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ATTORNEYS AT LAW

Via Electronic Mail and First Class U.S. Mail

December 3, 2024

Matt Chaffee
10324 Heather Brooke Drive
Osceola, IN 46561

Via email: matthewchaffee23@gmail.com

Re: Request to Preserve Evidence Regarding Threatened Claims to Penn-Harris-Madison School Corporation

Dear Mr. Chaffee:

I am contacting you on behalf of my client, Penn-Harris-Madison School Corporation (“PHM”), regarding your email of November 13, 2024. If you are represented by counsel, you may wish to forward this communication to him or her.

In your email, a copy of which is attached, you requested PHM preserve records pertaining to the “Chaffee matter” in anticipation of potential litigation. PHM contends that this request is overly broad and ambiguous. While PHM will make every effort to preserve all evidence related to the claims, the duty to preserve evidence has limits. *Am. Nat. Prop. & Cas. Co. v. Wilmoth*, 893 N.E.2d 1068, 1071 (Ind. Ct. App. 2008). Therefore, more specific requests must be made for PHM to be able to properly understand and respond to the request. Please note that records held by this and other law firms are generally subject to the attorney-client privilege.

Please also let this letter serve as PHM’s formal demand for preservation of certain evidence relevant to the claims threatened in your November 13, 2024 email and your work as a member of PHM’s Board of School Trustees. Failure to preserve evidence may result in a claim for spoliation of evidence, and PHM reserves the right to seek all available remedies available under Indiana law for failure to preserve the following *in their original format*:

1. All cellular telephone communications to or from you and any of the individuals listed below on or after January 9, 2023. This includes, but is not limited to text messages, instant messages, cellular telephone call records, video recordings, audio recordings, and photographs:

Laura Rydzinski
Ashley Leader
Kristie Witt
Andy Rutten
Anastasia Glassburn
Tina Cartwright
Any PHM Board Members
Any PHM Employee
St. Joseph County Republican Officials
Bryan Jones
Tracy Coda
Casey Hendrickson
Brent Curtis
Elisabeth Rutten

Susan Bartrush
Angel Curtis
Amy Drake
Madeline Watkins
Art Klinger
Brenda Chaffee
Doug Chaffee
Clifton French
Benjamin (Ben) Dallas
Tim Corbett

2. All computer, electronic, or e-mail messages to or from you and any of the individuals listed above on or after January 9, 2023.



The Central Building, 203 West Wayne Street, Suite 402, Ft. Wayne, IN 46802 P 260.399.9490 F 260.399.9491

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3. All social media content, including but not limited to posts, comments, messages, photos, and videos to or from you and any of the individuals listed above on or after January 9, 2023. This preservation should encompass any platforms or accounts associated with the individuals involved or related to the claims threatened in your November 13, 2024 email.
4. Any communication, in any format, related to the individuals involved or related to the claims threatened in your November 13, 2024 email.
5. Any other documents or records, in any format, related to the individuals involved or related to the claims threatened in your November 13, 2024 email.
6. All statements, notes, audio or video recordings and other materials or things created by you or any person on your behalf (e.g., a private investigator) or obtained from any person having information related to the claims threatened in your November 13, 2024 email.

If you become aware of additional documents, messages, texts, photographs, information, or other data regardless of its form, that may be related in any way to your claims, this letter shall serve as PHM's request that you immediately preserve the same.

As you are aware, documents and electronic data are important and irreplaceable sources for discovery and/or evidence. Preservation of paper alone does not constitute the full preservation of evidence. Due to its format, electronic information is easily deleted, modified, or corrupted. Accordingly, we ask that you take every reasonable step to preserve this information until the final resolution of this matter. PHM's request includes, but is not limited to, discontinuing all data destruction and auto-recycling/deletion on pertinent accounts and devices. Should a suit be filed, PHM may request access to your personal computers, cellular telephones, and other electronic devices.

To assure that your obligation to preserve is met, please immediately forward a copy of this letter to all persons and entities with custodial responsibility for the items and evidence referred to in this letter, including any third party or vendor. If any of the above requested evidence is not under your control, please provide information as to its last known whereabouts and take all reasonable measures to ensure its preservation.

To the extent you believe any of the listed items above are insufficient or inadequate to properly identify the data that has been requested, please contact me immediately to discuss and clarify your requests.

Finally, I would further remind you of the oath you have sworn as a board member, a copy of which is attached, and your obligations to PHM as a board member.

Thank you for your cooperation and prompt attention to this request.

Sincerely yours,



Amy Steketee Fox

cc: Dr. Jerry Thacker
Carolyn Palonis
P-H-M Board of School Trustees

Enclosures (November 13, 2024 Email + Oath of Office)