

Exhibit 3

From: [Evan Ennis \(recovered\)](#)
To: Rick.Dykhouse@charter.com
Cc: [Damien Marshall](#); [Larry Slovensky](#)
Subject: EarthLink Document Preservation Notice
Date: Monday, July 27, 2020 10:31:48 AM
Attachments: [image001.png](#)
[7.27.20 Letter.pdf](#)

Mr. Dykhouse,

Please see the attached correspondence on behalf of EarthLink, LLC.

Regards,

Evan Claire Ennis

Senior Associate

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July 27, 2020

VIA E-MAIL

Richard R. Dykhouse
Charter Communications Operating, LLC
400 Atlantic Street, 10th Flr.
Stamford, CT 06901

Re: Document Preservation Notice

Dear Mr. Dykhouse:

We represent EarthLink, LLC (“EarthLink”) and are writing to notify you that we are investigating potential claims on behalf of EarthLink against Charter Communications Operating, LLC, as successor to Time Warner Cable Inc. (“Spectrum”) concerning breaches of certain provisions of the High-Speed Service Agreement, as amended (the “Agreement”). In that regard, we hereby notify Spectrum of its obligation to preserve information, documents, and electronically stored information potentially relevant to the aforementioned misconduct.

As used in this letter, the term “Documents” is broad and includes all forms of recorded information, including without limitation: hard copies and all forms of electronic files, final and draft correspondence, reports, memoranda, notes, graphs, presentations, photographs, calendars, emails, recordings, and any data compilations from which information can be obtained, such as email, spreadsheets, databases, PDA files, videos, CDs, electronic calendars, archives, floppy disks, computer drives, PSTs, shared drives, data sites, online and cloud based databases, and any other electronic media and/or electronic data storage platforms whatsoever. The term “Communications” means all communications between Spectrum, its directors, managers, agents, employees, and/or any other person or persons including, without limitation, communications with Spectrum’s legal counsel, and any third parties.

To fulfill Spectrum’s preservation obligations, it must preserve all forms of Documents and Communications that relate in any way to the potential litigation referenced above. This includes, without limitation, all Documents and Communications related to the Agreement. This also includes all currently existing recordings of Spectrum’s sales and service calls with EarthLink Service Subscribers; all Documents evidencing Communications between Spectrum’s call center employees and agents and EarthLink Service Subscribers referencing or relating to EarthLink’s service offerings or business; all Documents relating to Spectrum’s sales efforts with

respect to EarthLink Service Subscribers; all Documents relating to Spectrum's marketing efforts with respect to EarthLink Service Subscribers; all Documents referencing the Transition Period in the Agreement; and all Documents otherwise referencing or relating to the termination of the Agreement (collectively, the "Relevant Documents").

Until further notice, all Relevant Documents must be preserved and may not be discarded, deleted, altered, or destroyed. Regardless of any document retention/destruction policies that may otherwise be applicable, Spectrum must not discard, destroy, alter or delete any Relevant Documents until further notice. To preserve emails and information contained therein, Spectrum should immediately review every Inbox, Sent Items, Deleted Items, and other folders for all email addresses within its access and/or control. Spectrum also should preserve any relevant materials stored on its hard drives, relevant shared drives, and any online and/or cloud-based data storage platforms, including any and all storage systems on which Spectrum maintains call center recordings. This letter applies to any materials that relate to the above categories of documents that may be found on personal and laptop computers, as well as in personal email accounts, and personal digital devices such as iPhones, Android phones, or Blackberries.

Spectrum is responsible for ensuring that its document preservation obligations are communicated to every person, employee, and/or agent of Spectrum who may discard or destroy documents, records, or information, and/or the responsible person at any "off-site" repositories of such materials.

This letter is not intended to state all the facts or legal issues relating to the foregoing, and EarthLink shall not be deemed to waive any of its rights or remedies, in law or in equity, all of which are expressly reserved.

Sincerely,

/s/ Damien Marshall

Damien Marshall