



WOOTEN LAW OFFICE

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Jan. 24, 2025

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

VIA MAIL:

jb@smileyandassociateslaw.com

jbsmileyjr@gmail.com

JB Smiley, Jr.

TIME-SENSITIVE NOTICE AND DEMAND TO PRESERVE EVIDENCE

Dear Mr. Smiley:

Please be advised that our office represents Dr. Marie Feagins in her potential tortious interference with business relationships, including, without limitation, your undue influence, misuse of inside or confidential information, and sharp dealing as well as your misrepresentation or deceit, defamation, and other related civil claims ("Claims") arising from your malicious, retaliatory actions against Dr. Feagins, which resulted in the wrongful termination of her employment contract with Memphis-Shelby County Schools ("MSCS") as its superintendent.

By this letter, you are hereby given notice not to destroy, conceal, or alter any paper or electronic files other data generated and/or stored on your computer system, cellphone, or any other portable or electronic device related to Dr. Feagins' Claims, including, but not limited to, texts messages, phone logs, emails, correspondence, calendar logs, social media or other public posts (collectively, "Discoverable Data"). A non-exhaustive list of Discoverable Data includes, but is not limited to:

1. Any cellphones used to communicate with any current or past MSCS board member, Ms. Ladia Yates, Mr. Charles McVean, Ms. Diedra Malone, Mr. Martavious Jones, Dr. Marie Feagins, Ms. Camalyn Turner, Mr. Vince McCaskill, Ms. TaJuan Stout-Mitchell, any Tennessee, Shelby County, or City of Memphis elected or appointed official and any other individuals regarding any action that could give rise to the Claims (Collectively, the "Related Individuals");
2. All electronic communications including texts, emails and direct messaging through Facebook, Instagram, Snapchat, Twitter, and WhatsApp with the Related Individuals regarding the Claims;

120 Court Square East, Covington, Tennessee 38019
PH: (901) 475-1050 FAX: (901) 234-0028

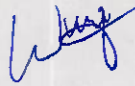
3. All electronic communications or posts on social media including, but not limited to, Facebook, Instagram, Snapchat, Twitter, and WhatsApp with the Related Individuals regarding the Claims;
4. Any e-mails, electronic messages, letters, memos or other documents concerning these Claims;

The destruction, alteration, or loss of any of the Discoverable Data constitutes spoliation of evidence under Tennessee law. If you fail to properly secure, preserve and maintain the Discoverable Data, it will give rise to the legal presumption that the Discoverable Data would have supported Dr. Feagins' potential Claims against you and could result in adverse evidentiary rulings and/or other sanctions against you for the spoliation of evidence. In order to ensure that your obligations to secure, preserve and maintain the Discoverable Data are met, please immediately forward a copy of this letter to all persons and entities with custodial responsibility for the items referred to in this letter, to specifically include third parties and vendors.

We appreciate your prompt response to this demand as we are in the process of investigating and preparing litigation related to these Claims. Should you have any questions, please do not hesitate to contact me. We can be reached via telephone at (901) 475-1050 or by email at William@wootenlawoffice.com.

Sincerely,

Wooten Law Office



William A. Wooten

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