

CARMELA Z. CILIBERTI, ESQ.

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January 10, 2024

Via Certified Mail, Return Receipt Requested

Ms. Audrey Feinman Miner
Chief Counsel
Department of Conservation and Natural Resources
400 Market Street
Harrisburg, PA 17105

RE: BIG ELK CREEK STATE PARK CONSERVATION AND MAINTENANCE

Dear Ms. Feinman Miner,

I write to advise you of a potential claim(s) surrounding the conservation and maintenance of Big Elk Creek State Park.

This letter serves as a formal demand that you preserve documents, tangible things, and electronically stored information potentially relevant to this claim.

Electronically stored information should be afforded the broadest meaning to include (but not limited to):

- Digital communications (e-mail, voice mail, text messaging)
- Word processed documents, spreadsheets, tables, and presentations
- DCNR Website and Social Networking Accounts (Facebook, Twitter, Instagram)
- Online (“Cloud”) Repositories
- Backup and Archival Files
- Accounting Application Data
- Calendar Application Data
- Project Management Application Data

Routine destruction of electronically stored information should be suspended. For example, the purging of e-mail, messaging repositories, or deleted documents by age, quota, or other criteria. Further, officers, employees, or others in an attempt to limit DCNR’s exposure to litigation may take it upon themselves to delete or alter electronically stored information. You must act to prevent and guard against such actions.

Finally, your preservation obligation extends beyond items in your care, possession, or custody. Therefore, you must notify and take reasonable steps to secure compliance for any current or former contractor or grant recipient.

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Thank you for your care in this matter.

Sincerely,

Carmela Z. Ciliberti, ESQ

cc: Cindy Adams Dunn, Secretary