

LITIGATION LETTER (SAMPLE)¹

Dear Representative:

As you know, I was recently injured due to negligence of one of your employees. I'd kindly ask that you forward this letter to your insurance carrier or appropriate risk management department.

Currently, I am still treating and recovering from my injuries and will provide more information at a later date.

In the meantime, I'm also writing this letter to put you on notice that litigation is likely (unless of course, we can reach a resolution). **Therefore, I request that you maintain any and all records, pictures, videos, communications (be them in email or any other form), and any other evidence regarding my claim. I also ask that you maintain any and all such evidence as it pertains to any other personal injury actions which were alleged (or incidents where someone fell, whether or not they were injured) to have occurred on your insured's property for the past five (5) years.** Should this matter go to court, such evidence will be pertinent to my investigation.

As you know, Virginia law obligates you to preserve evidence upon being notified of potential litigation. Should you fail to preserve any information related to my injury (to include, the above), you may suffer legal consequences during the litigation of this case.

Thank you for your time, and I look forward to working with you towards a resolution of this matter.

Sincerely,

[YOUR NAME]

¹ To be clear, this letter is not meant to be relied upon and is not legal advice. It is simply for informational purposes. Should you have sustained an injury in a slip and fall, we recommend you speaking to an attorney immediately to avoid waiving your rights.