



OSTROFF | GODSHALL

— INJURY AND ACCIDENT LAWYERS —

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September 5, 2024

Via Certified & First-Class Mail

The Towers at Wyncote
Lindy Property Management
8440 Limekiln Pike
Wyncote, PA 19095

Re: Our Client: Hailey Chery
Date of Accident: July 22, 2024 around 1:00 p.m.
Location: Clubhouse Gym – The Towers at Wyncote

SPOLIATION OF EVIDENCE

Dear Sir or Madam:

This is to advise you that this office represents Hailey Chery, who was injured in an accident on July 22, 2024 at your premises. According to the facts which we know, it appears that this accident was caused by you and/or your agent's negligence.

Please forward this letter to your insurance company and have them contact us directly.

It is our understanding that you have an incident report and/or a video or digital recording from a nearby surveillance camera, relative to this accident. We request that you preserve and provide a copy of that report and/or videotape to our office.

I am hereby requesting that the original recording of this accident be kept in the exact condition that it was in immediately following this accident. Please do not alter, edit, modify, destroy and/or use this recording until such time as my experts and I have had the opportunity to view it and/or copy it. In the event that alteration, editing, modification, and/or destruction are currently planned or intended for the recording in question, I am hereby requesting that you notify my office immediately and well in advance of doing so in order to avoid the spoliation of any potential evidence. Additionally, we are asking for the recording commencing two hours prior to my client's fall, when my client fell and up to two hours after my client was injured.

We are also requesting any and all other investigation results including, but not limited to, the following:

- photographs of the area in which the incident occurred;

a professional corporation



- any statements provided by any member of your staff, any witnesses or any other relevant person whether written or recorded, and whether stored on paper or digitally;
- any documents that relate to this incident including, but not limited to, reports of this accident;
- maintenance and repair records for the area in which the accident took place, including snow and ice removal logs;
- any other information, of any type whatsoever, pertaining to this matter including but not limited to e-mail, any type of electronic notation, or any type of digitally or electronically stored information;
- reports and notes of any investigators, engineers, attorneys, experts or others whose work pertained to the above described incident.



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If it is your intention to proceed with any aspect of the aforementioned despite this correspondence, you are hereby being placed on notice of a potential spoliation of evidence which could be used against you in any litigation that may arise out of this incident. Again, if this is your intention, please notify my office immediately so that I may seek the proper relief from the court (i.e. injunction, Court Order, etc.) to prevent any of the aforementioned from taking place.

If you are unwilling to provide this information at this time, I am hereby requesting that you keep and maintain all of the aforementioned evidence in its current condition, without alteration, so that this information will be available at a later date and may be obtained through written discovery should it become necessary to institute litigation proceedings.

Should you have any questions, please feel free to contact me. Thank you for your anticipated attention and cooperation with respect to this matter.

Very truly yours,

/s/ Victoria Martin

Victoria Martin, Pre-Case Manager
For Ryan Jablonski, Esquire
Direct Dial: 484-679-4205
Email: vmartin@ostrofflaw.com



COMMONWEALTH OF PENNSYLVANIA • DEPARTMENT OF HEALTH
VITAL RECORDS

Certification of Birth

Date of Birth: FEBRUARY 15, 2013 State File Number: 016057-2013
Date Issued: JULY 31, 2015 Date Filed: FEBRUARY 25, 2013
Name: HAILEY ALYSSA CHERY
Sex: FEMALE Time of Birth: 10:02 AM
Place of Birth: MONTGOMERY COUNTY
ABINGTON, PENNSYLVANIA
Mother/Parent's Name before first marriage: MARCELLA LATRICE BEST
Father/Parent's Name: ALIX CHERY

This document is a copy of the record which is on file in the Pennsylvania Department of Health. It is not a legal document. It is subject to the provisions of the Vital Statistics Law of 1953, as amended.

Lara B. Adams
Lara B. Adams
State Registrar



TEAR AT THIS PERFORATION

0001613706

DETACH HERE

Order Number: 20150743788