**Litigation Hold Checklist**

*A litigation hold* is the process used to preserve documents and data that may be relevant to litigation. “One of the principal rules is that whenever litigation is reasonably anticipated, threatened or pending against an organization, that organization has a duty to preserve relevant information.” (The Sedona Conference® Commentary on Legal Holds: The Trigger and the Process. 2007)

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<th>Step</th>
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| 1.   | Upon receipt of notification of pending litigation, notify:  
  - Supervisor  
  - General Counsel |
| 2.   | Issue Pre-Litigation Hold memorandum to prepare those involved. This memo is sent out prior to litigation being filed in preparation of that event. |
| 3.   | Arrange meeting to determine if litigation hold is warranted. This meeting should include:  
  - General Counsel  
  - Any personnel involved with safeguarding or retrieving the data. |
| 4.   | Issue Destruction Hold Notice ([SFN 52376](#)). |
| 5.   | When litigation is filed, issue a memorandum of Post-Litigation Filing where further information on what material is to be preserved can be delineated. |
| 6.   | Materials being held for litigation:  
  - Paper originals and copies.  
  - Calendars and planners.  
  - Graphics files.  
  - Voicemail.  
  - Information on website.  
  - E-mail and e-mail attachments.  
  - Word processing documents.  
  - PowerPoint presentations.  
  - Network logs.  
  - Instant messages.  
  - Spreadsheets and databases.  
  - Other data: ____________________________ |
| 7.   | Upon confirmation to implement a litigation hold, the following should be identified:  
  - information relevant to the litigation;  
  - person(s) with relevant materials;  
  - location and storage of materials (laptops, email servers, drives, files, etc.);  
  - best procedures to preserve the materials for litigation. |
| 8.   | Establish a method to ensure compliance of litigation and monitor the procedures. |
| 9.   | Upon completion of litigation, issue litigation hold release. |