



September 8, 2021

Via Process Server

**The Records Custodian
Snohomish School District
1601 Avenue D
Snohomish, WA 98290**

Re: Records [REDACTED]

Dear Records Custodian:

Enclosed are a Notice of Deposition and Subpoena Duces Tecum for the records of [REDACTED]. The records we seek to obtain are described in detail on Addendum A of the Subpoena Duces Tecum.

In lieu of personal appearance at the deposition, you may simply mail to our office a copy of the requested school records, together with the enclosed Certification of Records Custodian. You may also send us your bill for copying charges.

Please contact our office as soon as possible to let us know if you will be mailing the requested records. Otherwise, the deposition will proceed as scheduled on September 24, 2021 at 10:00 a.m.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nabeena C. Banerjee'.

Nabeena C. Banerjee

NCB:cfd

Encl.

cc w/ encl: Elizabeth M. Quick (via email)
Matthew D. Quick (via email)
Joshua M. Rosen (via email)
Dov Apfel (via email)
Seth Cardeli (via email)
Megan Shore (via email)
Patrick C. Shelson (via email)
Natalie A. Heinema (via email)

L/Snohomish 1

nabeena@lhafirm.com
matthew@lhafirm.com

1-206-658-4690 (O)
1-206-658-4684 (F)

1700 Seventh Avenue
Suite #2100
Seattle WA 98101

lhafirm.com

Honorable Brian McDonald

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

[REDACTED] and [REDACTED]
[REDACTED], on their own behalf and on behalf of
their minor child [REDACTED],

Plaintiffs,

vs.

PROVIDENCE HEALTH & SERVICES –
WASHINGTON, Washington nonprofit
corporation dba PROVIDENCE REGIONAL
MEDICAL CENTER EVERETT; JASMINE
M. ALBRECHT, M.D.; ANNE M. CAMBER,
M.D.; CHRISTINE DISILVIO, R.N.; TRAVEL
NURSE ACROSS AMERICA, LLC, dba
TNAA; ABC, DEF, GHI, JKL
CORPORATIONS; and JOHN/JANE DOES,

Defendants.

NO. 20-2-08369-1 SEA

SUBPOENA DUCES TECUM TO
RECORDS CUSTODIAN OF SNOHOMISH
SCHOOL DISTRICT

THE STATE OF WASHINGTON to:

**The Records Custodian of
Snohomish School District**

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 in the presence of a court reporter. The
method of recording of your testimony shall be through a certified court reporter.

SUBPOENA DUCES TECUM TO RECORDS
CUSTODIAN OF SNOHOMISH SCHOOL DISTRICT

- 1

LARSON HEALTH ADVOCATES, PLLC
1700 SEVENTH AVENUE, SUITE 2100
SEATTLE, WA 98101
TEL 206-658-4690
FAX 206-658-4684

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. CR 30(b)(6).

Place of Deposition:

Larson Health Advocates, PLLC
1700 Seventh Avenue, Suite 2100
Seattle, WA 98101

Date and Time:

September 24, 2021 at 10:00 a.m.

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or tangible things at the place, date, and time specified: SEE ADDENDUM A, FULLY INCORPORATED HEREIN BY REFERENCE.

Place:

Larson Health Advocates, PLLC
1700 Seventh Avenue, Suite 2100
Seattle, WA 98101

Date and Time:

September 24, 2021 at 10:00 a.m.

DATED September 8, 2021.

LARSON HEALTH ADVOCATES, PLLC



By: _____
Levi S. Larson, WSBA #39225
Nabeena C. Banerjee, WSBA #44724
Matthew J. McCauley, WSB #45317
Of Attorneys for Defendants Providence Health &
Services – Washington, dba Providence Regional
Medical Center Everett, Jasmine M. Albrecht, MD,
and Anne M. Camber, MD

SUBPOENA DUCES TECUM TO RECORDS
CUSTODIAN OF SNOHOMISH SCHOOL DISTRICT
- 2

LARSON HEALTH ADVOCATES, PLLC
1700 SEVENTH AVENUE, SUITE 2100
SEATTLE, WA 98101
TEL 206-658-4690
FAX 206-658-4684

DECLARATION OF SERVICE

Pursuant to RCW 9A.72.085, I declare under penalty of perjury and the laws of the State of Washington that on the below date, I delivered a true and correct copy of SUBPOENA DUCES TECUM TO RECORDS CUSTODIAN OF SNOHOMISH SCHOOL DISTRICT via the method indicated below to the following parties:

Counsel for Plaintiffs:

Elizabeth M. Quick, WSBA #28869
Matthew D. Quick, WSBA #47455
Joshua M. Rosen, WSBA #37779
Quick Law Group, PLLC
1621 114th Avenue SE, Suite 228
Bellevue, WA 98004

Dov Apfel
Seth Cardeli
Megan Shore
Levin & Perconti
325 N. LaSalle Drive, Suite 300
Chicago, IL 60654


☒ VIA E-SERVICE
☐ VIA FACSIMILE:
☐ VIA MESSENGER
☐ VIA U.S. MAIL

Counsel for Christine DiSilvio, RN and TNAA:

Patrick C. Sheldon, WSBA # 11398
Natalie A. Heineman, WSBA # 50157
Forsberg & Umlauf, P.S.
901 Fifth Avenue, Suite 1400
Seattle, WA 98164

☒ VIA E-SERVICE
☐ VIA FACSIMILE:
☐ VIA MESSENGER
☐ VIA U.S. MAIL

DATED this 8th day of September, 2021 in Seattle, Washington.


Litigation Legal Assistant

CR 45, Sections (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 a 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 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 by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce and all other parties, 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 from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it:

- (i) fails to allow reasonable time for compliance;
- (ii) fails to comply with RCW 5.56.010 or subsection (e)(2) of this rule;
- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or
- (iv) subjects a person to undue burden, provided that, the court may condition denial of the motion upon a requirement that the subpoenaing party advance the reasonable cost of producing the books, papers, documents, or tangible things.

(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, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the 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, or things not produced that is sufficient to enable the demanding party to contest the claim.

ADDENDUM A

Any and all records of [REDACTED], Date of Birth: [REDACTED] including, but not limited to:

- All admission, testing, and attendance records;
- All counseling and guidance records, including but not limited to individualized education plans and individualized family service plans;
- All medical, psychiatric and psychological records, including all clinical charts, reports, documents, correspondence, protocol and test results, statements, questionnaires/histories, office and doctor's handwritten notes, and records received by guidance counselors, mental health counselors or professionals;
- All Special Education records;
- All archived records from all facilities and locations, including printouts of records on microfiche and other storage media.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

[REDACTED] and [REDACTED]
[REDACTED], on their own behalf and on behalf of
their minor child [REDACTED],

Plaintiffs,

vs.

PROVIDENCE HEALTH & SERVICES –
WASHINGTON, Washington nonprofit
corporation dba PROVIDENCE REGIONAL
MEDICAL CENTER EVERETT; JASMINE
M. ALBRECHT, M.D.; ANNE M. CAMBER,
M.D.; CHRISTINE DISILVIO, R.N.; TRAVEL
NURSE ACROSS AMERICA, LLC, dba
TNAA; ABC, DEF, GHI, JKL
CORPORATIONS; and JOHN/JANE DOES,

Defendants.

NO. 20-2-08369-1

NOTICE OF DEPOSITION UPON ORAL
EXAMINATION OF RECORDS
CUSTODIAN OF SNOHOMISH SCHOOL
DISTRICT

TO: All parties and their counsel:

NOTICE IS HEREBY GIVEN that a deposition upon oral examination will be taken as
follows:

WITNESS: The Records Custodian of Snohomish School District

DATE: September 24, 2021

TIME: 10:00 a.m. PST

NOTICE OF DEPOSITION UPON ORAL EXAMINATION
OF RECORDS CUSTODIAN OF SNOMISH SCHOOL
DISTRICT - 1

LARSON HEALTH ADVOCATES, PLLC
1700 SEVENTH AVENUE, SUITE 2100
SEATTLE, WA 98101
TEL 206-658-4690
FAX 206-658-46844

1 PLACE: Larson Health Advocates, PLLC
2 1700 Seventh Avenue, Suite 2100
3 Seattle, WA 98101

4 The method of recording of the witness' testimony shall be through a certified court
5 reporter. The court reporter will administer the oath to the witness remotely. Said oral
6 examination will be subject to continuance or adjournment from time to time or place to place
7 until completed.

8 DATED September 8, 2021.

9 LARSON HEALTH ADVOCATES, PLLC

10 

11 By: _____
12 Nabeena C. Banerjee, WSBA #44724
13 Matthew J. McCauley, WSBA #45317
14 Of Attorneys for Defendants Providence Health &
15 Services – Washington, dba Providence Regional
16 Medical Center Everett, Jasmine M. Albrecht, MD,
17 and Anne M. Camber, MD
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21
22
23

1 **DECLARATION OF SERVICE**

2 Pursuant to RCW 9A.72.085, I declare under penalty of perjury and the laws of the State
3 of Washington that on the below date, I delivered a true and correct copy of *NOTICE OF*
4 *DEPOSITION UPON ORAL EXAMINATION OF RECORDS CUSTODIAN OF SNOHOMISH*
5 *SCHOOL DISTRICT* via the method indicated below to the following parties:

6 **Counsel for Plaintiffs:**

7 Elizabeth M. Quick, WSBA #28869
8 Matthew D. Quick, WSBA #47455
9 Joshua M. Rosen, WSBA #37779
Quick Law Group, PLLC
1621 114th Avenue SE, Suite 228
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12 Megan Shore
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325 N. LaSalle Drive, Suite 300
Chicago, IL 60654

13 **Counsel for Christine DiSilvio, RN and TNAA:**

14 Patrick C. Sheldon, WSBA # 11398
15 Natalie A. Heineman, WSBA # 50157
Forsberg & Umlauf, P.S.
901 Fifth Avenue, Suite 1400
16 Seattle, WA 98164

☒ VIA E-SERVICE
☐ VIA FACSIMILE:
☐ VIA MESSENGER
☐ VIA U.S. MAIL

17 DATED September 8, 2021 in Seattle, Washington.

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20 Litigation Legal Assistant

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24 NOTICE OF DEPOSITION UPON ORAL EXAMINATION
OF RECORDS CUSTODIAN OF SNOMISH SCHOOL
DISTRICT - 3

LARSON HEALTH ADVOCATES, PLLC
1700 SEVENTH AVENUE, SUITE 2100
SEATTLE, WA 98101
TEL 206-658-4690
FAX 206-658-46844

CERTIFICATION

PATIENT NAME:

DOB:

FACILITY:

MEDICAL RECORD PAGE COUNT:

BILLING STATEMENT PAGE COUNT:

I am a duly authorized custodian of those hospital records of which copies are herewith delivered, and I have the authority to certify records for _____.

The copies herewith are true and correct copies of the records in the custody of the Health Information Management Department and described in the request. The records were prepared by personnel of the hospital, staff physicians, or persons acting under the control of either, in the ordinary course of hospital business, at or near the time of the act, condition, or event described or referred to herein.

Sincerely,

ROI Specialist
Health Information Management Department

Date Signed: _____