

URGENT LEGAL NOTICE: DOCUMENT PRESERVATION REQUIREMENT

DATE: [Date]

TO: [Bank Name]
[Legal Department Address]
[City, State, Zip Code]

RE: Notice of Duty to Preserve Evidence regarding [Plaintiff Name] v. [Bank Name]

To the Legal Department,

This letter serves as a formal notice to preserve all evidence, documents, and electronically stored information (ESI) related to the assessment, charging, and collection of overdraft fees and non-sufficient funds (NSF) fees for the period of [Start Date] to the present.

In anticipation of class action litigation concerning alleged unfair or deceptive overdraft fee practices, you are required to suspend any routine deletion or destruction policies and preserve the following:

- Complete transaction histories and account statements for all account holders within the proposed class.
- Internal policies, manuals, and guidelines regarding the order in which transactions are posted (e.g., high-to-low processing).
- Marketing materials, disclosures, and opt-in agreements provided to consumers regarding overdraft services.
- Internal communications, including emails and memos, discussing overdraft fee revenue or fee-structure changes.
- Software algorithms and data logs related to the automated assessment of overdraft fees.
- Complaints from consumers regarding overdraft charges and your responses to those complaints.

This preservation obligation extends to all backup tapes, hard drives, cloud storage, and mobile devices. Failure to maintain this evidence may result in legal sanctions for spoliation of evidence.

Please acknowledge receipt of this letter and confirm that the necessary litigation holds have been implemented.

Sincerely,

[Your Name/Law Firm Name]
[Address]
[Phone Number]
[Email Address]