**Mailing Address:** **Telephone:** 404-000-0000

XXXXXXX Other: 770-000-0000

XXXXXXX Facsimile : 888-000-0000

XXXXXXX

Date, \_\_, 202\_

**VIA CERTIFIED MAIL**

Defendant Owner/Management of Premises

Address

RE:    Our Client:   \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of Incident:    \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**NOTICE OF REPRESENTATION**

**AND DEMAND FOR PRESERVATION OF EVIDENCE**

Dear \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

Our firm has been retained to represent the interests of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ with regard to serious bodily injuries that occurred as a result of an incident where [the cause of injury]on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ located at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Please direct all future communication to our office regarding this case. I look forward to working with you toward the prompt and amicable resolution of this matter. Additionally, please do not contact our client directly without the express permission of this firm.

I cannot offer you any legal advice, but I do suggest that you notify your liability insurance company now and immediately confer with an independent attorney of your own, who is not paid by the insurance company, and who is experienced in insurance law in Georgia.

As you know, on or about \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(date and time) , \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ was shopping at your store … \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(describe very brief facts and injuries).  We contend that it was the negligence of your store that resulted in these injuries.

This letter formally notifies you herein of our intent to make a claim and, if necessary, pursue litigation. In the event of litigation, of course, I would be obligated to probe more deeply into the circumstances surrounding this case.

This letter is further intended to formally demand preservation of certain evidence relevant to this incident. If you fail to properly secure and preserve those important pieces of evidence, it will give rise to a legal presumption that the evidence would have been harmful to your side of the case. The destruction, alteration, or loss of any of the relevant evidence, may constitute spoliation under applicable law. If you fail to preserve and maintain this evidence, we will seek sanctions available under law. We specifically request that the following evidence be maintained and preserved and not be destroyed, modified, altered, repaired or changed in any manner:

(a)   All indoor video camera footage of your store from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (the day before the incident to 2 days after the incident – or whatever is a more appropriate time span)

(b)   All outdoor video camera footage of your store and the property surrounding your store from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

(c)  All emails, reports, documents, photos, electronic communications, recorded communications of any kind and papers in any form related to this incident involving \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on or about \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, including photos, witness statements, letters, emails, intranet messages and memorandum;

(d)  All photographs and/or videos of the scene of this incident on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ involving \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

(e)  All photographs and/or videos of injuries, cuts, bruises, or lacerations of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ taken on or about \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

(f)  All reports, documents, photographs or papers of any kind relating to any prior accidents occurring on your store property, either inside the store or outside the store, within a 5 year period prior to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

(g)  Any and all prior complaints by anyone related to the safety of your store premises, either inside or outside, within 5 years prior to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Please forward a copy of this letter to your attorney, corporate legal department and your liability insurance company.  If you should have any questions or feel the need to discuss this matter further, please do not hesitate to give me a call at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

I look forward to hearing from you soon.

Sincerely,

Lawyer Name

Attorney at Law