

# MITCHELL LAW

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Mary Jarmon  
President, Myrtle Cruz Inc.  
3401 Louisiana Street, Suite 400  
Houston, Texas 77002-9552  
mary\_jarmon@mcruz.com

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

Dear Ms. Jarmon:

Last week my client, Marcus Silva, filed a wrongful-death lawsuit against Jackie Noyola, Amy Carpenter (née Symmank), 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. Noyola and Ms. Carpenter are employed at Myrtle Cruz, and they were employed by your organization when they helped procure the illegal abortion pills that were used in the murder.

We intend to take discovery to determine whether Ms. Noyola or Ms. Carpenter acted within the scope of their employment when they participated in the murder of Mr. Silva's child. We will also take discovery on whether anyone else at Myrtle Cruz assisted the defendants 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. Noyola and Ms. Carpenter's criminal activities.

You and your colleagues at Myrtle Cruz, which includes each of your employees, officers, and board members, must preserve and retain all documents, data, and electronically stored information relating in any way to: (1) Jackie Noyola and Amy Carpenter (née Symmank); (2) Your organization's relationship with Ms. Noyola and Ms. Carpenter; (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 abortion pills or 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, stylized "J" and "M".

JONATHAN F. MITCHELL  
Mitchell Law PLLC