**Sample Litigation Hold**

**After reading the email below, please click on the voting button in the upper left corner of this email to “Accept” or “Reject” this Legal Hold. By clicking “Accept”, you acknowledge you have read and agree to comply with this Legal Hold. For Mac users, you can simply reply “Accept”. If for any reason you deem it necessary to “Reject”, you must contact Kelly Eager or Diamond Dye, in-house counsel in the Legal Department.**

Monkey See Monkey Do (MSMD) filed a lawsuit against Peach asserting that Peach misappropriated MSMD’s trade secret information related to facial recognition software and that Peach used that information to develop its high-end smartphone product, the Peach Z, and to file the Company’s patent invented by Dr. Simon Zaius.

Effective immediately, please ensure that you preserve and do not destroy or alter any documents (see note below on documents) related in any way to Peach’s facial recognition software (the “**Technology**”) or the Peach Z smartphone (the “**Product**”).

Regarding documents related to the Technology and Product, please use the following categories for guidance:

1. All documents relating to the design, development, features, functionality, and current and past use of the Technology.
2. All current and all prior versions of source code and object code (and supporting documents, such as flow charts, outlines, etc.) that relate to the Technology.
3. All license agreements with third parties for components or features incorporated into the Technology.
4. All global sales and revenue information for the Product, including all pricing information.
5. All documents related to sales and marketing efforts of the Product.
6. All meeting notes, communications or correspondence with customers relating to the Product.

In addition to the above, please also preserve and do not destroy or alter any documents related in

any way to the following:

Documents relating to the following United States patent and/or any related patents (individually or collectively “the Patents”):

1. US 9,659,123 issued May 28, 2017 and entitled “System and method for interfacing facial expression with mobile phone capability”, Dr. Simon Zaius, inventor.

Documents relating to the conception and reduction to practice of the inventions that led to the Patents;

Documents relating to any licenses, assignments, agreements, or negotiations thereof, concerning the Patents;

Documents relating to the design, development, and testing of the inventions that led to the Patents;

Documents that relate to the validity of the Patents and any prior art to the Patents; Communications between and among representatives of Peach relating to the Patents; Communications between representatives of Peach and third parties relating to the Patents.

You should assign the broadest possible meaning to the term “document,” and should retain both electronic and hard-copy documents in whatever form they currently exist. Documents may include email messages, instant messages, correspondence, memoranda, handwritten notes, word processing files, spreadsheets, PowerPoint presentations, and video presentations, whether located on company servers, computer hard-drives, DVDs, CD-ROMs, USB flash/thumb drives, laptop computers, handheld or pocket PCs, notebooks or other devices. You should retain all such documents even if you did not create the document and even if you believe it is a duplicate.

Any questions you have as to the relevance of particular information should be resolved in favor of preservation and retention. Failure to preserve potentially relevant information can result in significant sanctions being imposed against the company or individual employees and may result in disciplinary action, up to and including dismissal.

***PLEASE NOTE: You do not need to take further action for email that is in your Exchange mailbox. A hold has been placed on your Exchange mailbox so that a copy of all current and future email in your Exchange mailbox is being held automatically. You can continue to manage email in your Exchange mailbox as you would in the normal course of business. However, the automatic hold cannot reach email that is already stored locally on your computer in an archive folder (such as .pst file for PCs or .olm file for Macs). Therefore, do not delete any email that relates to the identified categories above that is already stored locally on your computer. Any other potentially relevant electronic documents stored elsewhere (e.g., SharePoint, OneDrive, shared drives, etc.) should be preserved in that location – in other words, do not move documents from their locations where they are normally stored. Any questions regarding email or electronic documents should be directed to Kelly Eager in the Legal Department.***

You must retain potentially relevant information until you receive written notice from the Legal Department that this Legal Hold has been released. At the appropriate time, you may be contacted by the Legal Department to identify, discuss and perhaps collect potentially relevant information. Thank you for your attention to this matter. If you have any further questions/concerns or need additional clarification, please contact Kelly Eager or me.

**Thank you,**

**Diamond Dye**

In-house Counsel, Litigation

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