

Group   B  

FOIA/PA NO:   2016-00023  

## RECORDS BEING RELEASED IN PART

The following types of information are being withheld:

- Ex. 1:  Records properly classified pursuant to Executive Order 13526
- Ex. 2:  Records regarding personnel rules and/or human capital administration
- Ex. 3:  Information about the design, manufacture, or utilization of nuclear weapons
  - Information about the protection or security of reactors and nuclear materials
  - Contractor proposals not incorporated into a final contract with the NRC
  - Other \_\_\_\_\_
- Ex. 4:  Proprietary information provided by a submitter to the NRC
  - Other \_\_\_\_\_
- Ex. 5:  Draft documents or other pre-decisional deliberative documents (D.P. Privilege)
  - Records prepared by counsel in anticipation of litigation (A.W.P. Privilege)
  - Privileged communications between counsel and a client (A.C. Privilege)
  - Other \_\_\_\_\_
- Ex. 6:  Agency employee PII, including SSN, contact information, birthdates, etc.
  - Third party PII, including names, phone numbers, or other personal information
- Ex. 7(A):  Copies of ongoing investigation case files, exhibits, notes, ROI's, etc.
  - Records that reference or are related to a separate ongoing investigation(s)
- Ex. 7(C):  Special Agent or other law enforcement PII
  - PII of third parties referenced in records compiled for law enforcement purposes
- Ex. 7(D):  Witnesses' and Allegers' PII in law enforcement records
  - Confidential Informant or law enforcement information provided by other entity
- Ex. 7(E):  Law Enforcement Technique/Procedure used for criminal investigations
  - Technique or procedure used for security or prevention of criminal activity
- Ex. 7(F):  Information that could aid a terrorist or compromise security

Other/Comments: \_\_\_\_\_

**SUBPOENA**

**Superior Court of the District of Columbia**  
CIVIL DIVISION  
500 Indiana Avenue, N.W. Room JM-170  
Washington, D.C. 20001 Telephone (202) 879-1133

(b)(6) **et al.**  
Plaintiffs

**SUBPOENA IN A CIVIL CASE**

**KAISER FOUNDATION HEALTH PLAN  
OF THE MID-ATLANTIC STATES, INC.**  
Defendants

Case Number: (b)(6)

To: **Custodian of Records  
U.S. Nuclear Regulatory  
Commission  
Attn: FOIA/Privacy Officer  
Mailstop: T-5 F09  
Washington, DC 20555**

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify in the above case.

COURTROOM \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

DOCUMENTS OR OBJECTS

**SEE ATTACHED NOTICE OF RECORDS DEPOSITION.**

PLACE OF PRODUCTION \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_  
Wilson Elser Moskowitz Edelman  
and Dicker LLP  
700 11<sup>th</sup> Street, NW  
Suite 400  
Washington, DC 20001  
April 16, 2014 11:00 A.M.

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below:

PREMISES \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. SCR-CIV 30(b)(6)

ISSUING PERSON'S SIGNATURE AND TITLE (indicate if attorney for plaintiff or defendant)  
for defendants

DATE  
March 12, 2014

ISSUING PERSON'S NAME, ADDRESS AND PHONE NUMBER

Attorneys for Defendants Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc.  
WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP  
Robert W. Goodson, Esquire (#935239)  
Jodi V. Terranova, Esquire (#472225)  
700 11th Street, N.W., Suite 400  
Washington, D.C. 20001  
(202) 626-7660  
(202) 628-3606

Authorization is required by U.S. Code § 14-307 and Brown v. U.S., 567 A.2d 426 (D.C. 1989) is hereby given to issuance of a subpoena for medical records concerning a person who has not consented to disclosure of the records and has not waived the privilege relating to such records.

Hon. Maurice Ross

Judge to Whom Case is Assigned

PROOF OF SERVICE

SERVED      DATE      TIME      PLACE

SERVED ON (PRINT NAME) MANNER OF SERVICE  
(attach return receipt if service was made by registered or certified mail)

[Empty box for served on name]

SERVED BY (PRINT NAME)      TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the District of Columbia that I am at least 18 years of age and not a party to the above entitled cause and that the foregoing information contained in the Proof of Service is true and correct.

Executed on [Empty box] Date

SIGNATURE OF SERVER

Address of Server

[Empty box for signature]

RULE 45, SUPERIOR COURT RULES OF CIVIL PROCEDURE, Section C&D:

(c) Protection of Persons Subject to Subpoenas.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The Court shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this Rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the Court. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the Court shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 25 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(b)(iii) of this Rule, such a person may in order to attend trial be commanded to travel from any such place to the place of trial, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or,

(iv) subjects a person to undue burden

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 25 miles to attend trial, the Court may, to protect persons subject to or affected by the subpoena, quash or modify the subpoena or, if they party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the Court may order appearance or production only upon specified conditions.

(d) Duties in Responding to Subpoena.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, things not produced that is sufficient to enable the demanding party to contest the claim.

IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
Civil Division

<div style="border: 1px solid black; padding: 2px;">(b)(6)</div> et al.	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No. <div style="border: 1px solid black; padding: 2px;">(b)(6)</div>
	:	Judge Maurice Ross
KAISER FOUNDATION HEALTH	:	Next Event: Initial Scheduling Conf.
PLAN OF THE MID-ATLANTIC	:	3/21/14
STATES, INC.	:	
	:	
Defendants.	:	

**NOTICE OF RECORDS DEPOSITION**

COMES NOW Defendant Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc., by counsel, WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP, will take the deposition of the following individual on the time and date specified at the law offices of Wilson, Elser, Moskowitz, Edelman & Dicker LLP, upon oral examination for the purposes of discovery and/or use as evidence in the above captioned case before a notary public or anyone duly authorized to administer oath in due form.

<u>NAME</u>	<u>DATE</u>	<u>TIME</u>
Custodian of Records U.S. Nuclear Regulatory Commission Attn: FOIA/Privacy Officer Mailstop: T-5 F09 Washington, DC 20555	Wednesday, April 16, 2014	11:00 AM

The above person is hereby notified to appear at the time and place specified and is requested to provide any and all medical records and reports, not limited to but including any and all any and all employment records, employment applications, time sheets, schedule, discharge from employment records, claims, correspondence or handwritten notes with

regard to employment, application forms, termination forms, records of benefits, notes, file memoranda and/or any and all correspondence or documents and things in your possession


from any person regarding [redacted] (b)(6) SS# XXX-XX [redacted] , DOB: [redacted] (b)(6) [redacted] (b)(6)

**NOTE: AS AN ALTERNATIVE TO A PERSONAL APPEARANCE THE DEPOSITION, THIS REQUEST MAY BE SATISFIED BY SENDING ALL REQUESTED DOCUMENTS TO THE LAW OFFICES OF WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP, 700 11<sup>TH</sup> STREET, NW, SUITE 400, WASHINGTON, DC 20001, PRIOR TO THE DEPOSITION.**

**Please certify** that the requested records and documents provided by you are true and accurate copies of medical records maintained by your facility, and should be certified as correct by the custodian of records or other person authorized to make the certification.

Respectfully submitted.

WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER LLP

  
Robert W. Goodson, Esquire (#935239)  
Jodi V. Terranova, Esquire (#472225)  
700 11<sup>th</sup> St, N.W., Suite 400  
Washington, D.C. 20001  
(202) 626-7660  
(202) 628-3606 facsimile  
[Robert.Goodson@wilsonelser.com](mailto:Robert.Goodson@wilsonelser.com)  
[Jodi.Terranova@wilsonelser.com](mailto:Jodi.Terranova@wilsonelser.com)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 12<sup>th</sup> day of March 2014, I served the forgoing via  
first class mail to:

Ryan S. Perlin, Esq.  
Salsbury, Clements, Bekman, Marder & Adkins, LLC  
300 W. Pratt Street, Suite 450  
Baltimore, Maryland 21201

  
\_\_\_\_\_  
Jodi V. Terranova/Esq.

**UNITED STATES NUCLEAR REGULATORY COMMISSION**

**CUSTODIAN OF RECORDS CERTIFICATION / AFFIDAVIT**

I am over the age of 18 and duly authorized as custodian of records for the United States Nuclear Regulatory Commission located at White Flint at 11555 Rockville Pike in Rockville, MD.

I have the authority to certify the records pertaining to: Office of Chief Human Resources.

Records of

(b)(6)

DOB

(b)(6)

SSN

1. Current annual income for this employee is: \_\_\_\_\_.

2. List of all Electronic Funds Transfer Authorizations with name of bank and routing number with dates of filing the authorization (use attachment if needed):

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_
- e. \_\_\_\_\_

Copies of the signed authorizations are \_\_\_\_\_ are not \_\_\_\_\_ attached.

3. A copy of the employee's most recent W-2 form is \_\_\_\_\_ is not \_\_\_\_\_ attached.

4. Pensions Administrator is: \_\_\_\_\_

I declare under penalty of perjury that the forgoing is true and correct.

\_\_\_\_\_  
Custodian Name (print)

\_\_\_\_\_  
Signature of Custodian of Records

Subscribed and sworn (or affirmed) before this \_\_\_\_\_ day of January, 2014.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
My Commission Expires:



IN THE  
**PRINCE GEORGE'S COUNTY CIRCUIT COURT**  
FAMILY COURT DIVISION

(b)(6)

In re the Marriage of:

(b)(6)

SSN: (b)(6)

vs.

(b)(6)

To: Miriam L. Cohen  
Chief Human Resources Officer  
United States Nuclear Regulatory Commission  
White Flint Building  
11555 Rockville Pike  
Rockville, Maryland 20852

Chief <sup>Cohen</sup> ~~[redacted]~~

As Chief Human Resources Officer you or someone acting in your behalf is commanded to produce the documents and tangible things designated and described below:

1. Statement of current as annual income for (b)(6) whose is an employee of the Nuclear Regulatory Commission with social security number (b)(6)
2. Listing of all electronic funds transfer orders for (b)(6) as filed in your office along with the name of the financial institution where her pay is being or has been forwarded for the current year along with the bank routing number.

3. Alternatively to No. 2 above, copies of all electronic funds transfer authorizations filed with the U.S. Nuclear Regulatory Commission by (b)(6) over the last two (2) years.
4. Listing of all electronic funds transfer orders for (b)(6) as filed in your office along with the name of the financial institution where her pay has been forwarded for the last three (3) years along with the bank routing number (s).
5. You are requested to supply the Court with a copy of this employee's most current W-2 showing all deductions, benefits paid (including meritorious awards), and contributions; along with the identity of the pensions administrator.

Instead of personally appearing, you or the person acting in your behalf as the custodian may cause to be delivered to the Clerk of Court exact copies of the records designated and/or certification of facts regarding those records in a sealed envelope labeled with the caption of this action, the date specified for production, and the name and address of the person at whose request the subpoena was issued. The records shall be accompanied by a certificate of the custodian that they are the complete records requested for the period designated in the subpoena and that the records are maintained in the regular course of business. The certification will be prima facie evidence of the authenticity of the records. If the materials are mailed, then, we recommend certified mail with a tracking number. A courtesy copy to (b)(6) would be highly appreciated, but is not required.

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND  
STATE OF MARYLAND, MONTGOMERY COUNTY TO WIT:

**SUBPOENA**

(b)(6)

VS.

Case Number

(b)(6)

(b)(6)

Case Type

Civil

**TO:** U.S. Nuclear Regulatory Commission  
One White Flint North  
11555 Rockville Pike  
Rockville, MD 20852-2738

Attn: Office of General Counsel

YOU ARE HEREBY COMMANDED TO PERSONALLY APPEAR AND  PRODUCE THE FOLLOWING:

See attached Subpoena Duces Tecum Schedule/Exhibit A

at Hess Family Law, One Research Court, Suite 450,

Rockville, MD 20850 240-389-4377

on ~~Wednesday~~ the ~~11th~~ day of April, 20 14 at 10:30 A.M.  P.M.  
Tuesday the 22nd day of April (Court of Clk. Loretta E. Knight)

Subpoena requested by (b)(6) Defendant; and any questions should be referred

to: Geraldine W. Hess, Esq. 451 Hungerford Drive, Suite 119-307

Rockville, MD 20850 240-389-4377 ghess@hessfamilylaw.com

and Cassandra P. Hicks, Esq., 600 Jefferson Plaza #203, Rockville, MD 20852

Date Issued 3-13-14 301-340-2247

Cassandra Hicks@hicksweintroub.com

*[Signature]*  
JUDGE, Circuit Court



*[Signature]*

Loretta E. Knight, CLERK  
of the Circuit Court for  
Montgomery County, Maryland  
50 Maryland Avenue  
Rockville, MD 20850-2393

**NOTICE:**

- (1) YOU ARE LIABLE TO BODY ATTACHMENT AND FINE FOR FAILURE TO OBEY THIS SUBPOENA.
- (2) This subpoena shall remain in effect until you are granted leave to depart by the Court or by an officer acting on behalf of the Court.
- (3) If this subpoena is for attendance at a deposition and the party served is an organization, notice is hereby given that the organization must designate a person to testify pursuant to Rule 2-412 (d).

**SHERIFF'S RETURN**

( ) - Served and copy delivered on date indicated below.

( ) - Unserved, by reason of \_\_\_\_\_

Date: \_\_\_\_\_

SHERIFF

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

(b)(6)

Plaintiff

vs.

(b)(6)

(b)(6)

Defendant

**SUBPOENA DUCES TECUM**

To: U.S. Nuclear Regulatory Commission  
One White Flint North  
11555 Rockville Pike  
Rockville, MD 20852-2738

ATTN: Office of General Counsel

**YOU ARE HEREBY COMMANDED TO APPEAR AND PRODUCE THE FOLLOWING DOCUMENTS, AND COMPLETE THE ATTACHED BUSINESS RECORDS CERTIFICATION, AT: GERALDINE WELIKSON HESS, HESS FAMILY LAW, 1 RESEARCH COURT, SUITE 450, ROCKVILLE, MD 20850 AND CASSANDRA P. HICKS, ESQUIRE, 600 JEFFERSON PLAZA, SUITE 203, ROCKVILLE, MARYLAND 20852-1150 ON TUESDAY, APRIL 22, 2014, AT 10:30 A.M.**

**IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT DEFENDANT'S COUNSEL: GERALDINE WELIKSON HESS, ESQUIRE, 451 HUNGERFORD DRIVE, SUITE 119-307, ROCKVILLE, MARYLAND. TELEPHONE: 240-389-4377, FACSIMILE: 703-995-4803, EMAIL: GHESS@HESSFAMILYLAW.COM AND CASSANDRA P. HICKS, ESQUIRE, 600 JEFFERSON PLAZA, SUITE 203, ROCKVILLE, MARYLAND 20852-1150, 301-340-2240. TELEPHONE: 301-340-2247, FACSIMILE: 301-340-0113, EMAIL: CASSANDRA.HICKS@HICKSWEINTRAUB.COM.**

**SUBPOENA DUCES TECUM-SCHEDULE A**

1. All records showing the days/times/hours that (b)(6) was at work from January 1, 2013, to the present
2. All records showing the days/times/hours that (b)(6) was not at work from January 1, 2013, to the present.

EXHIBIT A

3. All telework agreements with [redacted (b)(6)] from January 1, 2013, to the present.
4. Any and all records of any "unofficial" telework arrangements with [redacted (b)(6)] from January 1, 2013, to the present.
5. Any and all compressed schedule arrangements with [redacted (b)(6)] from January 1, 2013, to the present.
6. Any and all gliding start/end time schedule arrangements with [redacted (b)(6)] from January 1, 2013, to the present.
7. Any and all records that show the dates and city, state of location of work-related travel of [redacted (b)(6)] from January 1, 2013, to the present.
8. A copy of [redacted (b)(6)] last three (3) pay stubs.
9. A copy of [redacted (b)(6)] W-2 for 2013 and 2014.
10. Any contract of employment with [redacted (b)(6)] from the date of hire to the present.
11. Any and all documentation showing benefits, and dollar value thereof, that [redacted (b)(6)] has received, including but not limited to: life insurance, disability insurance, personal living/housing assistance, entertainment, cellular phone, travel, meals, gym, legal services benefit, automobile, parking, bonus, health, dental and/or vision insurance), from January 1, 2013, to the present.
12. A copy of the health, dental, and vision insurance plan and benefits available to [redacted (b)(6)] and his dependents through [redacted (b)(6)] current employment/partnership including all documentation showing the cost of said coverage, from 2013 to present.