

The Antitrust Division of the Washington State Office of Attorney General is investigating potential anticompetitive conduct (price fixing) in the market for Thin Film Transistor Liquid Crystal Displays (TFT LCD), more commonly referred to as simply "LCD displays". They are also investigating the same allegations in the market for Cathode Ray Tube displays, more commonly known as "CRTs". The two investigations may lead to litigation in the near future. The law requires that we preserve any evidence that may be discoverable in litigation. As a result, a duty exists to preserve documents that may be deemed relevant to this anticipated litigation.

Because WSU may reasonably anticipate litigation, employees must take steps to identify and preserve all recorded information (both electronically stored information and hard copy) that may reasonably be identified as relevant to this matter. Preserve these documents in their original or native format. This duty inheres until further notice from this office. We realize that this could be a difficult task, as the records may be voluminous and individuals may differ in their beliefs of what materials might be considered relevant to future litigation. However, the duty to take reasonable steps to identify and preserve potentially relevant documents remains.

Each WSU employee receiving a copy of this Notice must determine what records he or she might have that could reasonably relate to this matter. The employee must take reasonable and prompt steps to preserve that information in its original form (i.e., preserving electronic mail messages and other electronic documents electronically rather than printing them out and destroying the electronic record). Records that are likely to be relevant to this matter include, but are not limited to any documentation related to the purchase of Thin Film Transistor Liquid Crystal Displays (TFT LCD) and Cathode Ray Tube (CRT) displays from 1996 to 2006.

Each PCard reconciler is required to hold onto all purchasing documentation for monitors, cell phones, television, PDA's and any other type of equipment that might have a TFT/LCD or CRT screen.

This Notice supersedes any document retention or destruction schedules. Please preserve this data until further notice from this office, regardless of the retention schedule. Under no circumstances should a WSU employee delete, destroy, or damage any records covered by this Notice. Normally you would be destroying PCard records for FY 2003 after June 30th, 2009.

The AG's office is **not** asking for the records at this time, so we ask that each department **hold onto** the records and has them available if the litigation is pursued. While you need only keep purchase documents related to equipment purchases that involve a TFT/LCD/CRT screen, it may be easier to keep all PCard purchasing documents at this point. Additionally if you have any records from 1996 to 2003, you must preserve them as well.

You will receive further communication once we know more about the litigation and what the State will require for evidence. If you have any questions, please feel free to email me.

Thank you for your immediate attention to this matter.

Stacy Combs

WSU-Business & Finance Systems Support
Area Technology Officer & E-Commerce Coordinator

* E-Mail: combssc@wsu.edu