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BRYAN J. FREEDMAN

August 3, 2023

*Via Electronic Mail*

Kimberley D. Harris, Esq.  
Executive Vice President of Comcast Corporation and  
General Counsel of NBCUniversal  
NBCUniversal Media LLC

[REDACTED]

**Re: Demand for Immediate Litigation Preservation Hold**

Dear Kimberley:

This firm, along with Mark Geragos, represents a significant number of individuals employed by or contracted with Bravo Media (“Bravo”), E!, and CNBC (collectively, “NBC”), assets owned and controlled by NBCUniversal. Specifically, our clients are current and former cast members and crewmembers on some of NBC’s most lucrative reality TV shows. As you know, NBC has a pattern and practice of grotesque and depraved mistreatment of the reality stars and crewmembers on whose account its coffers swell. These individuals have been mentally, physically, and financially victimized by NBC and threatened with ruin should they decide to speak out about their mistreatment. As a result, the sordid and dark underbelly of NBC’s widely consumed reality TV universe has remained under wraps for far too long. Please be advised that the day of reckoning has arrived.

While our investigation is still ongoing, we have reason to believe that cast members and crewmembers on NBC reality TV shows have been subjected to disturbing mistreatment by NBCUniversal and/or its employees, contractors, and third-party affiliates. This includes, but is not limited to:

- Deliberate attempts to manufacture mental instability by plying cast members with alcohol while depriving them of food and sleep.

Kimberley D. Harris

August 3, 2023

Page 2

- Denying mental health treatment to cast members displaying obvious and alarming signs of mental deterioration.
- Exploiting minors for uncompensated and sometimes long-term appearances on NBC reality TV shows.
- Distributing and/or condoning the distribution of nonconsensual pornography.
- Covering up acts of sexual violence.
- Refusing to allow cast members the freedom to leave their shows, even under dire circumstances.

No doubt Bravo will aver that the cast members and crewmembers assumed these risks contractually, but the law does not countenance waiver of intentional misconduct or gross negligence. On innumerable occasions, which we will further detail in due course, NBC has exceeded the moral and legal limits permissible in a civilized society governed by the rule of law. Undoubtedly, when fully apprised, the legal system—and the public—will agree. It goes without saying that the foregoing misconduct by NBCUniversal and/or its employees, contractors, and affiliates exposes NBCUniversal to significant legal liability for, among many other things, intentional infliction of emotional distress, fraud, distribution of revenge porn, and false imprisonment. Again, our investigation is ongoing.

Since our clients are asserting rights that may result in litigation, NBCUniversal is advised that a continuing duty to preserve evidence arises once a party has notice that the evidence is relevant to a legal proceeding or when a party should have known that the evidence may be relevant to a future legal proceeding. Furthermore, once a party can reasonably anticipate a legal proceeding, it must suspend its routine document retention and/or destruction policy to ensure the preservation of relevant evidence.

The scope of this preservation duty covers all “electronically stored information.” Accordingly, NBCUniversal’s obligation to preserve all relevant documents and data includes not only hard copy documents but also audio recordings, videotape, e-mail, instant messages, word processing documents, spreadsheets, databases, calendars, telephone logs, contact manager information, Internet usage files, and all other electronic information created, received, and/or maintained by your company on computer systems.

The sources of these documents and data include all hard copy files, computer hard drives, removable media (e.g., CDs and DVDs), mobile phones, laptop computers, PDAs, Blackberry devices, and any other locations where hard copy and electronic data may be stored.

Please be aware that any of the above-mentioned sources of relevant information may include personal computers and mobile devices if employees of NBCUniversal use personal computers

or mobile devices to conduct business for NBCUniversal. These sources also include inaccessible storage media, such as backup tapes, which may contain relevant electronic information that does not exist in any other form.

**Please take immediate steps to preserve all existing documents and data relevant to NBCUniversal's treatment of cast members and crewmembers on NBC's reality shows to prevent the overwriting or any other possible destruction of relevant documents and data. This information would include, but is not limited to, the following:**

- All documents relating to NBC's policies regarding cast members' and/or crewmembers' mental health on its reality TV shows.
- All documents relating to NBC's policies and practices regarding cast members' and/or crewmembers' physical health on its reality TV shows.
- All documents relating to NBC's policies and practices regarding the consumption of alcohol and/or drugs by cast members and/or crewmembers on its reality TV shows.
- All documents relating to NBC's policies and practices regarding sleep, rest, and meal breaks for cast members and/or crewmembers on its reality TV shows.
- All documents relating to NBC's policies and practices regarding sexual violence and harassment in connection with cast members and/or crewmembers on its reality TV shows.
- All documents relating to NBC's policies and practices regarding the use of underage participants in connection with its reality shows.
- All documents relating to NBC's exploitation of underage participants on its reality TV shows.
- All correspondence and communications regarding NBC's oversight of cast members' and/or crewmembers' physical and/or mental health on its reality TV shows.
- All correspondence and communications regarding the policies and practices regarding the consumption of alcohol and/or drugs by cast members and/or crewmembers on NBC's reality TV shows.
- All correspondence and communications regarding the policies and practices regarding sleep, rest, and meal breaks for cast members and/or crewmembers on NBC's reality TV shows.
- All correspondence and communications regarding the policies and practices regarding sexual violence and harassment in connection with cast members and/or crewmembers on NBC's reality TV shows.
- All audio and video of sexual activity involving cast members on NBC's reality shows, whether taken by cast members, crewmembers, or third-parties that NBCUniversal has ever viewed or had in its possession.

- All communications from or to NBCUniversal employees and/or contractors, including but not limited to executives, concerning NBCUniversal's involvement in or awareness of the distribution of nonconsensual pornography in connection with cast members and/or crewmembers on NBC's reality shows.
- All communications from or to NBCUniversal employees and/or contractors, including but not limited to executives, concerning NBCUniversal's exploitation of underage participants in connection with NBC's reality shows.
- All communications from or to NBCUniversal employees and/or contractors, including but not limited to executives, concerning the suicide or attempted suicide of cast members and/or crewmembers on NBC's reality shows.
- All communications from or to NBCUniversal employees and/or contractors, including but not limited to executives, concerning alleged sexual violence perpetrated by or against cast members and/or crewmembers on NBC's reality shows
- All communications from or to NBCUniversal employees and/or contractors, including but not limited to executives, concerning the treatment of cast members and/or crewmembers in connection with NBC's reality shows.
- All communications from or to third-parties associated with NBCUniversal concerning the treatment of cast members and/or crewmembers in connection with NBC's reality shows.
- All communications from or to NBCUniversal employees and/or contractors, including but not limited to executives, concerning cast members' and/or crewmembers' mental health in connection with NBC's reality shows.
- All communications from or to NBCUniversal employees and/or contractors, including but not limited to executives, concerning cast members and/or crewmembers seeking mental health treatment in connection with NBC's reality shows.

NBCUniversal must take every reasonable step to preserve this information until further notice. For your assistance, below is a more detailed description of the litigation hold and information subject to preservation that may be subject to disclosure and responsive to discovery in potential litigation.

**DESCRIPTION OF LITIGATION HOLD AND INFORMATION SUBJECT TO  
PRESERVATION LITIGATION HOLD**

NBCUniversal, and your respective subsidiaries, are requested to immediately initiate a litigation hold for potentially relevant electronically stored information ("ESI"), documents, and tangible things and to act diligently and in good faith to secure and audit compliance with that litigation hold. You are also requested to preserve and not destroy all passwords, decryption procedures (including, if necessary, the software to decrypt the files), network access codes, ID names,

Kimberley D. Harris

August 3, 2023

Page 5

manuals, tutorials, written instructions, decompression or reconstruction software, and any and all other information and things necessary to access, view, and (if necessary) reconstruct any ESI. You should not pack, compress, purge, or dispose of any file or any part thereof.

You are further requested to immediately identify and modify or suspend features of your operations, information systems, and devices that, in routine operations, operate to cause the loss of documents, tangible items, or ESI. Examples of such features and operations include, but are not limited to, purging the contents of e-mail repositories by age, capacity, or other criteria; using data or media wiping, disposal, erasure, or encryption utilities or devices; overwriting, erasing, destroying, or discarding backup media; re-assigning, re-imaging or disposing of systems, servers, devices, or media; running antivirus or other programs that alter metadata; using metadata stripper utilities; and destroying documents or any ESI by age or other criteria.

### **SERVERS**

With respect to servers like those used to manage electronic mail and network storage, the entire contents of each user's network share and e-mail account should be preserved and not modified.

### **STORAGE**

With respect to online storage and/or direct access storage devices attached to your mainframe computers and/or minicomputers, in addition to the above, you are not to modify or delete any ESI, "deleted" files, and/or file fragments existing on the date of this letter's delivery that contain potentially relevant information.

With regard to all electronic media used for off-line storage, including magnetic tapes and cartridges, optical media, electronic media, and other media or combinations of media containing potentially relevant information, you are requested to stop any activity which may result in the loss of any ESI, including rotation, destruction, overwriting and erasure in whole or in part. This request is intended to cover all media used for data or information storage in connection with your computer systems, including magnetic tapes and cartridges, magneto-optical disks, floppy diskettes, and all other media, whether used with personal computers, minicomputers, mainframes or other computers, and whether containing backup and/or archival ESI.

### **PERSONAL COMPUTERS**

You should take immediate steps to preserve all ESI on all personal computers used by you, your officers, directors and employees, including all secretaries and assistants that in any way relate to the above-referenced matters, and the events and causes of action described in the complaint. As to fixed devices, (1) a true and correct copy is to be made of all such ESI, including all active files and completely restored versions of all deleted electronic files and file fragments; (2) full

Kimberley D. Harris

August 3, 2023

Page 6

directory listings (including hidden files) for all directories and subdirectories (including hidden directories) on such fixed devices should be written; and (3) all such copies and listings are to be preserved until this litigation is ended. As to floppy diskettes, CDs, tapes, and other non-fixed media relating to this matter, they are to be collected and stored pending resolution of this litigation.

### **PORTABLE SYSTEMS**

In addition to your immediate preservation of ESI, documents and tangible items in your business, on servers and workstations, you should also determine if any home or portable systems may contain potentially relevant data or information. To the extent that officers, board members, or employees have sent or received potentially relevant e-mails or created or reviewed potentially relevant documents away from the office, you must preserve the contents of systems, devices, and media used for these purposes (including not only potentially relevant data from portable and home computers, but also from portable thumb drives, CD-R discs, PDAs, smartphones, voice mailboxes, or other forms of ESI storage). Additionally, if any employees, officers, or directors used online or browser-based e-mail accounts or services to send or receive potentially relevant messages and attachments, the contents of these account mailboxes should be preserved.

### **EVIDENCE CREATED OR ACQUIRED IN THE FUTURE**

With regard to documents, tangible things, and ESI that are created or come into your custody, possession, or control subsequent to the date of delivery of this letter, potentially relevant evidence is to be preserved. You should take all appropriate action to avoid destruction of potentially relevant evidence.

This letter is not intended to set forth our clients' entire position regarding this matter. Nothing contained herein shall constitute a limit on or waiver of, our clients' claims, rights, defenses, or remedies, all of which are expressly reserved.

Sincerely,

A handwritten signature in black ink, appearing to read "Bryan J. Freedman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Bryan J. Freedman, Esq.

cc: Mark Geragos, Esq.  
Jason H. Sunshine, Esq.