



GOVERNOR'S OFFICE OF GENERAL COUNSEL
Office of Chief Counsel

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CIRCULATED AT THE DIRECTION OF COUNSEL**

**DOCUMENT PRESERVATION NOTICE
PLEASE READ IMMEDIATELY**

TO: Mr. Itzi Metzli, Professor
FROM: Andrew C. Lehman, Chief Counsel *ACL*
CC: Christopher J. Moran, Pepper Hamilton, LLP
DATE: December 21, 2017
RE: Document Preservation Notice

Dr. Amir Mohammadi, Vice President for Finance at Slippery Rock University ("SRU"), has alleged that he was discriminated against on the basis of national origin during the search process that began in December of 2016 to fill the position of President of Slippery Rock University (the "Allegations"). Slippery Rock University ("SRU") and the Pennsylvania State System of Higher Education ("PASSHE") take the Allegations very seriously, and have retained the law firm of Pepper Hamilton, LLP to investigate the Allegations.

SRU and PASSHE are legally obligated to take steps to preserve all information that is potentially relevant to the Allegations, including hard-copy documents and all forms of electronically-stored information. You are receiving this Document Preservation Notice ("Notice") because you may possess, manage or control materials that must be preserved.

This Notice is a privileged and confidential communication being circulated by SRU and PASSHE in consultation with our outside counsel, Pepper Hamilton LLP. You should take precautions to keep this Notice confidential and should not share it with others.

Please read this Notice carefully. Please contact me at 717-720-4030 or lehman@passhe.edu if you have any concerns or questions regarding the contents of this Notice. Alternatively, you may contact our outside counsel, Christopher J. Moran, at 215-981-4169 or moranc@pepperlaw.com with any questions.

YOUR PRESERVATION OBLIGATIONS

We hereby direct you to take every reasonable step to save and preserve all documents relating to the Allegations, including all documents relating to the presidential search process; the qualifications and/or suitability of Dr. Amir Mohammadi to be the President of SRU; the qualifications and/or suitability of any other candidate to be the President of SRU; any mention of the national origin of any candidates in the presidential search process; any mention of any conflict of interest of any member of the Search Committee.

“Documents” include hard copy files, all written materials, including all drafts as well as finalized documents, all electronically stored information, including emails and other computer files, text messages, and all other types of recorded information such as audiotapes, video tapes, etc.

Documents must be maintained even if known to be duplicates of documents held by other persons or you, and even if the duplicate has notes or handwritten comments on it. This direction requires preservation of all documents from your paper files, computer systems and removable electronic media. This obligation applies to documents kept on-site as well as any off-site storage facilities, and includes any documents you may have at your home or on your personal computer at home or elsewhere.

Please also suspend, until further notice, all regular document retention/destruction policies and programs, including all relevant data destruction and/or backup tape recycling, that could possibly include documents relating to the Allegations.

Do not discard, destroy or alter in any way any of the documents described above. This obligation applies both to existing documents and to documents that you may create or receive in the future. You must take every reasonable step to preserve this information until further written notice. Failure to do so could result in extreme penalties against SRU, PASSHE, and/or you.

As soon as you have reviewed your files for relevant information, please create paper and electronic copies, place them in paper and electronic file folders, and provide a copy of each to Mary Ann Rosenberry, Legal Office Administrator/Prothonotary, PASSHE Office of Legal Counsel (717-720-4030), who will be responsible for collecting that information. You are directed to retain the original paper and electronic documents as-is.

CERTIFICATION OF COMPLIANCE

Compliance with the procedures outlined in this Notice is mandatory. Please comply with your obligations set forth above on or before January 3, 2018. When you have provided your documents to Mary Ann Rosenberry, please send me an email at alehman@passhe.edu confirming that you have complied with your obligations.

Thank you for your prompt attention to, and ongoing cooperation with, this matter.