



THOMAS A. CLARE, P.C.

C L A R E L O C K E

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December 23, 2020

*Via Email*

Patrick Colbeck

Email: [patrick@mifreedomcenter.org](mailto:patrick@mifreedomcenter.org)

*Re: Notice of Obligation to Preserve Documents Related to Dominion*

Dear Mr. Colbeck:

Our law firm is defamation counsel to US Dominion Inc.<sup>1</sup> We write regarding your patently false accusations that Dominion has somehow rigged or otherwise improperly influenced the recent U.S. presidential election. Despite knowing all along that your implausible attacks against Dominion have no basis in reality, you have participated in the vast and concerted misinformation campaign to slander Dominion.

Last week we sent letters to Sidney Powell and various media entities, demanding retraction of their myriad false and conspiratorial claims about Dominion. You have positioned yourself as part of this misinformation campaign against Dominion. Accordingly, Dominion formally demands that you (1) cease and desist making defamatory claims against Dominion<sup>2</sup> and (2) preserve and retain all documents relating to Dominion and your smear campaign against the company.

Litigation regarding these issues is imminent. With this letter you are on notice of your ongoing obligations to preserve documents related to Dominion's claims for defamation based on allegations that the company acted improperly during the November 2020 presidential election and somehow rigged the election in favor of President-Elect Joe Biden. Accordingly, you must ensure that you and your principals, your agents, your subcontractors, any agents or employees under your supervision, and all sources of information upon which you relied are preserving and retaining all emails, text messages (including messages sent on messaging platforms such as WhatsApp), audiovisual recordings, voice mails, drafts, notes, communications, documents, data, and electronically stored information of any kind that relate in any way to these matters. Without any limitation, this requires you to preserve all research, due diligence, and any and all other work you conducted relating to alleged voting improprieties and all research, due diligence, and any and all

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<sup>1</sup> We also represent and write on behalf of its subsidiaries, Dominion Voting Systems, Inc. and Dominion Voting Systems Corporation (collectively, "Dominion").

<sup>2</sup> For the avoidance of all doubt, this is a retraction demand pursuant to relevant state statutes and applicable rules of court.



other work you conducted or instructed others to conduct relating to your allegations against Dominion.

In addition, you must preserve, without limitation, all communications with:

- Any member, volunteer, staff, or employee of the Trump campaign;
- Sidney Powell, Rudy Giuliani, Jenna Ellis, L. Lin Wood, and each of their partners, associates, and paralegals;
- Every individual who assisted you in drafting, or drafted for you, prepared remarks (regardless of whether such prepared remarks were ultimately used or the forum in which they were used) related to Dominion or the November 2020 presidential election;
- Every reporter, editor, blogger, host, or other member of the media with whom you communicated about Dominion or the November 2020 presidential election, regardless of whether they published any of your claims; and
- Every individual who has compensated you or any entity related to you in any manner for making public statements about Dominion and/or the November 2020 presidential election.

The laws and rules prohibiting destruction of evidence apply to electronically stored information in the same manner that they apply to other evidence. Due to its format, electronic information is easily deleted, modified, or corrupted. Accordingly, you must take every reasonable step to preserve this information until this matter is resolved. This may include, but would not be limited to, an obligation to discontinue all data destruction and data backup recycling policies and procedures on any and all devices within your possession, custody, or control. Your obligation to preserve documents applies both to you individually, and to any entities that you control.



Confirm receipt of this letter and that you intend to adhere to our request to retain documents as set forth above. This is not a complete recitation of Dominion's rights and remedies, all of which are expressly reserved.

We look forward to your prompt response.

Regards,



Thomas. A. Clare, P.C.



Megan L. Meier