

MOTION AND AFFIDAVIT REGARDING DISCLOSURE OF DIGITAL ACCOUNT CONTENTS

Commonwealth of Virginia VA. CODE § 64.2-111

Estate of, deceased

I, the undersigned, upon information and belief, state under oath/affirm the following:

- 1. I am a personal representative of the estate of the deceased person named above.
- 2. The deceased person named above (“deceased user”) was a subscriber or customer of
NAME OF SERVICE PROVIDER
- 3. The account belonging to the deceased user has been reasonably identified, including through a unique identifier assigned by the provider or other identifying information sufficient to enable the service provider to definitely identify the user.
- 4. There are no other authorized users or owners of the deceased user’s account

OR

- All other authorized users or owners of the deceased user’s account have expressly consented in written or electronic form to disclosure of the digital account user records to the personal representative of the estate.
- 5. The deceased user consented, through a will provision, to disclosure of the contents of the account and I have attached a copy of the excerpt of the will providing consent.

OR

- The deceased user consented to disclosure of the account contents by providing affirmative consent in an account setting within the product or service or by an affirmative election with the provider.
- 6. This request for disclosure is tailored to effectuate the purpose of the administration of the estate.

I request the court to order the service provider named above to disclose

the contents of the deceased user’s account

OR

the following specified contents of the deceased user’s account

.....

.....
DATE

SIGNATURE OF PERSONAL REPRESENTATIVE

Commonwealth/State of [] City [] County of

Subscribed and sworn to/affirmed before me on this day of, 20

by
PRINT NAME OF PERSONAL REPRESENTATIVE

.....

.....
DATE [] CLERK [] DEPUTY CLERK [] NOTARY PUBLIC

Notary Registration No. My commission expires: