys (Attorney General's Office).
6. Follow up with your Resources if you have any questions.

Important Notes:

- None.

University Policies that Pertain to this Issue:

- None.

Resources:

- Denielle Burl, Director of Risk Management, who may be contacted at denielle.burl@uconn.edu or 860.486.2265.
- Office of Attorney General at the University of Connecticut, which may be reached at 860.486.4241.