

# UNDERWOOD

## Elza and Knapp Featured in TADC Fall/Winter 2019 Issue

Jan . 22 . 2020 | [Attorneys, Slater Elza, Jennie Knapp, Amarillo](#)



Slater Elza and Jennie Knapp's article, "Preservation Letters: Sending and

Responding," has been featured in the [Texas Association of Defense Counsel Fall/Winter 2019 issue](#).

TADC (per their mission statement) is a professional organization of civil trial attorneys dedicated to promoting excellence in its members, fairness in [their] judicial system, and preserving the right to jury trial for all citizens.

### **An excerpt from "Preservation Letters: Sending and Responding":**

*By: Slater C. Elza & Jennie C. Knapp Underwood Law Firm, P.C., Amarillo*

The goal of a preservation letter is to remind your (potential) opponent or third-party witnesses to preserve evidence, to make sure the evidence does not disappear, and to serve as a key piece of its own evidence if there is a subsequent claim of spoliation.

While a preservation letter does not automatically create a duty to preserve evidence, it is good evidence to argue that the duty to preserve has arisen, and that subsequent document destruction was in bad faith.

In other words, sending this letter before documents are destroyed gives you the “I told you so” argument. It is important to think through the implications of sending these letters and also the importance of responding appropriately to them to best defend your client’s position.

[Read more](#) in the Texas Association of Defense Counsel Fall/Winter 2019 issue.