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VIA EMAIL AND FIRST CLASS MAIL

November 9, 2022

Mark A. Hosterman, Esq.
Wisler Pearlstine, LLP
Blue Bell Executive Campus
460 Norristown Road, Suite 110
Blue Bell, PA 19422-2323

**RE: Spring City Acres – East Coventry Township
Litigation Hold Notice**

Dear Mr. Hosterman:

As you are aware, the East Coventry Township (“Township”) Board of Supervisors recently purported to rescind its agreement with my client Lloyd Z Nolt Trucking (“Nolt Trucking”) and Spring City Acres, LLC (“Spring City Acres”) regarding the construction of a facility for the storage of food processing residuals (the “Agreement”). Further, the Township instructed its zoning officer to rescind Spring City Acres’ zoning permit No. 21-153 for the construction of a food processing residual tank (the “Permit”). It is my client’s position that these actions constituted, at a minimum, a breach of contract, a violation of my client’s Right to Farm, and a violation of Pennsylvania’s “ACRE” statute.

I write to request that you immediately implement a litigation hold within the Township, its Board of Supervisors, and any of its affiliates, representatives, or agents in order to maintain and preserve electronically-stored data, documents, and materials related to the Agreement, Permit, and decision of the Board of Supervisors to rescind the same. Electronically-stored data, documents, and materials may become an important and irreplaceable source of discovery and/or evidence in the event that Nolt Trucking and Spring City Acres pursue a lawsuit.

I request that you immediately suspend deletion, overwriting, or any other possible destruction of the information described above. This includes, but is not limited to: email and other electronic communications; electronic documents; databases; invoices; calendars; telephone logs; text messages; offline storage or information stored on removable media; information contained on laptops or other portable devices; hard copies; and network access information. This request applies both to final-form materials and drafts.

All employees and other Township representatives who may possess this information must take every reasonable step to preserve this information until further written notice. We ask that you immediately disseminate this notice to all appropriate employees and representatives and confirm that they have read and understood it. We understand and appreciate that this request may impose a burden upon the Township's operations. It is critically important that the Township preserve all documents, data and electronically-stored information that could potentially be subject to discovery in a forthcoming lawsuit or investigation by the Pennsylvania Attorney General's Office. Any policy that allows the deletion or destruction of these items should be suspended until further notice.

Failure to abide by this request could result in sanctions against the Township, and could form the basis of legal claims for spoliation. To avoid sanctions, we ask that you immediately implement this litigation hold.

Please contact me should you have any questions or concerns.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'J.C. Clark', with a horizontal line extending to the right.

James C. Clark