

# MITCHELL LAW

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Lupe M. Rodríguez  
Executive Director  
National Latina Institute for Reproductive Justice  
50 Broad Street, Suite 1937  
New York, New York 10004  
info@latinainstitute.org

**Re: Notice of Obligation to Preserve Documents**

Dear Ms. Rodríguez:

Last week my client, Marcus Silva, filed a wrongful-death lawsuit against Aracely Garcia and others for providing illegal abortion pills that were used to murder his unborn child. The case is *Marcus Silva v. Jackie Noyola, et al.*, No. 23-CV-0375 (Galveston County, Texas, 56th District Court), and the petition is available at: <http://bit.ly/3TIMNBM>.

We understand that Ms. Garcia is affiliated with your organization, and she was employed as a field coordinator with the National Latina Institute for Reproductive Justice when she procured the illegal abortion pills that were used in the murder.

We intend to take discovery from the National Latina Institute for Reproductive Justice to determine whether Ms. Garcia acted within the scope of her employment when she participated in the murder of Mr. Silva's child. We will also take discovery on whether anyone at the National Latina Institute for Reproductive Justice assisted Ms. Garcia in obtaining or distributing abortion pills. We will seek any attorney-client communications concerning these illegal activities under the crime-fraud exception to the attorney-client privilege, as well as the identity of every person who aided or abetted Ms. Garcia's criminal activities.

You and your colleagues at the National Latina Institute for Reproductive Justice, which includes each of your employees, officers, board members, and donors, must preserve and retain all documents, data, and electronically stored information relating in any way to: (1) Aracely Garcia; (2) Your organization's relationship with Aracely Garcia; (3) The involvement that anyone in your organization might have with obtaining or distributing abortion pills, including the abortion pills that were used to

murder baby Silva; and (4) All communications (including attorney–client communications) regarding illegal drug-induced abortions.

You and your colleagues must preserve these items regardless of the medium, format, or device on which they are stored or hosted, and regardless of whether they appear in documents, drafts, notes, calendar entries, emails, text messages, voicemails, social-media posts, or any other form. Failure to preserve these documents could subject you and your colleagues to severe civil and criminal penalties.

Conduct yourselves accordingly.

Sincerely,

A handwritten signature in black ink that reads "Jonathan F. Mitchell". The signature is written in a cursive style with a large, prominent initial "J".

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JONATHAN F. MITCHELL  
Mitchell Law PLLC