***ADDENDUM TO THE***

***LAST WILL AND TESTAMENT***

***OF***

***JANE DOE***

I, Jane Doe, of San Diego, California, declare this to be the First Addendum to my Last Will which was executed by me on August 06, 2000.

In addition, I am adding the following provisions:

My digital assets shall be distributed in accordance with Schedule A of this Last Will Addendum. For the purposes of this Last Will Addendum, digital assets shall mean electronic assets that are stored on my computers, electronic devices, or on any online account, as identified in Schedule A. Online accounts include, but are not limited to, social-networking sites, online backup services, servers, email accounts, photo and document sharing sites, financial and business accounts, domain names, virtual property, websites, and blogs. An instructional document, titled, "Letter of Instructions" with associated websites, usernames, passwords, and related information, is hereby incorporated by reference into this Last Will Addendum and shall be distributed to the Digital Executor designated in this Last Will Addendum.

**Nomination of Digital Executor**

I nominate John Doe, of San Diego, California, as the Digital Executor. If such person or entity does not serve for any reason, I nominate James Doe, of San Diego, California, to be the Digital Executor. For the purposes of this Last Will Addendum, Digital Executor shall mean a designated executor assigned to manage the responsibilities for my digital assets after death.

**Digital Executor Powers**

My Digital Executor, in addition to other powers and authority granted by law or necessary or appropriate for proper administration, shall have the right and power to, including, but not limited to, manage, distribute, or terminate my digital assets in accordance with the Letter of Instructions incorporated by reference into this Last Will Addendum, without order of court and without notice to anyone. My Digital Executor's powers shall have, but not be limited to, the power to access, download, and backup digital assets, convert my file formats, access any and all devices necessary to manage digital assets, and clear computer caches and/or delete files. In addition, the Digital Executor shall also have the rights, powers and authority:

I. Standard of Care. To manage, distribute, or terminate digital assets, exercising the judgment and care, under the circumstances then prevailing, that persons of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation but in regard to the permanent disposition of their digital assets, considering the probable safety of their digital assets.

II. Employ Professional Assistance. To employ and compensate counsel and other persons deemed necessary for proper administration and to delegate authority when such delegation is advantageous to the estate or trust.

III. Duration of Powers. To continue to exercise the powers provided in this Article notwithstanding the termination of the trust until all the assets of the trust have been distributed.

IV. Compensation. To receive reasonable compensation for their services under this Will and be exonerated from and to pay all reasonable expenses and charges of the estate and trust.

V. Informal Administration. My Digital Executor shall have the right to administer my digital assets using "informal", "unsupervised", or "independent" probate or equivalent legislation designed to operate without unnecessary intervention by the probate court.

Except as expressly modified or changed by this Addendum, I approve, ratify and affirm my Will dated August 06, 2000.

I subscribe this my Last Will Addendum on this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_.

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Jane Doe

We, the undersigned, hereby certify that the above instrument, which consists of \_\_\_\_\_ pages, including the page(s) which contain the witness signatures, was signed in our sight and presence by Jane Doe (the "Testator"), who declared this instrument to be the First Addendum to his/her Last Will and we, at the Testator's request and in the Testator's sight and presence, and in the sight and presence of each other, do hereby subscribe our names as witnesses on the date shown above.

Witness Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: Mary Smith

City: San Diego

State: California

Witness Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: Jon Smith

City: San Diego

State: California

Witness Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: Jessie Smith

City: San Diego

State: California

**AFFIDAVIT**

I, Jane Doe, the Testator, sign my name to this instrument this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as the First Addendum to my Will and that I sign it willingly, in the presence of the undersigned witnesses, that I execute it as my free and voluntary act for the purposes expressed in the Addendum, and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.

Testator Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

  Jane Doe

We, Mary Smith and Jon Smith and Jessie Smith, the witnesses, sign our names to this instrument, and being first duly sworn, do hereby declare to the undersigned authority that the Testator signs and executes this instrument as the Testator's First Addendum to the Testator's Will and that the Testator signs it willingly in our presence, and that the Testator executes it as the Testator's free and voluntary act for the purposes expressed in the Addendum, and that each of us, in the presence and hearing of the Testator, at the Testator's request, and in the presence of each other, hereby signs this Addendum, on the date of the instrument, as witness to the Testator's signing, and that to the best of our knowledge the Testator is eighteen years of age or older, of sound mind and memory, and under no constraint or undue influence, and the witnesses are of adult age and otherwise competent to be witnesses.

Witness Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: Mary Smith

City: San Diego

State: California

Witness Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: Jon Smith

City: San Diego

State: California

Witness Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: Jessie Smith

City: San Diego

State: California

A notary public or other officer completing this certificate verifies only the identity of the individual(s) who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

On \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ before me, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, personally appeared Jane Doe, Mary Smith, Jon Smith and Jessie Smith , who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Notary Seal)

Signature of Notary Public

**Schedule A**

**Name of Each Digital Asset and Digital Executor**

Name of Digital Asset: Digital Asset

Name of Sole Digital Executor: John Doe

City: San Diego

State: California

**Letter of Instructions**

Name of Digital Asset: Digital Asset

Access information:

Where to Access: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Username: Janedoe

Password: janedoe123

Additional Information: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_