



LAW OFFICES OF
JASON GORDON, P.A.

December 16, 2022

Todd Sheldon
4414 Belvedere Close SE
Marietta, GA 30067

Re: William Pulte v. Brandon Jones
Palm Beach County Circuit Court Case No. 502022CA012238XXXXMB

This office represents William J. Pulte (“Pulte”) in the above-referenced lawsuit. This letter is addressed to you in your individual capacity, not in your capacity as General Counsel of Pulte Group, Inc.

We are aware that you operated a pseudonymous Twitter account under the username “@tniless.” You discussed this Twitter account with Pulte and another Director in 2018 or 2019. Pulte was shocked and disappointed to learn that the Pulte Family’s correspondence with the Board of Directors pertaining to the allegations of the lawsuit, after coming into your possession, appears to have been used by you to address whether you have any personal liability as to the claims in the lawsuit.

Further, it appears that through your Twitter account you may have either knowingly or unknowingly interacted with Twitter accounts that are attributed to Brandon Jones, as alleged in the lawsuit, including the “Stephen Matthews” account (@stephen_matthe) which is linked to Brandon Jones’s personal email address. However, a review of your Twitter account has not at this time revealed any attacks directed at Pulte, the Pulte Family, or anything that amounts to violation of PulteGroup’s Code of Conduct. Thus, while you may not be a potential party to this lawsuit, you are a likely fact witness, including due to the fact that it appears you may have used privileged and confidential information belonging to the Board of Directors for personal means in deactivating or deleting your personal Twitter account. This is why Pulte asked the Board of Directors to put up a Chinese wall as to the Executive team, which includes you and your office. This presents a legal quandary.

We are hereby submitting to you a litigation hold notice in your personal capacity and request that you preserve all Documents (as defined below in Endnote 1) relating to among other matters:

1. Login and session timestamps for your Twitter account – @tniless.

2. Direct messages with any anonymous or pseudonymous accounts created, owned, or operated by Brandon Jones.
3. Text messages, encrypted messages, and/or iMessages between you and Brandon Jones pertaining to his Twitter accounts or Bot Network activity on Twitter.
4. LinkedIn messages between you and Brandon Jones pertaining to his Twitter accounts or Bot Network activity on Twitter.
5. Facebook messages between you and Brandon Jones pertaining to his Twitter accounts or Bot Network activity on Twitter.
6. WhatsApp messages between you and Brandon Jones pertaining to his Twitter accounts or Bot Network activity on Twitter.
7. E-mails between you and Brandon Jones between January 2021 and the present pertaining to his Twitter accounts or Bot Network activity on Twitter.
8. E-mails between you and Brandon Jones related to the lawsuit.
9. E-mails between you and Brandon Jones related to communications to the Board of Directors as to the allegations contained in the lawsuit.

Additionally, we would ask that you provide answers to the following questions. Again, we do not want any answers that involve you serving in your role as General Counsel at PulteGroup, Inc.:

1. Why did you delete your personal Twitter account after the Board of Directors (unaddressed to you) received correspondence from Bill Pulte and the Pulte Family?
2. Have you advised Brandon Jones, in his personal capacity, on this pending litigation or on the alleged use of the Bot Network to tweet about PulteGroup, Bill Pulte, and/or the Pulte Family?
3. Did your access to confidential information transmitted to the Board of Directors contribute to your recommendation of utilizing King & Spalding LLP to conduct an investigation of the allegations of the lawsuit, instead of hiring an independent law firm for the investigation into the alleged actions of Brandon Jones (and potential co-conspirators)?
4. Have you ever tweeted or published online posts about Bill Pulte and the Pulte Family?

This litigation hold notice and preservation demand includes information from, amongst other sources, your computer systems, cell phones, removable electronic media and other electronically stored information and data (ESI) that may contain data relevant to any claims or potential claims relating to this matter. You are expressly advised to avoid spoliation or destruction of all relevant data. Data includes not only information that can be perceived and read by your computer systems and cell phones, and programs installed thereon, but also all data resident on relevant electronic media that cannot be perceived by your computer systems and cell phones, but that can be recovered and analyzed using forensic techniques. *See* Endnote 1

Data that cannot be perceived by your operating systems includes deleted, hidden, and orphaned data as well as artifacts and residual data created in the normal course of using a computer system. It is essential that you act quickly to protect this data because the continued operation of relevant computer systems will overwrite data resident on the hard drive, including discoverable data that is invisible to the operating system.

Finally, this letter is notice and demands that all relevant data be safeguarded from destruction from any cause whatsoever. The law and rules prohibiting the destruction of evidence apply to ESI in the same manner that they apply to other evidence. Accordingly, you are now on notice to take every reasonable step to preserve ESI. We also request that you preserve the original ESI media and that any ESI media not be reused or copied over. All ESI must be preserved in its originally-created, or “native” format, along with related metadata. Relevant backup tapes and other forms of backup, as well as all indexes for such backups should also be preserved. The obligation to preserve ESI is not fulfilled by printing electronic documents related to the project for preservation, and then altering or destroying the electronic version.

With regard to electronic and other data created subsequent to the date of delivery of this letter, relevant evidence is not to be destroyed and you are to take whatever steps are appropriate to avoid destruction of evidence.

Thank you in advance for your cooperation with respect to this litigation hold notice and request for the preservation of Documents and ESI.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J Gordon', with a long horizontal flourish extending to the right.

Jason Gordon, Esq.

Endnote:

¹ As used herein, “Document” means any and all written, recorded, or graphic matter or data of any nature whatsoever, regardless of how recorded or in what medium recorded, and whether original or a copy.

Electronically Stored Information (ESI) means: electronic, magnetic, mechanical and electric records or representations of any kind, including, without limitation, e-mails, voice mails, tapes, cassettes, diskettes, compact discs, and recordings and other written, graphic or recorded matter of

December 16, 2022

Page 4

any kind or nature. Forms and formats of ESI include (1) native format; (2) any other format that preserves the maximum metadata, deleted data and data fragments; (3) searchable PDF or tiff; (4) PDF or tiff; (5) jpeg, etc. All ESI should be preserved in its originally-created, or “native” format, along with related metadata. Relevant backup tapes or other media and all indexes for those back-up storage media must also be preserved.