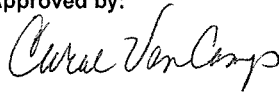
 <p><b>HAWAII HEALTH SYSTEMS</b> CORPORATION "Quality Healthcare For All"</p>	<p>Department: General Counsel</p>	<p>Policy No.: <b>ADM 0035A</b></p>
	<p>Issued by: Alice M. Hall, VP &amp; General Counsel</p>	<p>Revision No.: N/A</p>
<p><b>POLICY</b></p>	<p>Approved by:  HHSC Board of Directors By: Carol A. Vancamp Its: Secretary/Treasurer</p>	<p>Effective Date: June 20, 2013</p>
<p>Subject: <b>Preservation of Information in Litigation or Anticipation of Litigation</b></p>		<p>Supersedes Policy: NA</p>
		<p>Page: 1 of 1</p>

Reviewed April 26, 2013; Next Review: April 26, 2013

- I. **Purpose:** To establish procedures that provide a uniform process for the preservation of relevant evidence – in any form, including paper and electronic – where there is a reasonable anticipation of litigation and steps must be taken to prevent destruction or alteration of any relevant evidence.
  
- II. **Policy Statement:**

State and federal law require a party to take steps to preserve potentially relevant evidence – in any form – when litigation has been filed or is reasonably anticipated. The possible administrative or court sanctions that can be imposed due to a failure to preserve such evidence vary depending on the circumstances, but may include: regulatory fines and penalties; civil litigation consequences such as increased litigation costs, fines, adverse inference instructions, default judgment and civil contempt; vicarious liability for responsible senior management; and criminal liability for organizations and individuals. In addition, it is in HHSC's best interest to be able to prove HHSC's case with documentation.

Accordingly, it is the policy of HHSC that both the corporate office and the HHSC regions comply with all applicable State and federal laws which require the preservation of evidence – in any form, including paper and electronic – that may potentially be used in litigation. In order to prevent destruction of relevant evidence where litigation has been filed or is reasonably anticipated, it is the policy of HHSC that the corporate office and the HHSC regions suspend all normal destruction practices (such as those contained in HHSC's Retention of Records Policy and Procedure (CMP 008A and CMP 008B) – as they pertain to any relevant evidence – and place such evidence under a litigation hold.
  
- III. **Applicability:** All HHSC facilities, HHSC staff, regional and corporate boards.
  
- IV. **References:** Haw. R. Civ. P. Rules 26 and 37; Fed. R. Civ. P. Rules 26 and 37
  
- V. **Attachments:** ADM 0035B