
ACLJ
AMERICAN CENTER
for LAW & JUSTICE

February 1, 2023

VIA EMAIL

Smithsonian Institution
Officer of General Counsel
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Smithsonian Institution Office of Protective Services
Mark Wallace, Director
Wallacem@si.edu

RE: Notice of representation and litigation hold demand concerning Smithsonian National Air and Space Museum's removal of Catholic high school students and family members for personal display of pro-life messages

To Whom It May Concern:

The American Center for Law & Justice (ACLJ) represents all individuals listed below in regard to the incident occurring on January 20, 2023, whereby Smithsonian staff, personnel, and/or agents mocked and then removed students and chaperones from the museum for wearing a pro-life message inscribed on head coverings or beanies.

██████████ (student)
██████████ (parent)
██████████ (student)
██████████ (parent)
██████████ (student)
██████████ (student)
██████████ (student)

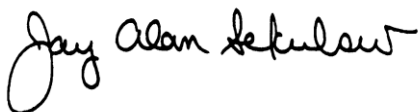
██████████ (student)

All communications to our clients listed above regarding this matter should be directed to undersigned counsel for the ACLJ.

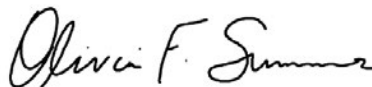
Also please be advised that the Smithsonian is hereby put on notice of potential/anticipated litigation concerning the above incident. We demand that the Smithsonian personnel, and agents preserve *all* materials that may be in any way relevant to said incident. The information that must be preserved includes all records and documents including electronically stored information (“ESI”), as defined by the Federal Rules of Civil Procedure. Evidence to be preserved includes but is not limited to all information stored electronically (for example, writings, drawings, graphs, charts, and other data or data compilations, word processing files, calendaring program data, emails, text messages, photographs, computer logs, and audio and video recordings) in any and all locations within the Smithsonian’s possession, custody, or control (for example, servers, backup logs/tapes, personal and work computers, and other local storage devices, file servers, databases, cellular telephones, and other handheld electronic devices), even if paper copies of this information are also available. Paper copies should be preserved as well. To fulfill this duty, the Smithsonian may need to disable or suspend any automatic or routine destruction or deletion procedures for electronic and non- electronic information.

As we continue to be retained by additional clients, we will advise accordingly.

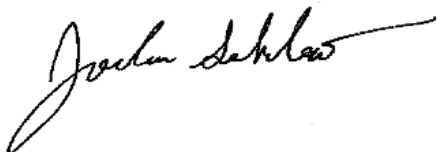
Respectfully,



Jay Alan Sekulow
Chief Counsel



Olivia Summers
Senior Litigation Counsel



Jordan Sekulow
Executive Director



Abigail Southerland*
Senior Litigation Counsel
*Admitted in Tennessee