LETTER HEAD

T R I A L L A W Y E R S

Law Firm Contact Info

May 10, 20\_\_

**VIA FAX AND CERTIFIED MAIL/ RETURN RECEIPT REQUESTED**

Carol and Chad Widner
**1415 E. River Rd**

**Bainbridge, GA 39817**

**RE: Spoliation Letter / Request for Insurance Policy Information / Letter of Representation**

Client: John Wesley Alan Lamb

 Date of Incident: December 11, 20\_\_

Location: **1415 E. River Rd Bainbridge, GA 39817**

Time: Unknown

Policy/Claim No. Georgia Farm Bureau Claim No. 2018 005106

Dear [Homeowner] **AND** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Insurance,

My law firm represents your friend, \_\_\_\_\_\_\_\_\_\_\_\_\_\_ in regards to personal injuries resulting from an incident on December \_\_\_\_\_\_\_, 20\_\_\_\_\_\_\_\_ at your residence located at **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** in which [our client] suffered serious injuries not limited to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. We know this was an accident and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ has conveyed to us how important it is that you two remain close friends. I know he sincerely appreciates how forthcoming you both have been with insurance policy information and concern for his health. That brings me to the purpose of this letter.

There are 2 purposes for reaching out with this letter:

1. Pursuant to O.C.G.A. § 33-3-28, please provide us with a sworn statement identifying the name of the insurer, the name of each insured and the limits of coverage for each policy issued for your family (including primary, excess and umbrella policies) which may provide coverage for the incident in question. We look forward to receiving this information at the below address in a timely fashion according to Georgia law.
2. The secondary purpose of this letter is to request the preservation of certain evidence related to this accident. Georgia law states if evidence is not maintained or preserved per the statute, then there is a variety of sanctions allowed under the law. R.A. Siegel Co. v. Bowen, 246 Ga. 177, 539 S.E.2d 873 (2000). We specifically request that the following evidence be maintained and preserved and not be destroyed, modified, altered, repaired or changed in any manner:
3. Any record of repairs and receipts for the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in question in this incident for the past three years;
4. The equipment, the furniture, hardware, walkway, stairs, carpet, flooring, product, itself as well as any accessories used with it on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – including but not limited to the [parts, pieces, other accessories, etc.).
5. Investigative reports, memoranda, notes, pictures, and statements concerning this incident;
6. Witness statements concerning the incident;
7. Any surveillance videotapes from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;
8. All incidents, notes, notations, pictures, or reports having anything to do with any property damage or burns suffered in the past from the propane heater used in this incident.
9. (Anything else relevant)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Furthermore, although it appears you have homeowner’s coverage to cover any attorney’s fees or bodily injury claims to Mr. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, we do advise you that you also have the right to seek independent counsel to answer any questions you may have regarding this case. If you have any questions, please do not hesitate to call me on my cell phone anytime 770.265.4630.

Sincerely,

Attorney at Law