IN THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

Nos. 14-4523

UPMC PRESBYTERIAN SHADYSIDE, Appellant,

v.

NATIONAL LABOR RELATIONS BOARD, Appellee.

[caption continued on next page]

JOINT APPENDIX VOLUME II of II, JA69 – JA392

On Appeal from the United States District Court for the Western District of Pennsylvania Nos. 2:14-mc-00109, 2:14-mc-00110, 2:14-mc-00111

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Attorneys for Appellants

Nos. 14-4524

UPMC,

Appellant,

 \mathbf{v}_{ullet}

NATIONAL LABOR RELATIONS BOARD, Appellee.

Nos. 14-4525

UPMC,

Appellant,

 \mathbf{v}_{ullet}

NATIONAL LABOR RELATIONS BOARD, *Appellee*.

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Appellants' Motion for Reconsideration, dated September 29, 2014 JA340
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NLRB's Opposition to Respondents' Motions for Reconsideration, dated October 15, 2014
Appellants' Reply Brief in Support of UPMC's Motion for Reconsideration, dated October 22, 2014

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The remaining documents (JA327-JA392) are briefs filed by the parties. Rather than reproducing the substantively identical briefs three times (for each of the underlying miscellaneous cases), the parties have included one copy (from 2:14-mc-00109).

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APPEAL

U.S. District Court Western District of Pennsylvania (Pittsburgh) CIVIL DOCKET FOR CASE #: 2:14-mc-00109-AJS

NATIONAL LABOR RELATIONS BOARD v. UPMC Date Filed: 03/20/2014

PRESBYTERIAN SHADYSIDE Assigned to: Judge Arthur J. Schwab Case in other court: 3rd circuit, 14-04523

Petitioner

NATIONAL LABOR RELATIONS BOARD

represented by Julie Rose Stern

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Case: 14-4523 Document: 003111928782 Page: 6 Date Filed: 04/09/2015

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Date Filed	#	Docket Text
03/20/2014	1	APPLICATION for Summary Order Enforcing Subpoena Duces Tecum No. B-720565 by NATIONAL LABOR RELATIONS BOARD. (Attachments: # 1 Proposed Order, # 2 Exhibit List, # 3 Exhibit A, # 4 Exhibit B, # 5 Exhibit C, # 6 Exhibit D, # 7 Exhibit E, # 8 Exhibit F, # 9 Exhibit G, # 10 Exhibit H, # 11 Exhibit I, # 12 Exhibit J) (jsp) (Entered: 03/20/2014)
03/20/2014	2	BRIEF in Support re 1 Application to Enforce, filed by NATIONAL LABOR RELATIONS BOARD. (Attachments: # 1 Exhibit List, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Certificate of Service) (jsp) (Entered: 03/20/2014)
03/20/2014	<u>3</u>	NOTICE of Appearance by Claudia Davidson on behalf of SEIU HEALTHCARE PA, CTW, CLC. (Davidson, Claudia) (Entered: 03/20/2014)
03/21/2014		TEXT ORDER re <u>1</u> APPLICATION FOR SUMMARY ORDER ENFORCING SUBPOENA DUCES TECUM, filed by NATIONAL LABOR RELATIONS BOARD, Response to APPLICATION due by 4/16/2014, Reply brief due by 4/24/2014., Hearing set for 4/29/2014 at

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Case: 14-4523 Document: 003111928782 Page: 7 Date Filed: 04/09/2015

		08:30 AM in Courtroom 7C before Judge Arthur J. Schwab. The movant, NATIONAL LABOR RELATIONS BOARD, is responsible for serving this order on counsel for Respondent, Thomas A. Smock, Esq. Signed by Judge Arthur J. Schwab on 3/21/14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (lck) (Entered: 03/21/2014)
03/24/2014	4	NOTICE of Appearance by Thomas A. Smock on behalf of UPMC PRESBYTERIAN SHADYSIDE. (Smock, Thomas) (Entered: 03/24/2014)
03/24/2014	<u>5</u>	NOTICE of Appearance by Michael D. Glass on behalf of UPMC PRESBYTERIAN SHADYSIDE. (Glass, Michael) (Entered: 03/24/2014)
03/24/2014	<u>6</u>	NOTICE of Appearance by Jennifer G. Betts on behalf of UPMC PRESBYTERIAN SHADYSIDE. (Betts, Jennifer) (Entered: 03/24/2014)
04/11/2014	7	NOTICE of Appearance by James F. Glunt on behalf of UPMC PRESBYTERIAN SHADYSIDE. (Glunt, James) (Entered: 04/11/2014)
04/14/2014	8	MOTION for attorney Ruth L. Goodboe to Appear Pro Hac Vice, (Filing fee \$40, Receipt # 0315-3160222) by UPMC PRESBYTERIAN SHADYSIDE. (Attachments: # 1 Affidavit, # 2 Proposed Order) (Glunt, James) (Entered: 04/14/2014)
04/15/2014	9	ORDER granting <u>8</u> Motion for Ruth L. Goodboe to Appear Pro Hac Vice. Signed by Judge Arthur J. Schwab on 4/15/14. (lck) (Entered: 04/15/2014)
04/15/2014	<u>10</u>	Unopposed MOTION for Extension of Time to File Resposne to Application by UPMC PRESBYTERIAN SHADYSIDE. (Attachment: # 1 Proposed Order) (Glunt, James) Modified on 4/16/2014. (jsp) (Entered: 04/15/2014)
04/16/2014	<u>11</u>	ORDER GRANTING 10 Motion for Extension of Time filed by UPMC PRESBYTERIAN SHADYSIDE - Response to Application due by 5/30/2014, Reply brief due by 6/30/2014. Hearing set for 8/18/2014 at 09:00 AM in Courtroom 7C before Judge Arthur J. Schwab. Signed by Judge Arthur J. Schwab on 4/16/14. (lck) Modified on 4/16/2014. (lck,) (Entered: 04/16/2014)
05/30/2014	<u>12</u>	RESPONSE IN OPPOSITION to 1 Motion to Enforce, filed by UPMC PRESBYTERIAN SHADYSIDE. (Glunt, James) (Entered: 05/30/2014)
06/02/2014	<u>13</u>	NOTICE that instant civil action has been designated for placement into the United States District Court's Alternative Dispute Resolution program. Parties are directed to fully complete the required 26(f) report, which includes the stipulation of selecting an ADR process. Counsel for plaintiff (or in the case of a removal action, counsel for removing defendant) shall make service of the notice on all parties. (ms) (Entered: 06/02/2014)
06/02/2014	<u>14</u>	Errata re 12 Response in Opposition by UPMC PRESBYTERIAN SHADYSIDE. Reason for Correction: incomplete filing. (Glunt, James) (Entered: 06/02/2014)
06/02/2014		Errata re 13 Notice of ADR Designation Reason for Correction: Incorrect Filing. NOTICE that instant civil action has been designated for placement into the United States District Court's Alternative Dispute Resolution program. Order Referring Case to Alternative Dispute Resolution to follow. Signed by Judge Arthur J. Schwab on 6/2/14. Text-only entry; no PDF

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		document will issue. This text-only entry constitutes the Court's order or notice on the matter. (ms,) (Entered: 06/02/2014)
06/02/2014	<u>15</u>	ORDER REFERRING CASE to Mediation. Louis M. Kushner is appointed as mediator. Party KUSHNER, LOUIS B added, Case referred to mediation. Signed by Judge Arthur J. Schwab on 6-2-14. (nam) (Entered: 06/02/2014)
06/13/2014	<u>16</u>	MOTION to Extend Time to File Reply Brief by NATIONAL LABOR RELATIONS BOARD. (Attachments: # 1 Proposed Order) (Stern, Julie) (Entered: 06/13/2014)
06/16/2014	<u>17</u>	ORDER granting 16 Motion to Extend Time To File Reply Brief Replies due by 7/11/2014. Signed by Judge Arthur J. Schwab on 6/16/14. (ms) Modified on 6/17/2014. (plh) This document removed from public view SEE ERRATA at Doc. # 18 for correction. (Entered: 06/16/2014)
06/16/2014	<u>18</u>	Errata re 17 Order on Motion to Extend Time Reason for Correction: Date Missing. (ms) (Entered: 06/16/2014)
07/08/2014	<u>19</u>	Unopposed MOTION for Exemption from ADR by NATIONAL LABOR RELATIONS BOARD. (Attachments: # 1 Memorandum in Support, # 2 Proposed Order) (Stern, Julie) Error: Memorandum removed from public view as it not filed as a separate, main document. Modified on 7/10/2014. (jsp) (Entered: 07/08/2014)
07/08/2014	<u>21</u>	BRIEF in Support re 19 Motion for Exemption, filed by NATIONAL LABOR RELATIONS BOARD. (jsp) (Document previously filed electronically) (Entered: 07/10/2014)
07/09/2014	<u>20</u>	ORDER denying 19 Motion for Exemption from ADR. Signed by Judge Arthur J. Schwab on 7/9/14. (ms) (Entered: 07/09/2014)
07/10/2014		TEXT ORDER - Hearing of 08/18/2014 is canceled so parties may complete the ADR process. See Order denying Motion for Exemption from ADR (doc. no. 20). Parties shall file a joint status report on or before 09/05/2014. The Court thereafter will set a hearing date. Signed by Judge Arthur J. Schwab on 7/10/14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (lck) (Entered: 07/10/2014)
07/10/2014		CLERK'S OFFICE QUALITY CONTROL MESSAGE re 19 Motion for Exemption. ERROR: Document should have been filed as two separate documents. CORRECTION: Attorney advised in future that documents of that nature are to be filed as separate documents. Clerk of Court docketed Brief/Memorandum in support of 19 Motion for Exemption. This message is for informational purposes only. (jsp) (Entered: 07/10/2014)
07/11/2014	<u>22</u>	REPLY BRIEF re 12 Response in Opposition to 1 Application to Enforce filed by NATIONAL LABOR RELATIONS BOARD. (Stern, Julie) Modified on 7/14/2014. (jsp) (Entered: 07/11/2014)
08/13/2014	<u>23</u>	MOTION to Appoint a Different Mediator re 15 Order Referring Case to Mediation, Case Referred to Mediation by UPMC PRESBYTERIAN SHADYSIDE. (Glunt, James) (Entered: 08/13/2014)
08/13/2014		TEXT ORDER In light of UPMC's objection to the proposed Neutral (see doc. no. 23) and NLRB's prior opposition to the applicability of the ADR process in this matter (see doc. no. 19), the parties need not proceed

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		with ADR, and this Court's Order of July 8, 2014 (see doc. no. 20) is VACATED. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. Signed by Judge Arthur J. Schwab on 8/13/14. (ms) (Entered: 08/13/2014)
08/13/2014		ORDER denying as moot <u>23</u> Motion. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. Signed by Judge Arthur J. Schwab on 8/13/14. (ms) Modified on 8/14/2014. (jsp) (Entered: 08/13/2014)
08/14/2014		CLERK'S OFFICE QUALITY CONTROL MESSAGE re 23 Motion to Appoint a Different Mediator. ERROR: Proposed Order was not attached. CORRECTION: Attorney is advised for future reference that motions are to be submitted with an attached proposed order. No further action is required. This message is for informational purposes only. (jsp) (Entered: 08/14/2014)
08/18/2014		ORDER. After further review of the filings of the parties, and the applicable legal standards, the Court will not conduct a hearing and will issue a decision later this week. Signed by Judge Arthur J. Schwab on 8-18-14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (nam) (Entered: 08/18/2014)
08/22/2014	24	MEMORANDUM OPINION on NLRB's Three Applications to Enforce Subpoena Duces Tecum. Signed by Judge Arthur J. Schwab on 8-22-14. (Attachments: # 1 Exhibit A - Subpoena, # 2 Exhibit B - Subpoena, # 3 Exhibit C - Subpoena) (nam) (Entered: 08/22/2014)
08/22/2014	<u>25</u>	ORDER granting <u>1</u> the Application/Motion to Enforce Subpoena Duces Tecum. The Court will stay the implementation of this Order, so that Respondents may appeal this Order, if they elect to do so. Signed by Judge Arthur J. Schwab on 8-22-14. (nam) (Entered: 08/22/2014)
08/26/2014	<u>26</u>	Supplement/Amendment to 24 Memorandum Opinion. Signed by Judge Arthur J. Schwab on 8-26-14. (nam) (Entered: 08/26/2014)
09/02/2014	<u>27</u>	Supplemental/Amended MEMORANDUM OPINION on NLRB's Three Applications to Enforce Subpoena Duces Tecum. Signed by Judge Arthur J. Schwab on 9-2-14. (Attachments: # 1 Exhibit A - Subpoena, # 2 Exhibit B - Subpoena, # 3 Exhibit C - Subpoena) (nam) (Entered: 09/02/2014)
09/02/2014	<u>28</u>	Supplemental/Amended ORDER granting <u>1</u> the Application/Motion to Enforce Subpoena Duces Tecum. The Court will stay the implementation of this Order, so that Respondents may appeal this Order, if they elect to do so. Signed by Judge Arthur J. Schwab on 9-2-14. (nam) (Entered: 09/02/2014)
09/29/2014	<u>29</u>	MOTION for Reconsideration re <u>28</u> Order, <u>27</u> Memorandum Opinion & Order, by UPMC PRESBYTERIAN SHADYSIDE. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Proposed Order) (Glunt, James) (Entered: 09/29/2014)
09/30/2014		TEXT ORDER re 29 Motion for Reconsideration filed by UPMC PRESBYTERIAN SHADYSIDE - NLRB and SEIU each shall file a Response due by 10/15/2014, Reply brief due by 10/22/2014. Signed by Judge Arthur J. Schwab on 9/30/14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on

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Case: 14-4523 Document: 003111928782 Page: 10 Date Filed: 04/09/2015

		the matter. (lck) (Entered: 09/30/2014)
10/15/2014	<u>30</u>	RESPONSE IN OPPOSITION to 29 Motion for Reconsideration, filed by SEIU HEALTHCARE PA, CTW, CLC. (Davidson, Claudia) (Entered: 10/15/2014)
10/15/2014	31	RESPONSE to Motion re <u>29</u> MOTION for Reconsideration re <u>28</u> Order, <u>27</u> Memorandum Opinion & Order, filed by NATIONAL LABOR RELATIONS BOARD. (Attachments: # <u>1</u> Exhibit) (Stern, Julie) (Entered: 10/15/2014)
10/21/2014	<u>32</u>	MOTION to Extend Time to Appeal by UPMC PRESBYTERIAN SHADYSIDE. (Attachments: # 1 Proposed Order) (Glunt, James) (Entered: 10/21/2014)
10/21/2014		ORDER GRANTING 32 Motion to Extend Time for for filing a Notice of Appeal from the Court's 8/22/14 Order (doc. no. 25), is hereby extended until 11/19/14. Signed by Judge Arthur J. Schwab on 10/21/14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (lck) (Entered: 10/21/2014)
10/22/2014	<u>33</u>	REPLY BRIEF in support re 29 Motion for Reconsideration filed by UPMC PRESBYTERIAN SHADYSIDE. (Glunt, James) Modified on 10/24/2014. (jsp) (Entered: 10/22/2014)
10/27/2014	<u>34</u>	ORDER denying <u>29</u> Motion for Reconsideration. Signed by Judge Arthur J. Schwab on 10-27-14. (nam) (Entered: 10/27/2014)
11/18/2014	<u>35</u>	NOTICE OF APPEAL as to <u>28</u> Order, <u>34</u> Order on Motion for Reconsideration, <u>25</u> Order on Motion to Enforce, <u>26</u> Memorandum Opinion & Order, <u>24</u> Memorandum Opinion & Order, by UPMC PRESBYTERIAN SHADYSIDE. Filing fee \$505, receipt number 0315-3397035. Motion for IFP N/A. Certificate of Appealability N/A. Court Reporter(s): N/A. The Clerk's Office hereby certifies the record and the docket sheet available through ECF to be the certified list in lieu of the record and/or the certified copy of the docket entries. The Transcript Purchase Order form will NOT be mailed to the parties. The form is available on the Court's internet site. (Glunt, James) (Entered: 11/18/2014)

PACER Service Center				
Transaction Receipt				
	04/05/2015 10:20:51			
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Description:	Docket Report	Search Criteria:	2:14-mc-00109- AJS	
Billable Pages:	5	Cost:	0.50	

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APPEAL

U.S. District Court Western District of Pennsylvania (Pittsburgh) CIVIL DOCKET FOR CASE #: 2:14-mc-00110-AJS

NATIONAL LABOR RELATIONS BOARD v. UPMC Date Filed: 03/20/2014

Assigned to: Judge Arthur J. Schwab Case in other court: 3rd circuit, 14-04524

Petitioner

NATIONAL LABOR RELATIONS BOARD

represented by Julie Rose Stern

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Respondent

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Date Filed	#	Docket Text
03/20/2014	1	APPLICATION for Summary Order Enforcing Subpeona Duces Tecum No. B-720563 by NATIONAL LABOR RELATIONS BOARD. (Attachments: # 1 Proposed Order, # 2 Exhibit List, # 3 Exhibit A, # 4 Exhibit B, # 5 Exhibit C, # 6 Exhibit D, # 7 Exhibit E, # 8 Exhibit F, # 9 Exhibit G, # 10 Exhibit H, # 11 Exhibit I, # 12 Exhibit J) (jsp) (Entered: 03/20/2014)
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	order on counsel for Respondent, Thomas A. Smock, Esq. Signed by Judge Arthur J. Schwab on 3/21/14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the
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<u>4</u>	NOTICE of Appearance by Thomas A. Smock on behalf of UPMC. (Smock, Thomas) (Entered: 03/24/2014)
<u>5</u>	NOTICE of Appearance by Michael D. Glass on behalf of UPMC. (Glass, Michael) (Entered: 03/24/2014)
<u>6</u>	NOTICE of Appearance by Jennifer G. Betts on behalf of UPMC. (Betts, Jennifer) (Entered: 03/24/2014)
7	NOTICE of Appearance by James F. Glunt on behalf of UPMC. (Glunt, James) (Entered: 04/11/2014)
8	MOTION for attorney Ruth L. Goodboe to Appear Pro Hac Vice, (Filing fee \$40, Receipt # 0315-3160225) by UPMC. (Attachments: # 1 Affidavit, # 2 Proposed Order) (Glunt, James) (Entered: 04/14/2014)
9	ORDER granting <u>8</u> Motion for Ruth L. Goodboe to Appear Pro Hac Vice. Signed by Judge Arthur J. Schwab on 4/15/14. (lck) (Entered: 04/15/2014)
<u>10</u>	Unopposed MOTION for Extension of Time to File Response to Application by UPMC. (Attachment: # 1 Proposed Order) (Glunt, James) Modified on 4/16/2014. (jsp) (Entered: 04/15/2014)
<u>11</u>	ORDER GRANTING 10 Motion for Extension of Time filed by UPMC PRESBYTERIAN SHADYSIDE - Response to Application due by 5/30/2014, Reply brief due by 6/30/2014. Hearing set for 8/18/2014 at 09:00 AM in Courtroom 7C before Judge Arthur J. Schwab. Signed by Judge Arthur J. Schwab on 4/16/14. (lck) (Entered: 04/16/2014)
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<u>13</u>	NOTICE that instant civil action has been designated for placement into the United States District Court's Alternative Dispute Resolution program. Parties are directed to fully complete the required 26(f) report, which includes the stipulation of selecting an ADR process. Counsel for plaintiff (or in the case of a removal action, counsel for removing defendant) shall make service of the notice on all parties. (ms) (Entered: 06/02/2014)
<u>14</u>	Errata re 12 Response in Opposition by UPMC. Reason for Correction: incomplete filing. (Glunt, James) (Entered: 06/02/2014)
	Errata re 13 Notice of ADR Designation Reason for Correction: Incorrect Filing. NOTICE that instant civil action has been designated for placement into the United States District Court's Alternative Dispute Resolution program. Order Referring Case to Alternative Dispute Resolution to follow. Signed by Judge Arthur J. Schwab on 6/2/14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (ms) (Entered: 06/02/2014)
<u>15</u>	ORDER REFERRING CASE to Mediation. Louis B. Kushner is appointed as mediator. Party LOUIS B. KUSHNER added, Case referred to mediation. Signed by Judge Arthur J. Schwab on 6-2-14. (nam) (Entered: 06/02/2014)
	5 6 7 8 9 10 11 12 13

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06/13/2014	<u>16</u>	MOTION to Extend Time to File Reply Brief by NATIONAL LABOR RELATIONS BOARD. (Attachments: # 1 Proposed Order) (Stern, Julie) (Entered: 06/13/2014)
06/16/2014	<u>17</u>	ORDER granting 16 Motion to Extend Time for File Reply Brief Replies due by 7/11/2014. Signed by Judge Arthur J. Schwab on 6/16/14. (ms) (Entered: 06/16/2014)
07/08/2014	<u>18</u>	Unopposed MOTION for Exemption from ADR by NATIONAL LABOR RELATIONS BOARD. (Attachments: # 1 Memorandum in Support, # 2 Proposed Order) (Stern, Julie) Error: Memorandum removed from public view as it should have been filed as a separate, main document. Modified on 7/10/2014. (jsp) (Entered: 07/08/2014)
07/08/2014	<u>20</u>	BRIEF in Support re 18 Motion for Exemption from ADR, filed by NATIONAL LABOR RELATIONS BOARD. (jsp) (Document previously filed electronically) (Entered: 07/10/2014)
07/09/2014	<u>19</u>	ORDER denying 18 Motion for Exemption from ADR. Signed by Judge Arthur J. Schwab on 7/9/14. (ms) (Entered: 07/09/2014)
07/10/2014		TEXT ORDER - Hearing of 08/18/2014 is canceled so parties may complete the ADR process. See Order denying Motion for Exemption from ADR (doc. no. 19). Parties shall file a joint status report on or before 09/05/2014. The Court thereafter will set a hearing date. Signed by Judge Arthur J. Schwab on 7/10/14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (lck) (Entered: 07/10/2014)
07/10/2014		CLERK'S OFFICE QUALITY CONTROL MESSAGE re 18 Motion for Exemption from ADR. ERROR: Document should have been filed as two separate documents. CORRECTION: Attorney advised in future that documents of that nature are to be filed as separate documents. Clerk of Court docketed Brief/Memorandum in support re 18 Motion for Exemption from ADR. This message is for informational purposes only. (jsp) (Entered: 07/10/2014)
07/11/2014	<u>21</u>	REPLY BRIEF re 12 Response in Opposition to 1 Application to Enforce filed by NATIONAL LABOR RELATIONS BOARD. (Stern, Julie) Modified on 7/14/2014. (jsp) (Entered: 07/11/2014)
08/13/2014	<u>22</u>	MOTION to Appoint a Different Mediator re 15 Order Referring Case to Mediation, Case Referred to Mediation by UPMC. (Glunt, James) (Entered: 08/13/2014)
08/14/2014		TEXT ORDER - In light of UPMC's objection to the proposed Neutral (see doc. no. 21) and NLRB's prior opposition to the applicability of the ADR process in this matter (see doc. no. 18), the parties need not proceed with ADR, and this Court's Order of July 8, 2014 (see doc. no. 19) is VACATED. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. Signed by Judge Arthur J. Schwab on 8/14/14. (ms) (Entered: 08/14/2014)
08/14/2014		ORDER denying as moot <u>22</u> Motion. Signed by Judge Arthur J. Schwab on 8/14/14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (ms) (Entered: 08/14/2014)

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08/14/2014		CLERK'S OFFICE QUALITY CONTROL MESSAGE re 22 Motion to Appoint a Different Mediator. ERROR: Proposed Order was not attached. CORRECTION: Attorney is advised for future reference that motions are to be submitted with an attached proposed order. No further action is required. This message is for informational purposes only. (jsp) (Entered: 08/14/2014)
08/18/2014		ORDER. After further review of the filings of the parties, and the applicable legal standards, the Court will not conduct a hearing and will issue a decision later this week. Signed by Judge Arthur J. Schwab on 8-18-14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (nam) (Entered: 08/18/2014)
08/22/2014	<u>23</u>	MEMORANDUM OPINION on NLRB's Three Applications to Enforce Subpoena Duces Tecum. Signed by Judge Arthur J. Schwab on 8-22-14. (Attachments: # 1 Exhibit A - Subpoena, # 2 Exhibit B - Subpoena, # 3 Exhibit C - Subpoena) (nam) (Entered: 08/22/2014)
08/22/2014	<u>24</u>	ORDER granting <u>1</u> Application/Motion to Enforce Subpoena Duces Tecum. The Court will stay the implementation of this Order, so that Respondents may appeal this Order, if they elect to do so. Signed by Judge Arthur J. Schwab on 8-22-14. (nam) (Entered: 08/22/2014)
08/26/2014	<u>25</u>	Supplement/Amendment to 23 Memorandum Opinion. Signed by Judge Arthur J. Schwab on 8-26-14. (nam) (Entered: 08/26/2014)
09/02/2014	<u>26</u>	Supplemental/Amended MEMORANDUM OPINION on NLRB's Three Applications to Enforce Subpoena Duces Tecum. Signed by Judge Arthur J. Schwab on 9-2-14. (Attachments: # 1 Exhibit A - Subpoena, # 2 Exhibit B - Subpoena, # 3 Exhibit C - Subpoena) (nam) (Entered: 09/02/2014)
09/02/2014	<u>27</u>	Supplemental/Amended ORDER granting 1 the Application/Motion to Enforce Subpoena Duces Tecum. The Court will stay the implementation of this Order, so that Respondents may appeal this Order, if they elect to do so. Signed by Judge Arthur J. Schwab on 9-2-14. (nam) (Entered: 09/02/2014)
09/29/2014	<u>28</u>	MOTION for Reconsideration re <u>26</u> Memorandum Opinion & Order, <u>27</u> Order, by UPMC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Proposed Order) (Glunt, James) (Entered: 09/29/2014)
09/30/2014		TEXT ORDER re 28 Motion for Reconsideration filed by UPMC - NLRB and SEIU each shall file a Response due by 10/15/2014, Reply brief due by 10/22/2014. Signed by Judge Arthur J. Schwab on 9/30/14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (lck) (Entered: 09/30/2014)
10/15/2014	<u>29</u>	RESPONSE IN OPPOSITION to 28 Motion for Reconsideration, filed by SEIU HEALTHCARE PA, CTW, CLC. (Davidson, Claudia) (Entered: 10/15/2014)
10/15/2014	<u>30</u>	RESPONSE to Motion re <u>28</u> MOTION for Reconsideration re <u>26</u> Memorandum Opinion & Order, <u>27</u> Order, filed by NATIONAL LABOR RELATIONS BOARD. (Attachments: # <u>1</u> Exhibit) (Stern, Julie) (Entered: 10/15/2014)
10/21/2014	<u>31</u>	MOTION to Extend Time to Appeal by UPMC. (Attachments: # 1 Proposed

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Case: 14-4523 Document: 003111928782 Page: 16 Date Filed: 04/09/2015

		Order) (Glunt, James) (Entered: 10/21/2014)	
10/21/2014		ORDER GRANTING 31 Motion to Extend Time for filing a Notice of Appeal from the Court's 8/22/14 Order (doc. no. 25), is hereby extended until 11/19/14. Signed by Judge Arthur J. Schwab on 10/21/14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (lck) (Entered: 10/21/2014)	
10/22/2014	<u>32</u>	REPLY BRIEF in support re 28 Motion for Reconsideration filed by UPMC. (Glunt, James) Modified on 10/24/2014. (jsp) (Entered: 10/22/2014)	
10/22/2014	33	REPLY BRIEF in support re 30 Response to Motion filed by UPMC. (Glunt, James) Modified on 10/24/2014. (jsp) Error: Document filed at wrong case number. Document removed from public view; refiled by counsel at correct case number. Modified on 10/24/2014. (jsp2,) (Entered: 10/22/2014)	
10/22/2014	<u>34</u>	Errata re 33 Reply Brief, by UPMC. Reason for Correction: Filed under incorrect case. (Glunt, James) Error: Document filed at wrong case number. Document removed from public view; refiled by counsel at correct case number. Modified on 10/24/2014. (jsp) (Entered: 10/22/2014)	
10/27/2014	<u>35</u>	ORDER denying <u>28</u> Motion for Reconsideration. Signed by Judge Arthur J. Schwab on 10-27-14. (nam) (Entered: 10/27/2014)	
11/18/2014	<u>36</u>	NOTICE OF APPEAL as to <u>26</u> Memorandum Opinion & Order, <u>35</u> Order on Motion for Reconsideration, <u>24</u> Order on Motion to Enforce, <u>23</u> Memorandum Opinion & Order, <u>27</u> Order, <u>25</u> Memorandum Opinion & Order by UPMC. Filing fee \$505, receipt number 0315-3397077. Motion for IFP N/A. Certificate of Appealability N/A. Court Reporter(s): N/A. The Clerk's Office hereby certifies the record and the docket sheet available through ECF to be the certified list in lieu of the record and/or the certified copy of the docket entries. The Transcript Purchase Order form will NOT be mailed to the parties. The form is available on the Court's internet site. (Glunt, James) (Entered: 11/18/2014)	

PACER Service Center					
Transaction Receipt					
04/05/2015 10:29:11					
PACER sh0012:2634071:0 Client Code: 3010578-0020					
Description: Docket Report		Search Criteria:	2:14-mc-00110- AJS		
Billable Pages:	4	Cost:	0.40		

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APPEAL

U.S. District Court Western District of Pennsylvania (Pittsburgh) CIVIL DOCKET FOR CASE #: 2:14-mc-00111-AJS

NATIONAL LABOR RELATIONS BOARD v. UPMC Date Filed: 03/20/2014

Assigned to: Judge Arthur J. Schwab Case in other court: 3rd circuit, 14-04525

Plaintiff

NATIONAL LABOR RELATIONS BOARD

represented by Julie Rose Stern

National Labor Relations Board

Region Six

Wm. S. Moorhead Federal Building 1000 Liberty Avenue, Suite 904 Pittsburgh, PA 15222-4111

(412) 395-6896

Email: julie.stern@nlrb.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

V.

Defendant

UPMC

represented by Ruthie L. Goodboe

Ogletree Deakins Nash Smoak &

Stewart, P.C. One PPG Place Suite 1900

Pittsburgh, PA 15222

412-394-3333

Email:

ruthie.goodboe@ogletreedeakins.com

LEAD ATTORNEY PRO HAC VICE ATTORNEY TO BE NOTICED

James F. Glunt

Ogletree, Deakins, Nash, Smoak &

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Jennifer G. Betts

Ogletree Deakins Nash Smoak & Stewart

JA81

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Case: 14-4523 Document: 003111928782 Page: 18 Date Filed: 04/09/2015

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Thomas A. Smock

Ogletree, Deakins, Nash, Smoak & Stewart, P.C. One PPG Place, Suite 1900 Pittsburgh, PA 15222 412-394-3335 Fax: 412-232-1799

Email:

thomas.smock@ogletreedeakins.com ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text	
03/20/2014	<u>1</u>	MOTION to Enforce Subpoena Duces Tecum by NATIONAL LABOR RELATIONS BOARD. (Attachments: # 1 Exhibit List, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Proposed Order, # 11 Certificate of Service) (ept2) (Entered: 03/20/2014)	
03/20/2014	<u>2</u>	BRIEF in Support re 1 Motion to Enforce filed by NATIONAL LABOR RELATIONS BOARD. (Attachments: # 1 Exhibit List, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D) (ept2) (Entered: 03/20/2014)	
03/20/2014	<u>3</u>	NOTICE of Appearance by Claudia Davidson on behalf of SEIU HEALTHCARE PA, CTW, CLC. (Davidson, Claudia) (Entered: 03/20/2014)	
03/21/2014		TEXT ORDER re 1 MOTION to Enforce Subpoena Duces Tecum, filed by NATIONAL LABOR RELATIONS BOARD, Response to MOTION due by 4/16/2014, Reply brief due by 4/24/2014., Hearing set for 4/29/2014 at 08:30 AM in Courtroom 7C before Judge Arthur J. Schwab. The Plaintiff, NATIONAL LABOR RELATIONS BOARD, is responsible for serving this order on counsel for Defendant, Thomas A. Smock, Esq. Signed by Judge Arthur J. Schwab on 3/21/14. Text-only entry; no PDF document will issue.	

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Case: 14-4523 Document: 003111928782 Page: 19 Date Filed: 04/09/2015

		This text-only entry constitutes the Order of the Court or Notice on the matter. (lck) (Entered: 03/21/2014)	
03/24/2014	4	NOTICE of Appearance by Thomas A. Smock on behalf of UPMC. (Smock, Thomas) (Entered: 03/24/2014)	
03/24/2014	<u>5</u>	NOTICE of Appearance by Michael D. Glass on behalf of UPMC. (Glass, Michael) (Entered: 03/24/2014)	
03/24/2014	<u>6</u>	NOTICE of Appearance by Jennifer G. Betts on behalf of UPMC. (Betts, Jennifer) (Entered: 03/24/2014)	
04/08/2014	7	Errata re <u>1</u> Motion to Enforce, by NATIONAL LABOR RELATIONS BOARD. Reason for Correction: erroneous reference. (Stern, Julie) (Entered: 04/08/2014)	
04/08/2014	8	Errata re 2 Brief in Support of Motion by NATIONAL LABOR RELATIONS BOARD. Reason for Correction: erroneous reference. (Stern, Julie) (Entered: 04/08/2014)	
04/08/2014	9	Errata re <u>1</u> Motion to Enforce, by NATIONAL LABOR RELATIONS BOARD. Reason for Correction: erroneous reference in proposed order. (Stern, Julie) (Entered: 04/08/2014)	
04/11/2014	<u>10</u>	NOTICE of Appearance by James F. Glunt on behalf of UPMC. (Glunt, James) (Entered: 04/11/2014)	
04/14/2014	11	MOTION for attorney Ruth L. Goodboe to Appear Pro Hac Vice, (Filing fee \$40, Receipt # 0315-3160229) by UPMC. (Attachments: # 1 Affidavit 2 Proposed Order) (Glunt, James) (Entered: 04/14/2014)	
04/15/2014	<u>12</u>	ORDER granting 11 Motion for Ruth L. Goodboe to Appear Pro Hac Vic Signed by Judge Arthur J. Schwab on 4/15/14. (lck) (Entered: 04/15/2014)	
04/15/2014	<u>13</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to 1 Motion to Enforce Subpoena Duces Tecum by UPMC. (Attachments: # 1 Proposed Order) (Glunt, James) Modified on 4/16/2014 to correct document linkage. (ept) (Entered: 04/15/2014)	
04/16/2014	<u>14</u>	ORDER GRANTING 10 Motion for Extension of Time filed by UPMC PRESBYTERIAN SHADYSIDE - Response to Application due by 5/30/2014, Reply brief due by 6/30/2014. Hearing set for 8/18/2014 at 09:00 AM in Courtroom 7C before Judge Arthur J. Schwab. Signed by Judge Arthur J. Schwab on 4/16/14. (lck) (Entered: 04/16/2014)	
04/16/2014		CLERK'S OFFICE QUALITY CONTROL MESSAGE re 13 Motion for Extension of Time to File Response/Reply. ERROR: Document incorrectly linked. CORRECTION: Linked to appropriate document. This message is for informational purposes only. (ept) (Entered: 04/16/2014)	
05/30/2014	<u>15</u>	RESPONSE IN OPPOSITION to 1 Motion to Enforce filed by UPMC. (Glunt, James) (Entered: 05/30/2014)	
06/02/2014	<u>16</u>	NOTICE that instant civil action has been designated for placement into the United States District Court's Alternative Dispute Resolution program. Parties are directed to fully complete the required 26(f) report, which includes the stipulation of selecting an ADR process. Counsel for plaintiff (or in the case of a removal action, counsel for removing defendant) shall	

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		make service of the notice on all parties. (ms) (Entered: 06/02/2014)
06/02/2014		Errata re 16 Notice of ADR Designation Reason for Correction: Incorrect Filing. NOTICE that instant civil action has been designated for placement into the United States District Court's Alternative Dispute Resolution program. Order Referring Case to Alternative Dispute Resolution to follow. Signed by Judge Arthur J. Schwab on 6/2/14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (ms) Modified on 6/3/2014 to correct document linkage. (ept2) (Entered: 06/02/2014)
06/02/2014	<u>17</u>	ORDER REFERRING CASE to Mediation. Louis B. Kushner is appointed as mediator. Party LOUIS B. KUSHNER added, Case referred to mediation. Signed by Judge Arthur J. Schwab on 6-2-14. (nam) (Entered: 06/02/2014)
06/13/2014	18	MOTION to Extend Time to File Reply Brief by NATIONAL LABOR RELATIONS BOARD. (Attachments: # 1 Proposed Order) (Stern, Julie) (Entered: 06/13/2014)
06/16/2014	<u>19</u>	ORDER granting 18 Motion to Extend Time to File Reply Brief Replies due by 7/11/2014. Signed by Judge Arthur J. Schwab on 6/16/14. (ms) (Entered: 06/16/2014)
07/08/2014	<u>20</u>	Unopposed MOTION for Exemption from ADR by NATIONAL LABOR RELATIONS BOARD. (Attachments: # 1 Memorandum in Support, # 2 Proposed Order) (Stern, Julie) Attachment #1 removed from public view and redocketed at 22. Modified on 7/9/2014. (ept2) (Entered: 07/08/2014)
07/08/2014	<u>22</u>	BRIEF in Support re <u>20</u> Motion for Exemption from ADR filed by NATIONAL LABOR RELATIONS BOARD. (ept2) (Entered: 07/09/2014)
07/09/2014	21	ORDER denying 20 Motion for Exemption from ADR. Signed by Judge Arthur J. Schwab on 7/9/14. (ms) (Entered: 07/09/2014)
07/10/2014		TEXT ORDER - Hearing of 08/18/2014 is canceled so parties may complete the ADR process. See Order denying Motion for Exemption from ADR (doc. no. 21). Parties shall file a joint status report on or before 09/05/2014. The Court thereafter will set a hearing date. Signed by Judge Arthur J. Schwab on 7/10/14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (lck) (Entered: 07/10/2014)
07/11/2014	23	REPLY BRIEF re 15 Response in Opposition filed by NATIONAL LABOR RELATIONS BOARD. (Stern, Julie) Modified on 7/14/2014 to add document linkage. (ept2) (Entered: 07/11/2014)
07/14/2014		CLERK'S OFFICE QUALITY CONTROL MESSAGE re 23 Reply Brief. ERROR: Document was not linked. CORRECTION: Linked to appropriate document. This message is for informational purposes only. (ept2) (Entered: 07/14/2014)
08/13/2014	24	MOTION to Appoint a Different Mediator re 17 Order Referring Case to Mediation, Case Referred to Mediation by UPMC. (Glunt, James) (Entered: 08/13/2014)
08/14/2014		TEXT ORDER - In light of UPMCs objection to the proposed Neutral (see doc. no. <u>24</u>) and NLRBs prior opposition to the applicability of the ADR process in this matter (see doc. no. <u>20</u>), the parties need not proceed with

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		ADR, and this Courts Order of July 8, 2014 (see doc. no. 21) is VACATED. Signed by Judge Arthur J. Schwab on 8/14/14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (ms) (Entered: 08/14/2014)
08/14/2014		ORDER denying as moot <u>24</u> Motion to Appoint a Different Mediator. Signed by Judge Arthur J. Schwab on 8/14/14.Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (ms) Modified on 8/15/2014. (jv,) (Entered: 08/14/2014)
08/18/2014		ORDER. After further review of the filings of the parties, and the applicable legal standards, the Court will not conduct a hearing and will issue a decision later this week. Signed by Judge Arthur J. Schwab on 8-18-14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (nam) (Entered: 08/18/2014)
08/22/2014	<u>25</u>	MEMORANDUM OPINION on NLRB's Three Applications to Enforce Subpoena Duces Tecum. Signed by Judge Arthur J. Schwab on 8-22-14. (Attachments: # 1 Exhibit A - Subpoena, # 2 Exhibit B - Subpoena, # 3 Exhibit C - Subpoena) (nam) (Entered: 08/22/2014)
08/22/2014	<u>26</u>	ORDER granting <u>1</u> Application/Motion to Enforce Subpoena Duces Tecum. The Court will stay implementation of this Order, so that Respondents may appeal this Order, if they elect to do so. Signed by Judge Arthur J. Schwab on 8-22-14. (nam) (Entered: 08/22/2014)
08/26/2014	<u>27</u>	Supplement/Amendment to <u>25</u> Memorandum Opinion. Signed by Judge Arthur J. Schwab on 8-26-14. (nam) (Entered: 08/26/2014)
09/02/2014	<u>28</u>	Supplemental/Amended MEMORANDUM OPINION on NLRB's Three Applications to Enforce Subpoena Duces Tecum. Signed by Judge Arthur J. Schwab on 9-2-14. (Attachments: # 1 Exhibit A - Subpoena, # 2 Exhibit B - Subpoena, # 3 Exhibit C - Subpoena) (nam) (Entered: 09/02/2014)
09/02/2014	<u>29</u>	Supplemental/Amended ORDER granting <u>1</u> the Application/Motion to Enforce Subpoena Duces Tecum. The Court will stay the implementation of this Order, so that Respondents may appeal this Order, if they elect to do so. Signed by Judge Arthur J. Schwab on 9-12-14. (nam) (Entered: 09/02/2014)
09/29/2014	<u>30</u>	MOTION for Reconsideration re 29 Order, 28 Memorandum Opinion & Order, by UPMC. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Proposed Order) (Glunt, James) (Entered: 09/29/2014)
09/30/2014		ORDER re 30 Motion for Reconsideration filed by UPMC - NLRB and SEIU each shall file a Response due by 10/15/2014, Reply brief due by 10/22/2014. Signed by Judge Arthur J. Schwab on 9/30/14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (lck) (Entered: 09/30/2014)
10/15/2014	<u>31</u>	RESPONSE IN OPPOSITION to 30 Motion for Reconsideration, filed by SEIU HEALTHCARE PA, CTW, CLC. (Davidson, Claudia) (Entered: 10/15/2014)
10/15/2014	<u>32</u>	RESPONSE to Motion re 30 MOTION for Reconsideration re 29 Order, 28 Memorandum Opinion & Order, filed by NATIONAL LABOR

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Case: 14-4523 Document: 003111928782 Page: 22 Date Filed: 04/09/2015

		RELATIONS BOARD. (Attachments: # $\underline{1}$ Exhibit) (Stern, Julie) (Entered: $10/15/2014$)	
10/21/2014	<u>33</u>	MOTION to Extend Time to Appeal by UPMC. (Attachments: # 1 Proposed Order) (Glunt, James) (Entered: 10/21/2014)	
10/21/2014		ORDER GRANTING <u>33</u> Motion to Extend Time for filing a Notice of Appeal from the Court's 8/22/14 Order (doc. no. <u>26</u>). Time is hereby extended until 11/19/14. Signed by Judge Arthur J. Schwab on 10/21/14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (lck) (Entered: 10/21/2014)	
10/22/2014	<u>34</u>	REPLY BRIEF re <u>30</u> Motion for Reconsideration filed by UPMC. (Glunt, James) (Entered: 10/22/2014)	
10/27/2014	<u>35</u>	ORDER denying 30 Motion for Reconsideration. Signed by Judge Arthur J. Schwab on 10-27-14. (nam) (Entered: 10/27/2014)	
11/18/2014	36	NOTICE OF APPEAL as to 29 Order, 35 Order on Motion for Reconsideration, 27 Memorandum Opinion & Order, 25 Memorandum Opinion & Order, 26 Order on Motion to Enforce, 28 Memorandum Opinion & Order, by UPMC. Filing fee \$505, receipt number 0315-3397092. Motion for IFP N/A. Certificate of Appealability N/A. Court Reporter(s): N/A. The Clerk's Office hereby certifies the record and the docket sheet available through ECF to be the certified list in lieu of the record and/or the certified copy of the docket entries. The Transcript Purchase Order form will NOT be mailed to the parties. The form is available on the Court's internet site. (Glunt, James) (Entered: 11/18/2014)	

PACER Service Center					
Transaction Receipt					
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Description: Docket Report		Search Criteria:	2:14-mc-00111- AJS		
Billable Pages:	4	Cost:	0.40		

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

NATIONAL LABOR RELATIONS BOARD,

Applicant

٧.

No.

UPMC PRESBYTERIAN SHADYSIDE,

Respondent

APPLICATION FOR SUMMARY ORDER ENFORCING SUBPOENA DUCES TECUM No. B-720565

The National Labor Relations Board (the "Board"), an administrative agency of the Federal Government, respectfully applies to this Honorable Court, pursuant to Section 11(2) of the National Labor Relations Act, as amended (29 U.S.C. §151, et seq.) (the "Act"), for an Order enforcing Subpoena Duces Tecum No. B-720565, issued by the Board upon UPMC Presbyterian Shadyside ("Respondent"), and duly served on this entity in the manner provided by law. Despite the issuance of the subpoena duces tecum, and an administrative law judge's ruling requiring production of the vast majority of subpoenaed documents, Respondent has failed to comply with the subpoena. In support of this application, the Board states as follows:

1. The Board is an administrative agency of the United States Government created by the Act, and is empowered and directed to administer provisions of the Act, including the issuance of subpoenas for evidence that relates to any matter in question.

2. This Court has jurisdiction over the subject matter of the proceeding, and over Respondent, by virtue of Section 11(2) of the Act [29 U.S.C. §161 (2)]. The subpoena was issued within this judicial district and Respondent is a non-profit Pennsylvania corporation which is headquartered and conducts its business within this judicial district. In addition, the unfair labor practice charges concerning which Respondent was subpoenaed to produce documents were filed within this judicial district.

3. This application arises as a result of events alleged in unfair labor practice charges which were found to have merit and are currently being tried before an administrative law judge of the Board in Region Six of the Board.

On September 30, 2013, the Regional Director of Region Six of the Board issued an Order Consolidating Cases and a Consolidated Complaint and Notice of Hearing ("Consolidated Complaint") against Respondent. The Consolidated Complaint alleged numerous violations of Sections 8(a)(1), (3) and (4) of the Act, which arose in the context of a union organizing campaign that SEIU Healthcare Pennsylvania, CTW, CLC, is conducting among Respondent's employees.

Thereafter, on January 9, 2014, a Second Order Further Consolidating

Cases and Amended Consolidated Complaint ("Amended Consolidated Complaint) in

these matters issued. The consolidation added two additional cases beyond those that

¹ Section 11(2) of the Act states, in pertinent part: "In cases of contumacy or refusal to obey a subpoena issued to any person, any United States district court . . . within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Board shall have jurisdiction to issue to such person an order requiring such person to appear before the Board, its member, agent, or agency, there to produce evidence if so ordered, . . . and any failure to obey such order of the court may be punished by said court as a contempt thereof."

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appeared in the Consolidated Complaint, and added allegations that Respondent is a single employer with UPMC. A copy of the Amended Consolidated Complaint is attached hereto as Exhibit A. The Amended Consolidated Complaint was prepared, filed and served consistent with the requirements of Section 10(b) of the Act and of 29 C.F.R. §102.15 of the Board's Rules and Regulations.²

- 4. Pursuant to the authority derived from Section 11(1) of the Act, which authorizes the issuance of subpoenas for evidence that relates to any matter in question, the Regional Director for Region Six issued a subpoena duces tecum upon Respondent.³
- 5. Specifically, on January 14, 2014, the Regional Director for Region Six issued Subpoena Duces Tecum No. B-720565, directing the Custodian of Records of Respondent to appear before an administrative law judge of the National Labor Relations Board on February 3, 2014, and to produce certain books, records, correspondence and documents. The issuance of this subpoena is consistent with the requirements of Section 11(1) of the Act and Section 102.31(a) of the Board's Rules and Regulations. The subpoena was served on Respondent by certified mail, as

² These Rules and Regulations have been issued pursuant to Section 6 of the Act (29 U.S.C. §156) and have been published in the Federal Register (24 F.R. §9095), pursuant to the Administrative Procedure Act (5 U.S.C. §552). This court may take judicial notice of the Board's Rules and Regulations under 44 U.S.C. §1507.

³ Section 11(1) of the Act provides in pertinent part: "The Board, or its duly authorized agents or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to any matter under investigation or question. The Board, or any member thereof, shall upon application of any party to such proceedings, forthwith issue to such party subpoenas requiring the attendance and testimony of witnesses or the production of any evidence in such proceeding or investigation requested in such application. . . ."

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provided for in Section 11(4) of the Act and Section 102.113 of the Board's Rules and Regulations. Copies of the subpoena, and the USPS notice of delivery, are attached as Exhibits B and C, respectively.

- 6. On or about January 23, 2014, Respondent filed a petition to revoke Subpoena Duces Tecum No. B-720565, as provided by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. The petition to revoke Subpoena Duces Tecum No. B-720565 is attached hereto as Exhibit D. Counsel for the General Counsel filed an Opposition to the Petition to Revoke on January 28, 2014. The Opposition is attached hereto as Exhibit F.
- 7. Respondent's petition to revoke was duly considered by Administrative Law Judge Mark Carissimi, who has been assigned to the hearing in the unfair labor practice proceeding. Administrative Law Judge Carissimi made his ruling on February 24, 2014, on the record during said hearing. Administrative Law Judge Carissimi denied Respondent's petition to revoke the subpoena with respect to all paragraphs of the subpoena except paragraph 35, ordering Respondent to produce records requested by the remaining paragraphs of the subpoena.⁴
- 8. By electronic mail message dated February 27, 2014, to Counsels for the General Counsel, Counsel for Respondent asserted that, notwithstanding Administrative Law Judge Carissimi's ruling, it did not intend to comply with Subpoena Duces Tecum No. B-720565. The electronic mail message is attached as Exhibit E.
- Following issuance of Subpoena Duces Tecum No. B-720565,
 Respondent and UPMC filed a Motion to Dismiss with the Board, requesting that the

⁴ That portion of the transcript of the hearing containing the Administrative Law Judge Carissimi's ruling is attached hereto as Exhibit G.

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Board dismiss the amendments to the Consolidated Complaint reflecting the "single employer" allegations which are included in the Amended Consolidated Complaint. In addition, Respondent and UPMC moved that UPMC be dismissed as a party to the unfair labor practice case. Respondent argued that it had been denied due process, that the amendments were time-barred, and that the single employer allegations do not advance the purposes of the Act.⁵

On February 7, 2014, the Board issued an Order Denying Motion, which in its entirety reads: "The Respondents'[⁶] Motion to Dismiss Amendments to the consolidated complaint is denied. The Respondents have failed to establish that the amendments are improper and that they are entitled to judgment as a matter of law."⁷

- Respondent has failed to produce any documents pursuant to Subpoena
 Duces Tecum No. B-720565.
- 11. By this conduct, Respondent has flouted the law by failing to obey a validly issued subpoena requiring the production of relevant documents. Respondent's failure to produce the subpoenaed documents, which are relevant to the issues in the proceeding before the Board, constitutes contumacious conduct within the meaning of Section 11(2) of the Act. Furthermore, Respondent's conduct has impeded and continues to impede the unfair labor practice proceeding before the Board at the

⁵ The Motion to Dismiss is attached as Exhibit H. Counsel for the General Counsel filed an opposition to the motion, which is attached as Exhibit I.

⁶ "Respondents'" in the Board's Order refers to Respondent herein and UPMC collectively.

⁷ A copy of the Board's Order is attached hereto as Exhibit J.

expense of the alleged discriminatees as well as the taxpayers, and is preventing the Board from carrying out its duties and functions under the Act.

12. As noted previously, Section 11(2) of the Act specifically authorizes the Board to make an "application" to the district court for a summary disposition of the Board's application to enforce the Board's subpoenas. The Board's application is a dispositive matter, not a pre-trial civil discovery matter in district court. "It is significant that the statute calls for an 'application' rather than a petition, an 'order' rather than a judgment and that it details no other procedural steps." <u>Goodyear Tire & Rubber Co. v. NLRB</u>, 122 F. 2d 450, 451 (6th Cir. 1941).

WHEREFORE, in view of Respondent's contumacious conduct, the Board respectfully prays that this Court enter an order forthwith:

- Directing Respondent to produce all documents (as defined in Subpoena
 Duces Tecum No. B-720565) of every paragraph of Subpoena B-720565, with the
 exception of paragraph 35, as requested by Suzanne Donsky and Julie Stern, Counsels
 for the General Counsel, immediately.
- 2. Granting the Board such other and further relief as may be necessary and appropriate.

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No previous application has been made for the relief sought herein.

Respectfully submitted,

s/ Julie R. Stern

Julie R. Stern Counsel for the General Counsel Region 6, National Labor Relations Board 1000 Liberty Avenue Room 904 Pittsburgh, Pennsylvania 15222 Tel: 412-395-6896

Fax: 412-395-5986

E-mail: julie.stern@nlrb.gov PA Attorney ID 47833

Dated at Pittsburgh, Pennsylvania

This 20th day of March, 2014

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

NATIONAL LABOR RELATIONS BOARD,	
Applicant	
v.	No.
UPMC PRESBYTERIAN SHADYSIDE,	

Respondent

ORDER

Upon consideration of the application of the National Labor Relations Board ("Board"), pursuant to Section 11(2) of the National Labor Relations Act, 29 U.S.C. §161(2), for an order requiring obedience with Subpoena Duces Tecum No. B-720565 issued to Respondent UPMC Presbyterian Shadyside, and good cause appearing for granting the Board's application, accordingly, it is hereby:

ORDERED that Respondent UPMC Presbyterian Shadyside shall fully produce the documents described in all paragraphs of Subpoena Duces Tecum No. B-720565, except paragraph 35. The documents shall be delivered to the Board's Region Six office (1000 Liberty Avenue, Suite 904, Pittsburgh, Pennsylvania, 15222) immediately.

Dated at Pittsburgh, Pennsylvania, this day of , 2014.

United States District Judge

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NLRB V. UPMC PRESBYTERIAN SHADYSIDE

APPLICATION FOR SUMMARY ORDER ENFORCING SUBPOENA DUCES TECUM No. B-720565

EXHIBIT LIST

- A. Amended Consolidated Complaint dated January 9, 2014
- B. Subpoena Duces Tecum No. B-720565
- C. Proof of Service of Subpoena Duces Tecum No. B-720565
- D. UPMC Presbyterian Shadyside's Petition to Revoke Subpoena Duces Tecum No. B-720565
- E. Email Message from Counsel for UPMC Presbyterian Shadyside to Counsel for the General Counsel dated February 27, 2014
- F. Counsel for the General Counsel's Opposition to UPMC Presbyterian Shadyside's Petition to Revoke Subpoena Duces Tecum No. B-720565
- G. Transcipt Excerpt containing Administrative Law Judge Mark Carissimi's ruling on UPMC Presbyterian Shadyside's Petition to Revoke Subpoena Duces Tecum No. B-720565
- H. UPMC Presbyterian Shadyside and UPMC's Motion to Dismiss Amendments dated January 27, 2014
- I. Counsel for the General Counsel's Opposition to Respondents' Motion to Dismiss Amendments, dated February 3, 2014
- J. Order Denying Motion, dated February 7, 2014

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EXHIBIT A

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD REGION 6

UPMC AND ITS SUBSIDIARY, UPMC
PRESBYTERIAN SHADYSIDE, SINGLE EMPLOYER,
d/b/a UPMC PRESBYTERIAN HOSPITAL AND d/b/a
UPMC SHADYSIDE HOSPITAL

	Cases 06-CA-102465
	06-CA-102494
	06-CA-102516
	06-CA-102518
	06-CA-102525
	06-CA-102534
	06-CA-102540
and	06-CA-102542
	06-CA-102544
	06-CA-102555
	06-CA-102559
*	06-CA-102566
	06-CA-104090
	06-CA-104104
	06-CA-106636
SEIU HEALTHCARE PENNSYLVANIA, CTW, CLC	06-CA-107127
	06-CA-107431
	06-CA-107532
	06-CA-107896
	06-CA-108547
	06-CA-111578
	06-CA-115826

SECOND ORDER FURTHER CONSOLIDATING CASES AND AMENDED CONSOLIDATED COMPLAINT

Pursuant to Section 102.17 of the Rules and Regulations of the National Labor Relations
Board (the Board), the Order Consolidating Cases, Consolidated Complaint and Notice of
Hearing, issued on September 30, 2013, and the Order Further Consolidating Cases and
Amendment to Consolidated Complaint, issued on November 5, 2013, against UPMC
Presbyterian Shadyside, d/b/a UPMC Presbyterian Hospital and d/b/a UPMC Shadyside
Hospital, are further amended as follows:

This Amended Consolidated Complaint is based on charges filed by SEIU Healthcare Pennsylvania, CTW, CLC (the Union). It is issued pursuant to Section 10(b) of the National Labor Relations Act, 29 U.S.C. § 151 et seq. (the Act), and Section 102.15 of the Board's Rules and Regulations and alleges that UPMC (Respondent UPMC) and its subsidiary, UPMC Presbyterian Shadyside (Respondent Presbyterian Shadyside), Single Employer, d/b/a UPMC Presbyterian Hospital (Respondent Presbyterian or Presbyterian) and d/b/a UPMC Shadyside Hospital (Respondent Shadyside or Shadyside), and collectively called Respondent, has violated the Act as described herein.

Further, pursuant to Section 102.33 of the Rules and Regulations of the National Labor Relations Board (the Board), and to avoid unnecessary costs or delay, IT IS ORDERED THAT Cases 06-CA-111578 and 06-CA-115826, which are based on charges filed by the Union against Respondent, and Cases 06-CA-102465, 06-CA-102494, 06-CA-102516, 06-CA-102518, 06-CA-102525, 06-CA-102534, 06-CA-102540, 06-CA-102542, 06-CA-102544, 06-CA-102555, 06-CA-102559, 06-CA-102566, 06-CA-104090, 06-CA-104104, 06-CA-106636, 06-CA-107127, 06-CA-107431, 06-CA-107532, 06-CA-107896 and 06-CA-108547, which are based on charges filed by the Union against Respondent, are further consolidated.

 The charges in the above cases were filed by the Union, and copies were served by regular mail upon Respondent, on the dates indicated as set forth in the following table:

Case No.	Amendment	Date Filed	Date Served	Entity Served
06-CA-102465		April 10, 2013	April 11, 2013	Respondent
06-CA-102465	First Amended	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside
06-CA-102465	First Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent

06-CA-102465	Second Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102494		- April 10, 2013	April 11, 2013	Respondent
06-CA-102494	First Amended	June 17, 2013	June 18, 2013	Respondent
06-CA-102494	Second Amended	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside
06-CA-102494	Second Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102494	Third Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102516		April 10, 2013	April 11, 2013	Respondent
06-CA-102516	First Amended	May 23, 2013	May 29, 2013	Respondent
06-CA-102516	Second Amended	September 13, 2013	September 13, 2013	Respondent
06-CA-102516	Third Amended	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside
06-CA-102516	Third Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102516	Fourth Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102518		April 10, 2013	April 11, 2013	Respondent

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06-CA-102518	First Amended	May 23, 2013	May 29, 2013	Respondent
06-CA-102518	Second Amended	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside
06-CA-102518	Second Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102518	Third Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102525		April 10, 2013	April 11, 2013	Respondent
06-CA-102525	First Amended	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside
06-CA-102525	First Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102525	Second Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102534		April 10, 2013	April 11, 2013	Respondent
06-CA-102534	First Amended .	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside
06-CA-102534	First Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent

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06-CA-102534	Second Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102540		April 10, 2013	April 11, 2013	Respondent
06-CA-102540	First Amended	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside
06-CA-102540	First Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102540	Second Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102542		April 10, 2013	April 11, 2013	Respondent
06-CA-102542	First Amended	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside
06-CA-102542	First Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102542	Second Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102544		April 10, 2013	April 11, 2013	Respondent
06-CA-102544	First Amended	May 23, 2013	May 29, 2013	Respondent
06-CA-102544	Second Amended	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside

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06-CA-102544	Second Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102544	Third Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102555		April 10, 2013	April 11, 2013	Respondent
06-CA-102555	First Amended	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside
06-CA-102555	First Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102555	Second Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102559		April 10, 2013	April 11, 2013	Respondent
06-CA-102559	First Amended	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside
06-CA-102559	First Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102559	Second Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102566		April 10, 2013	April 11, 2013	Respondent
06-CA-102566	First Amended	May 23, 2013	May 29, 2013	Respondent

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06-CA-102566	Second Amended	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside
06-CA-102566	Second Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-102566	Third Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-104090		May 1, 2013	May 2, 2013	Respondent
06-CA-104090	First Amended	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside
06-CA-104090	First Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-104090	Second Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-104104		May 1, 2013	May 1, 2013	Respondent
06-CA-104104	First Amended	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside
06-CA-104104	First Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-104104	Second Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-106636		June 6, 2013	June 6, 2013	Respondent

06-CA-106636	First Amended	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside
06-CA-106636	First Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-106636	Second Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-107127		June 13, 2013	June 13, 2013	Respondent
06-CA-107127	First Amended	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside
06-CA-107127	First Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-107127	Second Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-107431		June 18, 2013	June 18, 2013	Respondent
06-CA-107431	First Amended	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside
06-CA-107431	First Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-107431	Second Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-107532		June 18, 2013	June 19, 2013	Respondent

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06-CA-107532	First Amended	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside
06-CA-107532	First Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-107532	Second Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-107896		June 24, 2013	June, 25, 2013	Respondent
06-CA-107896	First Amended	September 10, 2013	September 11, 2013	Respondent
06-CA-107896	Second Amended	November 4, 2013	November 5, 2013	Respondent Presbyterian Shadyside
06-CA-107896	Second Amended	November 4, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-107896	Third Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-108547		July 3, 2013	July 5, 2013	Respondent
06-CA-108547	First Amended	September 4, 2013	September 6, 2013	Respondent
06-CA-108547	Second Amended	September 27, 2013	September 30, 2013	Respondent Presbyterian Shadyside
06-CA-108547	Second Amended	September 27, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent

06-CA-108547	Third Amended	December 18, 2013	January 9, 2014, concurrently with Amended Consolidated Complaint	Respondent
06-CA-111578		August 20, 2013	August 20, 2013	Respondent
06-CA-111578	First Amended	December 30, 2013	December 30, 2013	
06-CA-111578	Second Amended	January 7, 2013	January 7, 2014	Respondent
06-CA-115826		October 28, 2013	October 28, 2013	Respondent
06-CA-115826	First Amended	December 20, 2013	December 24, 2013	Respondent

- 2. (a) At all material times, Respondent UPMC, a Pennsylvania non-profit corporation with offices and places of business in Pittsburgh, Pennsylvania, herein called Respondent UPMC's facilities, has been engaged in, inter alia, the governance and supervision of Respondent UPMC's subsidiaries, including Respondent Presbyterian Shadyside, which operates acute care hospitals providing inpatient and outpatient medical care.
- (b) At all material times, Respondent Presbyterian Shadyside, a Pennsylvania non-profit corporation with offices and places of business in Pittsburgh, Pennsylvania, herein called Presbyterian and/or Shadyside, has been engaged in the operation of acute care hospitals providing inpatient and outpatient medical care.
- 3. (a) At all material times, Respondent UPMC and Respondent Presbyterian Shadyside have been affiliated business enterprises with common officers, ownership, directors, management, and supervision; have formulated and administered a common labor policy; have shared common premises and facilities; have provided services for and made sales to each other; have interchanged personnel with each other; have had interrelated operations with common system-wide technology resources under a long-term contract with a software vendor which is in effect until 2019; have applied for and are jointly and severally obligated for

payments on, Revenue Bonds Series 2011A issued by the Allegheny County Hospital Development Authority; and have held themselves out to the public as a single-integrated business enterprise.

- (b) Based on its operations described above in paragraph 3(a), Respondent UPMC and Respondent Presbyterian Shadyside constitute a single-integrated business enterprise and a single employer within the meaning of the Act.
- (a) During the 12-month period ending March 31, 2013, Respondent UPMC, in conducting its operations described above in paragraph 2(a), derived gross revenues in excess of \$250,000.
- (b) During the 12-month period ending March 31, 2013, Respondent UPMC, in conducting its operations described above in paragraph 2(a), purchased and received at its Pittsburgh, Pennsylvania, facilities goods valued in excess of \$50,000 directly from points outside the Commonwealth of Pennsylvania.
- (c) During the 12-month period ending March 31, 2013, Respondent Presbyterian Shadyside, in conducting its operations described above in paragraph 2(b), derived gross revenues in excess of \$250,000.
- (d) During the 12-month period ending March 31, 2013, Respondent

 Presbyterian Shadyside, in conducting its operations described above in paragraph 2(b),

 purchased and received at its Pittsburgh, Pennsylvania, facilities goods valued in excess of

 \$50,000 directly from points outside the Commonwealth of Pennsylvania.
- 5. (a) At all material times, Respondent UPMC and Respondent Presbyterian

 Shadyside have each been engaged in commerce within the meaning of Section 2(2), 2(6) and

 2(7) of the Act, and have each been a health care institution within the meaning of Section 2(14)

 of the Act.

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- (b) At all material times, Respondent has been engaged in commerce within the meaning of Section 2(2), 2(6) and 2(7) of the Act, and has been a health care institution within the meaning of Section 2(14) of the Act.
- 6. (a) At all material times, the Union has been a labor organization within the meaning of Section 2(5) of the Act.
- (b) At all material times, the ESS Employee Council at Presbyterian Hospital has been a labor organization within the meaning of Section 2(5) of the Act.
- 7. (a) At all material times, the following individuals held the positions set forth opposite their respective names and have been supervisors of Respondent within the meaning of Section 2(11) of the Act and agents of Respondent within the meaning of Section 2(13) of the Act):

Gina Barry	*	Unit Director, Cardiothoracic Unit - Respondent Presbyterian
Ryan R. Beaver		Senior Manager, Supply Chain Department - Respondent Presbyterian Shadyside
John Burns	-	Supervisor - Respondent Presbyterian Shadyside
Amy Bush	-	Executive Director of Surgical Services - Respondent Presbyterian
Donald Charley	-	Executive Director of Parking and Security - Respondent Presbyterian Shadyside
Carlton Clark	4	Process Analyst - Respondent Presbyterian Shadyside
William Dilla		Operations Manager, Department of Environmental Services - Respondent Presbyterian Shadyside
Amy DiPasquale	2	Director of Environmental Services - Respondent Shadyside
Dan Gasparovic	4	Director of Housekeeping - Respondent Presbyterian
Darnell Grinage	ne)	Supervisor of Transport - Respondent Presbyterian
Lisa Fennick		Unit Director - Respondent Presbyterian
Linda Haas	-	Clinical Director - Respondent Presbyterian

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Jane Hackett	•	Chief Anesthesia Technologist - Respondent Presbyterian
Ted Hill		Supervisor of Fleet Transportation - Respondent Presbyterian Shadyside
Jason Hogan	-	Supervisor, Environmental Services - Respondent Shadyside
Keith Lewis		Supervisor of Fleet Transportation - Respondent Presbyterian Shadyside
Samuel A. Kane		Retail Manager, 11th Floor Cafeteria - Respondent Presbyterian
Kristine Keefer Wolff	2	Clinical Administrator - Respondent Presbyterian Shadyside
Ed Kellar		Supervisor, Transportation Department - Respondent Presbyterian
Robert Knezovich	-	Senior Manager, Materials Management - Respondent Presbyterian
Holly Lorenz		Chief Nursing Officer - Respondent Presbyterian Shadyside
Gerald T. Moran	-	Security Operations Manager - Respondent Presbyterian Shadyside
Tim Nedley	-	Senior Director, Supply Chain Management - Respondent Presbyterian Shadyside
Paul Ondo		Supervisor, Materials Management - Respondent Presbyterian Shadyside
Carolyn Perry	3	Environmental Services Supervisor - Respondent Shadyside
Mara L. Schubert		Unit Director - Respondent Presbyterian
Jim Szilargy	, 6 0	Chief Executive Officer, Supply Chain Department - Respondent Presbyterian Shadyside
Sally Sterritt	-	Supervisor, Environmental Services Department - Respondent Shadyside
Kimberly N. Stewart	-	Clinician, GI Lab and Medical Procedures Unit - Respondent Presbyterian
Denise Touray	•	Director of Patient Transport and Linen Services - Respondent Presbyterian

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Albert Wright Vice President of Operations - Respondent Presbyterian Shadyside Assistant Director of Transportation, Supply Chain Bart E. Wyss Department - Respondent Presbyterian Shadyside Unit Director, GI Lab and Medical Procedures Unit -Betsy Yetiskul Respondent Presbyterian Jill Zonker Executive Director - Pulmonary, Neuro and GI Services -Respondent Presbyterian Shadyside Cheryl Cinefra Supervisor, Environmental Services Department -Respondent Presbyterian Rhonda Lee Supervisor, Environmental Services Department -Respondent Presbyterian Supervisor, Environmental Services Department -Mike Cellender Respondent Presbyterian John Krolicki Vice President of Facilities and Support Services Respondent

(b) At all material times, the following individuals held the positions set forth opposite their respective names and have been agents of Respondent within the meaning of Section 2(13) of the Act:

Emily Bowman Senior Human Resources Consultant - Respondent Presbyterian Shadyside Manager, Human Resources Department - Respondent Shannon Corcoran Presbyterian Shadyside Marina Goodman Senior Human Resources Consultant - Respondent Presbyterian Shadyside Human Resources Manager - Respondent Presbyterian Kathy Grills Shadyside Christopher Kovaly Accounting Associate for Parking and Security -Respondent Presbyterian Shadyside Jacyln Loveridge Senior Human Resources - Respondent Presbyterian Shadyside

- 8. About November 19, 2012, Respondent, by Bart E. Wyss, at Presbyterian, by telling employees it knew what they were discussing, created an impression among its employees that their union activities were under surveillance by Respondent.
- About February, 2013, Respondent, by Ryan R. Beaver, at Presbyterian, impliedly threatened its employees with discipline because of their union membership, activities and sympathies.
- 10. About February 14, 2013, Respondent, by Jane Hackett, at Presbyterian, by telling employees it knew what they were discussing, created an impression among its employees that their union activities were under surveillance by Respondent.
- 11. About February 21, 2013, Respondent, by Gerald T. Moran, at Presbyterian, in the presence of its employees, threatened to arrest nonemployees as they were engaged in lawful union activities with its employees.
- 12. About February 21, 2013 Respondent, by Gerald T. Moran, at Presbyterian, in the presence of its employees, threatened to arrest its employees as they were engaged in lawful union activities.
- About February 21, 2013 Respondent, by Gerald T. Moran, at Presbyterian, engaged in surveillance of its employees as they were engaged in lawful union activities.
- 14. About February 21, 2013, Respondent, by Gerald T. Moran, at Presbyterian, coerced and intimidated its employees by requesting that they show their identification badges to Respondent as they were engaged in lawful union activities.
- 15. About February 25, 2013, Respondent, by Denise Touray and/or Jaclyn Loveridge, at Presbyterian, interrogated its employees about their union membership, activities and sympathies.

16. About February 28, 2013, Respondent, by Jaclyn Loveridge and/or Linda Haas, at Presbyterian, interrogated its employees by asking them to write a statement about their union membership, activities and sympathies.

- 17. About March 4, 2013, Respondent, by John Burns and/or William Dilla and/or Dan Gasparovic, at Presbyterian, interrogated its employees about their union membership, activities and sympathies and the union membership, activities and sympathies of other employees.
- 18. About March 4, 2013, Respondent, by John Burns and/or William Dilla and/or Dan Gasparovic, at Presbyterian, threatened its employees with discipline unless they agreed to write a statement concerning their union membership, activities and sympathies and the union membership, activities and sympathies of other employees.
- 19. About March 22, 2013, Respondent, by Ed Kellar, at Presbyterian, interrogated its employees by asking them to write a statement about their union membership, activities and sympathies.
- 20. In March 2013, Respondent, by Jason Hogan, at Shadyside, impliedly threatened its employees with poor evaluations if they continued their support of the Union.
- 21. About April 3, 2013, Respondent, by Ryan R. Beaver and/or Paul Ondo, at Presbyterian, interrogated its employees about their union membership, activities and sympathies.
- 22. About April 15, 2013, Respondent, by Carlton Clark, at Respondent's South Lot, interrogated its employees about their union membership, activities and sympathies.
- 23. (a) About April 15, 2013, Respondent, by Tim Nedley, intimidated and coerced its employees in the exercise of their Section 7 rights by demanding to take a photograph of an employee's union buttons while the employee was wearing the buttons.

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- (b) About June 18, 2013, Respondent, by Amy Bush and Emily Bowman, intimidated and coerced its employees in the exercise of their Section 7 rights by disparaging employees who engaged in protected concerted activities.
- 24. About April 16, 2013, Respondent, by Carlton Clark and Tim Nedley, interrogated its employees about their union membership, activities and sympathies.
- 25. About April 26, 2013, Respondent, by Paul Ondo, at Presbyterian, interrogated its employees about their union membership, activities and sympathies.
- 26. (a) About early July 2013, Respondent, by Bart Wyss, interrogated employees about their participation in a Board investigation.
- (b) About early July 2013, Respondent, by Bart Wyss, requested from employees copies of testimony they provided to the Board during a Board investigation.
- 27. At all material times, Respondent has maintained a Solicitation Policy which reads, in pertinent part, as follows:

II. SCOPE

This policy applies both to the person doing the soliciting or distribution of literature and the person being solicited or receiving the distribution in UPMC facilities located in the United States. Covered activities include, but are not limited to: solicitation for raffles, charity drives, sale of goods, proposing or procuring membership in any organization, or canvassing. Activities sponsored and approved by UPMC or a business unit's President are permitted, such as United Way campaigns.

IV. PROCEDURE

- A. No staff member shall engage in solicitation of other staff members, patients, and visitors during working time.
- B. No staff member may engage in solicitation during working or non-working time in patient care areas, such as patient rooms, operating rooms, patient lounges, areas where patients receive treatment, corridors and sitting rooms adjacent to patient care areas if a patient or family member is present. For other work areas, no staff member may engage in solicitation during working time.

C. No staff member may distribute any form of literature that is not related to UPMC business or staff duties at any time in any work, patient care, or treatment areas. Additionally, staff members may not use UPMC electronic messaging systems to engage in solicitation

- E. Only professional recognition, employer service pins, and staff member ID badges may be worn in patient care or treatment areas.
- G. All situations of unauthorized solicitation or distribution must be immediately reported to a supervisor or department director and the Human Resources Department and may subject the staff member to corrective action up to and including discharge.
- 28. About February 28, 2013, Respondent, by Gina Barry, enforced the rule described above in paragraph 27 selectively and disparately by applying it for disciplinary purposes only against employees who formed, joined, or assisted the Union and/or by prohibiting union solicitations and distributions, while permitting nonunion solicitations and distributions.
- 29. About March 28, 2013, Respondent, by Denise Touray, enforced the rule described above in paragraph 27 selectively and disparately by permitting its employees to utilize Respondent's bulletin boards for purposes not approved by, or related to, Respondent-sponsored matters, while prohibiting its employees from posting items in support of the Union on Respondent's bulletin boards.
- 30. About late March 2013, Respondent, by Emily Bowman, enforced the rule described above in paragraph 27 selectively and disparately by permitting its employees to utilize Respondent's bulletin boards for purposes not approved by, or related to, Respondent-sponsored matters, while prohibiting its employees from posting items in support of the Union on Respondent's bulletin boards.
- 31. About April 4, 2013, Respondent, by Ryan Beaver and Paul Ondo, enforced the rule described above in paragraph 27 selectively and disparately by applying it for disciplinary

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purposes only against employees who formed, joined, or assisted the Union and/or by prohibiting union solicitations and distributions, while permitting nonunion solicitations and distributions.

- 32. About April 26, 2013, Respondent, by Paul Ondo, enforced the rule described above in paragraph 27 selective and disparately by applying it for disciplinary purposes only against employees who formed, joined, or assisted the Union and/or by prohibiting union solicitations and distributions, while permitting nonunion solicitations and distributions.
- 33. About May 14, 2013, Respondent, by Betsy Yetiskul, enforced the rule described above in paragraph 27 selectively and disparately by permitting its employees to solicit in patient care areas for purposes not approved by, or related to, Respondent-sponsored matters, while prohibiting its employees from soliciting in patient care areas in support of the Union.
- 34. About the dates set forth below, in the locations described below, Respondent, by the below-named supervisors, selectively and disparately enforced its rule described above in paragraph 27, by requiring its employees to remove items bearing pro-Union insignia, while permitting its employees to wear, in patient care areas, items bearing insignia that did not qualify as "professional recognition" items, "employer service pins" and/or "staff member ID badges":
 - (a) Early February 2013 Albert Wright Presbyterian
 - (b) March 2013 Jane Hackett Presbyterian
 - (c) March 3, 2013 Ted Hill Respondent's Employee Transit facility
 - (d) April 2013 Tim Nedley Respondent's Employee Transit facility
 - (e) April 5, 2013 Lisa Fennick Presbyterian
 - (f) April 16, 2013 Carlton Clark Respondent's Employee Transit facility

- 35. (a) Since about February 20, 2013, Respondent, by John Krolicki and Dan Gasparovic, has participated in the affairs of the ESS Employee Council (the Employee Council) at Presbyterian Hospital, a labor organization that Respondent established in or about September 2012, and has supervised the Employee Council's regular meetings.
- (b) Since about February 20, 2013, Respondent, by John Krolicki and Dan Gasparovic, has given assistance and support to the ESS Employee Council by permitting the Employee Council to utilize Respondent's facilities and equipment, by compensating employees for their participation in the Employee Council, and by providing funds and food items for the Employee Council's social event on May 26, 2013.
- (c) Since about February 20, 2013, Respondent, by John Krolicki and Dan Gasparovic, has dominated and given assistance and support to the Employee Council by funding the "Employee of the Month" award at the Employee Council's request.
- (d) Since about February 20, 2013, Respondent, by John Krolicki and Dan Gasparovic, has recognized the Employee Council as the exclusive collective-bargaining representative of its ESS employees at Presbyterian Hospital and has dealt with the Employee Council concerning the working conditions, wages and hours of its employees.
- 36. About December 20, 2012, Respondent issued a final written warning to its employee Felicia Penn.
- 37. About February 27, 2013, Respondent issued a written warning to its employee David Jones.
- 38. (a) About February 28, 2013, Respondent suspended its employee Leslie Poston.
- (b) About March 11, 2013, Respondent issued a final written warning to its employee Leslie Poston.

- 39. About March 9, 2013, Respondent discharged its employee Finley Littlejohn.
- 40. About March 20, 2013, Respondent discharged its employee Ronald Oakes.
- 41. About March 28, 2013, Respondent issued a final written warning to its employee Chaney Lewis.
- 42. About April 4, 2013, Respondent issued a verbal warning to its employee James Staus.
- 43. About April 23, 2013, Respondent issued a final written warning to its employee Albert Turner.
- 44. About April 26, 2013, Respondent issued a verbal warning to its employee James Staus.
- 45. About May 14, 2013, Respondent placed its employee James Staus on a Performance Improvement Plan.
 - 46. About June 18, 2013, Respondent discharged its employee Albert Turner.
 - 47. About July 1, 2013, Respondent discharged its employee James Staus.
- 48. Respondent engaged in the conduct described above in paragraphs 36-47 because the named employees of Respondent joined or assisted the Union and engaged in concerted activities, and to discourage employees from engaging in these activities.
- 49. Respondent engaged in the conduct described above in paragraph 40 because Ronald Oakes gave testimony to the Board in the form of an affidavit and cooperated in a Board investigation in connection with Cases 06-CA-081896, et al.
- 50. Respondent engaged in the conduct described above in paragraph 41 because Chaney Lewis gave testimony to the Board in the form of an affidavit and cooperated in a Board investigation in connection with Cases 06-CA-081896, et al.

- 51. By the conduct described above in paragraphs 8-26 and 28-34, Respondent has been interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in Section 7 of the Act in violation of Section 8(a)(1) of the Act.
- 52. By the conduct described above in paragraphs 35(a) through 35(d), Respondent has dominated and interfered with the administration of, and has been rendering unlawful assistance and support to, a labor organization in violation of Section 8(a)(1) and (2) of the Act.
- 53. By the conduct described above in paragraphs 36-48, Respondent has been discriminating in regard to the hire or tenure or terms or conditions of employment of its employees, thereby discouraging membership in a labor organization in violation of Section 8(a)(1) and (3) of the Act.
- 54. By the conduct described above in paragraphs 40, 41, 49 and 50, Respondent has been discriminating against employees for filing charges or giving testimony under the Act in violation of Section 8(a)(1) and (4) of the Act.
- 55. The unfair labor practices of Respondent described above affect commerce within the meaning of Section 2(6) and (7) of the Act.

REQUESTED REMEDIES

As part of the remedy for the unfair labor practices alleged above in paragraphs 8 through 26 and paragraphs 28 through 50, the General Counsel seeks an Order requiring Respondent Presbyterian Shadyside to take the following affirmative actions:

- (a) Post, for 120 days, in all appropriate locations in Respondent UPMC Presbyterian Shadyside's facilities where notices to employees are customarily posted, any NLRB Notice to Employees that may issue in this proceeding;
- (b) At a meeting or meetings of UPMC Presbyterian Shadyside employees, scheduled to ensure the widest possible employee attendance, during employees' working hours and in the presence of a Board agent, read aloud any NLRB Notice to Employees that may issue in this proceeding;

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(c) Grant to the Union access to public areas in its UPMC Presbyterian Shadyside facilities, with the right to speak to employees during employees' non-working time; and

(d) During the period that the NLRB Notice to Employees is posted in connection with this proceeding, permit current employees to post Union literature and notices on its bulletin boards and all places where notices to employees are customarily posted within Respondent's UPMC Presbyterian Shadyside facilities.

Furthermore, as part of the remedy for the unfair labor practices alleged above in paragraphs 38(a), 39, 40, 46 and 47, the General Counsel seeks an order requiring reimbursement of amounts equal to the difference in taxes owed upon receipt of a lump-sum payment and taxes that would have been owed had there been no discrimination.

The General Counsel further seeks, as part of the remedy for the allegations in paragraphs 38(a), 39, 40, 46 and 47, that Respondent be required to submit the appropriate documentation to the Social Security Administration so that when back pay is paid, it will be allocated to the appropriate periods.

The General Counsel further seeks all other relief as may be just and proper to remedy the unfair labor practices alleged.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the amended consolidated complaint. The answer must be <u>received by this office on or before January 23, 2014</u>, <u>or postmarked on or before January 22, 2014</u>. Respondent should file an original and four copies of the answer with this office and serve a copy of the answer on each of the other parties.

An answer may also be filed electronically through the Agency's website. To file electronically, go to www.nlrb.gov, click on File Case Documents, enter the NLRB Case Number, and follow the detailed instructions. The responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website

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informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See Section 102.21. If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the answer need to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed, or if an answer is filed untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the amended consolidated complaint are true.

Dated: January 9, 2014.

Robert W. Chester, Regional Director National Labor Relations Board, Region 6

1000 Liberty Avenue, Room 904 Pittsburgh, PA 15222-4111

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Form NLRB - 501 (2-08) UNITED STATES OF AMER	RICA	DO NOT WRITE IN THIS SPACE		
NATIONAL LABOR RELATIONS BOARD		Case	Date Filed	
FIRST AMENDED CHARGE AGAIN INSTRUCTIONS:	06-CA-102465	09-27-13		
ile an original of this charge with NLRB Regional Direc	tor in which the alleged unfair labor practice.		9.	
Name of Employer	EG TEN MONITOR VETTOM GIMNOE IG	b. Tel. No.		
UPMC PRESBYTERIAN SHADYSIDE D/E	B/A UPMC PRESBYTERIAN	(412)647-87	62	
HOSPITAL AND D/B/A UPMC SHADYSID		c. Cell No	¥	
Address (street, city, state ZIP code) e. Employer Representative		f. Fax No.		
600 GRANT STREET, FLOOR 58		(412)647-87 g. e-Mail	50	
PITTSBURGH, PA 15219-2739		h Disnute Location	on (City and State)	
		Pittsburgh, I		
Type of Establishment (factory, nursing home, j. P	Principal Product or Service		kers at dispute location	
otel)		77.77.77.77.77.77	A STOCKE TO DESCRIPTION	
HOSPITALS	EALTH CARE SERVICES	50,000		
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Aa. Address (street and number, city, state, and ZIP co	de)	4b, Tel, No.		
		(717)238-30	130	
1500 NORTH 2ND STREET		4c. Cell No.		
HARRISBURG, PA 17102-2528	4	4d. Fax No.		
	1	(717)238-83	354	
5. Full name of national or international labor organization organization) SERVICE EMPLOYEES INTERNATION		4e e-Mail nt unit (to be filled in when	charge is filed by a labor	
DECLARATION I declare that I have read the above charge and the knowledge and belief.	hat the statements are true to the bes	Tel. No. (412) 39	1-7709	
By: Serve	JOSEPH D. SHAULIS, ATTO	Office, if any	Cell No	
(signature of representative or person making charg	e) Print Name and Title	Fax No.	1100	
Address:	Date: 9/1-/12	(412) 391- e-Mail	1130	
429 FOURTH AVENUE, SUITE 500	Date: 9/27/13		8 10 10 10 10	
PITTSBURGH, PA 15219		cdavidsor	@choiceonemail.co	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

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 unfair labor practice 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 voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Form NLRB - 501 (2-08) UNITED STATES OF AMERICA		DO NOT WRITE IN THIS SPACE		
NATIONAL LABOR RELATIONS BOAR	- Case	Date Filed		
SECOND AMENDED CHARGE AGAINST NSTRUCTIONS:	06-CA-102465	December 18, 2013		
ile an original of this charge with NLRB Regional Director in w	hich the alleged unfair labor pra	ctice occurred or is occurri	ng	
	AGAINST WHOM CHARGE IS	b. Tel No.		
a. Name of Employer		(412)647-8	762	
UPMC and its Subsidiary, UPMC Presbyterian S d/b/a UPMC Presbyterian Hospital and d/b/a UP			-	
d Address (street, city, state ZIP code) e. Employe	er Representative	f. Fax No		
, , , , , , , , , , , , , , , , , , , ,		(412)647-8	750	
SEE ATTACHMENT A SEE AT	TACHMENT A	g e-Mail		
DEE ATTACHMENTA DEE AT	TACHIVLENT A	peasleeg@	upmc.edu	
			ion (City and State)	
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notel)		50,000	70-11-12-12-12-12-12-12-12-12-12-12-12-12-	
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WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

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Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 29 of 88

ATTACHMENT A

UPMC AND ITS SUBSIDIARY, UPMC PRESBYTERIAN SHADYSIDE, SINGLE EMPLOYER, D/B/A UPMC PRESBYTERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC PRESBYTERIAN SHADYSIDE, D/B/A UPMC PRESBYERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

Page: 61 Case: 14-4523 Document: 003111928782 Date Filed: 04/09/2015

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 30 of 88

Form NI RR - 501 (2-08)

UNITED STATES OF AMER	ICA	DO NOT WRITE IN THIS SPACE		
NATIONAL LABOR RELATIONS	Case	Date Filed		
SECOND AMENDED CHARGE AGAI STRUCTIONS:	06-CA-102494	09-27-13		
e an original of this charge with NLRB Regional Direct	or in which the alleged unfair labor OYER AGAINST WHOM CHARG	practice occurred or is occurring	g.	
a. Name of Employer	OTER AGAINST WHOM CHARG	b. Tel. No.		
a. Name of Employer		(412)647-87	62	
UPMC PRESBYTERIAN SHADYSIDE D/B/ HOSPITAL AND D/B/A UPMC SHADYSIDE				
Address (street, city, state ZIP code) e. E.	mployer Representative	f, Fax No.		
2.5	************	(412)647-87	50	
600 GRANT STREET, FLOOR 58		g. e-Mail		
PITTSBURGH, PA 15219-2739		h Dispute Location	on (City and State)	
		Pittsburgh, F		
Type of Establishment (factory, nursing home, J. Pr	incipal Product or Service		kers at dispute location	
otel)	morphi i roduct of Octivice	K. Number of Wol	nera at dispute location	
	ALTH CARE SERVICES	50,000		
employees by impliedly threatening them 3. Full name of party filing charge (if labor organization,	will poor work evaluation			
		e and number)		
SEIU HEALTHCARE PENNSYLVANIA, CT	rw, clc			
	rw, clc	4b. Tel. No.	220	
a. Address (street and number, city, state, and ZIP cod	rw, clc	4b. Tel. No. (717)238-30	030	
 Address (street and number, city, state, and ZIP cod 1500 NORTH 2ND STREET 	rw, clc	4b. Tel. No. (717)238-30 4c Cell No.	030	
 Address (street and number, city, state, and ZIP cod 	rw, clc	4b. Tel. No. (717)238-30 4c Cell No. 4d. Fax No.		
a. Address (street and number, city, state, and ZIP cod 1500 NORTH 2ND STREET	rw, clc	4b. Tel. No. (717)238-30 4c Cell No. 4d. Fax No. (717)238-83		
ia. Address (street and number, city, state, and ZIP cod 1500 NORTH 2ND STREET HARRISBURG, PA 17102-2528 5. Full name of national or international labor organization	FW, CLC le) on of which it is an affiliate or cons	4b. Tel. No. (717)238-3(4c Cell No. 4d. Fax No. (717)238-83 4e. e-Mail	354	
15.00 NORTH 2ND STREET HARRISBURG, PA 17102-2528 E. Full name of national or international labor organization organization SERVICE EMPLOYEES INTERNATIO	FW, CLC le) on of which it is an affiliate or cons	4b. Tel. No. (717)238-30 4c Cell No. 4d. Fax No. (717)238-83 4e. e-Mail tituent unit (to be filled in when of	354 charge is filed by a labor	
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a. Address (street and number, city, state, and ZIP cod 1500 NORTH 2ND STREET HARRISBURG, PA 17102-2528 E. Full name of national or international labor organization SERVICE EMPLOYEES INTERNATIO DECLARATION I declare that I have read the above charge and the knowledge and belief.	FW, CLC le) on of which it is an affiliate or cons NAL UNION at the statements are true to the	4b. Tel. No. (717)238-30 4c Cell No. 4d. Fax No. (717)238-83 4e. e-Mail tituent unit (to be filled in when of the color of	354 Charge is filed by a labor 1-7709	
a. Address (street and number, city, state, and ZIP cod 1500 NORTH 2ND STREET HARRISBURG, PA 17102-2528 Full name of national or international labor organization SERVICE EMPLOYEES INTERNATIO DECLARATION I declare that I have read the above charge and the knowledge and belief.	TW, CLC le) on of which it is an affiliate or cons NAL UNION at the statements are true to the JOSEPH D. SHAULIS, A	4b. Tel. No. (717)238-30 4c Cell No. 4d. Fax No. (717)238-83 4e. e-Mail tituent until (to be filled in when of the company of	354 charge is filed by a labor 1-7709 , Cell No.	
1500 NORTH 2ND STREET HARRISBURG, PA 17102-2528 Full name of national or international labor organization SERVICE EMPLOYEES INTERNATIO DECLARATION I declare that I have read the above charge and the knowledge and belief. By: (signature of representative or person making charge	TW, CLC le) on of which it is an affiliate or cons NAL UNION at the statements are true to the JOSEPH D. SHAULIS, A	4b. Tel. No. (717)238-30 4c Cell No. 4d. Fax No. (717)238-83 4e. e-Mail tituent until (to be filled in when of the company of	354 charge is filed by a labor 1-7709 , Cell No.	
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WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

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 unfair labor practice 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 voluntary, however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 31 of 88

Form NLRB - 501 (2-08) DO NOT WRITE IN THIS SPACE UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD Case Date Filed THIRD AMENDED CHARGE AGAINST EMPLOYER INSTRUCTIONS: 06-CA-102494 December 18, 2013 File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT a. Name of Employer b Tel No. UPMC and its Subsidiary, UPMC Presbyterian Shadyside, Single Employer, (412)647-8762 c Cell No. d/b/a UPMC Presbyterian Hospital and d/b/a UPMC Shadyside Hospital e. Employer Representative f. Fax No d. Address (street, city, state ZIP code) (412)647-8750 g. e-Mail SEE ATTACHMENT A SEE ATTACHMENT A peasleeg@upmc.edu h. Dispute Location (City and State) Pittsburgh, PA Principal Product or Service i. Type of Establishment (factory, nursing home, Number of workers at dispute location hotell 50,000 HOSPITALS HEALTH CARE SERVICES I. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act. 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Since about November 12, 2013 the Employer has interfered with, restrained, and coerced its employees by impliedly threatening them with poor work evaluations. 3 Full name of party filing charge (if labor organization, give full name, including local name and number) SEIU HEALTHCARE PENNSYLVANIA, CTW, CLC 4a. Address (street and number, city, state, and ZIP code) 4b Tel No (717)238-3030 4c. Cell No. 1500 NORTH 2ND STREET 4d. Fax No HARRISBURGH, PA 17102-2528 (717)238-8354 4e. e-Mail 5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) SERVICE EMPLOYEES PENNSYLVANIA, CTW, CLC Tei No. 6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of (412) 391-7709 my knowledge and belief. Office, if any, Cell No. JOSEPH D. SHAULIS, ATTORNEY BV: Print Name and Title (signature of epresentative or person making charge) Fax No (412) 391-1190

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

429 FOURTH AVENUE, SUITE 500

PITTSBURGH, PA 15219

Address:

e-Mail

cdavidson@choiceonemail.com

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Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 33 of 88

ATTACHMENT A

UPMC AND ITS SUBSIDIARY, UPMC PRESBYTERIAN SHADYSIDE, SINGLE EMPLOYER, D/B/A UPMC PRESBYTERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC PRESBYTERIAN SHADYSIDE, D/B/A UPMC PRESBYERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

Case: 14-4523 Document: 003111928782 Page: 65 Date Filed: 04/09/2015

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 34 of 88

Form NLRB - 501 (2-08)	ilizara.	DO NOT WOLT	IN THE CRACE
UNITED STATES OF NATIONAL LABOR RELAT		Case	IN THIS SPACE Date Filed
THIRD AMENDED CHARGE A	A STATE OF THE STA	06-CA-102516	09-27-13
File an original of this charge with NLRB Regional			ng
	EMPLOYER AGAINST WHOM CHARGE I	b. Tel. No.	
a. Name of Employer UPMC PRESBYTERIAN SHADYSIDE		(412)647-87 c Cell No.	762
HOSPITAL AND D/B/A UPMC SHAD	YSIDE HOSPITAL		
d. Address (street, city, state ZIP code)	e. Employer Representative	f. Fax No.	750
600 GRANT STREET, FLOOR 58		(412)647-87 g e-Mail	30
PITTSBURGH, PA 15219-2739		h. Dispute Locati Pittsburgh,	on (City and State)
L Type of Establishment (factory, nursing home,	j. Principal Product or Service		kers at dispute location
hotel) HOSPITALS	HEALTH CARE SERVICES	50,000	
Since on or about November 12, 2012 a retaliated against Leslie Poston, in regar and in order to discourage support for the 3. Full name of party filing charge (if labor organization)	ed to her terms and conditions of er the union. ation, give full name, including local name a	nployment, because of	
SEIU HEALTHCARE PENNSYLVANI			
4a Address (street and number, city, state, and Z	IP code)	4b. Tel. No. (717)238-3	030
1500 NORTH 2ND STREET		4c. Cell No.	000
HARRISBURG, PA 17102-2528		4d, Fax No.	3571
A day a ready and the second		(717)238-8	354
5. Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATIONAL PROPERTY OF THE PROPERTY OF T		4e. e-Mail ent unit (lo be filled in when	charge is filed by a labor
DECLARATION I declare that I have read the above charge is knowledge and belief.	and that the statements are true to the bo	Tel. No. (412) 39	1-7709
By: Senli	JOSEPH D. SHAULIS, AT	FORNEY Office, if any	, Cell No.
(signature of representative or person making	charge) Print Name and Title	Fax No.	Wasie C
Address:	Date: 9/27/13	(412) 391 e-Mail	-1190
429 FOURTH AVENUE, SUITE 500 PITTSBURGH, PA 15219		cdavidso	n@choiceonemail.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

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Page: 66 Case: 14-4523 Document: 003111928782 Date Filed: 04/09/2015

Form NLRB - 501 (2-08)	ANACOLOA	DO NOT WRITE	IN THIS COACE
UNITED STATES OF NATIONAL LABOR RELAT	272 TO 171 TO 17 T	Case	IN THIS SPACE Date Filed
FOURTH AMENDED CHARGE		06-CA-102516	December 18, 2013
ile an onginal of this charge with NLRB Regional	Director in which the alleged unfair labor po	ractice occurred or is occurr	ng
. Name of Employer	EMPLOYER AGAINST WHOM CHARGE I	b Tel. No.	
UPMC and its Subsidiary, UPMC Pres d/b/a UPMC Presbyterian Hospital and		yer, (412)647-8	762
I. Address (street, city, state ZIP code)	e. Employer Representative	f. Fax No.	
SEE ATTACHMENT A	SEE ATTACHMENT A	g e-Mail peasleeg@	
		h. Dispute Local Pittsburgh,	ion (City and State)
Type of Establishment (factory, nursing home,	1 Principal Product or Service	k. Number of wo	rkers at dispute location
otel) HOSPITALS	HEALTH CARE SERVICES	50,000	
Basis of the Charge (set forth a clear and conc	ice statement of the facts constitution the a	lloped upfair laker practices	
3. Full name of party filing charge (if labor organiz SEIU HEALTHCARE PENNSYLVANI	ation, give full name, including local name		
4a. Address (street and number, city, state, and 2	IP code)	4b. Tel. No.	020
1500 NORTH 2ND STREET		(717)238-3 4c Cell No	030
HARRISBURGH, PA 17102-2528		4d. Fax No. (717)238-8	354
5. Full name of national or international labor organization) SERVICE EMPLOYEES PENNSYLV	anization of which it is an affiliate or constitu	4e, e-Mail uent unit (to be filled in when	
	ANIA, CTW, CLC		charge is filed by a labor
DECLARATION I declare that I have read the above charge in my knowledge and belief.	ANIA, CTW, CLC		charge is filed by a labor
		Tel. No. (412) 391-	
By OSM '		est of (412) 391- Office, if any, C	7709
-0-1	JOSEPH D. SHAULIS, ATTO	CRNEY (412) 391-	7709 eli No.
By Sone	JOSEPH D. SHAULIS, ATTO	(412) 391- RNEY Fax No (412) 391-11 e-Mail	7709 eli No.

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT
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Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 36 of 88

ATTACHMENT A

UPMC AND ITS SUBSIDIARY, UPMC PRESBYTERIAN SHADYSIDE, SINGLE EMPLOYER, D/B/A UPMC PRESBYTERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC PRESBYTERIAN SHADYSIDE, D/B/A UPMC PRESBYERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

	MERICA	DO NOT WRI	TE IN THIS SPACE
NATIONAL LABOR RELATI		Case	Date Filed
SECOND AMENDED CHARGE A STRUCTIONS:	GAINST EMPLOYER	06-CA-102518	09-27-13
e an original of this charge with NLRB Regional C	Director in which the alleged unfair lal	por practice occurred or is occu	rring.
	MPLOYER AGAINST WHOM CHAP	b Tel No.	
a. Name of Employer		(412)647-	8762
UPMC PRESBYTERIAN SHADYSIDE HOSPITAL AND D/B/A UPMC SHADY			
Address (street, city, state ZIP code)	e. Employer Representative	f. Fax No.	
modicas (sitest, sity, state in series)	2020,000,000,000	(412)647	8750
600 GRANT STREET, FLOOR 58		g. e-Mail	
PITTSBURGH, PA 15219-2739		L Burney La	-the following different
and the state of t		Pittsburg	ration (City and State)
Type of Establishment (factory, nursing home,	j. Principal Product or Service		workers at dispute location
otel)	T This part Tourse of Cervice	in Hamber of	valuate at a spate (acation)
OSPITALS	HEALTH CARE SERVICES	50,000	
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iscriminated against Chaney Lewis, in restrictivities and in order to discourage supplications on or about November 12, 2012, the decause the employee gave affidavit testrovide testimony in a Board proceeding	egard to his terms and condit port for the union. he Employer discriminated ag timony to the Board and was	ions of employment, because in the control of the c	ause of his protective
iscriminated against Chaney Lewis, in rectivities and in order to discourage supplince on or about November 12, 2012, the ecause the employee gave affidavit test rovide testimony in a Board proceeding. Full name of party filing charge (if labor organization)	egard to his terms and condit port for the union. The Employer discriminated ago timony to the Board and was tion, give full name, including local name.	ions of employment, because in the control of the c	ause of his protective
iscriminated against Chaney Lewis, in rectivities and in order to discourage supplince on or about November 12, 2012, the ecause the employee gave affidavit test rovide testimony in a Board proceeding. Full name of party filing charge (if labor organization) SEIU HEALTHCARE PENNSYLVANIA	egard to his terms and condit port for the union. The Employer discriminated ago timony to the Board and was tion, give full name, including local of the CTW, CLC	ions of employment, because and employee Chaney issued a subpoena to ame and number)	ause of his protective Lewis by disciplining him
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WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
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 unfair labor practice and related proceedings or lingation. 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

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 38 of 88

Form NLRB - 501 (2-08)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

THIRD AMENDED CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE

Case Date Filed

06-CA-102518 December 18, 2013

a. Name of Employer	EMPLOYER AGAINST WHOM CHARGE IS BROU	b. Tel. No. (412)647-8762
UPMC and its Subsidiary, UPMC Pres d/b/a UPMC Presbyterian Hospital an		c. Cell No.
d. Address (street, city, state ZIP code)	e. Employer Representative	f. Fax No. (412)647-8750
SEE ATTACHMENT A	SEE ATTACHMENT A	g e-Mail peasleeg@upmc.edu
		h. Dispute Location (City and State) Pittsburgh, PA
i, Type of Establishment (factory, nursing home, hotel) HOSPITALS	j. Principal Product or Service HEALTH CARE SERVICES	k. Number of workers at dispute location 50,000

Since on or about November 12, 2012, and continuing thereafter, the above-named Employer has discriminated against Chaney Lewis, in regard to his terms and conditions of employment, because of his protective activities and in order to discourage support for the union.

Since on or about November 12, 2012, the Employer discriminated against employee Chaney Lewis by disciplining him because the employee gave affidavit testimony to the Board and was issued a subpoena to provide testimony in a Board proceeding.

Full name of party filing charge (if labor organization, give full name, including local name and number)
 SEIU HEALTHCARE PENNSYLVANIA, CTW, CLC

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (lo be filled in when charge is filled by a labor organization)

SERVICE EMPLOYEES PENNSYLVANIA, CTW, CLC

 DECLARATION I declare that I have read the above charge and that the my knowledge and belief. 	ne statements are true to the best of	Tel. No. (412) 391-7709
Ву:	JOSEPH D. SHAULIS, ATTORNEY	Office, if any, Cell No.
(signature of representative or person making charge)	Print Name and Title	Fax No. (412) 391-1190
Address: 429 FOURTH AVENUE, SUITE 500 PITTSBURGH, PA 15219	Date:	e-Mail cdavidson@choiceonemail.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) 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 unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Reviser. 21 Fed. Rev. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 39 of 88

ATTACHMENT A

UPMC PRESBYTERIAN SHADYSIDE, D/B/A PRESBYERIAN HOSPITAL AND D/B/A SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	
UPMC PRESBYTERIAN SHADYSIDE 600 GRANT STREET, FL 58 PITTSBURGH, PA.15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

Page: 71 Case: 14-4523 Document: 003111928782 Date Filed: 04/09/2015

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 40 of 88

Form NLRB - 501 (2-08) UNITED STATES OF	AMERICA	DO NOT WRITE	IN THIS SPACE
NATIONAL LABOR RELAT		Case	Date Filed
FIRST AMENDED CHARGE A	GAINST EMPLOYER		
STRUCTIONS:	100	06-CA-102525	09-27-13
ile an original of this charge with NLRB Regional			g.
	EMPLOYER AGAINST WHOM CHARGE		
i. Name of Employer UPMC PRESBYTERIAN SHADYSIDE HOSPITAL AND D/B/A UPMC SHADY		b. Tel. No. (412)647-87 c. Cell No.	62
d. Address (street, city, state ZIP code)	e. Employer Representative	f. Fax No	.7.
		(412)647-87	50
600 GRANT STREET, FLOOR 58	1	g. e-Mail	
PITTSBURGH, PA 15219-2739		h. Dispute Location Pittsburgh, F	on (City and State)
Type of Establishment (factory, nursing home,	Principal Product or Service		kers at dispute location
hotel)			an ampair is sention
HOSPITALS	HEALTH CARE SERVICES	50,000	
		leged unfair labor practices)	
2. Basis of the Charge (set forth a clear and conci- Since on or about November 12, 2012 a retaliated against Felicia Penn, in regard and in order to discourage support for the	nd continuing thereafter, the above to her terms and conditions of em terms and conditions of em terms. alion, give full name, including local name	e-named Employer has opposite the ployment, because of h	
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WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

cdavidson@choiceonemail.com

PITTSBURGH, PA 15219

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 seg. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice 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 voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Form NLRB - 501 (2-08) UNITED STATES OF AMERICA DO NOT WRITE IN THIS SPACE NATIONAL LABOR RELATIONS BOARD Date Filed SECOND AMENDED CHARGE AGAINST EMPLOYER INSTRUCTIONS: 06-CA-102525 December 18, 2013 File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring. 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT a Name of Employer (412)647-8762 c. Cell No. UPMC and its Subsidiary, UPMC Presbyterian Shadyside, Single Employer, d/b/a UPMC Presbyterian Hospital and d/b/a UPMC Shadyside Hospital e. Employer Representative f Fax No. d. Address (street, city, state ZIP code) (412)647-8750 g e-Mail SEE ATTACHMENT A SEE ATTACHMENT A peasleeg@upmc.edu h. Dispute Location (City and State) Pittsburgh, PA i. Type of Establishment (factory, nursing home, j. Principal Product or Service k. Number of workers at dispute location hotel) 50,000 HEALTH CARE SERVICES HOSPITALS The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act. 2 Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Since on or about November 12, 2012 and continuing thereafter, the above-named Employer has discriminated and retaliated against Felicia Penn, in regard to her terms and conditions of employment, because of her protected activities and in order to discourage support for the union. 3. Full name of party filing charge (if labor organization, give full name, including local name and number) SEIU HEALTHCARE PENNSYLVANIA, CTW, CLC 4a. Address (street and number, city, state, and ZIP code) 4b. Tel. No. (717)238-3030 4c. Cell No. 1500 NORTH 2ND STREET, 4d. Fax No. HARRISBURGH, PA 17102-2528 (717)238-8354 4e e-Mail 5 Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor

 DECLARATION
 I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

JOSEPH D. SHAULIS, ATTORNEY

(412) 391-7709 Office, if any, Cell No.

(signature of representative or person making charge)

Print Name and Title

(412) 391-1190 e-Mail

Tel No

Fax No.

Address: 429 FOURTH AVENUE, SUITE 500 PITTSBURGH, PA 15219

SERVICE EMPLOYEES PENNSYLVANIA, CTW, CLC

Date: 12/18/13

cdavidson@choiceonemail.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

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Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 42 of 88

UPMC AND ITS SUBSIDIARY, UPMC PRESBYTERIAN SHADYSIDE, SINGLE EMPLOYER, D/B/A UPMC PRESBYTERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC PRESBYTERIAN SHADYSIDE, D/B/A UPMC PRESBYERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

Form NLRB - 501 (2-08)

UNITED STATES OF AMERICA

NATIONAL LABOR RELATIONS BOARD

FIRST AMENDED CHARGE AGAINST EMPLOYER INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE

Case Date Filed

06-CA-102534 09-27-13

	Director in which the alleged unfair labor practice occur EMPLOYER AGAINST WHOM CHARGE IS BROUGH	
a. Name of Employer UPMC PRESBYTERIAN SHADYSIDE HOSPITAL AND D/B/A UPMC SHAD	D/B/A UPMC PRESBYTERIAN	b. Tel. No. (412)647-8762 c. Cell No.
d. Address (street, city, state ZIP code) 600 GRANT STREET, FLOOR 58		f. Fax No. (412)647-8750 g e-Mail
PITTSBURGH, PA 15219-2739		h. Dispute Location (City and State) Pittsburgh, PA
i. Type of Establishment (factory, nursing home, hotel) HOSPITALS	j. Principal Product or Service HEALTH CARE SERVICES	k. Number of workers at dispute location 50,000
restrained, and coerced employees in the policies in a discriminatory manner and arrests of union representatives who we	ration, give full name, including local name and number	ally, the Employer has enforced UPMC by summoning police and threatening
4a. Address (street and number, city, state, and 2 1500 NORTH 2ND STREET HARRISBURG, PA 17102-2528	IP code)	4b. Tel. No. (717)238-3030 4c. Cell No. 4d. Fax No. (717)238-8354
5. Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATIONAL PROPERTY.	inization of which it is an affiliate or constituent unit (to	4e. e-Mail be filled in when charge is filed by a labor
DECLARATION I declare that I have read the above charge a knowledge and belief.	and that the statements are true to the best of my	Tel. No. (412) 391-7709
By: Sell	JOSEPH D. SHAULIS, ATTORNEY	Office, if any, Cell No.
(signature of epresentative or person making of Address:	Print Name and Title Date: 9/27// 3	Fax No (412) 391-1190 e-Mail
429 FOURTH AVENUE, SUITE 500 PITTSBURGH, PA 15219	1/0/1/15	cdavidson@choiceonemail.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FIVE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
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 unfair labor practice 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 voluntary, however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Form NLRB - 501 (2-08) DO NOT WRITE IN THIS SPACE UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD Case Date Filed SECOND AMENDED CHARGE AGAINST EMPLOYER INSTRUCTIONS: 06-CA-102534 December 18, 2013 File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring 1 EMPLOYER AGAINST WHOM CHARGE IS BROUGHT a. Name of Employer UPMC and its Subsidiary, UPMC Presbyterian Shadyside, Single Employer, (412)647-8762 d/b/a UPMC Presbyterian Hospital and d/b/a UPMC Shadyside Hospital c. Cell No. e Employer Representative Fax No. d Address (street, city, state ZIP code) (412)647-8750 SEE ATTACHMENT A q. e-Mail SEE ATTACHMENT A peasleeg@upmc.edu h Dispute Location (City and State) Pittsburgh, PA i. Principal Product or Service k. Number of workers at dispute location i. Type of Establishment (factory, nursing home, hotel) 50,000 HEALTH CARE SERVICES HOSPITALS I. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act. 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Since on or about November 12, 2012 and continuing thereafter, the above-named Employer has interfered with, restrained, and coerced employees in the exercise of their Section 7 rights. Specifically, the Employer has enforced UPMC policies in a discriminatory manner an interfered with protected Section 7 activity by summoning police and threatening arrests of union representatives who were lawfully on UPMC premises. 3. Full name of party filing charge (if labor organization, give full name, including local name and number) SEIU HEALTHCARE PENNSYLVANIA, CTW, CLC 4a. Address (street and number, city, state, and ZIP code) 4b Tel. No. (717)238-3030 4c. Cell No. 1500 N 2ND ST, HARRISBURG 4d. Fax No PA 17102-2528 (717)238-8354 4e. e-Mail 5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) SERVICE EMPLOYEES PENNSYLVANIA, CTW, CLC 6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of (412) 391-7709 my knowledge and belief. Office, if any, Cell No.

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Print Name and Title

By.

representative or person making charge)

Address: 429 FOURTH AVENUE, SUITE 500 PITTSBURGH, PA 15219

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 er seq. The principal use of the information is to assist the National Tahor Relations Board (NLRB) in processing unfair labor practice and related proceedings or lingation. The routine uses for the information are fully

JOSEPH D. SHAULIS, ATTORNEY

Fax No.

e-Mail

(412) 391-1190

cdavidson@choiceonemail.com

Case: 14-4523 Document: 003111928782 Page: 76 Date Filed: 04/09/2015

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 45 of 88

UPMC AND ITS SUBSIDIARY, UPMC PRESBYTERIAN SHADYSIDE, SINGLE EMPLOYER, D/B/A UPMC PRESBYTERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC PRESBYTERIAN SHADYSIDE, D/B/A UPMC PRESBYERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD FIRST AMENDED CHARGE AGAINST EMPLOYER INSTRUCTIONS:		DO NOT WRITE IN THIS SPACE		
		Case	Date Filed	
		06-CA-102540	09-27-13	
File an original of this charge with NLRB Regional D	l Director in which the alleged unfair labor pract	tice occurred or is occurri	ng.	
	MPLOYER AGAINST WHOM CHARGE IS B			
UPMC PRESBYTERIAN SHADYSIDE D/B/A UPMC PRESBYTERIAN		b. Tel. No. (412)647-87 c. Cell No.	762	
d. Address (street, city, state ZIP code)	iness (street, stry, state 2 in		Fax No. (412)647-8750	
600 GRANT STREET, FLOOR 58		g. e-Mail		
PITTSBURGH, PA 15219-2739			h. Dispute Location (City and State) Pittsburgh, PA	
i Type of Establishment (factory, nursing home,	J. Principal Product or Service	- V	rkers at dispute location	
hotel) HOSPITALS	HEALTH CARE SERVICES	50,000		
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		d number)		
As Address (street and number city state and 7	A, CTW, CLC	d number)		
4a. Address (street and number, city, state, and ZI	A, CTW, CLC		0030	
1500 NORTH 2ND STREET	A, CTW, CLC	4b. Tel. No. (717)238-3 4c. Cell No.	0030	
	A, CTW, CLC	4b, Tel. No. (717)238-3 4c. Cell No. 4d. Fax No.	(0.5)	
1500 NORTH 2ND STREET HARRISBURG, PA 17102-2528	A, CTW, CLC	4b, Tel. No. (717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail	3354	
1500 NORTH 2ND STREET	A, CTW, CLC P code) nization of which it is an affiliate or constituen	4b, Tel. No. (717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail	3354	
1500 NORTH 2ND STREET HARRISBURG, PA 17102-2528 5. Full name of national or international labor organization)	A, CTW, CLC P code) nization of which it is an affiliate or constituent ATIONAL UNION	4b. Tel. No. (717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail at unit (to be filled in when	3354	
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PRIVACY ACT STATEMENT

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Form NLRB - 501 (2-08) DO NOT WRITE IN THIS SPACE UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD Case Date Filed SECOND AMENDED CHARGE AGAINST EMPLOYER INSTRUCTIONS: 06-CA-102540 December 18, 2013 File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring. 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT b. Tel. No. a. Name of Employer (412)647-8762 UPMC and its Subsidiary, UPMC Presbyterian Shadyside, Single Employer, c. Cell No. d/b/a UPMC Presbyterian Hospital and d/b/a UPMC Shadyside Hospital d. Address (street, city, state ZIP code) e. Employer Representative f. Fax No. (412)647-8750 g. e-Mail SEE ATTACHMENT A SEE ATTACHMENT A peasleeg@upmc.edu h. Dispute Location (City and State) Pittsburgh, PA i. Type of Establishment (factory, nursing home, j. Principal Product or Service k. Number of workers at dispute location hotel) 50,000 HEALTH CARE SERVICES HOSPITALS I. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act. 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Since on or about November 12, 2013 and continuing thereafter, the above-named Employer has interfered with, restrained, and coerced employees in the exercise of their Section 7 rights. Specifically, the Employer has enforced UPMC policies in a discriminatory manner and interfered with protected Section 7 activity by prohibiting employees from and threatening employees for wearing union buttons, lanyards, badge-pulls, pins and stickers while allowing other non work related, non-UPMC sanctioned insignia to be worn by employees. 3. Full name of party filing charge (if labor organization, give full name, including local name and number) SEIU HEALTHCARE PENNSYLVANIA, CTW, CLC 4b. Tel. No. 4a. Address (street and number, city, state, and ZIP code) (717)238-3030 1500 NORTH 2ND STREET 4c. Cell No. 4d. Fax No. HARRISBURGH, PA 17102-2528 (717)238-8354 4e. e-Mail 5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) SERVICE EMPLOYEES PENNSYLVANIA, CTW, CLC 6. DECLARATION Tel No I declare that I have read the above charge and that the statements are true to the best of (412) 391-7709 my knowledge and belief. Office, if any, Cell No. JOSEPH D. SHAULIS, ATTORNEY By: (signature of representative or person making charge) Print Name and Title Fax No (412) 391-1190 Address: 429 FOURTH AVENUE, SUITE 500 Date: e-Mail PITTSBURGH, PA 15219 cdavidson@choiceonemail.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

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Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 48 of 88

UPMC PRESBYTERIAN SHADYSIDE, D/B/A PRESBYERIAN HOSPITAL AND D/B/A SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	
UPMC PRESBYTERIAN SHADYSIDE 600 GRANT STREET, FL 58 PITTSBURGH, PA.15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 49 of 88

UNITED STATES OF AMERICA		DO NOT WRIT	E IN THIS SPACE	
NATIONAL LABOR RELATION		Case	Date Filed	
FIRST AMENDED CHARGE AGAINST EMPLOYER INSTRUCTIONS:		S-CA-102542	09-27-13	
ile an original of this charge with NLR8 Régional D	irector in which the alleged unfair labor practice	occurred or is occur	ring.	
	MPLOYER AGAINST WHOM CHARGE IS BRO			
Name of Employer		b. Tel. No.		
UPMC PRESBYTERIAN SHADYSIDE I		(412)647-	3762	
HOSPITAL AND D/B/A UPMC SHADYS	SIDE HOSPITAL	c Cell No.		
Address (street, city, state ZIP code) e. Employer Representative		f. Fax No.		
		(412)647-	3750	
600 GRANT STREET, FLOOR 58		g. e-Mail		
PITTSBURGH, PA 15219-2739		h Dispute Loc	ation (City and State)	
		Pittsburgh, PA		
. Type of Establishment (factory, nursing home,	j. Principal Product or Service		orkers at dispute location	
hotel)	HEALTH CARE CERVICES	22 275		
HOSPITALS	HEALTH CARE SERVICES	50,000	50,000	
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PRIVACY ACT STATEMENT

cdavidson@choiceonemail.com

429 FOURTH AVENUE, SUITE 500

PITTSBURGH, PA 15219

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Case: 14-4523 Document: 003111928782 Page: 81 Date Filed: 04/09/2015

Form NLRB - 501 (2-08) UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

SECOND AMENDED CHARGE AGAINST EMPLOYER INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE Case Date Filed 06-CA-102542 December 18, 2013

EMPLOYER AGAINST WHOM CHARGE IS BROU	JGHT b. Tel. No.
 Name of Employer UPMC and its Subsidiary, UPMC Presbyterian Shadyside, Single Employer, 	
d d/b/a UPMC Shadyside Hospital	c. Cell No.
e. Employer Representative	f. Fax No. (412)647-8750
SEE ATTACHMENT A	g. e-Mail peasleeg@upmc.edu
	h Dispute Location (City and State) Pittsburgh, PA
j. Principal Product or Service	k. Number of workers at dispute location 50, 000
HEALTH CARE SERVICES	
nd is engaging in unfair labor practices within the me	eaning of section 8(a), subsections (1) of the
	sbyterian Shadyside, Single Employer, and d/b/a UPMC Shadyside Hospital e. Employer Representative SEE ATTACHMENT A j. Principal Product or Service HEALTH CARE SERVICES

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Since on or about November 12, 2012 and continuing thereafter, the above-named Employer has interfered with, restrained, and coerced employees in the exercise of their Section 7 rights. Specifically, the Employer has enforced UPMC policies in a discriminatory manner and interfered with protected Section 7 activity by summoning police and threatening arrests of employees for their engagement in protected activities.

3. Full name of party filing charge (if labor organization, give full name, including local name and number) SEIU HEALTHCARE PENNSYLVANIA, CTW, CLC

4a. Address (street and number, city, state, and ZIP code)	4b. Tel. No. (717)238-3030
1500 NORTH 2ND STREET	4c. Cell No.
HARRISBURGH, PA 17102-2528 ~	4d. Fax No. (717)238-8354
	4e. e-Mail

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor

SERVICE EMPLOYEES PENNSYLVANIA, CTW, CLC

DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		Tel. No. (412) 391-7709	
Ву:	JOSEPH D. SHAULIS, ATTORNEY	Office, if any, Cell No	
(signature of representative or person making charge)	Print Name and Title	Fax No. (412) 391-1190	
Address: 429 FOURTH AVENUE, SUITE 500 PITTSBURGH, PA 15219	Date:	e-Mail cdavidson@choiceonemail.com	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

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Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 51 of 88

UPMC PRESBYTERIAN SHADYSIDE, D/B/A PRESBYERIAN HOSPITAL AND D/B/A SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	
UPMC PRESBYTERIAN SHADYSIDE 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

Page: 83 Case: 14-4523 Document: 003111928782 Date Filed: 04/09/2015

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 52 of 88

Case Date Filed CA-102544 09-27-13 DECCURRED OF IS OCCURRING DIGHT b. Tel. No. (412)647-8762 c. Cell No. (412)647-8750 g. Mail h. Dispute Location (City and State) Pittsburgh, PA k. Number of workers at dispute location 50,000 ning of section 8(a), subsections (1), (3) and (4) of within the meaning of the Act, or these unfair Reorganization Act. Infair labor practices) Dove-named Employer has	
b. Tel No. (412)647-8762 c. Cell No. f. Fax No. (412)647-8750 g e-Mail h. Dispute Location (City and State) Pittsburgh, PA k. Number of workers at dispute location 50,000 ning of section 8(a), subsections (1), (3) and (4) o within the meaning of the Act, or these unfair Reorganization Act.	
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within the meaning of the Act, or these unfair Reorganization Act. Infair labor practices)	
urage support for the union. ainst employee Ron Oakes by Board and was issued a subpoena to	
4b. Tel. No.	
(717)238-3030	
4c Cell No	
4d. Fax No. (717)238-8354	
4e. e-Mail	
t (to be filled in when charge is filed by a labor	
Tel. No.	
(412) 391-7709	
(412) 391-7709 Office, if any, Cell No.	
Office, if any, Cell No.	
Office, if any, Cell No.	
Office, if any, Cell No. Fax No.	
7	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT
Solutions 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 unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed.

Form NLRB - 501 (2-08) UNITED STATES OF	AMERICA	DO NOT WRITE	E IN THIS SPACE	
. NATIONAL LABOR RELAT	AND	Case	Date Filed	
THIRD AMENDED CHARGE AGAINST EMPLOYER		06-CA-102544	December 18, 2013	
ile an original of this charge with NLRB Regional	Director in which the alleged unfair labor pra EMPLOYER AGAINST WHOM CHARGE IS	ctice occurred or is occurr	ng.	
Name of Employer	EMPLOYER AGAINST WHOM CHARGE IS	I b. Tel. No.		
UPMC and its Subsidiary, UPMC Presbyterian Shadyside, Single Employer, d/b/a UPMC Presbyterian Hospital and d/b/a UPMC Shadyside Hospital			762	
Address (street, city, state ZIP code)			f. Fax No. (412)647-8750	
No. of the contract of the contract of			750	
SEE ATTACHMENT A	SEE ATTACHMENT A	g. e-Mail	remain make	
		peasleeg@		
	h. Dispute Location (City and State)			
	Terminal Transfer	Pittsburgh,		
Type of Establishment (factory, nursing home, lotel)	j. Principal Product or Service HEALTH CARE SERVICES	50,000	Imber of workers at dispute location 0,000	
HOSPITALS The above-named employer has engaged in an	The state of the s			
Since on or about November 12, 2012, erminating him because the employee provide testimony in a Board proceeding	gave affidavit testimony to the Board			
. Full name of party filing charge (if labor organiz		nd number)		
SEIU HEALTHCARE PENNSYLVANI		1.46 7.1.66		
a Address (street and number, city, state, and Z	ir code)	4b. Tel No.		
1500 NORTH AND STREET		(717)238-3 4c. Cell No	020	
1500 NORTH 2ND STREET		4d Fax No.	030	
HARRISBURGH, PA 1/102-2528	HARRISBURGH, PA 17102-2528		.030	
		(717)238-8	New Year	
Full name of national or international labor orga		L An n Mail	New Year	
rganization)	anzation of which it is an affiliate or constitue	4e e-Mail	354	
	anization of which it is an affiliate or constitue	4e e-Mail nt unit (lo be filled in when	354	
DECLARATION		4e e-Mail nt unit (lo be filled in when	354	
I declare that I have read the above charge	S PENNSYLVANIA, CTW, CLC	nt unit (la be filled in when	354 charge is filed by a labor	
	S PENNSYLVANIA, CTW, CLC	Tel. No. (412) 391- Office, if any, C	charge is filed by a labor	
I declare that I have read the above charge my knowledge and belief. By:	S PENNSYLVANIA, CTW, CLC and that the statements are true to the bes	t of Tel. No. (412) 391- Office, if any, C	charge is filed by a labor	
I declare that I have read the above charge my knowledge and belief.	S PENNSYLVANIA, CTW, CLC and that the statements are true to the bes JOSEPH D. SHAULIS, ATTOR charge) Print Name and Title	t of Tel. No. (412) 391- Office, if any, C	charge is filed by a labor 7709	
I declare that I have read the above charge my knowledge and belief. By: (signature of representative or person making the signature	S PENNSYLVANIA, CTW, CLC and that the statements are true to the bes JOSEPH D. SHAULIS, ATTOR charge) Print Name and Title	t of Tel. No. (412) 391- Office, if any, C Fax No. ((412) 391-1	charge is filed by a labor 7709	
I declare that I have read the above charge my knowledge and belief. By:	S PENNSYLVANIA, CTW, CLC and that the statements are true to the bes JOSEPH D. SHAULIS, ATTOR charge) Print Name and Title	t of Tel. No. (412) 391- Office, if any, C Fax No. ((412) 391-1 e-Mail	charge is filed by a labor 7709	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

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Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 54 of 88

UPMC AND ITS SUBSIDIARY, UPMC PRESBYTERIAN SHADYSIDE, SINGLE EMPLOYER, D/B/A UPMC PRESBYTERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC PRESBYTERIAN SHADYSIDE, D/B/A UPMC PRESBYERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 55 of 88

orm NLRB - 501 (2-08) UNITED STATES OF AMERICA		DO NOT WRITE IN THIS SPACE	
NATIONAL LABOR RELATIONS BOARD FIRST AMENDED CHARGE AGAINST EMPLOYER INSTRUCTIONS:		Case	Date Filed
		06-CA-102555	09-27-13
File an original of this charge with NLRB Regional	Director in which the alleged unfair lab	or practice occurred or is occ	curring
1.	EMPLOYER AGAINST WHOM CHARG	GE IS BROUGHT	
a. Name of Employer UPMC PRESBYTERIAN SHADYSIDE HOSPITAL AND D/B/A UPMC SHADY		b Tel: No. (412)64 c. Cell No.	7-8762
J. Address (starts - Thurston - ZID code)	e Employer Representative	f. Fax No.	
d. Address (street, city, state ZIP code)	e Employer Representative	(412)64	7-8750
600 GRANT STREET, FLOOR 58		g. e-Mail	
PITTSBURGH, PA 15219-2739		h. Dispute L. Pittsburg	ocation (City and State)
i. Type of Establishment (factory, nursing home,	i. Principal Product or Service		f workers at dispute location
hotel) HOSPITALS	HEALTH CARE SERVICES	50,000	
Since on or about November 12, 20 with, restrained, and coerced emplo enforced UPMC policies in a discrim numerous instances of surveilling er of surveillance of employees' protects. 3. Full name of party filing charge (if labor organization) SEIU HEALTHCARE PENNSYLVANI	yees in the exercise of their ninatory manner and interfere mployees who engaged in So ted activities. Sation, give full name, including local na	Section 7 rights. Speed with protected Seception 7 activities and	cifically, the Employer has ction 7 activities by
4a Address (street and number, city, state, and 2	IP code)	4b Tel. No	Taranta and the same of the sa
			38-3030
1500 NORTH 2ND STREET		4c. Cell No.	
HARRISBURG, PA 1,7102-2528	A 17102-2528		88-8354
		4e. e-Mail	
5. Full name of national or international labor organization) SERVICE EMPLOYEES INTERN.		nstituent unit (<i>to be filled in v</i>	vhen charge is filed by a labor
DECLARATION I declare that I have read the above charge knowledge and belief.	and that the statements are true to t	ALL ALL MELLON	2) 391-7709
By: Sone	JOSEPH D. SHAULIS,		if any, Cell No.
(signature of representative or person making		Fax No (412)	391-1190
Address: 429 FOURTH AVENUE, SUITE 500 PITTSBURGH, PA 15219	29 FOURTH AVENUE, SUITE 500		dson@choiceonemail.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

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NATIONAL LABOR RELAT	AMERICA	DO NOT WRITE	IN THIS SPACE
	UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD		Date Filed
SECOND AMENDED CHARGE AGAINST EMPLOYER		06-CA-102555	December 18, 2013
file an original of this charge with NLRB Regional	Director in which the alleged unfair labor prac	ctice occurred or is occurri	ng
	EMPLOYER AGAINST WHOM CHARGE IS	b. Tel. No.	
 Name of Employer UPMC and its Subsidiary, UPMC Pres d/b/a UPMC Presbyterian Hospital and 		er,	
. Address (street, city, state ZIP code)	e. Employer Representative	c. Cell No.	
, Addies (Street, Lity, State Eli Soss)	a. Employal Hapitasanta	1.7 4.7 174.	
SEE ATTACHMENT A	SEE ATTACHMENT A	g. e-Mail	
		h. Dispute Locat Pittsburgh,	ion (City and State) PA
. Type of Establishment (factory, nursing home,	j. Principal Product or Service	k. Number of wo	rkers at dispute location
hotel) HOSPITALS	HEALTH CARE SERVICES	50000	
interfered with, restrained, coerce Specifically, the Employer has en with protected Section 7 activities in Section 7 activities and creating activities.	nforced UPMC policies in a disc s by numerous instances of sur	criminatory mann rveilling employee	er and interfered es who engaged
	zation, give full name, including local name and	d number)	protected
SEIU HEALTHCARE PENNSYLVANI	A, CTW, CLC	4b. Tel. No.	
SEIU HEALTHCARE PENNSYLVANI 4a. Address (street and number, city, state, and Z	A, CTW, CLC	4b. Tel. No. (717)238-3	
SEIU HEALTHCARE PENNSYLVANI 4a. Address (street and number, city, state, and Z 1500 NORTH 2ND STREET	A, CTW, CLC	4b. Tel. No. (717)238-3 4c. Cell No	
SEIU HEALTHCARE PENNSYLVANI 4a. Address (street and number, city, state, and Z	A, CTW, CLC	4b. Tel. No. (717)238-3 4c. Cell No 4d. Fax No.	030
SEIU HEALTHCARE PENNSYLVANI 4a. Address (street and number, city, state, and Z 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528	IA, CTW, CLC ZIP code)	4b. Tel. No. (717)238-3 4c. Cell No 4d. Fax No. (717)238-8 4e. e-Mail	030
SEIU HEALTHCARE PENNSYLVANI 4a. Address (street and number, city, state, and Z 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528 5. Full name of national or international labor organical statements.)	IA, CTW, CLC ZIP code) anization of which it is an affiliate or constituen	4b. Tel. No. (717)238-3 4c. Cell No 4d. Fax No. (717)238-8 4e. e-Mail	030
SEIU HEALTHCARE PENNSYLVANI 4a. Address (street and number, city, state, and Z 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528 5. Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATION I declare that I have read the above charge a	IA, CTW, CLC ZIP code) anization of which it is an affiliate or constituen ONAL UNION	4b. Tel. No. (717)238-3 4c. Cell No 4d. Fax No. (717)238-8 4e. e-Mail at unit (to be filled in when	030 354 charge is filed by a labor
SEIU HEALTHCARE PENNSYLVANI 4a. Address (street and number, city, state, and Z 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528 5. Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATION 6. DECLARATION	IA, CTW, CLC ZIP code) anization of which it is an affiliate or constituen ONAL UNION	4b. Tel. No. (717)238-3 4c. Cell No 4d. Fax No. (717)238-8 4e. e-Mail at unit (to be filled in when t of my Tel. No. (412) 39 Office, if any,	030 354 charge is filed by a labor 1-7709
SEIU HEALTHCARE PENNSYLVANI 4a. Address (street and number, city, state, and Z 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528 5. Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATION I declare that I have read the above charge a knowledge and belief.	IA, CTW, CLC ZIP code) anization of which it is an affiliate or constituen ONAL UNION and that the statements are true to the best JOSEPH D. SHAULIS, ATTO	4b. Tel. No. (717)238-3 4c. Cell No 4d. Fax No. (717)238-8 4e. e-Mail at unit (to be filled in when t of my Tel. No. (412) 39 Office, if any,	030 354 charge is filed by a labor 1-7709
SEIU HEALTHCARE PENNSYLVANI 4a. Address (street and number, city, state, and Z 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528 5. Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATION I declare that I have read the above charge a knowledge and belief. By: (signature of epresentative or person making of the content of the c	A, CTW, CLC ZIP code) anization of which it is an affiliate or constituent ONAL UNION and that the statements are true to the best JOSEPH D. SHAULIS, ATTO charge) Print Name and Title	4b. Tel. No. (717)238-3 4c. Cell No 4d. Fax No. (717)238-8 4e. e-Mail at unit (to be filled in when t of my Tel. No. (412) 39 ORNEY Fax No. (412) 391-	030 354 charge is filed by a labor 1-7709 Cell No.
SEIU HEALTHCARE PENNSYLVANI 4a. Address (street and number, city, state, and Z 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528 5. Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATION I declare that I have read the above charge a knowledge and belief. By:	IA, CTW, CLC ZIP code) anization of which it is an affiliate or constituen ONAL UNION and that the statements are true to the best JOSEPH D. SHAULIS, ATTO	4b. Tel. No. (717)238-3 4c. Cell No 4d. Fax No. (717)238-8 4e. e-Mail at unit (to be filled in when t of my Tel. No. (412) 39 ORNEY Fax No.	030 354 charge is filed by a labor 1-7709 Cell No.

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

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Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 57 of 88

UPMC AND ITS SUBSIDIARY, UPMC PRESBYTERIAN SHADYSIDE, SINGLE EMPLOYER, D/B/A UPMC PRESBYTERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC PRESBYTERIAN SHADYSIDE, D/B/A UPMC PRESBYERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

Form NLRB - 501 (2-08) UNITED STATES OF AM	ERICA	DO NOT WRITE IN THIS SPACE		
NATIONAL LABOR RELATIONS BOARD FIRST AMENDED CHARGE AGAINST EMPLOYER INSTRUCTIONS:		Case		Date Filed
		06-CA-10	2559	09-27-13
file an original of this charge with NLRB Regional Dir			or is occurr	ing.
Name of Employer	IPLOYER AGAINST WHOM CHARG		l No	
UPMC PRESBYTERIAN SHADYSIDE D HOSPITAL AND D/B/A UPMC SHADYS		1 (4	(412)647-8762 c. Cell No	
TIOUT TITLE AND DIDITION IN OUT THE TE	ion tivin			
d. Address (street, city, state ZIP code)	E. Employer Representative	f. Fa	x No.	
ATTACK ALCOHOLOGIC MATERIAL OF A STATE OF			12)647-8	750
600 GRANT STREET, FLOOR 58		g. e-	Mail	
PITTSBURGH, PA 15219-2739			spute Loca ittsburgh,	tion (City and State) PA
	. Principal Product or Service	k. N	umber of wo	orkers at dispute location
hotel) HOSPITALS	HEALTH CARE SERVICES	50	0,000	
enforced UPMC policies in a discrimin prohibiting employees from posting an work, non-UPMC sanctioned postings 3. Full name of party filing charge (if labor organization) SEIU HEALTHCARE PENNSYLVANIA,	y union related materials a	nywhere in the		
4a. Address (street and number, city, state, and ZIP	code)	1 45	Tel. No.	
	27.276		(717)238-3030	
1500 NORTH 2ND STREET			4c. Cell No.	
HARRISBURG, PA 17102-2528			4d. Fax No. (717)238-8354	
			4e e-Mail	
5. Full name of national or international labor organic organization) SERVICE EMPLOYEES INTERNAT	ration of which it is an affiliate or con-	stituent unit (to be fi	lled in wher	charge is filed by a labor
6 DECLARATION	TONAL UNION			
knowledge and belief.	TIONAL UNION If that the statements are true to the		Tel. No. (412) 3	91-7709
		e best of my		
knowledge and belief.	I that the statements are true to th	e best of my	(412) 3	
By: (signature of epresentative or person making characters)	JOSEPH D. SHAULIS, Print Name and Title	e best of my	(412) 3 Office, if an Fax No (412) 39	y, Cell No.
knowledge and belief. By: SNL	I that the statements are true to th	e best of my	(412) 3 Office, if an Fax No (412) 39 e-Mail	y, Cell No.

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Form NI PR - 501 (2-08)

UNITED STATES OF AMERICA		DO NOT WRITE IN THIS SPACE		
NATIONAL LABOR RELATIONS BOARD SECOND AMENDED CHARGE AGAINST EMPLOYER INSTRUCTIONS:		Case	Date Filed	
		-CA-102559	December 18, 2013	
ile an original of this charge with NLRB Regional	Director is which the alleged unfair labor practice	occurred or is occur	ring	
ile an onginal of this charge with NLKB Regional	EMPLOYER AGAINST WHOM CHARGE IS BRO	IGHT	ing.	
. Name of Employer	ENT LOTER AGAINST WITHIN STRATE TO BITE	b. Tel. No.		
UPMC and its Subsidiary, UPMC Pres d/b/a UPMC Presbyterian Hospital and	byterian Shadyside, Single Employer,	c. Cell No.		
Address (street, city, state ZIP code)	e. Employer Representative	f. Fax No.		
. Address (street, dity, state ZIP code)	e. Employer Representative	1. 1 dx 140.		
SEE ATTACHMENT A	SEE ATTACHMENT A	g. e-Mail		
0		h. Dispute Loca Pittsburgh	ation (City and State)	
Type of Establishment (factory, nursing home,	j. Principal Product or Service		orkers at dispute location	
HOSPITALS	HEALTH CARE SERVICES	50000		
0		ne above nan		
interfered with, restrained, coerce Specifically, the Employer has en with protected Section 7 activities materials anywhere in the facility,	ed employees in the exercise of the forced UPMC policies in a discrired by prohibiting employees from purchase allowing non-work, non-Ul	neir Section 7 ninatory mann osting any un PMC sanction	ner and interfered ion related	
interfered with, restrained, coerce Specifically, the Employer has en with protected Section 7 activities materials anywhere in the facility, 3. Full name of party filing charge (if labor organizes SEIU HEALTHCARE PENNSYLVANI)	ed employees in the exercise of the forced UPMC policies in a discrired by prohibiting employees from purchased while allowing non-work, non-Ularation, give full name, including local name and number of the control o	neir Section 7 ninatory mann osting any un PMC sanction	ner and interfered ion related	
Interfered with, restrained, coerce Specifically, the Employer has en with protected Section 7 activities materials anywhere in the facility, 3. Full name of party filing charge (if labor organize SEIU HEALTHCARE PENNSYLVANI	ed employees in the exercise of the forced UPMC policies in a discrired by prohibiting employees from purchased while allowing non-work, non-Ularation, give full name, including local name and number of the control o	neir Section 7 ninatory mann osting any un PMC sanction mber) 4b. Tel. No.	ner and interfered ion related ed postings.	
interfered with, restrained, coerce Specifically, the Employer has en with protected Section 7 activities materials anywhere in the facility, 3. Full name of party filing charge (if labor organiz SEIU HEALTHCARE PENNSYLVANI 4a. Address (street and number, city, state, and Z	ed employees in the exercise of the forced UPMC policies in a discrired by prohibiting employees from purchased while allowing non-work, non-Ularation, give full name, including local name and number of the control o	neir Section 7 ninatory mann osting any un PMC sanction mber) 4b. Tel. No. (717)238-	ner and interfered ion related ed postings.	
Interfered with, restrained, coerce of Specifically, the Employer has en with protected Section 7 activities materials anywhere in the facility, B. Full name of party filing charge (if labor organiz SEIU HEALTHCARE PENNSYLVANI 4a. Address (street and number, city, state, and Z 1500 NORTH 2ND STREET	ed employees in the exercise of the forced UPMC policies in a discrired by prohibiting employees from purchased while allowing non-work, non-Ularation, give full name, including local name and number of the control o	neir Section 7 ninatory mannosting any un PMC sanction mber) 4b. Tel. No. (717)238- 4c Cell No.	ner and interfered ion related ed postings.	
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WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
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 unfair labor practice and related proceedings or litigation. The routine uses for the information are fully

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 60 of 88

UPMC AND ITS SUBSIDIARY, UPMC PRESBYTERIAN SHADYSIDE, SINGLE EMPLOYER, D/B/A UPMC PRESBYTERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC PRESBYTERIAN SHADYSIDE, D/B/A UPMC PRESBYERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

Page: 92 Case: 14-4523 Document: 003111928782 Date Filed: 04/09/2015

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 61 of 88

UNITED STATES OF	AMERICA	DO NOT W	DO NOT WRITE IN THIS SPACE	
NATIONAL LABOR RELATIONS BOARD SECOND AMENDED CHARGE AGAINST EMPLOYER ISTRUCTIONS:		Case	Date Filed	
		06-CA-102566	09-27-13	
e an original of this charge with NLRB Regional	Director in which the alleged unfair labo		courring	
a. Name of Employer	EMPLOTER AGAINST WHOM CHARG	b. Tel. No.		
a. Name of Employer		100000000000000000000000000000000000000	7-8762	
UPMC PRESBYTERIAN SHADYSIDE HOSPITAL AND D/B/A UPMC SHAD				
Address (street, city, state ZIP code)	e. Employer Representative	f, Fax No.		
	21.520.542.75.05.55.75.7	(412)64	17-8750	
600 GRANT STREET, FLOOR 58		g. e-Mail		
PITTSBURGH, PA 15219-2739			ocation (City and State)	
Type of Establishment (factory, nursing home,	j. Principal Product or Service		of workers at dispute location	
otel)	The state of the s			
OSPITALS	HEALTH CARE SERVICES	50,000		
Full name of party filing charge (if labor organization)	ration, give full name, including local nar	ne and number)		
SEIU HEALTHCARE PENNSYLVANI	A CTW CLC			
a. Address (street and number, city, state, and 2		4b. Tel. No	V	
		(717)2	38-3030	
1500 NORTH 2ND STREET		4c. Cell No		
HARRISBURG, PA 17102-2528	HARRISBURG, PA 17102-2528			
		(717)2		
Full name of national or international labor organization) SERVICE EMPLOYEES INTERN.		(717)2 4e. e-Mail		
		4e. e-Mail	38-8354	
. DECLARATION I declare that I have read the above charge knowledge and belief.	ATIONAL UNION	4e. e-Mail stituent unit (to be filled in	38-8354 when charge is filed by a labor	
I declare that I have read the above charge	ATIONAL UNION	4e. e-Mail stituent unit (lo be filled in e best of my Tel. No (41)	38-8354 when charge is filed by a labor o.	
I declare that I have read the above charge knowledge and belief.	ATIONAL UNION and that the statements are true to the	4e. e-Mail stituent unit (to be filled in section of the filled in sect	i. 38-8354 when charge is filed by a labor o. 2) 391-7709 if any, Cell No.	
I declare that I have read the above charge knowledge and belief. By: (signature of representative or person making	ATIONAL UNION and that the statements are true to the JOSEPH D. SHAULIS, charge) Print Name and Title	4e. e-Mail stituent unit (lo be filled in the best of my Tel. No. (41) Office, ATTORNEY	 	
By: Shi	ATIONAL UNION and that the statements are true to the	4e. e-Mail stituent unit (lo be filled in stituent unit (lo be	i. 38-8354 when charge is filed by a labor o. 2) 391-7709 if any, Cell No.	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
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 unfair labor practice 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 voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Form NLRB - 501 (2-08) DO NOT WRITE IN THIS SPACE UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD Date Filed Case THIRD AMENDED CHARGE AGAINST EMPLOYER INSTRUCTIONS: 06-CA-102566 December 18, 2013 File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring. 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT a. Name of Employer b Tel No UPMC and its Subsidiary, UPMC Presbyterian Shadyside, Single Employer, d/b/a UPMC Presbyterian Hospital and d/b/a UPMC Shadyside Hospital c. Cell No. e. Employer Representative d. Address (street, city, state ZIP code) f. Fax No. SEE ATTACHMENT A SEE ATTACHMENT A g e-Mail h. Dispute Location (City and State) Pittsburgh, PA i. Type of Establishment (factory, nursing home, j. Principal Product or Service k. Number of workers at dispute location hotel) HOSPITALS HEALTH CARE SERVICES 50000 I. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act. 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Since on or about November 12, 2012 and continuing thereafter, the above name Employer has discriminated and retaliated against Finley Littlejohn, in regard to his terms and conditions of employment, by disciplining and discharging him because of his protected activities and in order to discourage support for the union. 3. Full name of party filing charge (if labor organization, give full name, including local name and number) SEIU HEALTHCARE PENNSYLVANIA, CTW, CLC 4a. Address (street and number, city, state, and ZIP code) 4b. Tel No. (717)238-3030 4c Cell No. 1500 NORTH 2ND STREET 4d Fax No. HARRISBURGH, PA 17102-2528 (717)238-8354 4e. e-Mail 5 Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) SERVICE EMPLOYEES INTERNATIONAL UNION 6 DECLARATION Tel No I declare that I have read the above charge and that the statements are true to the best of (412) 391-7709 my knowledge and belief. Office, if any, Cell No. JOSEPH D. SHAULIS (signature of epresentative or person making charge) Print Name and Title Fax No. (412) 391-1190 e-Mail 429 FOURTH AVENUE, SUITE 500

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

PITTSBURGH, PA 15219

cdavidson@choiceonemail.com

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seg. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice 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 voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 63 of 88

UPMC AND ITS SUBSIDIARY, UPMC PRESBYTERIAN SHADYSIDE, SINGLE EMPLOYER, D/B/A UPMC PRESBYTERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC PRESBYTERIAN SHADYSIDE, D/B/A UPMC PRESBYERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

Form NI RB - 501 (2-08)

UNITED STATES OF A	MERICA	DO NOT WRITE IN THIS SPACE		
NATIONAL LABOR RELATIONS BOARD FIRST AMENDED CHARGE AGAINST EMPLOYER ISTRUCTIONS:		Case	Date Filed	
		06-CA-104090	09-27-13	
ile an original of this charge with NLRB Regional D	Director in which the alleged unfair labor pra	ctice occurred or is occurring	g.	
	MPLOYER AGAINST WHOM CHARGE IS			
Name of Employer UPMC PRESBYTERIAN SHADYSIDE HOSPITAL AND D/B/A UPMC SHADYS		b. Tel. No. (412)647-87 c. Cell No.	62	
. Address (street, city, state ZIP code)	e, Employer Representative	f. Fax No. (412)647-87	50	
600 GRANT STREET, FLOOR 58		g. e-Mail		
PITTSBURGH, PA 15219-2739	7	h. Dispute Locate Pittsburgh, I	on (City and State)	
Type of Establishment (factory, nursing home,	j. Principal Product or Service		kers at dispute location	
lotel) HOSPITALS	HEALTH CARE SERVICES	50,000	4.0	
Since April 1, 2013, the above-named written warning to Al Turner, has thre his rights guaranteed by Section 7 of 5. Full name of party filing charge (if labor organizal SEIU HEALTHCARE PENNSYLVANIA)	atened, coerced, restrained and the National Labor Relations A tion, give full name, including local name an	d discriminated again ct.		
la. Address (street and number, city, state, and ZIF	2 code\	4b. Tel. No.		
ta, nousess (succes as to marripes, only, state, and Eli			(717)238-3030	
1500 NORTH 2ND STREET		4c. Cell No.		
HARRISBURG, PA 17102-2528		4d. Fax No.	254	
		4e, e-Mail	(717)238-8354	
5. Full name of national or international labor organization) SERVICE EMPLOYEES INTERNA			charge is filed by a labor	
 DECLARATION I declare that I have read the above charge are knowledge and belief. 	nd that the statements are true to the be	, , , , ,		
By: Soll'	JOSEPH D. SHAULIS, ATT	ORNEY Office, if any	, Cell No.	
(signature of representative or person making ch	narge) Print Name and Title	Fax No.	Const	
	- 0/2-1/2	(412) 391-	1190	
Address: 429 FOURTH AVENUE, SUITE 500	Date. 9/27/13	e-Mail		
PITTSBURGH, PA 15219		cdavidson	n@choiceonemail.com	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
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 unfair labor practice 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 voluntary, however, failure to supply the information will cause the NLRB to decline to invoke its processes.

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD SECOND AMENDED CHARGE AGAINST EMPLOYER NSTRUCTIONS:		DO NOT WRITE IN THIS SPACE		
		Case	Date Filed .	
		06-CA-104090 December		
ile an original of this charge with NLRB Regional	Director in which the alleged unfair labor practi EMPLOYER AGAINST WHOM CHARGE IS BI	ce occurred or is occurr	ng.	
	EMPLOTER AGAINST WHOM CHARGE IS B	b. Tel. No.		
Name of Employer UPMC and its Subsidiary, UPMC Pres	sbyterian Shadyside, Single Employer			
d/b/a UPMC Presbyterian Hospital and	e. Employer Representative	f. Fax No.		
Address (street, city, state ZIP code)	e. Employer Representative	i. Pax No.		
SEE ATTACHMENT A	SEE ATTACHMENT A	g. e-Mail		
		Pittsburgh,		
Type of Establishment (factory, nursing home,	j Principal Product or Service	k. Number of wo	orkers at dispute location	
iotel) HOSPITALS	HEALTH CARE SERVICES	50000		
Since April 1, 2013, the above na issuing a final written warning to against in the exercise of his right. 3. Full name of party filing charge (if labor organic	Al Turner, has threatened, coer its guaranteed by Section 7 of the section, give full name, including local name and	ced, restrained a ne National Labo	and discriminated	
SEIU HEALTHCARE PENNSYLVANI	IA, CTW, CLC			
4a Address (street and number, city, state, and 2	IP code)		4b. Tel. No.	
was water out things		(717)238-3	3030	
1500 NORTH 2ND STREET			4c, Cell No. 4d, Fax No.	
HARRISBURGH, PA 17102-2528			(717)238-8354	
		4e, e-Mail	4e, e-Mail	
5. Full name of national or international labor orgonization)	anization of which it is an affiliate or constituent	unit (to be filled in when	charge is filed by a labor	
SERVICE EMPLOYEES INTERNATI				
6. DECLARATION	ONAL UNION	Tel. No.		
I declare that I have read the above charge knowledge and belief.	ONAL UNION	1 101, 140.		
By: Sone			1-7709	
		of my (412) 39 Office, if any		
(signature of representative or person making	and that the statements are true to the best JOSEPH D. SHAULIS, ATTO charge) Print Name and Title	of my (412) 39 Office, if any Fax No.	, Cell No.	
(signature of representative or person making Address:	and that the statements are true to the best	of my (412) 39 Office, if any	, Cell No.	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

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Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 66 of 88

UPMC AND ITS SUBSIDIARY, UPMC PRESBYTERIAN SHADYSIDE, SINGLE EMPLOYER, D/B/A UPMC PRESBYTERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC PRESBYTERIAN SHADYSIDE, D/B/A UPMC PRESBYERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

Form NLRB - 501 (2-08)

UNITED STATES OF A	AMERICA	DO NOT WRITE	- 11- 11110 011100
NATIONAL LABOR RELAT	IONS BOARD	Case	Date Filed
FIRST AMENDED CHARGE AS STRUCTIONS:	GAINST EMPLOYER	06-CA-104104	09-27-13
			1 cats = 1. 1
e an original of this charge with NLRB Regional	Director in which the alleged unfair labor pr	actice occurred or is occurri	ng.
1.	EMPLOYER AGAINST WHOM CHARGE IS	SBROUGHT	
Name of Employer		b. Tel No.	0.40
UPMC PRESBYTERIAN SHADYSIDE		(412)647-8	762
HOSPITAL AND D/B/A UPMC SHADY	SIDE HOSPITAL	c. Cell No.	
Address (street, city, state ZIP code)	e. Employer Representative	f. Fax No.	A COL
		(412)647-8	750
600 GRANT STREET, FLOOR 58		g. e-Mail	
PITTSBURGH, PA 15219-2739		h Dispute Locat	non (City and State)
		Pittsburgh,	
Type of Establishment (factory, nursing home,	j. Principal Product or Service		rkers at dispute location
otel)	Transport Transport Contribution	III. I TOTAL OF WO	at suspense location
IOŚPITALS	HEALTH CARE SERVICES	50,000	
The above against painting the carrier 1% and	I to separate a reference confirm the second		mbassian III and III all
The above-named employer has engaged in and			
lational Labor Relations Act, and these unfair lab			Ad, or these unfair labor
ractices are unfair practices affecting commerce			
Basis of the Charge (set forth a clear and conci-	se statement of the facts constituting the air	eged umail labor practices)	
. Full name of party filing charge (If labor organiz	ation, give full name, including local name a	and number)	
SEIU HEALTHCARE PENNSYLVANI			
a Address (street and number, city, state, and Z	A, CTW, CLC		•
		4b. Tel. No.	
1500 NORTH 2ND STREET			030
		4b. Tel. No. (717)238-3 4c. Cell No.	030
		(717)238-3	030
HARRISBURG, PA 17102-2528		(717)238-3 4c. Cell No.	NGO -
		(717)238-3 4c. Cell No. 4d. Fax No.	NGO -
HARRISBURG, PA 17102-2528 5. Full name of national or international labor organic	IP code)	(717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail	354
HARRISBURG, PA 17102-2528 i. Full name of national or international labor organization)	IP code) inization of which it is an affiliate or constitu	(717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail	354
HARRISBURG, PA 17102-2528 i. Full name of national or international labor organization)	IP code) inization of which it is an affiliate or constitu	(717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail	354
HARRISBURG, PA 17102-2528 5. Full name of national or international labor organic	IP code) inization of which it is an affiliate or constitu	(717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail	354
HARRISBURG, PA 17102-2528 5. Full name of national or international labor organization) SERVICE EMPLOYEES INTERNA	IP code) inization of which it is an affiliate or constitu	(717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail ent unit (to be filled in when	354
HARRISBURG, PA 17102-2528 5. Full name of national or international labor organization) SERVICE EMPLOYEES INTERNA	IP code) Inization of which it is an affiliate or constitu	(717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail ent unit (to be filled in when	354 charge is filed by a labor
HARRISBURG, PA 17102-2528 Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATION	IP code) Inization of which it is an affiliate or constitu	(717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail ent unit (to be filled in when Tel. No. (412) 39	charge is filed by a labor
HARRISBURG, PA 17102-2528 Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATION DECLARATION I declare that I have read the above charge in the second control of the second control o	IP code) Inization of which it is an affiliate or constitu	(717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail ent unit (to be filled in when Tel. No. (412) 39 Office, if an	charge is filed by a labor
HARRISBURG, PA 17102-2528 i. Full name of national or international labor organization) SERVICE EMPLOYEES INTERNA i. DECLARATION I declare that I have read the above charge a knowledge and belief. By:	IP code) Inization of which it is an affiliate or constitu ATIONAL UNION and that the statements are true to the ba	(717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail ent unit (to be filled in when est of my Tel. No. (412) 39 TORNEY	charge is filed by a labor
HARRISBURG, PA 17102-2528 Full name of national or international labor organization) SERVICE EMPLOYEES INTERNA DECLARATION I declare that I have read the above charge a knowledge and belief.	ATIONAL UNION and that the statements are true to the better than the statement of the statement	(717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail ent unit (to be filled in when est of my Tel. No. (412) 39 FORNEY Fax No.	charge is filed by a labor 91-7709 y, Cell No.
HARRISBURG, PA 17102-2528 i. Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATION I declare that I have read the above charge a knowledge and belief. By: (signature of peresentative or person making or person person making or person person person person	ATIONAL UNION and that the statements are true to the better than the statement of the statement	(717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail ent unit (to be filled in when est of my Tel. No. (412) 39 FORNEY Fax No. (412) 391	charge is filed by a labor 91-7709 y, Cell No.
is Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATION I declare that I have read the above charge a knowledge and belief. By: (signature of representative or person making of Address:	IP code) Inization of which it is an affiliate or constitu ATIONAL UNION and that the statements are true to the ba	(717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail ent unit (to be filled in when est of my Tel. No. (412) 39 FORNEY Fax No.	charge is filed by a labor 91-7709 y, Cell No.
HARRISBURG, PA 17102-2528 5. Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATION I declare that I have read the above charge a knowledge and belief. By: (signature of representative or person making of the state of the stat	ATIONAL UNION and that the statements are true to the better than the statement of the statement	(717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail ent unit (to be filled in when est of my Tel. No. (412) 33 Office, if an Fax No. (412) 391 e-Mail	charge is filed by a labor 91-7709 y, Cell No.

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
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 unfair labor practice 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 voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

UNITED STATES OF AM NATIONAL LABOR RELATION	EDICA	DO NOT WRITE	E IN THIS SPACE
		Case	Date Filed
SECOND AMENDED CHARGE AGINSTRUCTIONS:	AINST EMPLOYER	CA-104104	December 18, 2013
File an original of this charge with NLRB Regional Dir	ector in which the alleged unfair labor practice	occurred or is occurri	ng.
	PLOYER AGAINST WHOM CHARGE IS BROI	b. Tel. No.	
a. Name of Employer UPMC and its Subsidiary, UPMC Presby d/b/a UPMC Presbyterian Hospital and d		c. Cell No.	
	. Employer Representative	f. Fax No.	
in teaches (street, early state circularly)		11, 41,190	
SEE ATTACHMENT A	SEE ATTACHMENT A	g. e-Mail	
		h. Dispute Locat Pittsburgh,	ion (City and State) PA
	Principal Product or Service		rkers at dispute location
otel)	IEAL THE GARE OFFICE	0.025,000	
HOSPITALS	HEALTH CARE SERVICES	50000	
Since about April 1, 2013, the above exercise of his rights guaranteed by B. Full name of party filing charge (if labor organization)			
SEIU HEALTHCARE PENNSYLVANIA,	CTW, CLC	4b. Tel. No.	
SEIU HEALTHCARE PENNSYLVANIA, a. Address (street and number, city, state, and ZIP)	CTW, CLC	4b. Tel. No. (717)238-3	030
SEIU HEALTHCARE PENNSYLVANIA, a. Address (street and number, city, state, and ZIP of 1500 NORTH 2ND STREET	CTW, CLC	4b. Tel. No. (717)238-3 4c. Cell No.	030
SEIU HEALTHCARE PENNSYLVANIA, a. Address (street and number, city, state, and ZIP)	CTW, CLC	4b. Tel. No. (717)238-3 4c. Cell No. 4d. Fax No.	
SEIU HEALTHCARE PENNSYLVANIA, a. Address (street and number, city, state, and ZIP of 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528	CTW, CLC	4b. Tel. No. (717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail	354
SEIU HEALTHCARE PENNSYLVANIA, a. Address (street and number, city, state, and ZIP of 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528 Full name of national or international labor organiz	CTW, CLC code) ation of which it is an affiliate or constituent unit	4b. Tel. No. (717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail	354
SEIU HEALTHCARE PENNSYLVANIA, a. Address (street and number, city, state, and ZIP of 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528 is Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATION	CTW, CLC code) ation of which it is an affiliate or constituent unit	4b. Tel. No. (717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail (to be filled in when	354 charge is filed by a labor
SEIU HEALTHCARE PENNSYLVANIA, a. Address (street and number, city, state, and ZIP of 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528 Full name of national or international labor organizaryanization) SERVICE EMPLOYEES INTERNATION DECLARATION I declare that I have read the above charge and	CTW, CLC code) ation of which it is an affiliate or constituent unit	4b. Tel. No. (717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail (to be filled in when Tel. No. (412) 39 Office, if any,	354 charge is filed by a labor 1-7709
SEIU HEALTHCARE PENNSYLVANIA, a. Address (street and number, city, state, and ZIP of 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528 Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATION DECLARATION I declare that I have read the above charge and knowledge and belief.	CTW, CLC code) ation of which it is an affiliate or constituent unit AL UNION that the statements are true to the best of m JOSEPH D. SHAULIS, ATTORNE	4b. Tel. No. (717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail (to be filled in when Tel. No. (412) 39 Office, if any,	354 charge is filed by a labor 1-7709 Cell No.
SEIU HEALTHCARE PENNSYLVANIA, la. Address (street and number, city, state, and ZIP of 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528 Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATION DECLARATION I declare that I have read the above charge and knowledge and belief. By:	CTW, CLC code) ation of which it is an affiliate or constituent unit AL UNION that the statements are true to the best of m JOSEPH D. SHAULIS, ATTORNS	4b. Tel. No. (717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e. e-Mail (to be filled in when Tel. No. (412) 39 Office, if any,	354 charge is filed by a labor 1-7709 Cell No.

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

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Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 69 of 88

UPMC AND ITS SUBSIDIARY, UPMC PRESBYTERIAN SHADYSIDE, SINGLE EMPLOYER, D/B/A UPMC PRESBYTERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC PRESBYTERIAN SHADYSIDE, D/B/A UPMC PRESBYERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

Page: 101 Case: 14-4523 Document: 003111928782 Date Filed: 04/09/2015

Form NLRB - 501 (2-08) UNITED STATES OF	AMERICA	DO NOT WRIT	E IN THIS SPACE
NATIONAL LABOR RELAT		Case	Date Filed
FIRST AMENDED CHARGE A NSTRUCTIONS:	GAINST EMPLOYER	06-CA-106636	09-27-13
File an original of this charge with NLRB Regional	Director in which the alleged unfair la		ing.
Name of Employer	EMPLOTER AGAINST WHOM CHAI	b. Tel. No.	
UPMC PRESBYTERIAN SHADYSIDE	D/B/A UPMC PRESBYTERIA		762
HOSPITAL AND D/B/A UPMC SHAD	YSIDE HOSPITAL	c. Cell No.	
d. Address (street, city, state ZIP code)	e. Employer Representative	f Fax No.	240
114 E 2 1/12 SESSEED OF E 2 2 2 2 2 2		(412)647-8	750
600 GRANT STREET, FLOOR 58		g. e-Mail	
PITTSBURGH, PA 15219-2739		h. Dispute Loca	tion (City and State)
*		Pittsburgh,	
Type of Establishment (factory, nursing home,	j. Principal Product or Service		orkers at dispute location
notel)	HEALTH CARE SERVICES		
HOSPITALS	HEALTH CARE SERVICES	50,000	
3 Full name of party filing charge (if labor organiz		name and number)	
NUMBER STORY		1.6.7.1.0	
4a. Address (street and number, city, state, and 2	IP code)	4b Tel. No. (717)238-3	เกรก
1500 NORTH 2ND STREET		4c. Cell No.	7000
HARRISBURG, PA 17102-2528		4d. Fax No.	. Ash.
A WE STATE THE PARTY OF STATE		(717)238-8	3354
5. Full name of national or international labor orga	anization of which it is no affiliate as on	4e. e-Mail	obomo in filed by a labor
organization) SERVICE EMPLOYEES INTERN			anago io med ay a idadi.
E DECLARATION		Total No.	
 DECLARATION I declare that I have read the above charge knowledge and belief. 	and that the statements are true to	the best of my Tel. No. (412) 3	91-7709
By: SM	JOSEPH D. SHAULIS	office, if an	y, Cell No
(signature of representative or person making	charge) Print Name and Title	Fax No.	
The state of the s		(442) 20	1-1190
Address:	Date: 9/27/13	e-Mail	
429 FOURTH AVENUE, SUITE 500			
PITTSBURGH PA 15219		25 - 024	on@choiceonemail.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
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 seg. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice 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 voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Case: 14-4523 Document: 003111928782 Page: 102 Date Filed: 04/09/2015

Form NLRB - 501 (2-08) UNITED STATES OF	AMERICA	DO NOT WRIT	E IN THIS SPACE
NATIONAL LABOR RELAT		Case	Date Filed
SECOND AMENDED CHARGE ISTRUCTIONS:	N 744 (N 193 L) N (N 194 (N 194 (N 194) N 194 (N 1	06-CA-106636	December 18, 2013
le an original of this charge with NLRB Regional	Director in which the alleged unfair labor pro	actice occurred or is occurr	ing.
	EMPLOYER AGAINST WHOM CHARGE IS		
Name of Employer UPMC and its Subsidiary, UPMC Pres d/b/a UPMC Presbyterian Hospital and			
Address (street, city, state ZIP code)	e. Employer Representative	f, Fax No.	
Address (street, dry, state Zir code)	c, Employer representative	11 1 42 110.	
SEE ATTACHMENT A	SEE ATTACHMENT A	g. e-Mail	
		h. Dispute Loca Pittsburgh,	tion (City and State)
Type of Establishment (factory, nursing home,	J. Principal Product or Service	k. Number of w	orkers at dispute location
otel) IOSPITALS	HEALTH CARE SERVICES	50000	
Since about April 26, 2013, the a with regard to terms and condition 3. Full name of party filing charge (if labor organization of party filing charge (if labor organization) SEIU HEALTHCARE PENNSYLVANI	ns of employment in retaliation	n for his activity b	
a. Address (street and number, city, state, and 2		4b. Tel. No.	0.00
		(717)238-3	3030
1500 NORTH 2ND STREET		4c. Cell No.	
HARRISBURGH, PA 17102-2528		4d. Fax No (717)238-8	8354
		4e. e-Mail	5554
. Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATI		ent unit (to be filled in wher	n charge is filed by a labor
DECLARATION I declare that I have read the above charge knowledge and belief.	and that the statements are true to the be	Tel. No. (412) 39	91-7709
By: OSUL .	JOSEPH D. SHAULIS, ATT	Office, if any	, Cell No.
(signature of representative or person making		Fax No. (412) 391	-1190
Address'	Date. 12/18/13	e-Mail	
429 FOURTH AVENUE, SUITE 500 PITTSBURGH, PA 15219		cdavidsor	@choiceonemail.com
		The second secon	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

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 are fully assist the National Labor Relations Board (NLRB) in processing unfair labor practice 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 voluntary, however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 72 of 88

UPMC AND ITS SUBSIDIARY, UPMC PRESBYTERIAN SHADYSIDE, SINGLE EMPLOYER, D/B/A UPMC PRESBYTERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC PRESBYTERIAN SHADYSIDE, D/B/A UPMC PRESBYERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

UNITED STATES OF	AMERICA	DO NOT WRITE	IN THIS SPACE
NATIONAL LABOR RELAT	IONS BOARD	Case	Date Filed
FIRST AMENDED CHARGE A INSTRUCTIONS:		CA-107127	09-27-13
File an original of this charge with NLRB Regional			g.
a. Name of Employer	EMPLOYER AGAINST WHOM CHARGE IS BROI	b. Tel. No.	
UPMC PRESBYTERIAN SHADYSIDE HOSPITAL AND D/B/A UPMC SHADY		(412)647-87 c. Cell No.	62
d. Address (street, city, state ZIP code)	e. Employer Representative	f. Fax No. (412)647-87	50
600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739		g. e-Mail	
FIT 13BONGI1, FA 13213-2733		h. Dispute Location Pittsburgh, F	on (City and State)
i. Type of Establishment (factory, nursing home, hotel)	j. Principal Product or Service		kers at dispute location
HOSPITALS	HEALTH CARE SERVICES	50,000	
Since on or about February 15, 2013 coercing employees in the exercise of employment to discourage memb Act.		een interfering wating in regard iplining Dave Jo	to terms and conditions
1500 NORTH 2ND STREET		(717)238-30 4c Cell No.	
HARRISBURG, PA 17102-2528		4d. Fax No.	030 .
C. Full years of antiqued as international labor area		(717)238-83 4e. e-Mail	
organization) SERVICE EMPLOYEES INTERN.	anization of which it is an affiliate or constituent uni	4e. e-Mail t (to be filled in when	354
organization) SERVICE EMPLOYEES INTERN. 6. DECLARATION		to be filled in when the filled	354 charge is filed by a labor
organization) SERVICE EMPLOYEES INTERN. 6. DECLARATION I declare that I have read the above charge	ATIONAL UNION	Tel. No. (412) 39 Office, if any	354 charge is filed by a labor 1-7709

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

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Case: 14-4523 Document: 003111928782 Page: 105 Date Filed: 04/09/2015

Form NLRB - 501 (2-08)		TO NOT MOIT	E 111 TURO OD 1 OT
UNITED STATES OF AMI			E IN THIS SPACE
NATIONAL LABOR RELATION SECOND AMENDED CHARGE AG		Case	Date Filed
SECOND AMENDED CHARGE AG		5-CA-107127	December 18, 2013
ile an original of this charge with NLRB Regional Dire	ector in which the alleged unfair labor practice	occurred or is occurr	ing.
	PLOYER AGAINST WHOM CHARGE IS BRO		
Name of Employer UPMC and its Subsidiary, UPMC Presby		b. Tel. No.	
d/bla UPMC Presbyterian Hospital and d		c. Cell No.	
Address (street, city, state ZIP code) e	. Employer Representative	f. Fax No.	
SEE ATTACHMENT A	SEE ATTACHMENT A	g. e-Mail	· ·
		h. Dispute Loca Pittsburgh,	tion (City and State)
	Principal Product or Service		orkers at dispute location
HOSPITALS	HEALTH CARE SERVICES	50000	
in regard to terms and conditions of organization by disciplining Dave Jo 3. Full name of party filing charge (if labor organization SEIU HEALTHCARE PENNSYLVANIA,	ones, in violation of the Act.		labor
4a. Address (street and number, city, state, and ZIP		4b, Tel, No.	
Tal. Madress (shout this main on, only, state) and an		(717)238-3	3030
1500 NORTH 2ND STREET		4c, Cell No	
HARRISBURGH, PA 17102-2528		4d. Fax No.	14 A 7
a transfer source and a second at the		(717)238-8	3354
5 Full name of national or international labor organizorganization) SERVICE EMPLOYEES INTERNATION		4e, e-Mail nit (to be filled in wher	n charge is filed by a labor
DECLARATION I declare that I have read the above charge and ballef Provided as and ballef	I that the statements are true to the best of	my Tel No. (412) 39	1-7709
knowledge and belief. By: Sulling	JOSEPH D. SHAULIS, ATTOR	Office, if any	r, Celi No.
(signature of representative or person making cha	rge) Print Name and Title	Fax No.	A162
Address:	Date: 12/18/13	(412) 391 e-Mail	-1190
429 FOURTH AVENUE, SUITE 500 PITTSBURGH, PA 15219	<i>j</i> = 11=1.	cdavidsor	n@choiceonemail.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

FRIVACY 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 unfair labor practice 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 voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Case: 14-4523 Document: 003111928782 Page: 106 Date Filed: 04/09/2015

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 75 of 88

UPMC AND ITS SUBSIDIARY, UPMC PRESBYTERIAN SHADYSIDE, SINGLE EMPLOYER, D/B/A UPMC PRESBYTERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC PRESBYTERIAN SHADYSIDE, D/B/A UPMC PRESBYERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

Form NLRB - 501 (2-08) DO NOT WRITE IN THIS SPACE UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD Date Filed Case FIRST AMENDED CHARGE AGAINST EMPLOYER INSTRUCTIONS: 06-CA-107431 09-27-13 File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT b. Tel No a. Name of Employer UPMC PRESBYTERIAN SHADYSIDE D/B/A UPMC PRESBYTERIAN (412)647-8762 HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL c. Cell No. f Fax No d. Address (street, city, state ZIP code) e. Employer Representative (412)647-8750 g e-Mail 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739 h Dispute Location (City and State) Pittsburgh, PA i. Type of Establishment (factory, nursing home, j. Principal Product or Service k. Number of workers at dispute location hotel) HOSPITALS HEALTH CARE SERVICES 50.000 1. The above-named employer has engaged in and is engaging unfair labor practices within the meaning of section 8(a), subsections (1) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Since on or about January 20, 2013, and continuing thereafter, the above-named Employer has discriminately enforced its solicitation policy in violation of the Act. 3. Full name of party filing charge (if labor organization, give full name, including local name and number) SEIU HEALTHCARE PENNSYLVANIA, CTW. CLC 4b. Tel. No. 4a. Address (street and number, city, state, and ZIP code) (717)238-3030 4c Cell No 1500 NORTH 2ND STREET 4d. Fax No. HARRISBURG, PA 17102-2528 (717)238-8354 4e. e-Mail 5 Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) SERVICE EMPLOYEES INTERNATIONAL UNION 6. DECLARATION Tel No I declare that I have read the above charge and that the statements are true to the best of my (412) 391-7709 knowledge and belief. Office, if any, Cell No. JOSEPH D. SHAULIS, ATTORNEY By: Print Name and Title (signature of representative or person making charge) Fax No. (412) 391-1190 9/27/13 Address: e-Mail 429 FOURTH AVENUE, SUITE 500' PITTSBURGH, PA 15219 cdavidson@choiceonemail.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) 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 seg. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice 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 voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

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Form NLRB - 501 (2-08)

UNITED STATES OF	AMERICA	DO MOT MAKIT	E IM THIS SPACE
NATIONAL LABOR RELA	TIONS BOARD	Case	Date Filed
SECOND AMENDED CHARGE STRUCTIONS:		A-107431	December 18, 2013
ile an original of this charge with NLRB Regiona	Director in which the alleged unfair labor practice or	curred or is occur	ing.
	EMPLOYER AGAINST WHOM CHARGE IS BROUG		
	sbyterian Shadyside, Single Employer,	b. Tel. No.	
d/b/a UPMC Presbyterian Hospital an		c Cell No.	
Address (street, city, state ZIP code)	e. Employer Representative	f. Fax No.	
SEE ATTACHMENT A	SEE ATTACHMENT A	g. e-Mail	
		h. Dispute Loca Pittsburgh	tion (City and State)
. Type of Establishment (factory, nursing home,	J. Principal Product or Service		orkers at dispute location
notel) HOSPITALS	HEALTH CARE SERVICES	50000	
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WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

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Case: 14-4523 Document: 003111928782 Page: 109 Date Filed: 04/09/2015

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 78 of 88

ATTACHMENT A

UPMC AND ITS SUBSIDIARY, UPMC PRESBYTERIAN SHADYSIDE, SINGLE EMPLOYER, D/B/A UPMC PRESBYTERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC PRESBYTERIAN SHADYSIDE, D/B/A UPMC PRESBYERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

Form NI RR - 501 (2-08)

UNITED STATES OF A	MERICA	DO NOT WR	TE IN THIS SPACE
NATIONAL LABOR RELATI		Case	Date Filed
FIRST AMENDED CHARGE AGAINST EMPLOYER TRUCTIONS:		06-CA-107532	09-27-13
File an original of this charge with NLRB Regional D	Lirector in which the alleged unfair labor EMPLOYER AGAINST WHOM CHARGE		tring,
a. Name of Employer UPMC PRESBYTERIAN SHADYSIDE HOSPITAL AND D/B/A UPMC SHADY	D/B/A UPMC PRESBYTERIAN	b Tel No.	8762 .
d. Address (street, city, state ZIP code) 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	e. Employer Representative		cation (City and State)
i. Type of Establishment (factory, nursing home,	j. Principal Product or Service	Pittsburg	n, PA Norkers at dispute location
hotel) HOSPITALS	HEALTH CARE SERVICES	50,000	
Since on or about June 18, 2013, the employment and terms and condition discharging shuttle driver Al Turner in 3. Full name of party filing charge (if labor organizal SEIU HEALTHCARE PENNSYLVANIA)	s of employment to discourage retaliation for protected activation, give full name, including local name	ge membership in a vity, all in violation of	labor organization by
4a Address (street and number, city, state, and ZII 1500 NORTH 2ND STREET HARRISBURG, PA 17102-2528	P code)	4b. Tel. No. (717)238 4c. Cell No. 4d. Fax No. (717)238	
5. Full name of national or international labor organization) SERVICE EMPLOYEES INTERNA		4e e-Mail	
	TIONAL ONION		
 DECLARATION I declare that I have read the above charge at knowledge and belief. 		best of my Tei No. (412)	391-7709
		best of my (412) Office, if	391-7709 any, Cell No.

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT
Solucitation 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

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 unfair labor practice 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 voluntary, however, failure to supply the information will cause the NLRB to decline to invoke its processes

UNITED STATES OF	AMEDICA	TOM OUT	WRITE IN THIS SPACE
NATIONAL LABOR RELATIONS BOARD SECOND AMENDED CHARGE AGAINST EMPLOYER WASTELLICIONS:		Case	Date Filed
		06-CA-10753	N. Company of the second second
lle an original of this charge with NLRB Regional			occurring,
Name of Employer	EMPLOYER AGAINST WHOM CHARGE	b. Tel. No	
UPMC and its Subsidiary, UPMC Pres		oyer,	
d/b/a UPMC Presbyterian Hospital and Address (street, city, state ZIP code)	e. Employer Representative	c. Cell No	
Address (street, city, state ZIP code)	e. Employer Representative	I. Fax No	,
SEE ATTACHMENT A	SEE ATTACHMENT A	g e-Mail	
			e Location (City and State)
Type of Establishment (factory, nursing home,	j. Principal Product or Service		er of workers at dispute location
otel) HOSPITALS	HEALTH CARE SERVICES	5000	0
Since on or about June 18, 2013,	the above named Employe	r han hann dia	
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WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

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Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 81 of 88

ATTACHMENT A

UPMC AND ITS SUBSIDIARY, UPMC PRESBYTERIAN SHADYSIDE, SINGLE EMPLOYER, D/B/A UPMC PRESBYTERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
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4 13 11 51a Law Office		4123911190	p.2	
orn NLRS - 501 (2-08)	100 March 100 Ma			
UNITED STATES OF			E IN THIS SPACE	
NATIONAL LABOR RELAT		Case	Date Filed	
SECOND AMENDED CHARGE AGAINST EMPLOYER		05-CA-107896	CA-107896 11/4/13	
File an original of this charge with NLRB Regional	Director in which the alleged unfair labor pi	ractice occurred or is occurr	ring	
	EMPLOYER AGAINST WHOM CHARGE I			
Name of Employer	Brown House parties are	b Tel No	700	
UPMC PRESBYTERIAN SHADYSIDE		(412)647-8	1/62	
HOSPITAL AND DIBIA UPMC SHAD		c Cell No.		
Address (street, city, state ZIP cooe)	e. Employer Representative	I Fax No.		
SEE ATTACHMENT A	SEE ATTACHMENT A			
	40.000	g e-Mail		
		h Dispute Lors	ition (City and State)	
	N	Pittsburgh		
. Type of Eslab'ishment (factory, nursing home,	1 Principal Product or Service		orkers at dispute location	
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Hospitals	Health Care Services	30,000		
Since about June 18, 2013, the E discouraging employees from en			d its employees b	
5 Full name of party flung charge (if lapor organis SEIU HEALTHCARE PENNSYLVANI		and number)		
4a Address (street and number, city, state and it		I 4b Tel No		
1500 NORTH 2ND STREET, HARRIS		(717)238-	3030	
1650 Henri Elle Cincer, Hanni	3001.0,177.11.102-2020	4c. Cell No.		
		4c. Fax No.		
		(717)238-	8354	
		4e, e-Mail		
5 Full name of national or international labor org. organization) Service Emplo	anization of which it is an affiliate or constitu byees International Union	uent and (Io be filled in when	n charge is filed by a labor	
6 DECLARATION I declare that i have read the above charge Any knowledge and belief	and that the statements are true to the b	412-371-	0.775	
By Claupia David	Claudia Davidson, Att	Office if any, C	ell No	
		The second secon	the same and the s	
(signature of representative or person making	charge) Print Name and Title	Fax No		

WILLFI'L FALSE STATEMENTS ON THIS CHARGE CAN BE PLINISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Address 429 FOURTH AVE., STE 500

PITTSBURGH, PA 15219

(412-391-1190

cdavidson@choiceonemail.com

e-Mail

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 15) et seg. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfate labor practice 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 NLR3 is voluntary, however, failure to supply the information will cause the NLRB to decline to invoke its processes

Case: 14-4523 Document: 003111928782 Page: 114 Date Filed: 04/09/2015

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 83 of 88

Nov 04 13 11-52a

Law Office

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p. 3

ATTACHMENT A

EMPLOYER REPRESENTATIVE
GREGORY PEASLEE, SR. VP AND CHIEF HUMAN RESOURCES ADMINISTRATIVE OFFICER
GREGORY PEASLEE, SR. VP AND CHIEF HUMAN RESOURCES ADMINISTRATIVE OFFICER
GREGORY PEASLEE, SR. VP AND CHIEF HUMAN RESOURCES ADMINISTRATIVE OFFICER
GREGORY PEASLEE, SR VP AND CHIEF HUMAN RESOURCES ADMINISTRATIVE OFFICER
GREGORY PEASLEE, SR. VP AND CHIEF HUMAN RESOURCES ADMINISTRATIVE OFFICER

Case: 14-4523 Page: 115 Document: 003111928782 Date Filed: 04/09/2015

NATIONAL LABOR RELAT	AMERICA	DO MOT WAKIT	E IN THIS SPACE
INATIONAL LABOR RELA	TIONS BOARD	Case	Date Filed
THIRD AMENDED CHARGE AGAINST EMPLOYER ISTRUCTIONS:		6-CA-107896	December 18, 2013
ile an original of this charge with NLRB Regional	Director in which the alleged unfair labor practic	e occurred or is occurr	ing.
	EMPLOYER AGAINST WHOM CHARGE IS BR		
	byterian Shadyside, Single Employer,	b. Tel No	
d/b/a UPMC Presbyterian Hospital and		c. Cell No.	
. Address (street, city, state ZIP code)	e. Employer Representative	f. Fax No.	
SEE ATTACHMENT A	SEE ATTACHMENT A	g. e-Mail	
		h. Dispute Local Pittsburgh,	ion (City and State) PA
Type of Establishment (factory, nursing home,	j. Principal Product or Service	k. Number of wo	rkers at dispute location
notel) HOSPITALS	HEALTH CARE SERVICES	50000	
3 Full name of party filing charge (if labor organiz		2	
	ration, give full name, including local name and n	umber)	
SEIU HEALTHCARE PENNSYLVANI	A, CTW, CLC		
SEIU HEALTHCARE PENNSYLVANI	A, CTW, CLC	4b Tel. No.	0020
SEIU HEALTHCARE PENNSYLVANI La. Address (street and number, city, state, and Z	A, CTW, CLC	4b Tel. No. (717)238-3	0030
SEIU HEALTHCARE PENNSYLVANI fa. Address (street and number, city, state, and Z 1500 NORTH 2ND STREET	A, CTW, CLC	4b Tel. No. (717)238-3 4c, Cell No.	0030
SEIU HEALTHCARE PENNSYLVANI fa. Address (street and number, city, state, and Z	A, CTW, CLC	4b Tel. No. (717)238-3 4c. Cell No. 4d. Fax No.	
SEIU HEALTHCARE PENNSYLVANI 4a. Address (street and number, city, state, and Z 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528	A, CTW, CLC	4b Tel. No. (717)238-3 4c. Cell No. 4d. Fax No. - (717)238-8 4e e-Mail	354
SEIU HEALTHCARE PENNSYLVANI 4a. Address (street and number, city, state, and Z 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528 5 Full name of national or international labor organical	A, CTW, CLC (IP code) anization of which it is an affiliate or constituent u	4b Tel. No. (717)238-3 4c. Cell No. 4d. Fax No. - (717)238-8 4e e-Mail	354
SEIU HEALTHCARE PENNSYLVANI 4a. Address (street and number, city, state, and Z 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528 5 Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATION I declare that I have read the above charge	A, CTW, CLC (IP code) anization of which it is an affiliate or constituent u	4b Tel. No. (717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e e-Mail nit (to be filled in when	354
SEIU HEALTHCARE PENNSYLVANI 4a. Address (street and number, city, state, and Z 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528 5 Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATION	A, CTW, CLC (IP code) anization of which it is an affiliate or constituent u	4b Tel. No. (717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e e-Mail nit (to be filled in when f my Tel. No. (412) 3 Office, if an	354 charge is filed by a labor 91-7709
SEIU HEALTHCARE PENNSYLVANI fa. Address (street and number, city, state, and Z 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528 5 Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATION I declare that I have read the above charge knowledge and belief.	A, CTW, CLC IP code) anization of which it is an affiliate or constituent u ONAL UNION and that the statements are true to the best o JOSEPH D. SHAULIS, ATTOR	4b Tel. No. (717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e e-Mail nit (to be filled in when f my Tel. No. (412) 3 Office, if an	charge is filed by a labor 91-7709 y, Cell No
SEIU HEALTHCARE PENNSYLVANI 4a. Address (street and number, city, state, and Z 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528 5 Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATION I declare that I have read the above charge knowledge and belief. By: (signature of representative or person making the signature of representative or pers	A, CTW, CLC IP code) anization of which it is an affiliate or constituent u ONAL UNION and that the statements are true to the best o JOSEPH D. SHAULIS, ATTOR charge) Print Name and Title	4b Tel. No. (717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e e-Mail nit (to be filled in when f my Tel. No. (412) 3 Office, if an NEY	charge is filed by a labor 91-7709 y, Cell No
SEIU HEALTHCARE PENNSYLVANI 4a. Address (street and number, city, state, and Z 1500 NORTH 2ND STREET HARRISBURGH, PA 17102-2528 5 Full name of national or international labor organization) SERVICE EMPLOYEES INTERNATION I declare that I have read the above charge is knowledge and belief. By:	A, CTW, CLC IP code) anization of which it is an affiliate or constituent u ONAL UNION and that the statements are true to the best o JOSEPH D. SHAULIS, ATTOR	4b Tel. No. (717)238-3 4c. Cell No. 4d. Fax No. (717)238-8 4e e-Mail nit (to be filled in when f my Tel. No. (412) 3 Office, if an NEY Fax No. (412) 394 e-Mail	charge is filed by a labor 91-7709 y, Cell No

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

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 unfair labor practice 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 voluntary, however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 85 of 88

ATTACHMENT A

UPMC AND ITS SUBSIDIARY, UPMC PRESBYTERIAN SHADYSIDE, SINGLE EMPLOYER, D/B/A UPMC PRESBYTERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC PRESBYTERIAN SHADYSIDE, D/B/A UPMC PRESBYERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

Form NI RB - 501 (2-08)

UNITED STATES OF AME	RICA	DO NOT WRITE	IN THIS SPACE
NATIONAL LABOR RELATION	S BOARD	Case	Date Filed
SECOND AMENDED CHARGE AG STRUCTIONS:	and the second second	S-CA-108547	09-27-13
le an original of this charge with NLRB Regional Dire			ng.
	PLOYER AGAINST WHOM CHARGE IS BRO		
Name of Employer		b. Tel. No. (412)647-87	62
UPMC PRESBYTERIAN SHADYSIDE D/ HOSPITAL AND D/B/A UPMC SHADYSII		c. Cell No.	02
. Address (street, city, state ZIP code) e.	Employer Representative	f. Fax No.	
ייים אורים	z. piojo, rispresentante	(412)647-87	750
600 GRANT STREET, FLOOR 58		g. e-Mail	
PITTSBURGH, PA 15219-2739		The state of the s	
2.11 4.2 CO 4.10 CO 12 CO 24			on (City and State)
T	Debate of Conduct as Conduct	Pittsburgh,	
Type of Establishment (factory, nursing home, j. notel)	Principal Product or Service	R. Number of wo	kers at dispute location
	EALTH CARE SERVICES	50,000	
NOOT TIMES	E III O III E CEITTICE	50,000	
Full name of party filing charge (if labor organization	n, give full name, including local name and no	umber)	
SEIU HEALTHCARE PENNSYLVANIA, O			
a. Address (street and number, city, state, and ZIP c	ode)	4b. Tel. No.	200
ATTO MODELLOUD DEDECT		(717)238-3	030
1500 NORTH 2ND STREET		4c. Cell No. 4d. Fax No.	
HARRISBURG, PA 17102-2528		(717)238-8	354
		4e e-Mail	
5. Full name of national or international labor organiza organization) SERVICE EMPLOYEES INTERNATI		nit (to be filled in when	charge is filed by a labor
DECLARATION I declare that I have read the above charge and knowledge and belief.		Tel. No. (412) 39	
By: Selli	that the statements are true to the best of		11-7709
(signature of representative or person making char-	that the statements are true to the best of JOSEPH D. SHAULIS, ATTOR	Office, if any	Y Karl Care
	JOSEPH D. SHAULIS, ATTOR	Office, if any	Y Karl Care
	JOSEPH D. SHAULIS, ATTOR	NEY Office, if any	, Cell No.
Address:	JOSEPH D. SHAULIS, ATTOR	Office, if any	, Cell No.
Address: 429 FOURTH AVENUE, SUITE 500 PITTSBURGH, PA 15219	JOSEPH D. SHAULIS, ATTOR	Office, if any Fax No. (412) 391 e-Mail	, Cell No.

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
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 unfair labor practice and related proceedings or litigation. The toutine 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 voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

UNITED STATES OF A	MERICA	DO NOT W	RITE IN THIS SPACE
NATIONAL LABOR RELATIONAL RELATIONAL LABOR RELATIONAL		Case	Date Filed
THIRD AMENDED CHARGE AGAINST EMPLOYER ISTRUCTIONS:		06-CA-108547	December 18, 2013
le an original of this charge with NLRB Regional D	rector in which the alleged unfair labor in	practice occurred or is oc	curring.
	MPLOYER AGAINST WHOM CHARGE		
Name of Employer UPMC and its Subsidiary, UPMC Presb d/b/a UPMC Presbyterian Hospital and			7-8762
	e. Employer Representative	f. Fax No. (412)64	7-8750
SEE ATTACHMENT A	SEE ATTACHMENT A		g@upmc.edu
		Pittsbur	
. Type of Establishment (factory, nursing home, notel)	j. Principal Product or Service		f workers at dispute location
HOSPITALS	HEALTH CARE SERVICES	50000	
Full name of party filing charge (if labor organization)	bon, give full name, including local name	and number)	
SEIU HEALTHCARE PENNSYLVANIA			
4a Address (street and number, city, state, and ZIF	code)	4b. Tel. No. (717)23	
1500 NORTH 2ND STREET		4c Cell No.	
HARRISBURGH, PA 17102-2528			8-8354
5. Full name of national or international labor organ organization)	ization of which it is an affiliate or constitution	4e. e-Mail luent unit (to be filled in v	then charge is filed by a labor
SERVICE EMPLOYEES INTERNATIO	NAL UNION		
DECLARATION I declare that I have read the above charge are knowledge and belief.	nd that the statements are true to the	tel. No (412	2) 391-7709
By: Ohn!	JOSEPH D. SHAULIS, AT		fany, Cell No
(signature of representative or person making ch		Fax No (412)	391-1190
Address: 429 FOURTH AVENUE, SUITE 500	Date: 12/18/13	e-Mail	
PITTSBURGH, PA 15219		cdavid	son@choiceonemail.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

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Case: 14-4523 Document: 003111928782 Page: 119 Date Filed: 04/09/2015

Case 2:14-mc-00109-AJS Document 1-3 Filed 03/20/14 Page 88 of 88

ATTACHMENT A

UPMC AND ITS SUBSIDIARY, UPMC PRESBYTERIAN SHADYSIDE, SINGLE EMPLOYER, D/B/A UPMC PRESBYTERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC 600 GRANT STREET, FLOOR 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER
UPMC PRESBYTERIAN SHADYSIDE, D/B/A UPMC PRESBYERIAN HOSPITAL AND D/B/A UPMC SHADYSIDE HOSPITAL 600 GRANT STREET, FL 58 PITTSBURGH, PA 15219-2739	GREGORY PEASLEE, SENIOR VP AND CHIEF HR ADMIN OFFICER

FORM NLRB-31 Case 2:14-mc-00109 SUBPOENAU DUCES 4 TEGISM 03/20/14 Page 1 of 7

EXHIBIT B

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

Custodian of Re UPMC Presbyte 600 Grant Street				-	
As requested by	Suzanne S. Donsky, Attorn	ney and Julie R. Stern, Attorn	ey for the Nation	al Labor Relation	s Board
whose address is	William S. Moorhead Federa	al Building, 1000 Liberty Ave	nue. Room 904,	Pittsburgh, Pennsy	ylvania 15222
YOU ARE HEREBY RE	(Street) QUIRED AND DIRECTED TO	(City) APPEAR BEFORE	+	(State)	(ZIP)
an Administrativ	e Law Judge		of the I	National Labor Re	lations Board
at	William S. Moorhead Federa	Building, RM 904, 1000 Lib	erty Ave.,		
in the City of Pitt	sburgh, PA 15222				
or rescheduled date to to	estify in	idiary UPMC Preshyterian Sl	nadyside Single		any adjourned
UPMC Presbyte	rian Hospital and d/b/a UPMC (C	Case Name and Number)	5-CA-102403, et	ai	
And you are hereby and documents:	required to bring with you and	produce at said time and pla	ce the following b	oooks,records, con	respondence,
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 14th day of January

20 14

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.

Case: 14-4523 Document: 003111928782 Page: 121 Date Filed: 04/09/2015

ATTACHMENT

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

DEFINITIONS AND INSTRUCTIONS

- 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.

Case 2:14-mc-00109-AJS Document 1-4 Filed 03/20/14 Page 3 of 7

- 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.

Case 2:14-mc-00109-AJS Document 1-4 Filed 03/20/14 Page 4 of 7

DOCUMENTS SUBJECT TO SUBPOENA NO. B-720565

- 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.
- 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.
- *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.
- 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.
- Copies of Annual Reports of UPMC Presbyterian Shadyside for 2011, 2012 and 2013.
- Copies of audited Financial Statements of UPMC Presbyterian Shadyside for 2011,
 2012 and 2013.
- 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.
- 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

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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.
- 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.
- 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.
- 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.

Case 2:14-mc-00109-AJS Document 1-4 Filed 03/20/14 Page 6 of 7

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

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- 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, Ebenefits 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.

RETURN				. E	XHIBIT C	
I certify that, being age, I duly served a co	by person	3050	 1 ,	4161	9383	
	by registered mail by telegraph by leaving copy at principal office or place of business at:	٩	ز			_
on the named person on (Month,	11 1-14-14 day, fand year					
	rson making service)					
(Officia	al title, if any)					
CERTIFICATION I certify that name attendance as a witne						
on(Month, da	y or days, and year)					
(Name of	person certifying)					
(Official title)						

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EXHIBIT D

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD REGION 6

UPMC Presbyterian Shadyside,	Cases: 06-CA-102465
d/b/a UPMC Presbyterian Hospital,	06-CA-102494
and d/b/a UPMC Shadyside Hospital	06-CA-102516
	06-CA-102518
	06-CA-102525
	06-CA-102534
and	06-CA-102540
	06-CA-102542
	06-CA-102544
	06-CA-102555
SEIU Healthcare Pennsylvania	06-CA-102559
CTW, CLC	06-CA-102566
0111,020	06-CA-104090
	06-CA-104104
	06-CA-106636
	06-CA-107127
	06-CA-107431
	06-CA-107532
	06-CA-107532 06-CA-108547
	06-CA-111578
	06-CA-115826

PRESBYTERIAN SHADYSIDE'S PETITION TO REVOKE SUBPOENA NO. B-720565

Respondent UPMC Presbyterian Shadyside ("Presbyterian Shadyside"), pursuant to § 102.31(b) of the National Labor Relations Board ("Board" or "NLRB") Rules and Regulations, respectfully petitions to revoke the subpoena *duces tecum* numbered B-720565, issued on or around January 14, 2014 by the NLRB and received by Presbyterian Shadyside on or around January 15, 2014. A copy of the subpoena *duces tecum* is attached as Exhibit A.

TIMELINESS

Pursuant to Section 102.66(c), Presbyterian Shadyside is entitled to five (5) days within which to petition for revocation of Board subpoenas. Section 102.111(a), provides that when a

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time period prescribed in the Board's Rules is less than seven days, weekends and legal holidays are excluded from the computation. Because Presbyterian Shadyside received the subpoena on January 15, 2014, the last day for timely submission of this petition to revoke is close of business on January 23, 2014. Accordingly, Presbyterian Shadyside has filed a timely petition to revoke.

BACKGROUND

The above referenced cases, which involve various alleged violations of the National Labor Relations Act (the "Act"), have been brought against two separate entities: UPMC and Presbyterian Shadyside. On January 9, 2014, the Board entered the Second Order Further Consolidating Cases and Amended Consolidated Complaint ("Amended Consolidated Complaint"). In its Amended Consolidated Complaint, the Board has alleged that UPMC is a single employer with Presbyterian Shadyside. Presbyterian Shadyside asserts that it is not a single employer with UPMC.

As discussed in further detail below, subpoena *duces tecum* numbered B-720565 should be revoked because it is overly broad, unduly burdensome, too vague and ambiguous, and harassing.

AUTHORITY

This petition to revoke is filed pursuant to § 102.66(c) of the Board's Rules and Regulations. Section 102.31(b) of the Board's Rules and Regulations provides, in pertinent part:

The administrative law judge or the Board, as the case may be, shall revoke the subpoena if in his opinion the evidence whose production is required does not relate to any matter under investigation or in question in the proceedings or the subpoena does not describe with sufficient particularity the evidence whose production is required, or if for any other reason sufficient in law the subpoena is otherwise invalid.

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(emphasis added). The Federal Rules of Civil Procedure, which govern the issuance of subpoenas in NLRB actions, further provide that on timely motion, the issuing court **must quash** or modify a subpoena that "subjects a person to undue burden." FED. R. CIV. P. 45(c)(3)(A)(iv) (emphasis added).

GROUNDS FOR REVOCATION

GENERAL OBJECTIONS

Presbyterian Shadyside incorporates the below general objections into the specific objections set forth herein:

- 1. <u>Confidential, Proprietary and Privileged Information</u>: Each paragraph of the subpoena *duces tecum* should be revoked insofar as it seeks confidential, private or proprietary information and to the extent it seeks documents and/or information constituting attorney-client privileged communications between Presbyterian Shadyside and its counsel or seeks documents and/or information that is protected by the work product doctrine.
- Non-Specific and Vague: Each paragraph of the subpoena duces tecum should be revoked to the extent it does not describe the material requested with the specificity and particularity required by 29 C.F.R. § 102.66(c) and § 11776 of the Board's Case Handling Manual.
- 3. <u>Inability to Comply Prior to Stated Date</u>: The subpoena *duces tecum* directs that the material identified in the rider be produced in Pittsburgh, Pennsylvania on February 3, 2014. The volume of materials identified in the rider, which has 47 separate requests and the scope of inquiry necessary to locate and segregate such materials from Presbyterian Shadyside's records, are such that the subpoena *duces tecum* cannot be complied with by February 3, 2014.

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4. <u>Harassment:</u> Presbyterian Shadyside contends that the subpoena is being issued as a means of harassing Presbyterian Shadyside and coercing Presbyterian Shadyside to enter into a stipulation. In April 2013, the SEIU Healthcare Pennsylvania ("the Union") filed several charges against UPMC Presbyterian Shadyside d/b/a UPMC Presbyterian Hospital and d/b/a UPMC Shadyside Hospital ("Presbyterian Shadyside") and its holding company UPMC. The charges alleged that Presbyterian Shadyside and UPMC were a single employer. After months of investigation and taking evidence, Region 6 found that UPMC was not a necessary party and that the Union's single employer allegations had no relevance to this proceeding. Accordingly, in September 2013, the Region determined that there was no basis to proceed against UPMC. The Union filed amended charges (per the Region's instruction) that were identical to the original charges, except UPMC was dropped as a charged party. The proceedings against UPMC ended.

On September 30, 2013, the Region issued its Consolidated Complaint against only Presbyterian Shadyside. All alleged unfair labor practices were alleged to have been committed solely by employees of Presbyterian Shadyside. All locations set forth in the Consolidated Complaint are owned or operated by UPMC Presbyterian Shadyside. Lastly, all of the relief requested was sought only against UPMC Presbyterian Shadyside.

The hearing was initially set for December 16, 2013 and later set for February 3, 2014. However, with no explanation whatsoever, the Region issued the Amended Consolidated Complaint that Presbyterian Shadyside received on January 10, 2014, only twenty-four (24) days before the hearing. The only relevant substantive changes included in the Amended Consolidated Complaint were the additional allegations naming UPMC as a respondent and raising the Union's single employer theory. There are no allegations, however, that Presbyterian

Shadyside, a substantially capitalized entity, is incapable of remedying any of the alleged unfair labor practices; nor are there any allegations that the two entities have engaged in any schemes or artifices to thwart the enforcement of the National Labor Relations Act ("the Act"). The Amended Consolidated Complaint simply makes conclusory allegations that UPMC and Presbyterian Shadyside constitute a single integrated enterprise.

The true underlying purpose of this subpoena is further evidenced by the fact the Amended Consolidated Complaint is time-barred insofar as paragraphs 2(a), 3(a), 3(b), 4(a), 4(b), and 5(a) are concerned, UPMC and Presbyterian Shadyside were denied due process, and the amendment to add UPMC as a respondent does not advance the purposes of the Act.

- 5. Right to Amend and/or Supplement Responses: Presbyterian Shadyside's responses to the above-referenced subpoena duces tecum are based on the information presently available to Presbyterian Shadyside, and are made without prejudice to its right to use subsequently discovered or developed information in any continuing investigation and or proceeding. Presbyterian Shadyside reserves the right to amend or supplement its responses accordingly.
- 6. <u>Burdensome</u>: The subpoena *duces tecum* is unduly burdensome and oppressive in that the time and effort it would take to produce the wide scope of evidence sought would seriously disrupt Presbyterian Shadyside's mission of providing patient care. Because the subpoena requests electronically stored information ("ESI"), as well as paper documents, the cost of searching, locating, reviewing and producing the requested documents will take hundreds of hours and will result in significant cost to Presbyterian Shadyside.

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7. No Waiver of Objections: The fact that Presbyterian Shadyside responds to part or all of any document request is not intended to be, and shall not be, construed as a waiver by Presbyterian Shadyside of any part of any objection to any document request.

SPECIFIC OBJECTIONS

More specifically, but without limitation and reiterating all of the above grounds, the following paragraphs should be revoked for the following additional reasons:

- Paragraphs 1, 2, 6, 7, and 8 of the subpoena should be revoked because they are
 overly broad and so non-specific and vague that Presbyterian Shadyside cannot respond or object
 because they do not reasonably apprise Presbyterian Shadyside of the documents being sought.
- 2. Paragraphs 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 36, and 37 of the subpoena should be revoked because they are overly broad, unduly burdensome, abusive and harassing, and, as written, might require production of thousands of documents. Further, as indicated above, the volume of materials identified in these requests and the scope of inquiry necessary to locate and segregate such materials from Presbyterian Shadyside's records, are such that the subpoena *duces tecum* cannot be complied with by February 3, 2014.
- 3. Paragraphs 3, 4, 5, 9, 10, 33, 34, 35, 38, 39, 40, 41, 42, 43, 44, 45, 46, and 47 of the subpoena should be revoked because they are overly broad, vague and ambiguous and do not seek information relevant to any claim asserted or issued raised by the Second Amended Consolidated Complaint in this matter.

¹ The numbering skips from 15 to 17. There is no request numbered 16.

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WHEREFORE, Presbyterian Shadyside respectfully requests that the Board revoke those portions of the subpoena for the reasons set forth above.

Respectfully submitted,

OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.

By: _____

Thomas A. Smock, Esquire Jennifer G. Betts, Esquire One PPG Place, Suite 1900 Pittsburgh, PA 15222 412.394.3335 (phone) 412.394.3348 (fax)

Mark M. Stubley, Esquire P. O. Box 2757 Greenville, SC 29602 864.240.8318 (phone) 864.235.8806 (fax)

Ruth L. Goodboe, Esquire 34977 Woodward Avenue, Suite 300 Birmingham, MI 48009 248.723.6143 (phone) 248.593.2603 (fax)

Counsel for Presbyterian Shadyside

Dated: January 23, 2013

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FORM NLRB-31 (12-12)

SUBPOENA DUCES TECUM



UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

To	Custodian of R UPMC Presbyt	e certain tree	side						
, -			, Pittsburgh, PA 1	5219-2739					
	As requested b	Suzanr	e S. Donsky, Attor	ney and Ju	llie R. Stern, A	tiorne	y for the Nat	ional Labor Relat	ions Board
whose address is		William S. Moorhead Federal Building, 1000 Liberty Avenue, Room 904, Pittsburgh, Pennsylvania 15222							
		(Street)			(City)			(State)	(ZIP)
YOU.	ARE HEREBY R	EQUIRED A	ND DIRECTED TO	APPEAR	BEFORE				
	an Administrat	ive Law Jud	ge				of the	National Labor	Relations Board
at		William S	. Moorhead Federa	l Building	RM 904, 1000) Libe	rty Ave.		
in the	City of Pi	tsburgh, PA	15222						
on the	3rd	day of	February		20_14	at _	11500	(a,m.) (p.m.)	or any adjourned
or res	cheduled date to	testify in	UPMC and its sub-	idiary UP	MC Presbyteria	in Sha	dyside Sing	le Employer, d/b/	3
			al and d/b/a UPM						
					and Number)				
	See attachment								
C.F.R be file	. Section 102.66 d as set forth the	(c) (represer erein. Petition	es and Regulation tation proceedings as to revoke must to ollow these regulat), objection e received	is to the subpos within five day:	ena mi	ust be made our having re	by a petition to re ceived the subpos	voke and must ena. 29 C.F.R.
	7005	C.F.		the seal of Subpoen		bor R	elations Boa	rd, and by direction	n of the
В- 72056	62	Issued at	Pittsburg	h, Pennsylvania	a.				
			this 14th	day of	January			20	14
	•••		Chai	rman, Nati	onal Labor Rela	ations	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.

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ATTACHMENT

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

DEFINITIONS AND INSTRUCTIONS

- 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.
- The words "employee" and "employees" mean all full-time and regular part-time employees employed by UPMC Presbyterian Shadyside.
- 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.

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- 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.

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DOCUMENTS SUBJECT TO SUBPOENA NO. B-720565

- Copies of the original Articles and/or Certificate of Incorporation and/or partnership agreement of UPMC Presbyterian Shadyside.
- Copies of any amendments to the original Articles and/or Certificate and/or partnership agreement of UPMC Presbyterian Shadyside effective during the subject period.
- 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.
- *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.
- 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.
- Copies of Annual Reports of UPMC Presbyterian Shadyside for 2011, 2012 and 2013.
- 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.
- 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

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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.
- 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.
- 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.
- 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.
- 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.

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- 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.
- 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.
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- Documents issued by UPMC Presbyterian Shadyside's Office of Ethics, Compliance and Audit Services during the subject period.
- Copy of the Utilization Review processes followed by UPMC Presbyterian Shadyside.

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- 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.
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- 47. Copy of any agreement between UPMC Presbyterian Shadyside and any UPMC-owned or affiliated entity including, but not limited to, Ebenefits 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.

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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the within UPMC Presbyterian Shadyside's Petition to Revoke Subpoena No. B-720565 has been served by electronically filing same as a .pdf document on the NLRB's website http://www.nlrb.gov on this 23rd day of January, 2014.

Also, I do hereby certify that a true and correct copy of the within UPMC Presbyterian Shadyside's Petition to Revoke Subpoena No. B-720565 has been served on the following individuals by e-mail this 23rd day of January, 2014: Administrative Law Judge Mark Carissimi, at mark.carissimi@NLRB.gov; Claudia Davidson, Esq. at cdavidson@choiceonemail.com; Betty Grdina, Esq. at bgrdina@mooneygreen.com; Kathy Krieger, Esq. at klkreiger@jamhoff.com; Suzanne Donsky at Suzanne.donsky@nlrb.gov; and Julie Stern at Julie.stern@nlrb.gov.

By: /s/

Ruth L. Goodboe (P75106) Attorney for UPMC Presbyterian Shadyside

Case 2:14-mc-00109-AJS Document 1-7 Filed 03/20/14 Page 1 of 3 EXHIBIT E

Stern, Julie R.

From: Smock, Thomas A. [Thomas.Smock@ogletreedeakins.com]

Sent: Thursday, February 27, 2014 12:41 PM

To: Stern, Julie R.
Cc: Donsky, Suzanne S
Subject: FW: GC Subpoenas

NxGen: Uploaded

Julie and Suzanne...please see below...When I emailed you this response last evening, I inadvertently left out the word "further" in the second paragraph. Since we have had some negotiations regarding the stipulations, I meant to include this word....Please use my corrected version....Thanks...Tom

Thomas A. Smock | Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

One PPG Place, Suite 1900 | Pittsburgh, PA 15222 | Telephone, 412-394-3335 | Cell. 412-848-1053 thomas.smock@ogletreedeakins.com | www.ogletreedeakins.com | Bio

From: Pepmeyer, Jennifer L.

Sent: Thursday, February 27, 2014 12:33 PM

To: Smock, Thomas A. Subject: GC Subpoenas

Dear Ms. Stern and Ms. Donsky:

Subpoena B-720563 - GC subpoena to UPMC re Single Employer Issue

On or about January 14, 2014, the General Counsel issued subpoena duces tecum numbered B-720563, which was received by UPMC on or about January 15, 2014. UPMC timely filed a petition to revoke that subpoena on or about January 23, 2014.

For all of the reasons stated on the record and in various other pleadings filed in connection with this matter, our position remains unchanged: UPMC is not a proper party and therefore the subpoena, even in light of the ALJ's rulings on the above-referenced petition to revoke, is not proper. For the same reason, we do not intend to engage in further negotiation of any stipulations regarding the relationship between UPMC and UPMC Presbyterian Shadyside.

Subpoena B-720565 - GC subpoena to PUH/SHY re Single Employer Issue

On or about January 14, 2014, the General Counsel issued subpoena duces tecum numbered B-720563, which was received by UPMC Presbyterian Shadyside ("Presbyterian Shadyside") on or about January 15, 2014. Presbyterian Shadyside timely filed a petition to revoke that subpoena on or about January 23, 2014.

For all of the reasons stated on the record and in various other pleadings filed in connection with this matter, our position remains unchanged: UPMC is not a proper party and therefore the subpoena, even in light of the ALI's rulings on the above-referenced petition to revoke, is not proper. For the same reason, we do not intend to engage in further negotiation of any stipulations regarding the relationship between UPMC and UPMC Presbyterian Shadyside.

Tom

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Case 2:14-mc-00109-AJS Document 1-7 Filed 03/20/14 Page 3 of 3

Jennifer L. Pepmeyer | Legal Secretary | Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

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