

Exhibit E

From: Del Kolde <dkolde@ifs.org>
Sent: Sunday, February 4, 2024 5:53 PM
To: Dow, Matt; Glover, Joel
Cc: Barake, Gabriela; Gonzalez, Javier; Michael Lovins; Nathan Ristuccia; Courtney Corbello
Subject: Lowery v. Mills - Preservation Notice

****RECEIVED FROM EXTERNAL SENDER – USE CAUTION****

Dear Matt and Joel:

In accordance with Rule 26, plaintiff has been trying to keep discovery focused tightly on claims and defenses, but it is apparent from UT's motion to compel and related filings that the parties have different visions about the scope of discovery; in particular, as it relates to UT's RFPs Nos 6, 7, 13 and 29. We are hopeful that Judge Howell will place reasonable limits on discovery, but in the event UT's vision of broad discovery about Lowery's private communications wins the day, plaintiff will be serving defendants with additional RFPs, seeking further communications from key players in this case.

In anticipation of that possibility, we are writing to ensure that UT preserves the documents listed below.

Please preserve:

1. All UT emails, personal emails, and text messages sent between Jay Hartzell and Lillian Mills from Aug. 1, 2022 to the present.
2. All UT emails, personal emails, and text messages sent between Jay Hartzell and Richard Flores from Aug. 1, 2022 to the present.
3. All UT emails, personal emails, and text messages sent between Jay Hartzell and Nancy Brazzil from Aug. 1, 2022 to the present.
4. All UT emails, personal emails, and text messages sent between Jay Hartzell and Justin Dyer from Aug. 1, 2022 to the present.
5. All UT emails, personal emails, and text messages sent between Lillian Mills and Meeta Kothare from Aug. 1, 2022 to the present.
6. All UT emails, personal emails, and text messages sent between Lillian Mills and Justin Dyer from Aug. 1, 2022 to the present.
7. All UT emails, personal emails, and text messages sent between Lillian Mills and Laura Starks from Aug. 1, 2022 to the present.
8. All UT emails, personal emails, and text messages sent between Lillian Mills and Ethan Burris from Aug. 1, 2022 to the present.
9. All UT emails, personal emails, and text messages sent or received by Jay Hartzell, Richard Flores, or Lillian Mills from Jan. 1, 2021 to the present with hits on the following terms: "DEI" "DEIA" "diversity" "equity" "inclusion" "belonging" "SB17"
10. All policies, complaints and investigations regarding nepotism at UT that were in effect or were authored from Jan. 1, 2020 to the present.
11. Any emails or other documents concerning counseling or disciplining the following UT faculty members for opinions stated on Twitter, X, or in any other publicly available online format, such as a blog post, from Jan. 1, 2020 to the present: Lauren Gutterman, Angela Valenzuela, Pauline Strong, David DeMatthews, Vox Jo Hsu, Sarah Woulfin, Ashante Reese, John Schwartz, Circe Sturm, Anthony DiFiore, or Stephennie Mulder.
12. Any complaints received by UT or any UT administrator about the following UT faculty members expressing opinions that were "uncivil," "lacking in civility," "factually inaccurate," "slanderous," "disparaging," or "unsafe," from Jan. 1, 2020 to the present: Lauren Gutterman, Angela Valenzuela,

Pauline Strong, David DeMatthews, Vox Jo Hsu, Sarah Woulfin, Ashante Reese, John Schwartz, Circe Sturm, Anthony DiFiore, or Stephennie Mulder.

Thanks.

Del Kolde
Senior Attorney
Institute for Free Speech