Docket #0013 Date Filed: 1/28/2013

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA

In Ref,

MARION JENKINS

Debtor,

MARION JENKINS,

Movant

Vs.

RESIDENTIAL FUNDING COMPANY LLC

8400 NORMANDALE LAKE BLVD S-350

MINNEAPOLIS, MN 55437

AND

MORTGAGE LENDERS NETWORK, USA

MIDDLESEX CORPORATE CENTER

213 COURT STREET 11TH FLOOR

MIDDLETOWN, CT 06157

AND

WELLS FARGO NA

c/o AMERICAN SERVICING COMPANY

3476 STATEVIEW BLVD

MAC #7801-013

FT. NILL, SC 29718

And

NY. Adv: 12-ap-01935
Ga. Adv: 13-ap-05015
Case No.: 12:bk-82018

RECEIVED
JAN 28 2013
U.S. BANKRUPTCY COURT
SO DIST OF NEW YORK

DEBTOR'S NOTICE OF LITIGATION HOLD NOTIFICATION

1212020130201000000000006

SHAPIRO & SWERTFEGER LLC

2872 WOODCOCK BLVD

ATLANTA, GA 30341

DEBTOR'S NOTICE OF LITIGATION HOLD NOTIFICATION

Alleged Loan No. 1115024823/106

Property Address: 405 Grant Park Place Atlanta Ga. 30315

To Whom It May Concern:

This is a matter of utmost importance. Pursuant to Rule 34 of the Federal Rules of Civil Procedure, please be advised that the Law requires your assistance with respect to preserving paper or electronic data, communication and or information in the possession, custody, or control of Wells Fargo NA and/or American Servicing Company - any agreement or documentation relevant to the above property.

The purpose of this request is to ensure that no evidence, or potential evidence, relating to the matters alleged in the anticipated lawsuit is lost, altered, or destroyed. The law requires that, once litigation is foreseeable all potential parties must maintain all and not destroy any potentially relevant documents, even if that means holding documents well beyond minimum periods set out by law or company record-retention policies. Destruction,

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loss, or significant alteration of evidence can cause a party to lose possible defenses, not to mention subject the party to civil and criminal penalties.

To assist you in satisfying your obligations, a copy of the Complaint filed in the above described litigation is enclosed. In connection with the litigation referred to above, the parties have a legal obligation to preserve relevant documents and data and we enlist your assistance in this regard. The law requires preservation of all documents and data relating to or concerning (1) any documents or data related to or concerning 405 Grant Park Place, Atlanta Ga., hereafter referred to as the property - including, without limitation, any communications between anyone presently or formerly employed or providing services for the Wells Fargo NA co American Servicing Company and any person or entity with or concerning said property; (2) any documents or data related to or concerning said property; (3) any documents or data related to or concerning any complaint , communication or phone conversations, including any investigative files related thereto; and (4) any documents or data related to or concerning any investigation of or related to said property. "Documents and data" as used here means not only hard copy documents, but also audio recordings, videotape, e-mail, instant messages "Documents and data" as used here means not only hard copy documents, but also audio recordings, videotape, e-mail, instant messages, word processing documents, spreadsheets, databases, calendars, telephone logs, Internet usage

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files, and all other electronically stored information maintained created, received, and/or maintained by the parties on computer systems. Sources of the documents and data include all hard copy files, computer hard drives, removable media (e.g., CDs, DVDs and flash drives), laptop computers, PDAs, Blackberry devices, cell phones, and any other locations where hard copy and electronic data is stored. Keep in mind that any of the above-mentioned sources of relevant information may include personal computers you or your employees use or have access to at home, or other locations. It also includes inaccessible storage media, such as back-up tapes which may contain relevant electronic information that does not exist in any other form.

In order to comply with their legal obligations, the parties must immediately preserve not only all existing paper copies of documents, including drafts and revisions, but also all electronically stored information, including drafts and revisions, in its existing electronic format that relates or pertains to the claim/investigation described above.

In order to comply with this request, you should immediately suspend deletion, overwriting, or any other possible destruction of relevant documents and data, including your current document destruction policy and/or automatic deletion function on your computer or other electronic device. If you do not know if any such processes are in place with respect to electronic media in your network or other electronic system, you should immediately contact your IT Department to determine whether any are in place. If you do

not know how to suspend such processes, you should immediately contact your IT Department and ask them how.

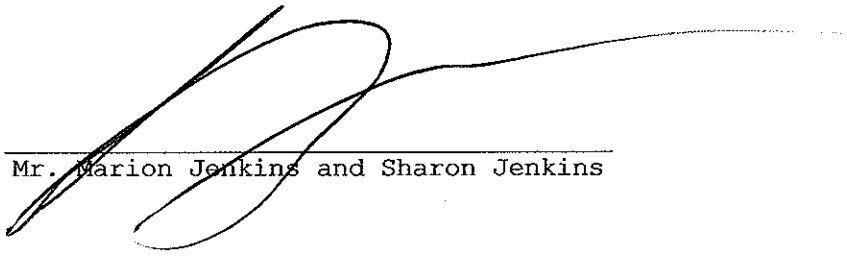
You should also immediately archive and preserve any and all emails related to the matters set forth above. In any event, you should immediately consult with your IT Department regarding how to best preserve the electronically stored information. Electronically stored data is an important and irreplaceable source of discovery and/or evidence in this matter. You must take every reasonable step to preserve this information until further notice from the homeowner/litigant, Mr. Marion Jenkins and Sharon Jenkins or my agent. Failure to do so could result in severe litigation penalties against Wells Fargo NA co American Servicing Company.

I am confident that Wells Fargo NA co American Servicing Company has already taken steps to preserve this data since it had an obligation to preserve relevant evidence. Thus, no procedures should have been implemented to alter any active, deleted or fragmented data. Moreover, no electronic data should have been disposed of or destroyed.

We further trust that you and your agents will continue to preserve such electronic data and paper files throughout this litigation. You will be contacted by my representative's office in the near future for an update on your preservation efforts and to answer any questions you may have. In the interim, if this correspondence is in unclear in any respect, please contact me.

Sincerely,

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Mr. Marion Jenkins and Sharon Jenkins

cc: A. Johnson & Associates LLC, E-Discovery Consultant

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