



**COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET**

Frankfort, Kentucky 40622
www.transportation.ky.gov/

Matthew G. Bevin
Governor

Greg Thomas
Secretary

March 29, 2017

Ms. Rachel Mills
Division of Construction Procurement
Department of Highways
200 Mero Street
Frankfort, KY 40622

Dear Ms. Rachel Mills:

As you are aware, pursuant to our conversations with the United States Department of Justice, the Cabinet is under an obligation to preserve all data related to state contracts involving the Division of Construction Procurement since 2010—effective immediately. The Office of Legal Services requests that the division immediately and prominently post the following notice to all contractors on the procurement website bulletin board:

*****NOTICE TO ALL STATE CONTRACTORS TO PRESERVE CONTRACT DATA*****

The federal government is requesting information from the Kentucky Transportation Cabinet regarding the Cabinet's construction contracting practices in connection with an antitrust investigation. As a result, the Cabinet is immediately notifying all contractors who have interacted with the Kentucky Transportation Cabinet from 2010 to present to preserve any and all documents, communication, and data in their possession that is in any way related to Cabinet construction, paving, or asphalt projects. This includes any Electronically Stored Information—any digital communication or data, including emails, voicemails, documents, or images—stored in any device under their control (e.g., desktops, home computers used for business, portable digital devices, cellphones or smartphones, messaging services, and tablets, among others).

Thank you for your cooperation. Failure to do so could result in action by the federal government. Should you need further assistance, please contact my office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew Henderson".

Matthew Henderson, Esq.
Deputy Executive Director of Legal Services
Kentucky Transportation Cabinet

cc: Patty Dunaway, State Highway Engineer
Greg Thomas, Secretary
Kevin Moore, Esq., Executive Director of OLS



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