

Pener, Sarah

From: Ward, Chris
Sent: Thursday, September 25, 2003 9:50 AM
To: DEP EMAIL USERS
Subject: Preservation of World Trade Center Related Documents

I had written you earlier this year requesting that any documents relating to the destruction of the World Trade Center and the clean-up activities in Lower Manhattan be retained. I have been asked again by the City of New York's Corporation Counsel to reiterate the requirement that all DEP employees who were involved in the relief and clean-up of Lower Manhattan following September 11, 2001 retain any and all written and electronic records relating to this effort. The City is currently defending more than two thousand claims arising from the September 11, 2001 terrorist attacks on the World Trade Center and there is the potential for additional claims to be filed in the future. As a result of this litigation, the City must preserve and protect all documents concerning the attacks and their aftermath, including data in electronic form.

DEP has also been directed to retain any and all records and data that may have been collected concerning the condition of the environment in the areas of Lower Manhattan surrounding the World Trade Center, immediately before and in the months after the events of September 11. This would include records and data relating to the condition of the air, water system and sewer system, as well as records and data relating to sewer discharges to the surrounding receiving waters and records relating to any sampling done in such waters.

This means you may not delete, erase or otherwise destroy any data relating to any aspect of the attacks or the City's response from your computers, PDAs, agency electronic data systems and any personal electronic equipment that you use in conjunction with your work. If you have any doubt about preservation, you must preserve the data. Specifically,

- Do not delete any e-mails or any documents from your personal computer concerning any aspect of the events of September 11, 2001, or their aftermath.
- Contact Robert Cucinotta, Assistant Commissioner, Information Technology, at (718) 595-7805 before discarding or salvaging any computers or hardware.
- Do not recycle or re-use computer tapes or re-writable disks. Use a new disk if necessary and preserve your older disks with any information already on them.

It is vital that all employees comply with this directive immediately. If you have any questions, please contact Mark Hoffer, DEP's General Counsel at (718) 595-6528. Thank you for your cooperation.

Very truly yours,
Chris Ward
Commissioner



**THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007**

World Trade Center Files Retention Slip Sheet

Please use this slip sheet as a divider between the documents already collected by the Law Department and the new documents that you add to this file/folder. The documents behind the divider were collected and duplicated by the WTC Unit of the New York City Law Department. *Please add any new documents ahead of this divider.*

WORKSITE # 65400

EVIDENCE RETURN ACKNOWLEDGEMENT FORM

Source SARAH PENER	Custodian SARAH PENER	Agency DEP	Date of Return 1/13/2005
Document Capture Team Members Present CLAUDIA CHERNOFF		Address and Location of Documents in the Building. 59-17 JUNCTION BLVD. 19TH FL. QUEENS, NY	
Number of Boxes 1	Control ID Numbers DEP 00211	Other Comments ALL DOCUMENTS CONTAINED IN ONE REDWELD	

NYC Law Person CLAUDIA CHERNOFF (Print Name)

Claudia Chernoff (Sign Name)

1/13/2005 (Date)

Agency Source/Custodian SARAH PENER (Print Name)

Sarah Pener (Sign Name)

1/13/2005 (Date)



THE CITY OF NEW YORK
LAW DEPARTMENT
 100 CHURCH STREET
 NEW YORK, NY 10007

MICHAEL A. CARDOZO
Corporation Counsel

JESSE LEVINE
Assistant Chief WTC Unit
 212 341 3713

RE: World Trade Center Files Retention

Dear NYC Employee:

The World Trade Center-related materials returned with this letter were collected from you and have been processed by the New York City Law Department. If these are original records, you are legally obligated to keep these materials. They may be needed as evidence in WTC-related legal actions against the City. If what we have returned are copies of your original materials, then, you must handle them in accordance with your agency's document retention policy.

All of the documents are now inside Law Department redwelds/boxes. These redwelds/boxes also contain slip sheets printed on colored paper. We ask that you use the slip sheets as dividers to separate any new documents you may add to these files once they have been returned to you.

If you would like to dispose of any of these items, please contact me directly at the New York City Law Department at (212) 341-3713. If I am not available, please contact Brian Lieberman at (212) 788-1678. If appropriate, the Law Department will arrange for the pick up of any materials that you no longer need and are ready to store.

Also, in the event you are planning to leave your current position, please email me at jlevine@law.nyc.gov to inform me of the identity of the new custodian of these documents.

Please sign below and acknowledge return of your files, acceptance of the slip sheets and the procedure regarding their use.

Sincerely,

Jesse Levine, Esq.

Acknowledged on Jan. 13th, 2005

By: Sarah E. Perner

Print Name: SARAH PENER

WORKSITE # 157457