

the Ozzello Practice^{PC}

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July 23, 2025

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honest Abe Cidery LLC
c/o Spencer Chambers
17812 S Main Street
Gardena, CA 90248

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED AND
E-MAIL

Spencer Chambers
17812 S Main Street
Gardena, CA 90248
yourfriends@honestabecider.com

Re: Brett Dearth adv. Honest Abe Cidery LLC, et al.
Preservation Letter

Honest Abe Cidery LLC, et al.:

By way of introduction, our office has been retained by Mr. Brett Dearth to represent him with respect to all matters arising from his employment by Honest Abe Cidery LLC, Spencer Chambers, and all related entities ("Honest Abe"). Please be advised that Honest Abe is hereby given notice to immediately take all steps necessary to prevent the destruction, loss, concealment, or alteration of any paper, document, or electronically stored information ("ESI") and other data or information generated by and/or stored on your computers and storage media (e.g., hard disks, floppy disks, backup tapes, etc.), and e-mail related (1) to the subject matter and allegations contained in our client's correspondence served concurrently herewith; (2) the events and causes of action described in the correspondence served concurrently herewith; and (3) ESI and documents that you may use to support any defenses you may claim to have with regard to Mr. and all other employees of Honest Abe.

Honest Abe should anticipate that much of the information subject to disclosure and responsive to discovery is stored on the current or former computer systems and other media devices of yours (including personal digital or data assistants, voice-messaging or voicemail systems, online repositories, and cell phones).

ESI should be afforded the broadest possible definition and includes, but is not limited to, all digital communications (e.g., e-mail, voicemail, instant messaging), word-processed

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documents (e.g., Word and WordPerfect documents and drafts), spreadsheets and tables (e.g., Excel and Lotus 123 worksheets), accounting application data (such as QuickBooks, Money, or Peachtree), image and facsimile files (including PDF, TIFF, JPG, and GIF images), sound recordings (including WAV and MP3 files), video recordings, all databases, all contact and relationship management data, calendar and diary application data, online access data (including temporary, internet files, History, and Cookies), all presentations (including PowerPoint and Corel), all network access and server activity logs, all data created with the use of any Cellular Telephone or Personal Data Assistant (PDA) such as iPhone, Blackberry, Palm Pilot, HP Jornada, Cassiopeia, or other Windows-based or Pocket PC devices, all CAD files, and all back-up and archival files.

Adequate preservation of ESI requires more than simply refraining from efforts to destroy or dispose of such evidence. You must also intervene to prevent loss due to routine operations and employ proper techniques to safeguard all such evidence.

Because hard copies do not preserve electronic searchability or metadata, they are not an adequate substitute for ESI. If information exists in both electronic and paper form, you should preserve them both.

LITIGATION HOLD

We request that Honest Abe immediately initiate a litigation hold for potentially relevant ESI, documents, and tangible things, and to act diligently and in good faith to secure and audit compliance with that litigation hold. You are also requested to preserve and not destroy all passwords, decryption procedures (including, if necessary, the software to decrypt the files), network access codes, ID names, manuals, tutorials, written instructions, decompression or reconstruction software, and any and all other information and things necessary to access, view, and (if necessary) reconstruct any ESI. You should not pack, compress, purge, or dispose of any file or any part thereof.

We further request that you immediately identify and modify or suspend features of your operations, information systems, and devices that, in routine operations, operate to cause the loss of documents, tangible items, or ESI. Examples of such features and operations include, but are not limited to, purging the contents of e-mail repositories by age, capacity, or other criteria; using data or media wiping, disposal, erasure, or encryption utilities or devices; overwriting, erasing, destroying, or discarding back-up media; re-assigning, re-imaging or disposing of systems, servers, devices, or media; running antivirus or other programs that alter metadata; using metadata stripper utilities; and destroying documents or any ESI by age or other criteria.

SERVERS

With respect to servers such as those used to manage electronic mail and network storage, the entire contents of each user's network share and e-mail account should be preserved and not modified.

STORAGE

With respect to online storage and/or direct access storage devices attached to your mainframe computers and/or minicomputers, in addition to the above, you are not to modify or delete any ESI, “deleted” files, and/or file fragments existing on the date of this letter’s delivery that contain potentially relevant information.

With regard to all electronic media used for off-line storage, including magnetic tapes and cartridges, optical media, electronic media, and other media or combinations of media containing potentially relevant information, you are requested to stop any activity which may result in the loss of any ESI, including rotation, destruction, overwriting and erasure in whole or in part. This request is intended to cover all media used for data or information storage in connection with Honest Abe’s computer systems, including magnetic tapes and cartridges, magneto-optical disks, floppy diskettes, and all other media, whether used with personal computers, minicomputers, mainframes or other computers, and whether containing backup and/or archival ESI.

PERSONAL COMPUTERS

You should take immediate steps to preserve all ESI on all personal computers used by the officers, directors, and employees of Honest Abe, including all secretaries and assistants, that in any way relate to the employment of Mr. and all other employees. As to fixed devices, (1) a true and correct copy is to be made of all such ESI, including all active files and completely restored versions of all deleted electronic files and file fragments; (2) full directory listings (including hidden files) for all directories and subdirectories (including hidden directories) on such fixed devices should be written; and (3) all such copies and listings are to be preserved until this litigation is ended. As to floppy diskettes, CDs, tapes, and other non-fixed media relating to this matter, they are to be collected and stored pending resolution of this litigation.

PORTABLE SYSTEMS

In addition to your immediate preservation of ESI, documents and tangible items in its business, on servers and workstations, you should also determine if any home or portable systems may contain potentially relevant data or information. To the extent that officers, board members, or employees have sent or received potentially relevant e-mails or created or reviewed potentially relevant documents away from the office, you must preserve the contents of systems, devices, and media used for these purposes (including not only potentially relevant data from portable and home computers, but also from portable thumb drives, CD-R discs, PDAs, smart phones, voice mailboxes, or other forms of ESI storage). Additionally, if any employees, officers, or directors used online or browser-based e-mail accounts or services to send or receive potentially relevant messages and attachments, the contents of these account mailboxes should be preserved.

EVIDENCE CREATED OR ACQUIRED IN THE FUTURE

With regard to documents, tangible things, and ESI that are created or come into your custody, possession, or control subsequent to the date of delivery of this letter, potentially relevant evidence is to be preserved. You should take all appropriate action to avoid destruction of potentially relevant evidence.

Please forward a copy of this letter to all persons and entities possessing or controlling potentially relevant evidence including. The obligation of Honest Abe to preserve potentially relevant evidence is required by law.

Very truly yours,



THE OZZELLO PRACTICE, PC

Mark A. Ozzello, Esq.

Calvin A. Marshall, Esq.