

# BRIGGS LAW CORPORATION

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BLC File(s): 1799.02

7 July 2016

Dr. Randolph E. Ward, Superintendent  
Jean Madden-Cazares, Lora L. Duzyk,  
Karen Connaghan, and Michele Fort-  
Merrill, Assistant Superintendents  
San Diego County Office of Education  
6401 Linda Vista Road  
San Diego, CA 92111

Via E-Mail Only

Re: Request for Preservation of Evidence for Use in Litigation

Dear Superintendent Ward and All Assistant Superintendents:

On behalf of my client, California Taxpayers Action Network, I am writing to inform you that earlier today my client filed a lawsuit against Randolph E. Ward and Lora L. Duzyk for a variety of illegal acts involving unauthorized compensation paid to senior management in the San Diego County Office of Education ("SDCOE"). I therefore request that you take all steps necessary to preserve any and all information and other material, as well as electronically stored information, that could become evidence in the lawsuit or lead to the discovery of such evidence. In particular, and without in any way limiting the extent of your joint and several obligation to preserve evidence, my client urges you to preserve all financial, payroll, and personnel records of SDCOE since 2007.

Knowingly destroying potential evidence, or negligently allowing potential evidence to be altered, lost, or destroyed, could have an adverse effect on the outcome of the lawsuit and/or result in civil or criminal penalties against you. For example, every public officer having custody of any record "filed or deposited in any public office, or *placed in his or her hands for any purpose*, is punishable by imprisonment [for up to four years] . . . if, *as to the whole or any part of the record* . . . the officer willfully does or permits any other person to do any of the following: (a) Steal, remove, or secrete. (b) Destroy, mutilate, or deface. (c) Alter or falsify." See GOV'T CODE § 6200 (emphasis added).

Thank you for your immediate attention to this important matter.

Sincerely,

BRIGGS LAW CORPORATION

Cory J. Briggs

cc: Bonnie Dumanis, San Diego County District Attorney  
Kamala Harris, California Attorney General

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