

IN THE OHIO BOARD OF NURSING

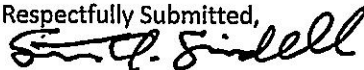
In the Matter of
Tina King, RN,

Hearing Examiner Ronda Shamansky
Case Nos. 2020-00590 and 2021-001162

RESPONDENT(S)' LISTS OF EXHIBITS AND WITNESSES

The Lists of Respondent(s) Exhibits and Witnesses are attached hereto, with the exception of surveillance video clips which are contained on flashdrives provided to Respondent(s)' counsel by the State/OBN's counsel and are far too numerous to be useful to the Hearing Examiner. Counsel for the parties have decided to utilize during the hearing only a very small fraction of the total contents of the video clips on the flashdrives. Counsel for the State/OBN has refused to formally identify and commit in writing which clips he intends to offer on the ground that this would transgress the "no discovery" rules governing the OBN's hearing and prehearing procedures. Respondent(s)' counsel was initially inclined to provide a disc containing the handful of video clips Respondent(s) may choose to offer in evidence in the hearing in this matter, but has decided that given the State/OBN's position on the matter, and the unnecessary time and energy required to contest the issue, Respondent(s) will follow the State/OBN's procedure by not supplying to the State/OBN in advance of the hearing the few video clips Respondent(s) intend to offer in the hearing.

Respectfully Submitted,



Steven A. Sindell, Esq., Sindell and Sindell, LLP
2625 Hickory Lane
Pepper Pike, Ohio 44122
Tel. 216-401-4912
Email: info@sindellattorneys.com

CERTIFICATE OF SERVICE

The attached List of Respondent(s)' Exhibit and Witness Lists were served by email this 25th day of September, 2022, upon Hearing Examiner Ronda Shamansky at ronda.shamansky@gmail.com; James T. Wakley at James.Wakley@ohioago.gov; Lindsay Miller Schlie at Lindsay.millerschlie@ohioago.gov; choffman@ohio.nursing.gov and hearing@ohio.nursing.gov.



Steven A. Sindell, Esq.
Attorney for Respondent(s)

RESPONDENTS' EXHIBIT LIST

- A-1 --- King Notice of Opportunity for Hearing
- A-2 --- Gelle Notice of Opportunity for Hearing
- B --- Statements of King and Gelle
- C --- Civil Lawsuit Complaint
- D --- Summary Investigation Report
- E-1 --- OBN Submissions in Tina King Case, pages 1-93
- F-1,2 and 3 --- OBN Submissions in Marie Gelle Case, pages unnumbered, but identified as State's Exhibits 1- 13
- G --- Montefiore Mandel Unit 3 residents' covid testing records, pp. 1-128
- H---Montefiore Mandel Unit 3 Residents' covid testing records, pp. 129-280
- I-1 --- ORC 4723.281 ---Summary License Suspension Law
- I-2 --- Gelle signed statement
- I-3 --- King signed statement
- J --- Respondents' Requests and Joint Requests for Issuance of Subpoenas, April 29, 2022
- K --- Email to Carl Hoffman
- L --- Unsigned Stipulated draft Protective Order sought by Montefiore in civil lawsuit
- M --- UCRC Decision in Gelle
- N ---King Polygraph Report
- N-1 --- Court decision in State v. Sharma
- O --- Gelle Polygraph Report
- P-1--- Polygraph Expert William Evans' C.V.
- P-2--- Polygraph Expert William Evans' Affidavit
- P-3 --- William Evans Peer Review Report
- P-4 --- Declaration of Polygraph Expert Dr. David Raskin
- P-5 --- Effective Defense Polygraphs by Christophir Kerr, Esq.
- P-6/6-a ---Polygraph Meta-Analytic Survey
- Q-1 --- Polygraph Expert Kenneth Butler's Affidavit
- Q-2 --- Polygraph Expert Kenneth Butler's CV
- R --- Affidavit of Charlisa Latson
- S --- ODH Report
- T --- Marie Gelle Covid Test Report from CVS

U --- Covid Test Results
V --- Amanda Williams Report for Jenna Scotese
W --- Defendant Montefiore's Civil Lawsuit Responses to Plaintiffs King and Gelle's Responses to Plaintiffs' First Set of Requests for Admissions
X --- UCRC Transcript of 9-13-2021
Y --- UCRC Transcript of 9-30-2021
Z-1 and Z-2 --- UCRC Transcript of 10-22-2021
AA --- UCRC Transcript of 11-10-2021
BB --- UCRC Transcript of 11-29-2021
CC --- Montefiore Employee Handbook
DD --- Respondents' and Joint Subpoenas in alphabetical Order Part I, A-L
EE --- Continuation of DD, Part II, M-W
FF --- Continuation of DD and EE, Part III, (Towns to Weiss)
GG --- Ariel Hyman BELTSS Hearing Transcript
HH --- Luminous Records
II --- Respondents' Requests and Joint Requests for Issuance of Subpoenas,
August 23, 2022

RESPONDENTS' WITNESS LIST

Respondents include in their Witness List and incorporate by this reference herein, all individuals and custodians of records set forth in Respondents' Individual and Joint Requests for Issuance of Subpoenas (Exhibits J and II), as well as all witnesses to be called or who have been subpoenaed or identified by the State/OBN.

In addition, Respondents include the following witnesses whom they have not subpoenaed:

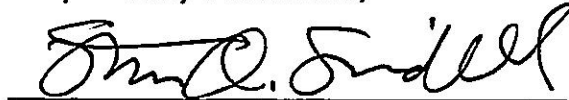
Marie Gelle, RN

Tina King, RN

Steve Gelle

Respondents wish to identify as witnesses whom they would have called to testify in the defense of Respondents (and remain prepared to call as expert witnesses in their case), polygraph experts William Evans and Kenneth Butler. However, inasmuch as the Hearing Examiner has precluded any polygraph evidence and testimony, unless the Hearing Examiner reconsiders her prior Order and/or opposing counsel withdraws his objection and/or stipulates. Respondents will not be calling these witnesses to testify and will not seek to offer or admit polygraph evidence.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Steven A. Sindell", is written over a horizontal line.

Steven A. Sindell, Esq.

Attorney for Respondents



RECEIVED
OHIO BOARD OF NURSING
August 23, 2022 6:55 AM

OHIO BOARD OF NURSING

In the matter of
Tina King,
Respondent

Case No. 20-005090; 21-1163
Hearing Examiner Ronda Shamansky

RESPONDENT TINA KING'S INDIVIDUAL AND JOINT REQUESTS FOR ISSUANCE OF SUBPOENAS

This timely request for issuance of subpoenas is made pursuant to the Order as extended to August 23, 2022 by the Hearing Examiner.

Pursuant to the Journal Entry of June 13, 2022, **the evidentiary hearing in this matter is scheduled for the dates of October 11 through October 14, 2022 by electronic virtual remote videoconference, the hearing to begin at 10:00 a.m.**

Attached hereto is an email from the Hearing Examiner to all counsel as well as to Carl Hoffman of the Ohio Board of Nursing highlighting certain specific language required to be included in the subpoenas duces tecum regarding early production of requested documents and a second statement of specific language required to be included in all subpoenas (both duces tecum and appearance only) regarding the submission of the email addresses of all subpoena recipients who desire to testify remotely by videoconference as opposed to in person.

With the agreement previously expressed by Senior Assistant Attorney General James T. Wakley to the Ohio Board of Nursing and to the Hearing Examiner and counsel for Respondent, the Ohio Board of Nursing shall upon receipt of any productions pursuant to any of these requested subpoenas duces tecum herein, immediately submit them to Respondent's counsel of record Steven A. Sindell. For purposes of mailing or physical delivery, the address of 2625 Hickory Lane, Pepper Pike, Ohio 44124 should be used. Telephone communication should be to 216-401-4912 and emails should be directed to info@sindellattorneys.com.

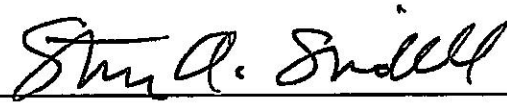
Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Steven A. Sindell".

Steven A. Sindell, Esq., Atty. for Respondent Tina King

CERTIFICATE OF SERVICE

This within Respondent Tina King's Individual and Joint Requests for Issuance of Subpoenas was forwarded by email this 22nd day of August 2022 to hearing@nursing.ohio.com; Carl Hoffman at choffman@nursing.ohio.gov; Hearing Examiner Ronda Shamansky at ronda.shamansky@gmail.com; Senior Assistant Attorney General James T. Wakley at James.Wakley@ohioago.gov; and to Assistant Attorney General Lindsay.millerschlie@ohioago.gov.

A handwritten signature in black ink, reading "Steven A. Sindell", is written over a horizontal line.

Steven A. Sindell, Esq.

Info

From: Ronda Shamansky <ronda.shamansky@gmail.com>
Sent: Wednesday, August 17, 2022 5:07 PM
To: Info; James Wakley; Lindsay Miller Schlie; CHoffman@nursing.ohio.gov
Subject: agreement of counsel in King/Gelle cases

Good afternoon Mr. Hoffman,

I believe that you are the person at the Board who handles the subpoenas requested by counsel for hearings, but if that's not correct, would you please forward this email to the right person at the Board who does handle that?

I'd like to ask your help with respect to some subpoena requests that you will be receiving by Tuesday, August 23 from counsel in the Gelle and King cases, pursuant to some agreements that were reached by counsel after a conference call that we held this afternoon.

First, counsel for the parties have agreed to extend the subpoena deadline to next Tuesday, which amounts to an extension of 3 days. Both sides may now file subpoena requests by that date, for our hearing in October.

Second, Mr. Sindell has requested that certain language be added to any subpoenas that he requests, and in cases where he joins a subpoena request filed by the State. Mr. Wakley and Ms. Miller have agreed that we will request that any subpoenas in which Mr. Sindell has any role in requesting contain the following language in both paragraphs below:

"If the documents requested by this subpoena are produced and made available to the party requesting them by October 3, 2022, the records custodian will be released from the obligation to appear and give testimony at the hearing."

AND:

"If the witness would like to testify remotely by videoconference rather than giving testimony at the Board's office in Columbus, the witness is asked to contact Mr. Sindell at info@sindellattorneys.com or at (216) 401-4912 to provide an email address so that the witness can be sent an invitation to join the hearing by videoconference."

If you could please include that language on any subpoenas requested or joined by Mr. Sindell, I think that would accomplish what counsel agreed to in our conference this afternoon. Could you please confirm that you will include that instruction in the subpoena requests that could now be filed as late as August 23?

Thank you very much for all of your assistance. Please let me know if anything is not clear, and I'll do my best to help resolve any issues.

I'm copying all counsel on this email.

Thanks again for your help.

Ronda Shamansky

SUBPOENAS

(1) Daniel Gardner

520 Harvard Avenue
Barberton, Ohio 44230

(2) Richard Schwalberg, Former COO

11595 Puerto Blvd.
Boynton Beach, Florida 33437-4027

(JOINT)

Also Serve at:

26945 Amhearst Circle, Apt. 108
Beachwood, Ohio 44122-7567

Also serve at:

c/o Robert Pivonka, Esq.
Rolf, Goffman, Martin, Lang, LLP
31105 Bainbridge Rd., Suite 4
Solon, Ohio 44139

(3) James P. Newbrough, jr., President and CEO

c/o Menorah Park
27100 Cedar Road
Beachwood, Ohio 44122

Also serve at:

457 Castle Pines Drive
Fairlawn, Ohio 44333

Also serve at:

c/o Robert Pivonka, Esq.
Rolf, Goffman, Marin, Lang, LLP
31105 Bainbridge Rd., Suite 4
Solon, Ohio 44319

(4) Jamie Herbst, Vice- President, Human Resources

c/o Menorah Park

27100 Cedar Road

Beachwood, Ohio 44122 (JOINT)

Also serve at:

5129 Ingleton Drive

Brunswick, Ohio 44121-4739

Also Serve at:

5129 Ingleton Drive

Brunswick, Ohio 44212-4739

**(5) Charlisa R. Latson
1336 East 86th Street (JOINT)
Cleveland, Ohio 44106**

**(6) Janet Craven
c/o Menorah Park
27100 Cedar Road
Beachwood, Ohio 44122 (JOINT)**

**Also serve at:
c/o Robert Pivonka, Esq.
Rolf, Goffman, Martin, Lang, LLP
31105 Bainbridge Rd., Suite 4
Solon, Ohio 44139**

**(7) Jenna Scotese
7520 Jasani Court
Mentor, Ohio 44060**

(8) Tori Payne
3686 Berkeley Road
Cleveland Heights, Ohio 44118

(9) Alexis Payne
3686 Berkeley Road
Cleveland Heights, Ohio 44118

(10) Susan Martin
(Address not known)

(11) Patty Duplago
c/o Montefiore Home
1 David Myers Parkway
Beachwood, Ohio 44122

Also serve at:
15130 Auburn Rd.
Newbury, Ohio 44065-9736

Also serve at:
c/o Robert Pivonka, Esq.
Rolf, Goffman, Martin, Lang, LLP
31105 Bainbridge Rd., Suite 4
Solon, Ohio 44139

(12) Erinn L. Showers
339 Grand Blvd.
Bedford, Ohio 44146-2145

(JOINT)

Also serve at:
c/o Robert Pivonka, Esq.
Rolf, Goffman, Martin, Lang, LLD
31105 Bainbridge Rd., suite 4
Solon, Ohio 44319

(13) Naomi Rembert
32014 North Marginal Drive, Apt. 282
Willowick, Ohio 44095-4477

(14) John Schoenbeck
9978 Plank Road
Montville, Ohio 44064-9772

Also serve at:
c/o Robert Pivonka, Esq.
Rolf, Goffman, Martin, Lang, LLP
31105 Bainbridge Rd., suite 4
Solon, Ohio 44319

(15) Ariel Hyman
24712 Beechmont Court
Beachwood, Ohio 44122 (JOINT)

(16) Mark Weiss
3689 Bendemeer Rd.,
Cleveland, Ohio 44118-1955

(17) TraShauna Harris
2371 Loyola Road
University heights, Ohio 44118-4509 (JOINT)

Also serve at:
1524 Laclede Road
South Euclid, Ohio 44121-3012

(18) Nicholas Mierau
173 Sandstone Ridge Way
Brea, Ohio 44017

(19) Samantha Bates
150 Westbrook Drive
Euclid, Ohio 44132-1351

Also serve at:
20371 Ball Avenue
Euclid, Ohio 44123-2273

SUBPOENAS DUCES TECUM (beginning next page)

(20) Custodian of Records

**The Montefiore Home
1 David Myers Parkway
Beachwood, Ohio 44122**

Also serve at:

**c/o Robert Pivonka Esq.
Rolf, Goffman, Martin, Lang, LLP
31105 Bainbridge Rod., Suite 4
Solon, Ohio 44139**

Please produce true copies of all records, reports, videos, recordings, papers, narrations, summaries, witness names and their last known home addresses, statements, notes, memoranda, emails, communications, tests, test results, entries, arrival, location and departure times, test sample collection times, and/or tangible items, including information which is preserved, retained downloaded or stored electronically, on disks, in computer memory and/or in any other form capable of being displayed and/or printed out into hard copies, related to:

- (a) All items submitted to the Ohio Board of Nursing, the Ohio Board of Executives of Long-Term Services, the Ohio Department of health, the office (and/or a Department) of the Ohio Attorney General and/or to any agency of the federal government, in any way related to the activities or work at the Montefiore Home in Beachwood, Ohio in the months of August, September, October, November and December, 2020 of Marie Gelle, Tina King, and Ariel Hyman;**
- (b) All items in any way evidencing, establishing, proving, supporting and/or verifying that Marie Gelle and/Tina King: (i) submitted false test samples of patients/residents of the Montefiore Home at any time in the month of October 2020; (ii) arrived at their shift at the Montefiore Home on October 13, 2020 at 4:42 a.m.; (iii) submitted lab requisition forms documenting that from 3:58 a.m. on October 13, 2020 collected Covid-19 specimens from Mandel 3 Unit patients/residents; (iv) documented collecting specimens from approximately 33 patients on the Mandel 3 Unit at the Montefiore Home from 3:58a.m. to 5:10 a.m. of October 13, 2020; (v) evidence that one or both King and Gelle were not observed on the Mandel 3 Unit at Montefiore until 5:00 a.m. on October 13, 2020, as well as what was observed or not observed and by whom; (vi) evidence that neither King nor Gelle were observed on October 13, 2020 at any time between 3:00 a.m. and 4:00 a.m. at Montefiore on the Mandel 3 Unit entering/leaving patient rooms; (vii) evidence that some of the approximately 33 patients on the Mandel 3 Unit at Montefiore on October 11, 12 and/or during the early a.m. hours of October 13, 2020 (midnight to 7:00 a.m.) exhibited Covid-19 symptoms, indicating approximately how many patients and what symptoms; (viii) a video depicting that neither King nor Gelle were collecting Covid samples from Mandel 3**

Unit patients at any time between 3.00 a.m. and 6:00 a.m. on October 13, 2020 at Montefiore; (viii) the name and address of the entity and its agent or employee who examined the video camera and equipment set up to video areas of Mandel 3 Unit in the month of October or November 2020, beginning after October 13, 2020.

- (c) The names and last known addresses of all persons with personal knowledge of the aforementioned events and claims referenced hereinabove obtained from sources or observations other than Mr. Newbrough's email to residents, and/or families shortly after the termination of the employments of King and Gelle or from newspapers, t.v. or media outlets.
- (d) The notebooks kept by Tina King left in her office at Montefiore when she last worked at the Montefiore facility;
- (e) All items evidencing that Ariel Hyman failed to oversee the events involving King and Gelle referenced hereinabove which occurred on October 13, 2020;
- (f) The complete employment records, including all disciplinary matters, warnings , counseling, write-ups, reprimands, suspensions, and/or terminations for Tina King, Marie, Gelle, Ariel Hyman, Erinn Showers Charlisa Latson, Ariel Hyman, TraShauna Harris, Samantha Bates and their payroll records;
- (g) Covid test report results for all tested patients and employees (redacting names of tested individuals, but indicating patient room numbers and units and also indicating for employees assigned unites for primary work activities) at Montefiore in the months of September, October and November, 2020, who tested positive for the Covid-19 virus, which reports were transmitted on a weekly basis to the Cuyahoga County Board of Health, titled or referred to as Covid list for Group Home Residents and Staff for the Montefiore Home in Beachwood, Ohio, some of which include Tina King or some other individual as the contact person;
- (h) The copies of PCC (Point Click Care) nurses' and STNAs and/nurses' aides notes and documentation of symptoms and vital signs, Medical Administration Records (MAR) and Treatment administration Records (TAR) of Mandel Unit 3 patients/residents for each of the dates starting from the date of October 8, 2020 trough and including the date of October 20, 2020;
- (i) True copies of all "on shift" schedules for Mandel Unit 3 for each one of the dates starting with the date of October 8, 2020 through and including the date of October 20, 2020.
- (j) The last known address and telephone number of Susan Martin, a nurse or nurses' aide or STNA or staff member at Montefiore who was an employee or temporary agency staff in the period of August-September 2020;
- (k) The last known and/or current home address for LaShauna Harris and for Samantha Bates, who are or were aides/STNAs/employees/ temporary employees or worked at the Montefiore Home on the Mandel 3 Unit on October 12, 13 and/or 14, 2020.

(2) Custodian of Records
Ohio Board of Nursing
17 South High Street, Suite 660

Columbus, Ohio 43215

The Custodian of Records of the Ohio Board of Nursing is requested to produce true copies of all of the following:

- (1) All documents, tangible items, records, reports, recordings, videos, pictures, photographs, diagrams, transcripts, statements, narratives, descriptions, notes, information and/or memoranda which the Ohio Board of Nursing (hereafter OBN) intends to openly identify, openly refer to, mark for identification and/or as an Exhibit, offer as an Exhibit, use or offer to impeach any witness, testimony, and/or evidence or claim, and/or request admission in evidence in the hearing of these within matters;
- (2) All notes, documents, records, narratives, information reports, recordings, videos, pictures, photographs, tangible items, statements of witnesses and the names and contact information of those witnesses or notes or records of statements obtained by the OBN from witnesses and to the extent and including therein any objective facts or observations related to the claims made by the OBN in whom the OBN intends to call as witnesses to testify in the hearing on matters pertaining to the contents of those statements. Note that portions of those statements or portions of notes or records of those statements which are expressions of the OBN investigator's or employee's or counsel's expressions of the investigator's, employee's or counsel's deliberative or subjective analysis or interpretation of the facts, of the theory of the case or of investigative plans may be redacted;
- (3) All documents, tangible items, records, reports, recordings, videos, pictures, photographs, diagrams, statements narratives, descriptions, notes, information, and/or memoranda, containing any facts of information which may or tend to exonerate either Marie Gelle or Tina King with respect to any claims, charges, allegations, accusations violations or wrongdoing against either or both of them in these cases. Also, please produce the names, addresses, employers, and employers' addresses and other contact information of all persons with knowledge or information which may or tends to exonerate Marie Gelle and/or Tina King as indicated hereinabove;
- (4) All documents, tangible items, records, reports, recordings, pictures, photos, diagrams transcripts, statements, narratives, descriptions, notes, information, and/or memoranda evidencing, supporting, indicating, establishing and/or proving the following assertions contained in the Notices of Opportunity directed to Marie Gelle and/or Tina King as follows:
 - (a) On or about October 13, 2020, arriving at your shift at 4:12 a.m.
 - (b) On October 13, 2020, requisition forms documenting that from 3:58 to 4:42 [a.m.] you collected Covid-19 specimens from Patients #1-24 on the attached patient Key
 - (c) On October 13, 2020 beginning at 3:58 a.m. and ending at 5:10 a.m. you and another nurse submitted specimens for Covid-19 testing which were collected from Patients #1-33 on Mandel -3 of Montefiore, beginning at 3:58 a.m. and ending at 5:10 a.m.

- (d) On October 13, 2020, you were not observed on the Mandel-3 Unit approximately 5:00a.m.
 - (e) On October 13, 2020, you entered an office and remained for approximately 30 minutes, until leaving the office and the Mandel-3 unit with a bag full of vials;
 - (f) On October 13, 2020, you were not observed entering or leaving patient rooms from 3:58 a.m. to 5:10 a.m.
 - (g) The facility administrator claimed that Tina King stated to him that the patients were not actually tested
 - (h) All documents, tangible items lab reports and information indicating that all 33 specimens you purportedly collected on October 13, 2020 tested negative for Covid -19
 - (i) All records, documents, reports, and/or tangible items indicating that some of the 33 patients whose specimens were collected had Covid-19 symptoms on or before October 13, 2020
- (5) The full names of all persons and their last known home addresses, their past and current employers and the addresses of those employers, their last known telephone or cell phone numbers, their professional licenses, if any, and any other contact information, who have any knowledge of information related to subparts (a) through (i) of preceding number 41 hereinabove
- (6) A true copy of the Patient Key purportedly attached to the Notices of Opportunity for Hearing directed to Marie Gelle and Tina King.
- (7) In addition to surveillance videos already produced by the State/OBN to Respondent, as well as any videos or photographs as of yet unproduced by the State/OBN to Respondent, please identify, copy and produce ONLY those portions of videos or still photos of video portions or independent photographed still photos
- (8) which demonstrate, reveal, indicate or depict any of the following:
- (a) Any and all areas of the Mandel Unit 3 at the Montefiore Home which show the presence or absence of any person or persons on that Unit at any time between the hours of 3:00 a.m. and 7:00 a.m. on October 13, 2020, including but not limited to Tina King, Marie Gelle and/or Erinn Showers;
 - (b) Any or all areas of the Montefiore Home premises or property surrounding the building which show either Marie Gelle or Tina King and any time between: 2:45 a.m. and 7:00 a.m. on October 13, 2020 including but not limited to the entry or exit area in or towards the back of the building;
 - (c) Photographs or videos depicting the Nursing Station, Charting Station, walking areas surrounding the exterior of the Nursing Station area and/or the Resident Day Room adjacent to the Mandel 3 Unit in the area of the Nursing Station

(22)Custodian of Records

Ohio Board of Executives of Long-term Services and Supports (BELTSS)
246 North High Street, 1st Floor
Columbus, Ohio 43215

Please produce the copies of all records, reports, videos, recordings, papers, narrations, summaries, witness statements, notes, memoranda, emails, communications, tests, test results, Journal Entries, briefs, Motions, Orders, Notices, Reports and Recommendations of the hearing Examiner, and/or tangible items, the entire evidentiary hearing transcript, copies of all marked and/or admitted in evidence hearing Exhibits, all filed documents, a copy of the transcripts and exhibits of all depositions, the name and address of the court reporter and his/her firm and/or employer who and which reported the evidentiary hearing, and all public records pursuant to ORC 140.43, related to the case of Ariel Hyman, BELTSS Case No. 11-20-01.

(23) Custodian of Records

Cuyahoga County Board of Health
5550 Ventura Drive
Parma, Ohio 44130

Please produce true copies of every weekly Covid List for Group Home Residents and Staff for the Montefiore Home in Beachwood, Ohio with Tina King and/or any other individual indicated as the contact person, for each week in the months of April, May, June, July, August, September, October, November and December, 2020. **THE NAMES LISTED OF ANY STAFF OR RESIDENT MAY BE REDACTED. DO NOT REDACT ANY INDICATIONS OF A PATIENT'S IR RESIDEN'S UNIT. DO NOT REDACT THE UNIT TO WHICH ANY STAFF OR EMPLOYEE WAS ASSIGNED.**

(24) Custodian or Records

The Cleveland Clinic
c/o the Cleveland Clinic Legal department
3050 Science Park Drive
Beachwood, Ohio 44122

Please produce all records and reports of Covid test results for patients/residents of the Montefiore Home in Beachwood, Ohio in the months of August, September, October, November and December 2020. Please also produce a detailed description of the exact name, nature, type, identity, identification letters/numbers, brand, trade name and scope of the laboratory test(s) used for each of the records/reports of test results as requested herein, also, please produce a detailed description of the protocol for obtaining the test results for each of the reports/records of the test results. Please redact the names of the

patients/residents, but do not redact their room numbers or their unit locations. Also, please produce the name and contact information of the Chief, head, supervisory or senior clinical microbiologist whose employment duties include and relate to the Cleveland Clinic laboratory which analyzed and reported Covid and/or related patient test samples for the Montefiore Home in Beachwood, Ohio in the month of October 2020.

(24) Custodian of Records

Quest Diagnostics
33790 Baimbridge Road
Solon, Ohio 44139

Please produce all records and reports of Covid sample testing results of employees'/workers' samples submitted by the Montefiore Home in Beachwood, Ohio in the months of August, September, October, November and December 2020. The names of individuals should be redacted; however, the unit on which each individual primarily worked or was assigned should be indicated, if known.

(25) Custodian of Records

Luminous Diagnostics
2773 Marshall Drive
Tifton, Georgia 31793

Please produce all records and reports of Covid sample testing results of employees'/workers' samples submitted by the Montefiore Home in Beachwood, Ohio in the months of September, October, November and December 2020. The names of individuals should be redacted; however, the unit on which each individual primarily worked or was assigned should be indicated, if known.

(26) Custodian of Records

American Medical personnel
1428 Edison St., NW
Hartville, Ohio 44632

Please produce all of the names and home addresses of temporary employees/workers as well as their positions who were hired by and worked at the Montefiore Home in Beachwood, Ohio in the months of September, October and November 2020, indicating the dates they worked there.

(27) Custodian of Records

IntelyCare
1515 Hancock Street#203

Quincy, Massachusetts 02169

Please produce all the names and home addresses of temporary employees/workers as well as their positions who were hired by and worked for and at the Montefiore Home in Beachwood, Ohio in the months of September, October and November 2020, indicating the dates they worked there.

(28) Custodian of Records

Towne Nursing

1463 Warrensville Center Road, Suite 101

South Euclid, Ohio 44121

Please produce all the names and home addresses of temporary employees/workers as well as their positions who were hired by and worked for and at the Montefiore Home in Beachwood, Ohio in the months of August, September, October and November 2020, indicating the dates they worked there.

(29) Custodian of Records

NurseDash

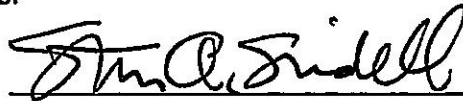
945 McKinney Street #11665

Huston, Texas 77002

Please produce all of the names and home addresses of temporary employees/workers as well as their positions who were hired by and worked for and at the Montefiore Home in Beachwood, Ohio in the months of September, October and November 2020, indicating the dates they worked there.

(30) Custodian of Records
Secure Core Systems
6968 Engle Road
Middleburg Heights, Ohio 44130

Please produce true copies of all invoices, work orders, work activities, services rendered, descriptions of or references to any and/or consultations in the months of October or November, 2020 at the Montefiore Home in Beachwood, Ohio 44122. This production request includes not only documents, notes, papers, memos writings and tangible items, but Also all information contained or preserved electronically and/or in any form or modality of computer and/or downloaded format of preservation capable of being visually displayed and printed out in hard copies.

A handwritten signature in black ink, appearing to read "Steven A. Sindell", written over a horizontal line.

Steven A. Sindell Esq. (002508)

Rachel Sindell, Esq.

Sindell and Sindell, LLP

23511 Chagrin Blvd. #227

Beachwood, Ohio 44122

Tel. 216-401-4913 or 216-401-4912

AUTHORIZATION AND WAIVER OF CONFIDENTIALITY

I, Tina King, RN, hereby waive any claim of confidentiality which I may have with respect to the documents, tangible items, or information requested in the issuance of a hearing subpoena duces tecum directed to the Custodian of Records of the Ohio Board of Nursing (hereafter "OBN") in case numbers 2020-005090; 2021-001163; 2020-005091; 2021-001164 currently set for evidentiary hearings.

12-14-21

Date

X Tina King

(By: Tina King)

AUTHORIZATION AND WAIVER OF CONFIDENTIALITY

I, Marie Gelle, RN, hereby waive any claim of confidentiality which I may have with respect to the documents, tangible items, or information requested in the issuance of a hearing subpoena duces tecum directed to the Custodian of Records of the Ohio Board of Nursing (hereafter "OBN") in case numbers 2020-005091; 2021-001164; 2020-005090; 2021-001163 currently set for evidentiary hearings.

12/14/21

Date

XL Marie Gelle

(By: Marie Gelle)



OHIO BOARD OF NURSING

IN THE MATTER OF

Tina King, RN

Case No. 20-005090; 21-1163

Hearing Examiner Ronda Shamansky

RESPONDENT TINA KING'S INDIVIDUAL AND JOINT REQUESTS FOR ISSUANCE OF SUBPOENAS

This timely Request for Issuance of Subpoenas is being made pursuant to the Journal Entry of the Hearing Examiner emailed to the Board on 1-24-2022. These subpoenas are for the evidentiary hearing by remote electronic videoconferencing on June 13 –June 17, 2022, beginning each day at 9:30 a.m.

This Request notes, where applicable, that certain specified subpoenas are to be treated as "Joint" subpoenas being requested for issuance "jointly" by both parties, namely, the State/OBN and Respondent.

It has also been stipulated and ordered by the Hearing Examiner that for simplification and facilitation, that any filed or admitted documents, tangible items, transcripts, exhibits and/or testimony in either one of the two cases, Gelle or King, combined for hearing, upon request of Respondent, shall be deemed part of the record in the other case. For the record, Respondent so requests.

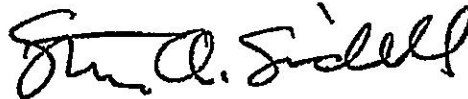
If the State/OBN desires to join in any other additional subpoenas (beyond the subpoenas specified herein as "Joint", counsel for the State/OBN shall promptly notify the Board and Respondent's counsel of that requested designation.

Any productions produced to the Board pursuant to any Joint or Respondent requested subpoenas shall be immediately transmitted to counsel for each of the parties upon such receipt by the Board.

ON ALL SUBPOENAS DUCES TECUM, THE SUBPOENA SHOULD

**CONTAIN THE STATEMENT THAT IF PRODUCTIONS OF ALL
SUBPOENAED ITEMS REQUESTED TO BE PRODUCED BEFORE
OR NO LATER THAN JUNE 1, 2022, THE CUSTODIAN OF
RECORDS WILL NOT BE OBLIGATED TO TESTIFY IN PERSON OR
IN A REMOTE VIDEOCONFERENCE DURING THE HEARING.**

Respectfully Submitted,



Steven A. Sindell, Esq. (0002508)
Sindell and Sindell, LLP
23611 Chagrin Blvd., Suite 227
Beachwood, Ohio 44122
Tel. 216-401-4912
Email: info@sindellattorneys.com
Attorney for Respondent Tina King

CERTIFICATE OF SERVICE

This Request for Issuance of Subpoenas was first served on
opposing counsel by email to James.Wakley@ohioago.gov and to
Lindsay.millerschlie@ohioago.gov and to the Hearing Examiner
ronda.shamansky@gmail.gov on the ~~28th~~^{29th} day of April, 2022 and
thereafter by email on choffman@nursing.ohio.com and
hearing@nursing.ohio.com this ~~28th~~^{29th} day of April 2022.



Steven A. Sindell

SUBPOENAS

**(1) Daniel Gardner
520 Harvard Avenue
Barberton, Ohio 44203**

**(2) Richard Schwalberg, former COO
11595 Puerto Blvd. (JOINT)
Boynton Beach, Florida 334374027**

**Also serve at:
26945 Amhearst Circle, Apt.108
Beachwood, Ohio 44122-7567**

**(3) James P. Newbrough, jr., President and CEO
c/o Menorah Park
27100 Cedar Road
Beachwood, Ohio 44122**

**Also serve at:
457 Castle Pines Drive
Fairlawn, Ohio 44333**

**(4) Jamie Herbst, Vice-President, Human Resources
c/o Menorah Park
27100 Cedar Road (JOINT)
Beachwood, Ohio 44122**

**Also Serve at:
5129 Ingleton Drive
Brunswick, Ohio 44212-4739**

(5) Charlisa R. Latson
1336 East 86th Street
Cleveland, Ohio 44106 (JOINT)

(6) Janet Craven
c/o Menorah Park
27100 Cedar Road (JOINT)
Beachwood, Ohio 44122

Also serve at:
5327 Parkhurst Drive
Sheffield Village, Ohio 44054-2959

(7) Jenna Scotese
7520 Jasani Court
Mentor, Ohio 44060

(8) Tori Payne
3686 Berkeley Road
Cleveland Heights, Ohio 44118

(9) Latoya Layne
c/o Menorah Park
27100 Cedar Road
Beachwood, Ohio 44122

Also serve at:
c/o The Montefiore Home
1 David Myers Parkway
Beachwood, Ohio 44122

(10) Susan Martin Address requested by Respondent from State/OBN---
nurse at Montefiore Home in 2020; to be supplied for issuance of subpoena

- (11) Erinn L. Showers
339 Grand Blvd.
Bedford, Ohio 44146-2145 (JOINT)
- (12) Trifene Alicia Thomas
1317 Burlington Road
Cleveland, Ohio 44118-1212
- (13) Colleen Jewell
1549 Temple Avenue
Mayfield, Ohio 44124
- (14) Linda Sue Olsavsky
3838 Cumberland Drive
Youngstown, Ohio 44515-4609
- (15) Patricia L. Duplago
15130 Auburn Road
Newbury, Ohio 44065-9736 (JOINT)
- (16) Naomi Rembert
32014 North Marginal Drive, Apt. 282
Willowick, Ohio 44095-4477
- (17) John Schoenbeck
9978 Plank Road
Montville, Ohio 44064-9772
- (18) Ariel Hyman
24712 Beechmont Court
Beachwood, Ohio 44122 (JOINT)

(19) Mark Weiss
3689 Bendemeer Rd.
Cleveland, Ohio 44118-1955

(20) Dennis Corrigan
c/o Ohio Board of Nursing
17 South High Street, Suite 660 (JOINT)
Columbus, Ohio 43215-7410

(21) TraShauna Harris
2371 Loyola Road (JOINT)
University Heights, Ohio 44118-4509

Also serve at:
1524 Laclede Road
South Euclid, Ohio 44121-3012

(22) Rhonda L. Towns, aka Rhonda L. Harris, aka Rhonda Town
2371 Loyola Road
University Heights, Ohio 44118-4509

Also serve at:
1524 Laclede Road
South Euclid, Ohio 44121-3012

(23) Nicholas Mierau
1461 Charles Avenue
Lakewood, Ohio 44107-4103

Also serve at:
c/o Secure Care Systems
6968 Engle Road
Middleburg Heights, Ohio 44130

(24) Samantha Bates
150 Westbrook Drive
Euclid, Ohio 44132-1351

(JOINT)

Also serve at:
20371 Ball Avenue
Euclid, Ohio 44123-2723

SUBPOENAS DUCES TECUM

**(25) Custodian of Records
The Montefiore Home
1 David Myers Parkway
Beachwood, Ohio 44122**

Please produce true copies of all records, reports, videos, recordings, papers, narrations, summaries, witness names and their last known home addresses, statements, notes, memoranda, emails, communications, tests, test results, entries, arrival, location and departure times, test sample collection times, and/or tangible items, including information which is preserved retained, downloaded or stored electronically, on disks, in computer memory and/or in any other form capable of being displayed and/or printed out into hard copies , related to:

(a) all items submitted to the Ohio Board of Nursing, the Ohio Board of Executives of Long-Term Services, the Ohio Department of Health, the office (and/or a Department) of the Ohio Attorney General and/or any other Ohio state, county, local or municipal government agency or department and/or to any agency of the federal government, in any way related to the activities or work at the Montefiore Home in Beachwood, Ohio in the months of August, September, October, November and December, 2020 of Marie Gelle, Tina King, and Aelie Hyman;

(b) all items in any way evidencing, indicating, establishing, proving, supporting and/or verifying that Marie Gelle and/or Tina King: (i) submitted false test samples of patients/residents of The Montefiore Home at any time in the month of October 2020; (ii) arrived at their shift at The Montefiore Home on October 13, 2020 at 4:42 a.m. on October 13, 2020; (iii) submitted lab requisition forms documenting that from 3:58 a.m. to 4:42 a.m. on October 13, 2020 collected Covid-19 specimens from Mandel 3 Unit patients/residents; (iv) documented collecting specimens from approximately 33 patients on the Mandel 3 Unit at The Montefiore Home from 3:58 a.m. to 5:10 a.m. on October 13, 2020; (v) evidence that one or both King and Gelle were not observed on the Mandel 3 Unit at Montefiore until 5:00 a.m. on October 13, 2020, as well as what was observed or not observed and by whom; (vi) evidence that neither King nor Gelle were observed on October 13, 2020 at any time between 3:00 a.m. and 6:00 a.m.

at Montefiore on the Mandel 3 Unit entering/leaving patient rooms; (vii) evidence that some of the approximately 33 patients on the Mandel 3 Unit at Montefiore on October 11, 12 and/or during the early a.m. hours of October 13, 2020 (midnight to 7:00 a.m.) exhibited Covid-19 symptoms, indicating approximately how many patients and what symptoms; (vii) a video depicting that neither King nor Gelle were collecting Covid samples from Mandel 3 unit patients at any time between 3:00 a.m. and 6:00 a.m. on October 13, 2020 at Montefiore; (viii) The name and address of the entity and its agent or employee who examined the video camera and equipment set up to video areas of the Mandel 3 Unit in the month of October or November 2020, beginning after October 13, 2020.

(c) The names and last known addresses of all persons with personal knowledge of the aforementioned events and claims referenced hereinabove obtained from sources or observations other than Mr. Newbrough's email to residents, and/or families shortly after the termination of the employments of King and Gelle or from newspapers, t.v. or media outlets.

(d) The notebooks kept by Tina King left in her office at Montefiore when she last worked at the Montefiore facility;

(e) all items evidencing that Ariel Hyman failed to oversee the events involving King and Gelle referenced hereinabove which occurred on October 13, 2020;

(f) the complete employment records, including all disciplinary matters, warnings, counselings, write-ups, reprimands, suspensions, and/or terminations for Tina King, Marie Gelle, Ariel Hyman and Erinn Showers and their payroll records;

(g) Covid test report results for all tested patients and employees (redacting names of tested individuals, but indicating patient room numbers and units and also indicating for employees assigned units for primary work activities) at Montefiore in the months of September, October and November, 2020,

(continuation of subpart (g) from previous page): who tested positive for the Covid-19 virus, which reports were transmitted on a weekly basis to the Cuyahoga County Board of Health, titled or referred to as Covid List for Group Home Residents and Staff for the Montefiore Home in Beachwood, Ohio, some of which include Tina King or some other individual as the contact person;

(h) True copies of PCC (Point Click Care) nurses' and or STNA and/or nurses' aides notes and documentation of symptoms and vital signs , Medical Administration Records (MAR) and Treatment Administration Records (TAR) of Mandel Unit 3 patients/residents for each of the dates starting from the date of October 8, 2020 through and including the date of October 20, 2020;

(i) True copies of all "on shift" schedules for Mandel Unit 3 for each one of the dates starting with the date of October 8, 2020 through and including the date of October 20, 2020.

(j) The last known address and telephone number of Susan Martin, a nurse or nurse's aide or STNA or staff member at Montefiore who was an employee or temporary agency staff in the period August - September 2020.

(26) Custodian of Records

Ohio Board of Nursing
17 South High Street, Suite 660
Columbus, Ohio 43215

The Custodian of Records of the Ohio Board of Nursing is requested to produce true copies of all of the following:

(1) All documents, tangible items, records, reports, recordings, videos, pictures, photographs, diagrams, transcripts, statements, narratives, descriptions, notes, information and/or memoranda which the Ohio Board of Nursing (hereafter "OBN") intends to openly identify, openly refer to, mark for identification and/or as an Exhibit, offer as an Exhibit, use or offer to impeach any witness, testimony, and/or evidence or claim, and/or request admission in evidence in the hearing of these within matters;

(2) All notes, documents, records, narratives, information, reports,

recordings, videos, pictures, photographs, tangible items, statements of witnesses and the names and contact information of those witnesses or notes or records of statements obtained by the OBN from witnesses and to the extent and including therein any objective facts or observations related to claims made by the OBN in these cases, including statements or notes or records of statements of witnesses whom the OBN intends to call as witnesses to testify in the hearing on matters pertaining to the contents of those statements. Note that portions of those statements or portions of notes or records of those statements which are expressions of the OBN investigator's or employee's or counsel's expressions of the investigator's, employee's or counsel's deliberative or subjective analysis or interpretation of the facts, of the theory of the case or of investigative plans may be redacted;

(3) All documents, tangible items, records, reports, recordings, videos, pictures, photographs, diagrams, statements, narratives, descriptions, notes, information, and/or memoranda, containing any facts or information which may or tend to exonerate either Marie Gelle or Tina King with respect to any claims, charges, allegations, accusations, violations or wrongdoing against either or both of them in these cases. Also, please produce the names, addresses, employers, and employers' addresses and other contact information of all persons with knowledge or information which may or tends to exonerate Marie Gelle and/or Tina King as indicated hereinabove;

(4) All documents, tangible items, records, reports, recordings, pictures, photos, diagrams transcripts, statements, narratives, descriptions, notes, information, and/or memoranda evidencing, supporting, indicating, establishing and/or proving the following assertions contained in the Notices of Opportunity directed to Marie Gelle and/or Tina King as follows:

(a) on or about October 13, 2020, arriving at your shift at 4:12 a.m.

(b) on October 13, 2020, requisition forms documenting that from 3:58 to 4:42 [a.m.] you collected Covid-19 specimens from Patients #1-24 on the attached Patient Key

(c) on October 13, 2020 beginning at 3:58 a.m. and ending at 5:10 a.m. you and another nurse submitted specimens for Covid-19 testing which were collected from Patients #1-33 on Mandel-3 of Montefiore, beginning at 3:58 a.m. and ending at 5:10 a.m.

(d) on October 13, 2020, you were not observed on the Mandel-3 unit

until approximately 5:00 a.m.

(e) on October 13, 2020, you entered an office and remained for approximately 30 minutes, until leaving the office and the Mandel-3 unit with a bag full of vials;

(f) on October 13, 2020 you were not observed entering or leaving patient rooms from 3:58 a.m. to 5:10 a.m.

(g) the facility administrator claimed that Tina King stated to him that the patients were not actually tested

(h) all documents, tangible items lab reports and information indicating that all 33 specimens you purportedly collected on October 13, 2020 tested negative for Covid-19

(i) all records, documents, reports, and/or tangible items indicating that some of the 33 patients whose specimens were collected had Covid-19 symptoms on or before October 13, 2020.

(5) The full names of all persons and their last known home addresses, their past and current employers and the addresses of those employers, their last known telephone or cell phone numbers, their professional licenses, if any, and any other contact information, who have any knowledge or information related to subparts (a) through (i) of preceding number (40 hereinabove.

(6) A true copy of the Patient Key purportedly attached to the Notices of Opportunity for Hearing directed to Marie Gelle and Tina King.

(7) In addition to surveillance videos already produced by the State/OBN to Respondent, as well as any videos or photographs as of yet unproduced by the State/OBN to Respondent, please identify, copy and produce ONLY those portions of videos or still photos of video portions or independent photographed still photos which demonstrate, reveal, indicate or depict any of the following:

(a) Any and all areas of the Mandel Unit 3 at the Montefiore Home which show the presence or absence of any person or persons on that Unit at any time between the hours of 3:00 a.m. and 7:00 a.m. on October 13, 2020, including but not limited to Tina King, Marie Gelle and/or Erinn Showers;

(b) Any or all areas of the Montefiore Home premises or property surrounding the building which show either Marie Gelle or Tina King at any time between 2:45 a.m. and 7:00 a.m. on October 13, 2020 including but not limited to the entry or exit area in or towards the back of the building;

(c) photographs or videos depicting the Nursing Station, Charting

Station, walking areas surrounding the exterior of the Nursing Station area and/or the Resident Day Room adjacent to the Mandel 3 Unit in the area of the Nursing Station.

(27) Custodian of Records

Ohio Board of Executives of Long-Term Services and Supports (BELTSS)
246 North High Street, 1st Floor
Columbus, Ohio 43215

Please produce true copies of all records, reports, videos, recordings, papers, narrations, summaries, witness statements, notes, memoranda, emails, communications, tests, test results, Journal Entries, Briefs, Motions, Orders, Notices, Reports and Recommendations of the Hearing Examiner, and/or tangible items, the entire evidentiary hearing transcript, copies of all marked and/or admitted in evidence hearing Exhibits, all filed documents, a copy of the transcripts and exhibits of all depositions, the name and address of the court reporter and his/her firm and/or employer who and which reported the evidentiary hearing, and all public records pursuant to ORC 149.43, related to the case of Ariel Hyman, BELTSS Case No. 11-20-01.

(28) Custodian of Records

Cuyahoga County Board of Health
5550 Ventura Drive
Parma, Ohio 44130

Please produce true copies of every weekly Covid List for Group Home Residents and Staff for the Montefiore Home in Beachwood, Ohio with Tina King and/or any other individual indicated as the contact person, for each week in the months of April, May, June, July, August, September, October, November and December, 2020. **THE NAMES LISTED OF ANY STAFF OR RESIDENT MAY BE REDACTED. DO NOT REDACT ANY INDICATIONS OF A PATIENT'S OR RESIDENT'S UNIT. DO NOT REDACT THE UNIT TO WHICH ANY STAFF OR EMPLOYEE WAS ASSIGNED.**

(29) Kenneth L. Butler
c/o Polytech Associates
1185 South Main Street
Akron, Ohio 44301

Please produce all reports of the polygraph testing for Marie Gelle and Tina King.

(30) William Evans
c/o Polytech Associates, Inc.
1185 South Main Street
Akron, Ohio 44301

Please produce all reports of the polygraph testing for Marie Gelle and Tina King.

(31) Custodian of Records
The Cleveland Clinic
c/o The Cleveland Clinic Legal Department
3050 Science Park Drive
Beachwood, Ohio 44122

Please produce all records and reports of Covid test results for patients/residents of The Montefiore Home in Beachwood, Ohio in the months of August, September, October, November and December 2020. Please also produce a detailed description of the exact name, nature, type, identity, identification letters/numbers, brand, trade name and scope of the laboratory test(s) used for each of the records/reports of test results as requested herein. Also, please produce a detailed description of the protocol for obtaining the test results for each of the reports/records of the test results. Please redact the names of the patients/residents, but do not redact their room numbers or their unit locations.

(32) Custodian of Records

**Quest Diagnostics
33790 Bainbridge Road
Solon, Ohio 44139**

Please produce all records and reports of Covid sample testing results of employees'/workers' samples submitted by The Montefiore Home in Beachwood, Ohio in the months of August, September, October, November and December 2020. The names of individuals should be redacted; however, the unit on which each individual primarily worked or was assigned should be indicated, if known.

(33) Custodian of Records

**Luminous Diagnostics
2773 Marshall Drive
Tifton, Georgia 31793**

Please produce all records and reports of Covid sample testing results of employees'/workers' samples submitted by The Montefiore Home in Beachwood, Ohio in the months of August, September, October, November and December 2020. The names of individuals should be redacted; however, the unit on which each individual primarily worked or was assigned should be indicated, if known.

(34) Custodian of Records

**American Medical Personnel
1428 Edison St., NW
Hartsville, Ohio 44632**

Please produce all records of temporary employees/workers as well as their positions who were hired by and worked for and at The Montefiore Home in Beachwood, Ohio in the months of August, September, October and November 2020.

(35) Custodian of Records

IntelyCare

1515 Hancock Street, #203

Quincy, Massachusetts 02169

Please produce all records of temporary employees/workers as well as their positions who were hired by and worked for and at The Montefiore Home in Beachwood, Ohio in the months of August, September, October and November 2020.

(36) Custodian of Records

Towne Nursing

1463 Warrensville Center Road, Suite 101

South Euclid, Ohio 44121

Please produce all records of temporary employees/workers as well as their positions who were hired by and worked for and at The Montefiore Home in Beachwood, Ohio in the months of August, September, October and November 2020.

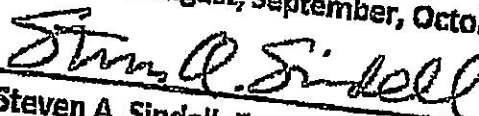
(37) Custodian of Records

NurseDash

945 McKinney Street, #11665

Houston, Texas 77002

Please produce all records of temporary employees/workers as well as their positions who were hired by and worked for and at The Montefiore Home in Beachwood, Ohio in the months of August, September, October and November 2020.



Steven A. Sindell, Esq. (0002508)

Rachel Sindell, Esq.

Sindell and Sindell, LLP

23611 Chagrin Blvd., #227, Beachwood, Ohio 44122

Tel. 216-401-4912 or 216-401-4913

AUTHORIZATION AND WAIVER OF CONFIDENTIALITY

I, Tina King, RN, hereby waive any claim of confidentiality which I may have with respect to the documents, tangible items, or information requested in the issuance of a hearing subpoena duces tecum directed to the Custodian of Records of the Ohio Board of Nursing (hereafter "OBN") in case numbers 2020-005090; 2021-001163; 2020-005041; 2021-001164 currently set for evidentiary hearings.

10-14-21

Date

X Tina King

(By: Tina King)

AUTHORIZATION AND WAIVER OF CONFIDENTIALITY

I, Marie Gelle, RN, hereby waive any claim of confidentiality which I may have with respect to the documents, tangible items, or information requested in the issuance of a hearing subpoena duces tecum directed to the Custodian of Records of the Ohio Board of Nursing (hereafter "OBN") in case numbers 2020-005091; 2021-001164; 2020-005090; 2021-001163 currently set for evidentiary hearings.

12/14/21
Date

X Marie Gelle
(By: Marie Gelle)