**Disclaimer**

This pleading is offered as a sample for educational purposes only.  References to law and rules may not be current or accurate.  Counsel must evaluate whether the pleading has utility in a given case.  I am always happy to try to answer general questions of fellow counsel about law and practice and can be reached via the information below.

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**Re: Demand for Accounting Pursuant to RSA 564-E:114(h) and Litigation Hold Demand**

Dear [Name]:

On behalf of [client], we demand a fiduciary accounting pursuant to RSA 564-E:114(h) of all acts undertaken by you as attorney-in-fact for [principal] under any Power of Attorney beginning from the date you became an agent to the present. Said accounting should be inclusive and detail all transactions entered into, all income received, expenses paid, any transactions or conveyances of real and personal property, and any other actions taken under the authority of the Power of Attorney, including copies of any and all Powers of Attorney under which you acted.

It is further requested that you account for any proceeds received by you, your family, or others associated with you, from jointly held property, life insurance policies, annuities, and personal property that may otherwise pass outside of traditional probate avenues. In accordance with RSA 564-E:114(h), please provide the accounting within sixty (60) days of the date of this letter. If such an accounting is not provided within the statutorily prescribed sixty days, [client] will petition the court to compel an accounting.

You are further advised to take whatever affirmative steps are necessary and reasonable to ensure that you preserve, and do not alter, modify, delete, or destroy, any potentially discoverable evidence that is in your possession, custody, or control. This “litigation hold” encompasses hard-copy documents and is especially important in connection with electronic data, including electronic communications and the metadata embedded within electronic documents.

You are hereby noticed to preserve any and all assets or value received prior to or as a result of [principal’s] death. This preservation should include, but is not limited to, assets that are or were held in any trust.

Please refer this to your counsel and ask him or her to contact me. As in all cases, we are happy to have a dialogue about the matters raised above. Please contact me with questions you may have or if you would like to discuss these requests further. We look forward to a responsive accounting within sixty days.

Sincerely,