

**UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD**

To Custodian of Records  
UPMC Presbyterian Shadyside  
600 Grant Street, 58<sup>th</sup> Floor, Pittsburgh, PA 15219-2739

As requested by Suzanne S. Donsky, Attorney and Julie R. Stern, Attorney for the National Labor Relations Board  
whose address is William S. Moorhead Federal Building, 1000 Liberty Avenue, Room 904, Pittsburgh, Pennsylvania 15222  
(Street) (City) (State) (ZIP)

YOU ARE HEREBY REQUIRED AND DIRECTED TO APPEAR BEFORE \_\_\_\_\_  
an Administrative Law Judge \_\_\_\_\_ of the National Labor Relations Board

at William S. Moorhead Federal Building, RM 904, 1000 Liberty Ave.,  
in the City of Pittsburgh, PA 15222

on the 3<sup>rd</sup> day of February 20 14 at 11:00 (a.m.) (p.m.) or any adjourned  
or rescheduled date to testify in UPMC and its subsidiary UPMC Presbyterian Shadyside, Single Employer, d/b/a  
UPMC Presbyterian Hospital and d/b/a UPMC Shadyside Hospital Case 06-CA-102465, et al  
(Case Name and Number)

And you are hereby required to bring with you and produce at said time and place the following books, records, correspondence, and documents:

See attachment

In accordance with the Board's Rules and Regulations, 29 C.F.R. Section 102.31(b) (unfair labor practice proceedings) and/or 29 C.F.R. Section 102.66(c) (representation proceedings), objections to the subpoena must be made by a petition to revoke and must be filed as set forth therein. Petitions to revoke must be received within five days of your having received the subpoena. 29 C.F.R. Section 102.111(b) (3). Failure to follow these regulations may result in the loss of any ability to raise such objections in court.

**B - 720565**

Under the seal of the National Labor Relations Board, and by direction of the Board, this Subpoena is

Issued at Pittsburgh, Pennsylvania,

this 14<sup>th</sup> day of January 20 14



*Paul H. Pomeroy*  
Chairman, National Labor Relations Board

**NOTICE TO WITNESS.** Witness fees for attendance, subsistence, and mileage under this subpoena are payable by the party at whose request the witness is subpoenaed. A witness appearing at the request of the General Counsel of the National Labor Relations Board shall submit this subpoena with the voucher when claiming reimbursement.

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is mandatory in that failure to supply the information may cause the NLRB to seek enforcement of the subpoena in federal court.

**ATTACHMENT**

**UPMC, et al.**  
Cases 06-CA-102465, et al.

**DEFINITIONS AND INSTRUCTIONS**

1. The word "document" or "documents" means, without limitation, the following items, whether printed or recorded or reproduced by any other mechanical process, or written or produced by hand, or any existing printed, typewritten, handwritten or otherwise recorded material of whatever kind and/or character, including, but not limited to: agreements, communications, correspondence, telegrams, letters, memoranda, facsimile transmissions, minutes, notes of any character, diaries, calendars, statements, affidavits, photographs, microfilm or microfiche, audio and/or video tapes, statistics, pamphlets, newsletters, press releases, bulletins, transcripts, summaries or records of telephone conversations or telephonic text messages, summaries or records or personal conversations or interviews, conferences, transcripts or summaries or reports of investigations and/or negotiations, drafts, internal or inter-office memoranda or correspondence, lists, data contained in computers, computer printouts, computer discs and/or files and all data contained therein, electronically stored records and electronic or "e" mail, any marginal or "post-it" or "sticky pad" comments appearing on or with documents, and all other writings, figures or symbols of any kind, including but not limited to carbon, photographic or other duplicative copies of any such material in the possession of, control of or available to the subpoenaed party, or any agent, representative, or other persons acting in cooperation with, in concert with, or on behalf of said subpoenaed party.
2. The words "employee" and "employees" mean all full-time and regular part-time employees employed by UPMC Presbyterian Shadyside.
3. The "Union" refers to SEIU Healthcare Pennsylvania, CTW, CLC, its agents, officers, and/or representatives.
4. Whenever used herein, the singular shall be deemed to include the plural, and vice versa; the present tense shall be deemed to include the past tense, and vice versa; references to parties shall be deemed to refer to any and all of their owners, officers, directors, owners, managers, supervisors, agents, and representatives; "and" and "or" and any other conjunctions shall be deemed both conjunctively and disjunctively so as to make the request inclusive rather than exclusive and to require the enumeration of all information responsive to all or any part of each request in which any conjunction or disjunction appears; and, "any," "each," "every," and "all" shall be deemed to be all inclusive and to require production of each and every document responsive to the request in which such terms appear.
5. This subpoena is intended to cover all documents that are in your possession, custody or control, as well as documents that are in the possession, custody or control of your present or former agents, attorneys, accountants, advisors, investigators, and any other persons or companies directly or indirectly employed by, or connected with you.

6. As to any documents not produced in compliance with this subpoena on any ground or if any requested document was, through inadvertence or otherwise, destroyed or no longer in the possession of you, state:

- (a) the author;
- (b) the recipient;
- (c) the name of each person to whom the original or a copy was sent;
- (d) the date of the document;
- (e) the subject matter of the document; and
- (f) the circumstances under which the document was destroyed, withheld or is no longer in your possession.

7. This request is continuing in character and if additional responsive documents come to your attention following the date of production, such documents must be promptly produced.

8. This request contemplates production of responsive documents in their entirety, without abbreviation, redaction, or expurgation.

9. All documents produced pursuant to this subpoena are to be organized by what subpoena paragraph each document or set of documents are responsive to, and labels referring to that subpoena paragraph are to be affixed to each document or set of documents.

10. Unless otherwise stated, each item requested covers the period from January 1, 2012, to the date of service herein (the subject period).

11. This subpoena specifically requests the described documents, whether held or maintained at any facility operated by UPMC Presbyterian Shadyside, at one or another of UPMC Presbyterian Shadyside's offices, or at some other location.

**DOCUMENTS SUBJECT TO SUBPOENA NO. B-720565**

1. Copies of the original Articles and/or Certificate of Incorporation and/or partnership agreement of UPMC Presbyterian Shadyside.
2. Copies of any amendments to the original Articles and/or Certificate and/or partnership agreement of UPMC Presbyterian Shadyside effective during the subject period.
3. Copies of all leases, sales agreements, loans, extensions of credit, and other documents between UPMC Presbyterian Shadyside and any shareholders or partners thereof and UPMC and any shareholders or partners thereof.
4. \*Copies of documents showing the names and addresses of non-patient customers of UPMC Presbyterian Shadyside during the subject period.
5. \*Copies of documents showing the names and addresses of suppliers of UPMC Presbyterian Shadyside during the subject period.
6. Copies of documents showing the gift, lease, sale or other transfer of real or personal property, equipment or machinery between UPMC Presbyterian Shadyside and any shareholders or partners thereof and UPMC and any shareholders or partners thereof, and showing the terms of such gift, lease, sale or other transfer.
7. Copies of any and all minutes of meetings of the board of directors of UPMC Presbyterian Shadyside or other documents showing the actions of UPMC Presbyterian Shadyside relating to the relationship between UPMC Presbyterian Shadyside and any shareholder or partner thereof and UPMC and any shareholder or partner thereof.
8. Documents as will show the relationship between UPMC Presbyterian Shadyside and UPMC including the ownership interest of UPMC Presbyterian Shadyside or any of its shareholders or partners in UPMC for the subject period.
9. Copies of Annual Reports of UPMC Presbyterian Shadyside for 2011, 2012 and 2013.
10. Copies of audited Financial Statements of UPMC Presbyterian Shadyside for 2011, 2012 and 2013.
11. Copies of any documents showing the capital investment of each of the shareholders or partners of UPMC Presbyterian Shadyside in UPMC and UPMC Presbyterian Shadyside.
12. Copies of any documents showing the ownership interest of each of the shareholders or partners of UPMC Presbyterian Shadyside in UPMC and UPMC Presbyterian Shadyside.
13. \*Documents of UPMC Presbyterian Shadyside, including corporate minutes, which disclose the names of all directors of UPMC Presbyterian Shadyside and the dates during which each such person was a director for the subject period.
14. \*Documents of UPMC Presbyterian Shadyside, including corporate minutes, which disclose the following information for the subject period; the names of all officers of UPMC

Presbyterian Shadyside, the office(s) each such individual held, and the dates on which each such individual held such office(s).

15. \*Documents of UPMC Presbyterian Shadyside which disclose the following information for the subject period; the names of all stockholders of UPMC Presbyterian Shadyside, the number and classes of shares held by each stockholder, and the dates and amounts of stock acquired or disposed of by each stockholder of UPMC Presbyterian Shadyside.

17. Documents that will show the organizational structure and chain of command or authority of UPMC Presbyterian Shadyside, including the name, title and position of all individuals within that organizational structure.

18. Documents of UPMC Presbyterian Shadyside which disclose the dates and amounts of all rent paid by UPMC Presbyterian Shadyside to UPMC for the subject period.

19. Documents of UPMC Presbyterian Shadyside which disclose the dates and amounts of all rent received by UPMC Presbyterian Shadyside from UPMC for the subject period.

20. All written agreements between UPMC Presbyterian Shadyside and UPMC pertaining to the lease, rental or provision of equipment by UPMC to UPMC Presbyterian Shadyside for the subject period.

21. Documents of UPMC Presbyterian Shadyside, including canceled checks, which disclose the dates and amounts of all payments by UPMC Presbyterian Shadyside to UPMC for use of equipment owned by UPMC for the subject period.

22. Documents of UPMC Presbyterian Shadyside which disclose the dates and amounts of all payments by UPMC to UPMC Presbyterian Shadyside for use of equipment owned by UPMC Presbyterian Shadyside for the subject period.

23. All written agreements in effect or entered into at any time during the subject period between UPMC Presbyterian Shadyside and UPMC pertaining to the use by UPMC Presbyterian Shadyside of individuals employed or contracted by UPMC and/or to the furnishing of services by UPMC to UPMC Presbyterian Shadyside.

24. Documents of UPMC Presbyterian Shadyside, including canceled checks, which disclose the dates and amounts of all payments by UPMC Presbyterian Shadyside to UPMC for services during the subject period, and the nature of the service provided by UPMC.

25. Documents of UPMC Presbyterian Shadyside for the subject period which show the number of hours spent by individuals employed or contracted by UPMC Presbyterian Shadyside in providing services to UPMC.

26. All written agreements in effect or entered into at any time during the subject period between UPMC Presbyterian Shadyside and UPMC pertaining to the use by UPMC of individuals employed or contracted by UPMC Presbyterian Shadyside and/or to the furnishing of services by UPMC Presbyterian Shadyside to UPMC.

27. Documents of UPMC Presbyterian Shadyside, which disclose the dates and amounts of all payments by UPMC to UPMC Presbyterian Shadyside for any services for the subject period.

28. Documents of UPMC Presbyterian Shadyside for the subject period which show the number of hours spent by individuals employed by UPMC Presbyterian Shadyside in providing services to UPMC, and which describe the nature of those services.

29. Documents of UPMC Presbyterian Shadyside which disclose the identity of the medical and health insurance plan for employees of UPMC Presbyterian Shadyside in effect at any time during the subject period, and which disclose the identity of the employee group covered by the plan.

30. Documents of UPMC Presbyterian Shadyside which disclose the identity of the pension plan for employees of UPMC Presbyterian Shadyside in effect at any time during the subject period and which disclose the identity of the employee group covered by the plan.

31. Federal and state tax returns filed by UPMC Presbyterian Shadyside for the calendar years 2011 and 2012, or, if appropriate, fiscal years 2011 and 2012.

32. Documents reflecting the telephone numbers assigned to UPMC Presbyterian Shadyside operations.

33. Copies of any and all letterheads used for business correspondence by UPMC Presbyterian Shadyside.

34. Copies of any and all advertisements used by UPMC Presbyterian Shadyside for the purpose of soliciting business for the subject period.

35. Documents reflecting any advertisements used by UPMC Presbyterian Shadyside for the purpose of soliciting applicants for employment by UPMC Presbyterian Shadyside for the period subject period.

36. Documents reflecting any applications filed by UPMC Presbyterian Shadyside for public funding of any of its operations.

37. Documents reflecting any pension or other benefit plans offered to employees of UPMC Presbyterian Shadyside.

38. Documents showing the identity of all entities having an ownership interest in the real and physical property at which UPMC Presbyterian Shadyside has its operations in Pittsburgh, Pennsylvania.

39. Copy of the Ethics, Compliance and Audit Services policies followed by UPMC Presbyterian Shadyside.

40. Documents issued by UPMC Presbyterian Shadyside's Office of Ethics, Compliance and Audit Services during the subject period.

41. Copy of the Utilization Review processes followed by UPMC Presbyterian Shadyside.

42. Documents which show all quotes or bids for contracts for goods and/or services submitted by UPMC Presbyterian Shadyside or any of its officers, directors or agents to UPMC at any time during the subject period.
43. Documents reflecting all loans issued by UPMC Presbyterian Shadyside to UPMC during the subject period.
44. Documents reflecting all lines of credit extended by UPMC Presbyterian Shadyside to UPMC during the subject period.
45. Documents reflecting the entity which owns the property used by UPMC Presbyterian Shadyside in conducting its business during the subject period.
46. Copy of any affiliation agreement between UPMC Presbyterian Shadyside and UPMC in effect at any time during the subject period.
47. Copy of any agreement between UPMC Presbyterian Shadyside and any UPMC-owned or affiliated entity including, but not limited to, Ebenefts Solutions, for the provision of human resources and/or personnel management services, in effect at any time during the subject period.

\*In lieu of original documents required above, compliance with this Subpoena may be accomplished by the submission in affidavit form of compilations and/or analyses made from the original documents, setting forth the information required, provided that pertinent records be made available for checking the accuracy of the statement in the event such action is deemed necessary.