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PROCUREMENT AND ENFORCEMENT  
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### NEW LAWSUIT CONSIDERATIONS CHECKLIST

In view of the complaint recently filed against you, the following is a helpful checklist of considerations to aid you with the initial steps that should be taken in order to prepare and protect yourself. If we can be of any assistance, please feel free to call us for an appointment to discuss your situation.

#### GATHER ANY INFORMATION CONCERNING THE DISPUTE

- Preserve all communications. It is important that you do not destroy any information, including but not limited to:
  - Documents
  - Electronically stored information (computers, cell phones, PDAs, etc.)
  - Browsing histories
  - Call logs
- Review what electronic records you have and need to preserve. Do not discard any electronic information or data files.
- Organize information concerning the dispute. Start gathering facts that you may have to support you and your position, i.e. contracts, agreements, calendars, receipts, invoices.
- Prepare a list of all of the people who may have information about the case, including their names, addresses and contact information.

#### RESTRICT ANY COMMUNICATIONS

- With regard to the dispute, do not put anything in writing by way of a letter or email that you would not want the other side to read.
- You must be very careful in your communications when discussing any aspects of the dispute subject to the litigation.

- Caution your employees not to discuss the lawsuit in-house or outside the company. Any such communications may be discoverable and hurt your case.

#### REVIEW INSURANCE POLICIES

- Obtain a copy of any insurance policies you have and give them to your attorney to see if there is possible coverage including coverage for defense costs related to this lawsuit.

#### CONTACT AN ATTORNEY

- Contact an attorney who has specialized knowledge concerning the area of law pertaining to the dispute as soon as possible.
- Provide your attorney with copies of the complaint, any insurance policies, any pertinent documents, factual information, and possible witness information.