

**IN THE COURT OF COMMON PLEAS
WASHINGTON COUNTY PENNSYLVANIA CIVIL DIVISION**

**BRYAN LATKANICH,
HUNTER LATKANICH
COLTON LATKANICH
RYAN LATKANICH, a minor by and through
Natural guardian BRYAN LATKANICH**

Plaintiffs

v.

**CHEVRON CORP.
CHEVRON U.S.A. INC.
CHEVRON APPALACHIA, LLC
CHEVRON NORTH AMERICAN EXPLORATION
AND PRODUCTION COMPANY**

Chevron Defendants

and

**EQT CORP.
EQT PRODUCTION COMPANY
EQT PRODUCTON MARCELLUS
EQT CHAP LLC**

EQT Defendants

and

**JOHN DOE DEFENDANTS
PFAS Defendants**

Case No. 2022-6006

Type of pleading:

**PLAINTIFFS' MOTION TO
QUASH**

Filed on behalf of: Plaintiffs

**Counsel of Record for
Plaintiffs:**

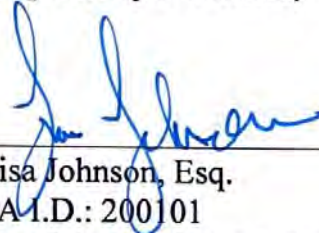
**Lisa Johnson, Esq.
Pa. I.D. No. 200101
Lisa Johnson & Associates
1800 Murray Ave., #81728
Pittsburgh, PA 15217
lisa@lajteam.com
Phone: 412-913-8583**

JURY TRIAL DEMANDED

CERTIFICATE OF PRESENTATION

1. The undersigned, Lisa Johnson, represents Plaintiffs in this matter, the moving parties herein.
2. The attached motion will be presented to the Hon. Michael J. Lucas, on Thursday, June 29, 2023 at 8:45 a.m. in Courtroom No. 6.
3. The attached motion is contested by Defendants.
4. The applicable authorities on which the Court may rely to provide the relief sought are as follows: Pa.R.Civ.P. 4011(a)-(c).

Respectfully submitted,



Lisa Johnson, Esq.
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Phone: 412-913-8583
lisa@lajteam.com

Dated: June 21, 2023

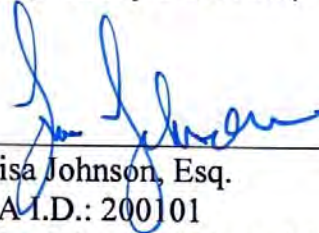
JURY TRIAL DEMANDED

CERTIFICATE OF COMPLIANCE

1. The undersigned, Lisa Johnson, represents Plaintiffs in this matter, the moving parties herein.

2. I certify that I have complied with Wash.L.R.C.P. 208.2(3)(a) and conferred with Kathy Condo, of Babst Calland Clements and Zomnir, counsel for Defendants via email on June 13, 2023, and June 16, 2023 in an attempt to resolve the subject matter of this motion.

Respectfully submitted,



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Phone: 412-913-8583
lisa@lajteam.com

Dated: June 21, 2023

JURY TRIAL DEMANDED

**MOTION TO QUASH
SUBPOENAS DIRECTED TO NON-PARTY
JOURNALIST AND NEWS OUTLETS**

Plaintiffs, by and through their undersigned counsel, hereby respectfully moves the Court to quash the subpoenas described in Exhibit A pursuant to Pennsylvania Rule of Civil Procedure 234(b).

BACKGROUND

1. On September 7, 2022, Plaintiffs issued a summons in the above-captioned action.

2. On October 28, 2022, Plaintiffs filed a complaint in the above-captioned action.

3. On December 16, 2022, Defendants filed preliminary objections to the complaint.

4. On January 26, 2023, Plaintiffs filed an amended complaint.

5. On February 3, 2023, certain of the Defendants sent notices of intent to serve subpoena (collectively, “Notices”) on certain third parties to Plaintiffs, including to Don Hopey, Pittsburgh Post-Gazette, E & E News, Environmental Health News, Inside Climate News, Marketplace.org, Neela Banerjee, NBCUniversal Media, LLC, WTAE-TV, WV Public Broadcasting Foundation, Inc. and Issam Ahmed (collectively, “Journalists”).

6. Undersigned counsel was not counsel of record at the time the Notices were sent; counsel of record at the time had significant medical issues

and was hospitalized during a period of time of his representation of this matter.

7. Due to the medical issues of prior counsel, Plaintiffs were unable to file their objection to the service of any subpoenas to the Journalists at the time.

8. On February 14, 2023, Defendants filed preliminary objections to the amended complaint.

9. On May 19, 2023, Plaintiffs filed a Second Amended Complaint.

10. On June 1, 2023, Defendants filed preliminary objections to the Second Amended Complaint.

11. On June 9, 2023, Plaintiffs filed their answer to Defendants' preliminary objections to the Second Amended Complaint.

12. On June 12, 2023, Plaintiffs sent the Prothonotary for filing on June 13, 2023, Preliminary Objections to Defendants' Preliminary Objections.

13. On June 13, 2023, Defendants' filed Certificates Prerequisite to Subpoena ("Certificates") with respect to the Journalists without any prior courtesy notice to undersigned counsel.

14. That same day, June 13, 2023, upon email service of the Certificates, undersigned counsel notified counsel for Defendants that Plaintiffs object to the service of the subpoenas; and that had Plaintiffs the opportunity to object after the Notices were filed, they would have done so.

15. The Court held oral argument on the Defendants' Preliminary Objections to the Second Amended Complaint on June 20, 2023 at 2:00pm in front of the Honorable Michael J. Lucas.

16. Plaintiffs object to the service of the subpoenas to the Journalists for the reasons set forth herein and the subpoenas should be quashed, and Defendants contest this motion.

LEGAL STANDARDS

17. Under Pennsylvania law, “a party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action.” Pa. R. Civ. P. 4003.1. “[N]o discovery shall be permitted which is beyond the scope of [Rule 4003.1].” *See Lloyd v. Pa. Med. Prof’l Liab. Catastrophe Loss Fund*, 821 A.2d 1230, 1236 (Pa. 2003) (holding that the trial court properly denied discovery that were “not relevant”). “No discovery, including discovery of electronically stored information, shall be permitted which (a) is sought in bad faith; [or] (b) would cause unreasonable annoyance, embarrassment, oppression, burden or expense to the deponent or any person or party[.]” Pa. R. Civ. P. 4011(a)-(b).

18. Status as a reporter brings with it special protections under both the Pennsylvania Shield Law and the First Amendment reporter’s privilege.

19. In *Taylor*, a 1963 case involving journalists subpoenaed by a grand jury, the Pennsylvania Supreme Court explained that the Shield Law’s (described below) absolute guarantee of source confidentiality is critical to society’s well-being:

It is a matter of widespread common and therefore of Judicial knowledge that newspapers and news media are the principal source of news concerning daily local, State, National and international

events. We would be unrealistic if we did not take judicial notice of another matter of wide public knowledge and great importance, namely, that important information, tips and leads will dry up and the public will often be deprived of the knowledge of dereliction of public duty, bribery, corruption, conspiracy and other crimes committed or possibly committed by public officials or by powerful individuals or organizations, unless newsmen are able to *fully and completely* protect the sources of their information. It is vitally important that this public shield against governmental inefficiency, corruption and crime be preserved against piercing and erosion.

Taylor and Selby Appeals, 193 A.2d 181, 185 (Pa. 1963) (emphasis in Taylor). Therefore, the Court stressed, "The Statute must be liberally construed in favor of the newspapers and news media." *Id.*

20. The Pennsylvania Supreme Court has also held that Pennsylvania recognizes a First Amendment reporter's privilege. *Commonwealth v. Bowden*, 838 A.2d 740, 753 n.10 (Pa. 2003). This privilege is crucial and exists to "promote the free flow and exchange of ideas and information to the news media," which is "essential to the existence of a democratic republic." *Castellani v. Scranton Times, L.P.*, 916 A.2d 648, 653 (Pa. Super. Ct. 2007) (citing to *Hatchard v. Westinghouse Broad. Co.*, 532 A.2d 346, 350 (Pa. 1987)). In evaluating that privilege, a court "must balance on one hand the policies which give rise to the privilege and their applicability to the facts at hand against the needs for the evidence sought to be obtained in the case at hand." *Id.* at 754.

21. The Pennsylvania Supreme Court also has left no doubt that the protection encompasses not just testimony, but also documents that could reveal

a confidential source's identity. See, e.g., *Bowden*, 838 A.2d at 749 ("[D]ocuments are to be considered sources [under the Shield Law] where their production, even with all names redacted, could breach the confidentiality of a human source."). The party that is seeking to overcome this privilege must show that: (1) it has made an effort to obtain the information from other sources; (2) the information is only accessible through the reporters and their sources; and (3) the information is crucial to the case." *Id.* at 752.

22. The First Amendment privilege applies to all information, including published information. The privilege protects reporters from having to testify to verify the accuracy of published material. *McMenamin v. Tartaglione*, 590 A.2d 802, 811 (Pa. Commw. 1991) (where, based on First Amendment, court refused to compel reporter's testimony to verify that candidate made statements at press conference that were part of a television news report), *aff'd without op.*, 590 A.2d 753 (Pa. 1991); *see also Commonwealth v. Farley*, 27 Med. L. Rep. 1544 (Jefferson Cty. C.C.P. Jan. 12, 1999) (quashing subpoena and holding that First Amendment reporter's privilege applies to published material sought by the Commonwealth).

23. Pursuant to the Pennsylvania Shield Law, no individual who is "engaged on, connected with, or employed by any newspaper of general circulation or any press association or any radio or television station, or any magazine of general circulation, for the purpose of gathering, procuring, compiling, editing or publishing news, shall be required to disclose the source

of any information procured or obtained by such person, in any legal proceeding, trial or investigation before any government unit.” 42 Pa. Cons. Stat. § 5942(a). This law creates an absolute privilege for “confidential source’s identity, or any information which could expose the source’s identity.” *Castellani v. Scranton Times, L.P.* 956 A.2d 937, 954 (Pa. 2008). The Shield Law aims to maintain the “free flow of information to members of the news media.” *Bowden*, 838 A.2d at 750.

ARGUMENT

24. Plaintiffs concur with the objection that was filed with the Court by non-party journalist Neela Banarjee on February 23, 2023, a copy of which is attached hereto as Exhibit A.

25. In this case, none of the Journalists to which the Subpoenas are directed are a party to this action; instead, each is either a reporter or a news outlet to which journalists report that cover environmental and other issues in Pennsylvania and beyond.

26. Journalists throughout Pennsylvania and beyond have been reporting on the fossil fuel industry in the state for years, including the oil and gas industry. In-depth reporting on the oil and gas industry helps hold companies and elected officials accountable and keeps residents informed about potential threats to their communities’ safety and wellbeing.

27. The Journalists are some of the journalists and news outlets that have covered Pennsylvania’s oil and gas industry.

28. The Proposed Subpoenas demand multiple categories of documents, including materials pertaining to Journalist's newsgathering methods.

29. Each of the Proposed Subpoenas should be quashed because their demands are vague, unduly burdensome, and overbroad.

30. The Proposed Subpoenas should be quashed because Defendants can obtain the requested information from other sources, and cannot, therefore, overcome the reporter's privilege.

31. The Proposed Subpoenas should be quashed because Defendants are seeking information that could expose the identity of confidential sources, which is not required to be disclosed under the Pennsylvania Shield Law.

32. The Proposed Subpoenas are bad faith attempts to harass and burden the Journalists by imposing discovery demands on each of them and forcing each to produce documents gathered in connection to their reporting, including information that could reveal confidential sources. This can have a damaging, chilling impact on the free flow and exchange of ideas between the Journalists, members of the news media, and sources, thus thwarting the very important purpose of the Pennsylvania Shield Law and the reporter's privilege.

33. The Defendants have not and cannot demonstrate that the information sought is crucial to the case. In addition, Defendants have no grounds to claim that the information is unavailable from other sources where the case is only in its initial stages of party discovery. *See Bowden supra*.

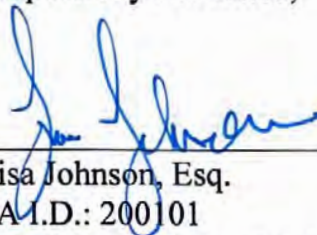
34. Defendants' unnecessary and unreasonable discovery tactics with

respect to the service of the baseless subpoenas to the Journalists will increase the time, burden, and expenses in this matter, which is an annoyance and prejudicial to Plaintiffs.

35. For all the reasons set forth herein, Plaintiffs object to the proposed subpoenas in their entirety pursuant to Pennsylvania Rule of Civil Procedure 4009.21(a), (b), and (c).

36. In light of these Objections, the proposed subpoenas should not be served as stated in Rule 4009.21(d)(1), or in the event Defendants have served the Journalists, the subpoenas should be quashed.

Respectfully submitted,



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lisa@lajteam.com

Dated: June 21, 2023

JURY TRIAL DEMANDED

IN THE COURT OF COMMON PLEAS
WASHINGTON COUNTY PENNSYLVANIA
CIVIL DIVISION

**BRYAN LATKANICH,
HUNTER LATKANICH
COLTON LATKANICH
RYAN LATKANICH, a minor by and through
Natural guardian BRYAN LATKANICH**

Case No. 2022-6006

Plaintiffs

v

**CHEVRON CORP.
CHEVRON U.S.A. INC.
CHEVRON APPALACHIA, LLC
CHEVRON NORTH AMERICAN EXPLORATION
AND PRODUCTION COMPANY**

Chevron Defendants

and

JURY TRIAL DEMANDED

**EQT CORP.
EQT PRODUCTION COMPANY
EQT PRODUCTON MARCELLUS
EQT CHAP LLC**

EQT Defendants

and

JOHN DOE DEFENDANTS

PFAS Defendants

ORDER

AND NOW, this day of _____, 2023, upon consideration of the PLAINTIFFS MOTION TO QUASH it is hereby ORDERED, ADJUDGED, and DECREED that the MOTION IS GRANTED. It is hereby ORDERED that the subpoenas directed to the non-parties described in Plaintiffs' Motion to Quash are QUASHED.

Michael J. Lucas, Judge

**IN THE COURT OF COMMON PLEAS
WASHINGTON COUNTY PENNSYLVANIA CIVIL DIVISION**

**BRYAN LATKANICH,
HUNTER LATKANICH
COLTON LATKANICH
RYAN LATKANICH, a minor by and through
Natural guardian BRYAN LATKANICH**

Plaintiffs

v.

**CHEVRON CORP.
CHEVRON U.S.A. INC.
CHEVRON APPALACHIA, LLC
CHEVRON NORTH AMERICAN EXPLORATION
AND PRODUCTION COMPANY**

Chevron Defendants

and

**EQT CORP.
EQT PRODUCTION COMPANY
EQT PRODUCTON MARCELLUS
EQT CHAP LLC**

EQT Defendants

and

**JOHN DOE DEFENDANTS
PFAS Defendants**

Case No. 2022-6006

Type of pleading:

**PLAINTIFFS' MOTION TO
QUASH**

Filed on behalf of: Plaintiffs


**Counsel of Record for
Plaintiffs:**

**Lisa Johnson, Esq.
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Lisa Johnson & Associates
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Pittsburgh, PA 15217
lisa@lajteam.com
Phone: 412-913-8583**

JURY TRIAL DEMANDED

CERTIFICATION OF COMPLIANCE
REGARDING CONFIDENTIAL INFORMATION

I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.



Lisa Johnson, Esq.

PA I.D.: 200101

Lisa Johnson & Associates

1800 Murray Ave., #81728

Pittsburgh, PA 15217

Phone: 412-913-8583

lisa@lajteam.com

Dated: June 21, 2023

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served upon Defendants' counsel via electronic mail, this 9th day of June 2023.

**BABST, CALLAND, CLEMENTS
and ZOMNIR, P .C.**

Film #812

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Mark K. Dausch, Esquire

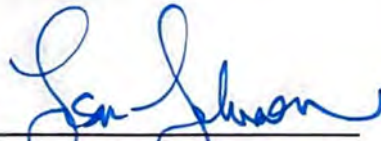
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Lisa Johnson, Esq.

Pennsylvania Attorney I.D. 200101

Lisa Johnson & Associates

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Phone: 412-913-8583

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Dated: June 21, 2023

EXHIBIT A TO MOTION TO QUASH

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**CERTIFICATE PREREQUISITE TO
SERVICE OF SUBPOENA TO
PRODUCE DOCUMENTS TO DON
HOPEY PURSUANT TO RULE 4009.25**

Served on Behalf of Defendants:

CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
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Joshua S. Snyder
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Edward D. Phillips
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BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.

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**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,) CIVIL DIVISION
HUNTER LATKANICH,)
COLTON LATKANICH, and) Case No. 2022-6006
RYAN LATKANICH, a minor by and)
through natural guardian BRYAN)
LATKANICH,)

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A.)
INC., CHEVRON APPALACHIA, LLC,)
EQT CORP., EQT PRODUCTION)
COMPANY, EQT PRODUCTION)
MARCELLUS, EQT CHAP LLC, and JOHN)
DOE DEFENDANTS,)

Defendants.

CERTIFICATE PREREQUISITE TO SERVICE OF SUBPOENA

As a prerequisite to service of subpoenas for documents and things pursuant to Pa. R. Civ. P. 4009.22, Defendants Chevron U.S.A. Inc., Chevron Appalachia, LLC, EQT Corp., EQT Production Company, EQT Production Marcellus, and EQT CHAP LLC (collectively, “Defendants”), by and through their undersigned counsel, certify that:

- (1) A notice of intent to serve the subpoena with a copy of the subpoena attached thereto was delivered to each party at least twenty days prior to the date on which the subpoena is sought to be served,
- (2) A copy of the notice of intent, including the proposed subpoena, is attached to this certificate,
- (3) No objection to the subpoena has been received, and
- (4) The subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.

Dated: June 13, 2023

Respectfully submitted,

BABST, CALLAND, CLEMENTS and ZOMNIR,
PC.



Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire
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*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

EXHIBIT A

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**NOTICE OF INTENT TO SERVE
SUBPOENA ON DON HOPEY**

Served on Behalf of Defendants:
CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

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Joshua S. Snyder
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BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.

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*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

COUNTY OF WASHINGTON

Bryan Latkanich, et al.

v.

Chevron Corp., et al.

:
:
: FILE NO. 2022-6004
:
:

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: Don Hopey
(Name of Person or Entity).

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: See Exhibit A attached

at 603 Stanwix St, Pittsburgh, PA 15222 (6th Floor); or electronically to jsnyder@babstcalland.com
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Joshua Snyder
ADDRESS: 603 Stanwix St, 6th Floor
Pittsburgh, PA 15222
TELEPHONE: 412-394-6556
SUPREME COURT ID # 315845
ATTORNEY FOR: Chevron & EQT Defendants

BY THE COURT:

Laura H. Hough

LAURA H. HOUGH, PROTHONOTARY
MY TERM EXPIRES FIRST MONDAY IN JANUARY 2024

Tina Whited
DEPUTY

Date: _____
Seal of the Court

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,	)	CIVIL DIVISION
HUNTER LATKANICH,)	
COLTON LATKANICH, and	)	Case No. 2022-6006
RYAN LATKANICH, a minor by and)	
through natural guardian BRYAN)	
LATKANICH,)	
)	
Plaintiffs,)	
v.)	
)	
CHEVRON CORP., CHEVRON U.S.A.)	
INC., CHEVRON APPALACHIA, LLC,)	
EQT CORP., EQT PRODUCTION)	
COMPANY, EQT PRODUCTION)	
MARCELLUS, EQT CHAP LLC, and JOHN)	
DOE DEFENDANTS,)	

Defendants.

EXHIBIT A TO SUBPOENA

Definitions and Instructions

1. “Latkanich Property” or “Property” shall mean the property located at 95 Hill Road, Fredericktown, Pennsylvania 15333.

2. “Communications” shall mean all forms of written and oral transmissions of information, including, but not limited to, letters, e-mails, faxes, voice mails, notes, memos, and all electronic correspondence such as instant messaging.

3. The terms “concern,” “concerning,” “relate to,” “relating to,” “refer to,” “referring to,” and “evidence” shall be interpreted broadly to include constituting, reflecting, respecting, supporting, contradicting, describing, recording, noting, embodying, containing, mentioning, alluding to, responding to, connected with, studying, analyzing, evaluating, commenting on, in respect of, about, regarding, discussing, or showing, analyzing, constituting, containing anything

relevant in any way to the specified subject within the meaning of Rule 4003.1 of the Pennsylvania Rules of Civil Procedure.

4. "Document" shall extend to the fullest scope provided for under Rule 4009.1 of the Pennsylvania Rules of Civil Procedure and shall include, without limitation, all written or graphic matter or any other means of preserving thought or expression of every type and description regardless of origin or location, whether written, recorded, transcribed, taped, punched, filmed, microfilmed, or in any other way produced, reproduced or recorded, and including but not limited to: originals, drafts, computer-stored and computer-retrievable information, copies or duplicates that are marked with any notation or annotation, copies or duplicates that differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendar notes, computer printouts, computer disks, CD-ROMs, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements of employees, requisitions, manuals or guidelines, audit workpapers, financial analyses, tables of organizations, charts, graphs, indices, advertisements or other promotional material, audited and unaudited financial statements, trade letters, trade publications, newspapers or newsletters, diagrams, photographs, e-mails, electronic or mechanical records, telegrams, telecopies, audiotapes, videotapes, and all other receptacles or repositories housing or containing such Documents, and all other media used to record in any form, information. A draft, annotated or otherwise non-identical copy shall be considered a separate Document within the meaning of this term. "Document" shall also include any removable "Post-It" notes or other attachments affixed to any of the foregoing, as well as the file, folder tabs, and labels appended to or containing any Documents. For purposes of these Discovery Requests,

“Document” includes “electronically stored information”—or ESI—as that term is used in the Pennsylvania Rules of Civil Procedure.

5. If there is any objection or claim of privilege relating to any request, state in full the basis for the objection or claim of privilege, including the facts upon which you rely to support the objection or claim or privilege in sufficient detail to permit the Court to rule on the propriety of the objection or claim of privilege.

6. A request for a document shall be deemed to include a request for the entire document and transmittal sheets, cover letters, exhibits, enclosures, or attachments to the document, in addition to the document itself.

7. In the event that any information is redacted from a document produced pursuant to these Requests, the subject matter of the information withheld and the basis upon which such information is redacted must be furnished.

8. If you contend that any documents responsive to these requests are not reasonably accessible or would be unduly burdensome to locate and/or produce, identify such documents by category and source and provide detailed information regarding the burden or cost you claim is associated with the search for or production of such documents.

9. If any document requested herein was, but no longer is, in your possession, custody, or control, state what disposition was made of such document, why, and include the date and place of disposition and the person(s) who disposed of the document.

10. If any document responsive to these Requests has been destroyed, the response hereto shall describe in detail the circumstances of such destruction, including the date of destruction and the names and titles of all persons who participated in the destruction, and any documents related to such destruction are hereby requested to be produced.

11. If no documents are responsive to a particular request, state that no responsive documents exist.

Requests for Production of Documents

1. Produce all documents related to the Property, including but not limited to any inspections, sampling or testing done on the Property.

2. Produce all documents related to Bryan Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

3. Produce all documents related to Ryan Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

4. Produce all documents related to Hunter Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

5. Produce all documents related to Colton Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

6. Produce all documents related to any communications with any third parties regarding the Latkanich Property or its residents.

7. Produce all documents related to any news report, article, documentary, or broadcast involving the Latkanich Property or its residents. This request includes, but is not limited to, documents related to (i) David Templeton and Don Hopey, *The Human Toll Part 2 – The Industry Says Otherwise, but Studies Identify Specific Harms that Shale Gas Pollution Can Cause for Fetuses, Newborns, Children, and Teenagers* (July 2019) or (ii) Don Hopey, *Industry Ills* (2021).

Certificate of Compliance

To Don Hopey:

You are required to complete the following Certificate of compliance when producing documents or things pursuant to the Subpoena.

CERTIFICATE OF COMPLIANCE
WITH SUBPOENA TO PRODUCE DOCUMENTS
OR THINGS
PURSUANT TO RULE 4009.23

I, _____, certify to the best of my knowledge, information and belief that all documents or things required to be produced pursuant to the subpoena issued on _____, 2023 have been produced.

Date: _____

Don Hopey

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **NOTICE OF INTENT TO SERVE SUBPOENA ON DON HOPEY** was served upon counsel via electronic mail, this 3rd day of February, 2023.

Marc T. Valentine, Esq.
MARC T. VALENTINE & ASSOCIATES
The Rubicon Building
118 North Center Ave
Somerset, PA 15501
marcvaltax@gmail.com

Counsel for Plaintiff

Babst, Calland, Clements & Zomnir, P.C.

By:  _____

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*


CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **CERTIFICATE PREREQUISITE TO SERVICE OF SUBPOENA** was served upon counsel via electronic mail, this 13th day of June, 2023.

Lisa Johnson, Esquire
PA I.D. No. 200101
Lisa Johnson & Associates
1800 Murray Ave., #81728
Pittsburgh, PA 15217
lisa@lajteam.com

*Counsel for Plaintiffs Bryan Latkanich, Hunter Latkanich,
Colton Latkanich, and Ryan Latkanich*

Babst, Calland, Clements and Zomnir, P.C.

By:  _____

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**CERTIFICATE PREREQUISITE TO
SERVICE OF SUBPOENA TO
PRODUCE DOCUMENTS TO E&E
NEWS PURSUANT TO RULE 4009.25**

Served on Behalf of Defendants:

CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa. ID No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
Pa. ID No. 315845
jsnyder@babstcalland.com
Edward D. Phillips
Pa. ID No. 322402
ephillips@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.

Firm #812

Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,	)	CIVIL DIVISION
HUNTER LATKANICH,)	
COLTON LATKANICH, and	)	Case No. 2022-6006
RYAN LATKANICH, a minor by and)	
through natural guardian BRYAN)	
LATKANICH,)	
)	
Plaintiffs,)	
v.)	
)	
CHEVRON CORP., CHEVRON U.S.A.)	
INC., CHEVRON APPALACHIA, LLC,)	
EQT CORP., EQT PRODUCTION)	
COMPANY, EQT PRODUCTION)	
MARCELLUS, EQT CHAP LLC, and JOHN)	
DOE DEFENDANTS,)	

Defendants.

CERTIFICATE PREREQUISITE TO SERVICE OF SUBPOENA

As a prerequisite to service of subpoenas for documents and things pursuant to Pa. R. Civ. P. 4009.22, Defendants Chevron U.S.A. Inc., Chevron Appalachia, LLC, EQT Corp., EQT Production Company, EQT Production Marcellus, and EQT CHAP LLC (collectively, “Defendants”), by and through their undersigned counsel, certify that:

- (1) A notice of intent to serve the subpoena with a copy of the subpoena attached thereto was delivered to each party at least twenty days prior to the date on which the subpoena is sought to be served,
- (2) A copy of the notice of intent, including the proposed subpoena, is attached to this certificate,
- (3) No objection to the subpoena has been received, and
- (4) The subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.

Dated: June 13, 2023

Respectfully submitted,

BABST, CALLAND, CLEMENTS and ZOMNIR,
PC.



Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

EXHIBIT A

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**NOTICE OF INTENT TO SERVE
SUBPOENA ON E&E NEWS**

Served on Behalf of Defendants:
CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa I.D. No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
Pa. ID No. 315845
jsnyder@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.

Firm #812
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,	)	CIVIL DIVISION
HUNTER LATKANICH,)	
COLTON LATKANICH, and	)	Case No. 2022-6006
RYAN LATKANICH, a minor by and)	
through natural guardian BRYAN)	
LATKANICH,)	
)	
Plaintiffs,)	
v.)	
)	
CHEVRON CORP., CHEVRON U.S.A.)	
INC., CHEVRON APPALACHIA, LLC,)	
EQT CORP., EQT PRODUCTION)	
COMPANY, EQT PRODUCTION)	
MARCELLUS, EQT CHAP LLC, and JOHN)	
DOE DEFENDANTS,)	
)	
Defendants.)	

NOTICE OF INTENT TO SERVE SUBPOENA ON E&E NEWS

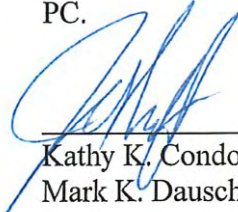
Defendants Chevron U.S.A. Inc., Chevron Appalachia, LLC, EQT Corp., EQT Production Company, EQT Production Marcellus, and EQT CHAP LLC intend to serve a subpoena identical to the one that is attached to this notice.

You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena will be served.

Dated: February 3, 2023

Respectfully submitted,

BABST, CALLAND, CLEMENTS AND ZOMNIR,
PC.



Kathy K. Condo, Esquire
Mark K. Dausch, Esquire

Joshua S. Snyder, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

COUNTY OF WASHINGTON

Bryan Latkanich, et al.

v.

Chevron Corp., et al.

:
:
: FILE NO. 2022-6006
:
:

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: E & E News
(Name of Person or Entity).

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: See Exhibit A attached

at 603 Starwix St, 6th floor, Pittsburgh, PA 15222; or electronically to jsnyder@babstcolland.com
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Joshua Snyder
ADDRESS: 603 Starwix St, 6th Floor
Pittsburgh, PA 15222
TELEPHONE: 412-394-6554
SUPREME COURT ID # 315815
ATTORNEY FOR: Chevron & EQT Defendants

BY THE COURT:

Laura H. Hough
LAURA H. HOUGH, PROTHONOTARY
MY TERM EXPIRES FIRST MONDAY IN JANUARY 2024
Tina Whited
DEPUTY

Date: _____
Seal of the Court

relevant in any way to the specified subject within the meaning of Rule 4003.1 of the Pennsylvania Rules of Civil Procedure.

4. “Document” shall extend to the fullest scope provided for under Rule 4009.1 of the Pennsylvania Rules of Civil Procedure and shall include, without limitation, all written or graphic matter or any other means of preserving thought or expression of every type and description regardless of origin or location, whether written, recorded, transcribed, taped, punched, filmed, microfilmed, or in any other way produced, reproduced or recorded, and including but not limited to: originals, drafts, computer-stored and computer-retrievable information, copies or duplicates that are marked with any notation or annotation, copies or duplicates that differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendar notes, computer printouts, computer disks, CD-ROMs, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements of employees, requisitions, manuals or guidelines, audit workpapers, financial analyses, tables of organizations, charts, graphs, indices, advertisements or other promotional material, audited and unaudited financial statements, trade letters, trade publications, newspapers or newsletters, diagrams, photographs, e-mails, electronic or mechanical records, telegrams, telecopies, audiotapes, videotapes, and all other receptacles or repositories housing or containing such Documents, and all other media used to record in any form, information. A draft, annotated or otherwise non-identical copy shall be considered a separate Document within the meaning of this term. “Document” shall also include any removable “Post-It” notes or other attachments affixed to any of the foregoing, as well as the file, folder tabs, and labels appended to or containing any Documents. For purposes of these Discovery Requests,

“Document” includes “electronically stored information”—or ESI—as that term is used in the Pennsylvania Rules of Civil Procedure.

5. If there is any objection or claim of privilege relating to any request, state in full the basis for the objection or claim of privilege, including the facts upon which you rely to support the objection or claim or privilege in sufficient detail to permit the Court to rule on the propriety of the objection or claim of privilege.

6. A request for a document shall be deemed to include a request for the entire document and transmittal sheets, cover letters, exhibits, enclosures, or attachments to the document, in addition to the document itself.

7. In the event that any information is redacted from a document produced pursuant to these Requests, the subject matter of the information withheld and the basis upon which such information is redacted must be furnished.

8. If you contend that any documents responsive to these requests are not reasonably accessible or would be unduly burdensome to locate and/or produce, identify such documents by category and source and provide detailed information regarding the burden or cost you claim is associated with the search for or production of such documents.

9. If any document requested herein was, but no longer is, in your possession, custody, or control, state what disposition was made of such document, why, and include the date and place of disposition and the person(s) who disposed of the document.

10. If any document responsive to these Requests has been destroyed, the response hereto shall describe in detail the circumstances of such destruction, including the date of destruction and the names and titles of all persons who participated in the destruction, and any documents related to such destruction are hereby requested to be produced.

11. If no documents are responsive to a particular request, state that no responsive documents exist.

Requests for Production of Documents

1. Produce all documents related to the Property, including but not limited to any inspections, sampling or testing done on the Property.

2. Produce all documents related to Bryan Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

3. Produce all documents related to Ryan Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

4. Produce all documents related to Hunter Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

5. Produce all documents related to Colton Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

6. Produce all documents related to any communications with any third parties regarding the Latkanich Property or its residents.

7. Produce all documents related to any news report, article, documentary, or broadcast involving the Latkanich Property or its residents. This request includes, but is not limited to, documents related to Adam Aton, *Hurt by Fracking but Voting for Trump* (October 2020).

Certificate of Compliance

To E&E News a/k/a Politico LLC:

You are required to complete the following Certificate of compliance when producing documents or things pursuant to the Subpoena.

CERTIFICATE OF COMPLIANCE
WITH SUBPOENA TO PRODUCE DOCUMENTS
OR THINGS
PURSUANT TO RULE 4009.23

I, _____, certify to the best of my knowledge, information and belief that all documents or things required to be produced pursuant to the subpoena issued on _____, 2023 have been produced.

Date: _____

Representative E&E News a/k/a Politico LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **NOTICE OF INTENT TO SERVE SUBPOENA ON E&E NEWS** was served upon counsel via electronic mail, this 3rd day of February, 2023.

Marc T. Valentine, Esq.
MARC T. VALENTINE & ASSOCIATES
The Rubicon Building
118 North Center Ave
Somerset, PA 15501
marcvaltax@gmail.com

Counsel for Plaintiff

Babst, Calland, Clements & Zomnir, P.C.

By: 

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*


CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **CERTIFICATE PREREQUISITE TO SERVICE OF SUBPOENA** was served upon counsel via electronic mail, this 13th day of June, 2023.

Lisa Johnson, Esquire
PA I.D. No. 200101
Lisa Johnson & Associates
1800 Murray Ave., #81728
Pittsburgh, PA 15217
lisa@lajteam.com

*Counsel for Plaintiffs Bryan Latkanich, Hunter Latkanich,
Colton Latkanich, and Ryan Latkanich*

Babst, Calland, Clements and Zomnir, P.C.

By:  _____

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**CERTIFICATE PREREQUISITE TO
SERVICE OF SUBPOENAS TO
PRODUCE DOCUMENTS TO
ENGINEERS WITHOUT BORDERS –
PITT CHAPTER PURSUANT TO RULE
4009.25**

Served on Behalf of Defendants:
CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa. ID No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
Pa. ID No. 315845
jsnyder@babstcalland.com
Edward D. Phillips
Pa. ID No. 322402
ephillips@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.
Firm #812
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

Dated: June 13, 2023

Respectfully submitted,

BABST, CALLAND, CLEMENTS and ZOMNIR,
PC.



Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

EXHIBIT A

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**NOTICE OF INTENT TO SERVE
SUBPOENA ON ENGINEERS
WITHOUT BORDERS – PITT
CHAPTER**

Served on Behalf of Defendants:
CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa I.D. No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
Pa. ID No. 315845
jsnyder@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.
Firm #812
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

Joshua S. Snyder, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

COUNTY OF WASHINGTON

Bryan Latkanich, et al.

v.

Chevron Corp., et al.

:
:
: FILE NO. 2022-6006
:
:

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: Engineers Without Borders - Pitt Chapter
(Name of Person or Entity).

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: See Exhibit A attached

at 603 Stanwix St, 10th Floor, Pittsburgh, PA 15222; or electronically to jsnyder@babstcalland.com
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Joshua Snyder
ADDRESS: 603 Stanwix St, 10th Floor
Pittsburgh, PA 15222
TELEPHONE: 412-394-6550
SUPREME COURT ID # 315845
ATTORNEY FOR: Chevron & EBT Defendants

BY THE COURT:

Laura H. Hough

LAURA H. HOUGH, PROTHONOTARY
MY TERM EXPIRES FIRST MONDAY IN JANUARY 2024

Tina Whitaker

DEPUTY

Date: _____
Seal of the Court

respect of, about, regarding, discussing, or showing, analyzing, constituting, containing anything relevant in any way to the specified subject within the meaning of Rule 4003.1 of the Pennsylvania Rules of Civil Procedure.

4. "Document" shall extend to the fullest scope provided for under Rule 4009.1 of the Pennsylvania Rules of Civil Procedure and shall include, without limitation, all written or graphic matter or any other means of preserving thought or expression of every type and description regardless of origin or location, whether written, recorded, transcribed, taped, punched, filmed, microfilmed, or in any other way produced, reproduced or recorded, and including but not limited to: originals, drafts, computer-stored and computer-retrievable information, copies or duplicates that are marked with any notation or annotation, copies or duplicates that differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendar notes, computer printouts, computer disks, CD-ROMs, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements of employees, requisitions, manuals or guidelines, audit workpapers, financial analyses, tables of organizations, charts, graphs, indices, advertisements or other promotional material, audited and unaudited financial statements, trade letters, trade publications, newspapers or newsletters, diagrams, photographs, e-mails, electronic or mechanical records, telegrams, telecopies, audiotapes, videotapes, and all other receptacles or repositories housing or containing such Documents, and all other media used to record in any form, information. A draft, annotated or otherwise non-identical copy shall be considered a separate Document within the meaning of this term. "Document" shall also include any removable "Post-It" notes or other attachments affixed to any of the foregoing, as well as the file, folder tabs, and

labels appended to or containing any Documents. For purposes of these Discovery Requests, “Document” includes “electronically stored information”—or ESI—as that term is used in the Pennsylvania Rules of Civil Procedure.

5. If there is any objection or claim of privilege relating to any request, state in full the basis for the objection or claim of privilege, including the facts upon which You rely to support the objection or claim or privilege in sufficient detail to permit the Court to rule on the propriety of the objection or claim of privilege.

6. A request for a document shall be deemed to include a request for the entire document and transmittal sheets, cover letters, exhibits, enclosures, or attachments to the document, in addition to the document itself.

7. In the event that any information is redacted from a document produced pursuant to these Requests, the subject matter of the information withheld and the basis upon which such information is redacted must be furnished.

8. If You contend that any documents responsive to these requests are not reasonably accessible or would be unduly burdensome to locate and/or produce, identify such documents by category and source and provide detailed information regarding the burden or cost You claim is associated with the search for or production of such documents.

9. If any document requested herein was, but no longer is, in Your possession, custody, or control, state what disposition was made of such document, why, and include the date and place of disposition and the person(s) who disposed of the document.

10. If any document responsive to these Requests has been destroyed, the response hereto shall describe in detail the circumstances of such destruction, including the date of

destruction and the names and titles of all persons who participated in the destruction, and any documents related to such destruction are hereby requested to be produced.

11. If no documents are responsive to a particular request, state that no responsive documents exist.

Requests for Production of Documents

1. Produce all documents related to the Property, including but not limited to any inspections, sampling or testing done on the Property.

2. Produce all documents related to Bryan Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

3. Produce all documents related to Ryan Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

4. Produce all documents related to Hunter Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

5. Produce all documents related to Colton Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

6. Produce all documents, including but not limited to chain of custody documents, sampling documents, and lab analysis documents related to water sampling on the Latkanich Property, including but not limited to the sampling done by Engineers Without Borders.

7. Produce all documents related to communications with third parties concerning the Latkanich Property or its residents.

Certificate of Compliance

To Engineers Without Borders – Pitt Chapter:

You are required to complete the following Certificate of compliance when producing documents or things pursuant to the Subpoena.

CERTIFICATE OF COMPLIANCE
WITH SUBPOENA TO PRODUCE DOCUMENTS
OR THINGS
PURSUANT TO RULE 4009.23

I, _____, certify to the best of my knowledge, information and belief that all documents or things required to be produced pursuant to the subpoena issued on _____, 2023 have been produced.

Date: _____

Representative of Engineers Without Borders – Pitt
Chapter

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **NOTICE OF INTENT TO SERVE SUBPOENA ON ENGINEERS WITHOUT BORDERS – PITT CHAPTER** was served upon counsel via electronic mail, this 3rd day of February, 2023.

Marc T. Valentine, Esq.
MARC T. VALENTINE & ASSOCIATES
The Rubicon Building
118 North Center Ave
Somerset, PA 15501
marcvaltax@gmail.com

Counsel for Plaintiff

Babst, Calland, Clements & Zomnir, P.C.

By: 

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **CERTIFICATE PREREQUISITE TO SERVICE OF SUBPOENA** was served upon counsel via electronic mail, this 13th day of June, 2023.

Lisa Johnson, Esquire
PA I.D. No. 200101
Lisa Johnson & Associates
1800 Murray Ave., #81728
Pittsburgh, PA 15217
lisa@lajteam.com

*Counsel for Plaintiffs Bryan Latkanich, Hunter Latkanich,
Colton Latkanich, and Ryan Latkanich*

Babst, Calland, Clements and Zomnir, P.C.

By: 

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**CERTIFICATE PREREQUISITE TO
SERVICE OF SUBPOENA TO
PRODUCE DOCUMENTS TO
ENVIRONMENTAL HEALTH NEWS
PURSUANT TO RULE 4009.25**

Served on Behalf of Defendants:

CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa. ID No. 205621
mdausch@babstcalland.com
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ephillips@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.

Firm #812
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

Dated: June 13, 2023

Respectfully submitted,

BABST, CALLAND, CLEMENTS and ZOMNIR,
PC.



Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

EXHIBIT A

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**NOTICE OF INTENT TO SERVE
SUBPOENA ON ENVIRONMENTAL
HEALTH NEWS**

Served on Behalf of Defendants:
CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa I.D. No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
Pa. ID No. 315845
jsnyder@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.
Firm #812
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,	)	CIVIL DIVISION
HUNTER LATKANICH,)	
COLTON LATKANICH, and	)	Case No. 2022-6006
RYAN LATKANICH, a minor by and)	
through natural guardian BRYAN)	
LATKANICH,)	
)	
Plaintiffs,)	
)	
v.)	
)	
CHEVRON CORP., CHEVRON U.S.A.)	
INC., CHEVRON APPALACHIA, LLC,)	
EQT CORP., EQT PRODUCTION)	
COMPANY, EQT PRODUCTION)	
MARCELLUS, EQT CHAP LLC, and JOHN)	
DOE DEFENDANTS,)	

Defendants.

**NOTICE OF INTENT TO SERVE SUBPOENA ON
ENVIRONMENTAL HEALTH NEWS**

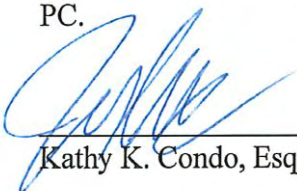
Defendants Chevron U.S.A. Inc., Chevron Appalachia, LLC, EQT Corp., EQT Production Company, EQT Production Marcellus, and EQT CHAP LLC intend to serve a subpoena identical to the one that is attached to this notice.

You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena will be served.

Dated: February 3, 2023

Respectfully submitted,

BABST, CALLAND, CLEMENTS AND ZOMNIR,
PC.



Kathy K. Condo, Esquire

Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

COUNTY OF WASHINGTON

Bryan Latkanich, et al.

:
:
:
:
:

v.

Chevron Corp., et al.

: FILE NO. 2022-6006

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: Environmental Health News
(Name of Person or Entity).

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: See Exhibit A attached

at 603 Stanwix St, 10th Floor, Pittsburgh, PA 15222; or electronically to jsnyder@babstcalland.com
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Joshua Snyder
ADDRESS: 603 Stanwix St, 10th Floor
Pittsburgh, PA 15222
TELEPHONE: 412-394-6556
SUPREME COURT ID # 315845
ATTORNEY FOR: Chevron & EQT Defendants

BY THE COURT:

Laura H. Hough

LAURA H. HOUGH, PROTHONOTARY
MY TERM EXPIRES FIRST MONDAY IN JANUARY 2024

Janis Whited

DEPUTY

Date: _____
Seal of the Court

respect of, about, regarding, discussing, or showing, analyzing, constituting, containing anything relevant in any way to the specified subject within the meaning of Rule 4003.1 of the Pennsylvania Rules of Civil Procedure.

4. “Document” shall extend to the fullest scope provided for under Rule 4009.1 of the Pennsylvania Rules of Civil Procedure and shall include, without limitation, all written or graphic matter or any other means of preserving thought or expression of every type and description regardless of origin or location, whether written, recorded, transcribed, taped, punched, filmed, microfilmed, or in any other way produced, reproduced or recorded, and including but not limited to: originals, drafts, computer-stored and computer-retrievable information, copies or duplicates that are marked with any notation or annotation, copies or duplicates that differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendar notes, computer printouts, computer disks, CD-ROMs, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements of employees, requisitions, manuals or guidelines, audit workpapers, financial analyses, tables of organizations, charts, graphs, indices, advertisements or other promotional material, audited and unaudited financial statements, trade letters, trade publications, newspapers or newsletters, diagrams, photographs, e-mails, electronic or mechanical records, telegrams, teletypes, audiotapes, videotapes, and all other receptacles or repositories housing or containing such Documents, and all other media used to record in any form, information. A draft, annotated or otherwise non-identical copy shall be considered a separate Document within the meaning of this term. “Document” shall also include any removable “Post-It” notes or other attachments affixed to any of the foregoing, as well as the file, folder tabs, and

labels appended to or containing any Documents. For purposes of these Discovery Requests, “Document” includes “electronically stored information”—or ESI—as that term is used in the Pennsylvania Rules of Civil Procedure.

5. If there is any objection or claim of privilege relating to any request, state in full the basis for the objection or claim of privilege, including the facts upon which you rely to support the objection or claim or privilege in sufficient detail to permit the Court to rule on the propriety of the objection or claim of privilege.

6. A request for a document shall be deemed to include a request for the entire document and transmittal sheets, cover letters, exhibits, enclosures, or attachments to the document, in addition to the document itself.

7. In the event that any information is redacted from a document produced pursuant to these Requests, the subject matter of the information withheld and the basis upon which such information is redacted must be furnished.

8. If you contend that any documents responsive to these requests are not reasonably accessible or would be unduly burdensome to locate and/or produce, identify such documents by category and source and provide detailed information regarding the burden or cost you claim is associated with the search for or production of such documents.

9. If any document requested herein was, but no longer is, in your possession, custody, or control, state what disposition was made of such document, why, and include the date and place of disposition and the person(s) who disposed of the document.

10. If any document responsive to these Requests has been destroyed, the response hereto shall describe in detail the circumstances of such destruction, including the date of

destruction and the names and titles of all persons who participated in the destruction, and any documents related to such destruction are hereby requested to be produced.

11. If no documents are responsive to a particular request, state that no responsive documents exist.

Requests for Production of Documents

1. Produce all documents related to the study “Human exposure to chemicals associated with unconventional oil and gas operations in Pennsylvania” which was the subject of the four-part series “Fractured,” including but not limited to communications with statisticians and epidemiologists referenced in your September 1, 2020 letter to Bryan Latkanich.

2. Produce all documents related to any news report, article, documentary, or broadcast involving the Latkanich Property or its residents. This request includes, but is not limited to, documents related to Kristina Marusic’s four-part series “Fractured”.

3. Produce all documents related to the Property, including but not limited to any inspections, sampling or testing done on the Property.

4. Produce all documents related to Bryan Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

5. Produce all documents related to Ryan Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

6. Produce all documents related to Hunter Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

7. Produce all documents related to Colton Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

8. Produce all documents, including but not limited to chain of custody documents, sampling documents, laboratory analysis documents, and documents related to the air monitor(s) used, related to air testing results done on the Latkanich Property or on residents of the Property, including but not limited to testing done on July 23, 2019 and August 5, 2019.

9. Produce all documents related to the air study from which the medians reported on Exhibit 1 hereto were derived.

10. Produce all documents related to communications with the University of Missouri concerning analysis of any samples taken on the Latkanich Property or from residents of the Latkanich Property.

11. Produce all documents, including but not limited to chain of custody documents, sampling and collection documents, and laboratory analysis documents, relating to the urine sampling done on Bryan Latkanich, including but not limited to the sampling done on July 23, 2019, August 5, 2019, and September 19, 2019.

12. Produce all documents, including but not limited to chain of custody documents, sampling and collection documents, and laboratory analysis documents, relating to the blood sampling done on Ryan Latkanich, including but not limited to the sampling done on July 23, 2019, August 5, 2019, and September 19, 2019.

13. Produce all documents related to the metabolite study from which the medians reported on Exhibit 2 hereto were derived.

14. Produce all documents related to the water sampling done on the Latkanich Property, including but not limited to chain of custody documents, sampling and collection documents, and laboratory analysis documents.

15. Produce all documents referenced in part three of the four-part Fractured series, including but not limited to the home visit, the “extensive survey”, and the record of the residents’ referenced therein.

EXHIBIT 1

Air Testing Results: Bryan Latkanich

(Measurements are in micrograms per cubic meter per year)

Chemical	Potential Health Effects*	Level in your air		Median for Our Study
		July 23, 2019	August 5, 2019	
1,2,3-Trimethylbenzene	Dizziness; headaches; tiredness; blood clotting issues; lung irritation; eye and skin irritation; increased cancer risk	0.071	0.238	0.79
1,2,4,5-Tetramethylbenzene	Nervous system problems; respiratory irritation	0.022	0.136	0.26
1,2,4-Trimethylbenzene	Respiratory, nervous, and blood system problems; increased cancer risk	0.234	0.661	1.98
1,3,5-Trimethylbenzene	Nervous system damage; increased cancer risk	0.062	0.139	0.51
1-Dodecanol	Skin, eye, and respiratory irritation	0.185	0.175	1.22
1-Methylnaphthalene	Skin irritation	0.016	0.022	0.13
2-Ethyl 1-Hexanol	Respiratory irritation; nervous system damage; liver and kidney problems	0.504	0.607	3.81
2-Heptanone	Skin and eye irritation; respiratory and nervous system problems	0.028	0.039	0.3
2-Methylnaphthalene	Skin irritation	0.029	0.045	0.27
4-Heptanone	Eye and skin irritation; central nervous system damage; liver problems	0.012	—	0.11
Alpha-Pinene	Headache; nausea; vomiting; central nervous system issues; skin, eye, and respiratory irritation; kidney damage	0.026	0.031	0.74
Benzaldehyde	Eye, skin, and respiratory irritation; dizziness	0.768	1.192	3.4
Benzene	Anemia; decrease in blood platelets; increased cancer risk	0.635	0.698	1.01
Butylcyclohexane	Respiratory irritation; central nervous system problems; drowsiness and dizziness; lung damage	0.043	0.031	0.18
Cumene	Headache; dizziness and drowsiness; central nervous system problems; eye and skin irritation; kidney and liver damage; increased cancer risk	0.026	0.041	0.14
Decanal	Eye and skin irritation; respiratory problems; gastrointestinal problems	8.744	6.555	3.74
Decanoic acid	Irritation of nose, throat, and lungs; dizziness	0.099	0.104	1.05
D-Limonene	Skin irritation	0.136	0.098	5.61
Dodecane	Skin and respiratory irritation	0.112	0.335	1.24
Ethylbenzene	Liver or kidneys problems; increased cancer risk	0.283	0.403	1.11
Ethylcyclohexane	Skin, eye, and respiratory irritation; dizziness and drowsiness; central nervous system problems	0.088	0.069	0.25
Heptanal	Skin, eye, and respiratory irritation	0.652	0.841	1.55
Hexanal	Headache; respiratory, eye, and skin irritation	0.899	0.828	2.01
m,p-Diethylbenzene	Irritation of skin, nose, and throat; headache, nausea, vomiting, dizziness; liver and kidney damage	0.041	0.127	0.42
m,p-Ethyltoluene	Eye, skin, and respiratory irritation	0.435	0.778	2.26
m,p-Xylene	Nervous system damage; increased cancer risk	0.45	0.940	1.88
Methyl salicylate	Eye, skin, and respiratory irritation; central nervous system and gastrointestinal problems; liver and kidney damage	0.162	0.204	0.4
Naphthalene	Neurological damage, liver damage, eye damage, increased cancer risk	0.2	0.11	0.53
N-Nonane	Skin irritation, dizziness, liver damage	0.389	0.422	1.3
N-Octanal	Headache, nausea, dizziness, eye and skin irritation, pulmonary tract irritation, central nervous system problems	1.438	1.834	2.81
N-Propylbenzene	Skin and eye irritation, headache, nausea, vomiting	0.056	0.128	0.36
Oclene	Respiratory, skin, and eye irritation; dizziness and headache	1.355	—	2.54
O-Diethylbenzene	Respiratory, skin, and eye irritation	0.123	0.59	1.22
O-Xylene	Nervous system damage; increased cancer risk	0.331	0.580	1.43
Penadecane	Skin and eye irritation	0.178	0.160	0.94
Styrene	Liver, kidney, or circulatory system problems; increased cancer risk	0.029	0.021	0.58
Tetradecane	Nausea, vomiting and diarrhea; central nervous system problems	0.15	0.269	1.54
Toluene	Nervous system, kidney, or liver problems; increased cancer risk	1.858	4.539	16.21
Tridecane	Skin irritation, headache	0.139	0.321	0.6
Undecane	Skin and eye irritation	0.21	0.28	1.3

How to Read Your Results

	Exceeds a level estimated to cause non-cancer health effects over a lifetime
	Exceeds a level of exposure estimated to increase cancer risk by more than 1 in a million
	In stable or federal exposure limits available
	Below available exposure limits
	Chemical not found in your air sample

Recommended Exposure Limits

Compounds	REL, µg/m ³	REL, µg/m ³ -1	References
1,2,3-Trimethylbenzene	60		EPA
1,2,4-Trimethylbenzene	60		EPA
1,3,5-Trimethylbenzene	60		EPA
Benzene	39	29	EPA, OEHHA
Cumene	400		EPA
Ethylbenzene	1,000	2.5	EPA, OEHHA
Xylenes	10		EPA
Naphthalene	3	34	EPA, OEHHA
Styrene	1,800		EPA
Toluene	5,000		EPA

REL = Reference Concentration, an estimate of a level of continuous inhalation exposure likely to be without an appreciable risk of lifetime cancer effects over a lifetime

REL-1 = Reference Level, 1-hr, an estimate of the level of inhalation exposure that is likely to increase lifetime cancer risk by more than 1 in a million

EPA = U.S. Environmental Protection Agency

OEHHA = California Office of Environmental Health Hazard Assessment

* This list includes findings from both human and animal studies. Having this chemical in your air, water, or body does not necessarily mean that you will experience these health effects.

Sources: EPA 2009, Risk Assessment Guidance for Superfund (RAGS) Part F, 2009

https://www.epa.gov/tes/production/files/2015-08/documents/hanf_200901_final.pdf Integrated Risk Information System (IRIS) Assessments

<https://cfpub.epa.gov/nca/vits/search/index.cfm> Assessed July 4th 2018 The Office of Environmental Health Hazard Assessment (OEHHHA), Toxicity criteria on chemicals evaluation

U.S. Centers for Disease Control and Prevention, National Institutes of Health, World Health Organization, Agency for Toxic Substances and Disease Registry, European Chemicals Agency, New Jersey Department of Health, Chemwatch, Sigma-Aldrich, the Human Metabolome Database, Thermo Fisher Scientific

Air Testing Results: Ryan Latkanich

Measurements are in micrograms per cubic meter (µg/m³)

Chemical	Potential Health Effects*	Level in your air		Median for Our Study
		July 23, 2019	August 6, 2019	
1,2,3-Trimethylbenzene	Dizziness, headache, tiredness; blood clotting issues; lung irritation; eye and skin irritation; increased cancer risk	0.313	0.216	0.79
1,2,4,5-Tetramethylbenzene	Nervous system problems; respiratory irritation	0.006	0.262	0.28
1,2,4-Trimethylbenzene	Respiratory, nervous, and blood system problems; increased cancer risk	1.011	0.488	1.98
1,3,5-Trimethylbenzene	Nervous system damage; increased cancer risk	0.308	—	0.51
1-Dodecanol	Skin, eye, and respiratory irritation	2.884	17.832	1.22
1-Methylnaphthalene	Skin irritation	0.069	0.059	0.13
2-Ethyl 1 Hexanol	Respiratory irritation; nervous system damage; liver and kidney problems	4.489	10.095	3.81
2-Heptanone	Skin and eye irritation; respiratory and nervous system problems	0.183	—	0.3
2-Methylnaphthalene	Skin irritation	0.141	0.062	0.27
4-Heptanone	Eye and skin irritation; central nervous system damage; liver problems	0.118	—	0.11
Alpha-Pinene	Headache, nausea, vomiting; central nervous system issues; skin, eye, and respiratory irritation; kidney damage	0.148	—	0.74
Benzaldehyde	Eye, skin, and respiratory irritation; dizziness	6.064	31.89	3.4
Benzene	Anemia; decrease in blood platelets; increased cancer risk	0.740	4.079	1.01
Butylcyclohexane	Respiratory irritation; central nervous system problems; drowsiness and dizziness; lung damage	—	—	0.18
Cumene	Headache; dizziness and drowsiness; central nervous system problems; eye and skin irritation; kidney and liver damage; increased cancer risk	0.078	—	0.14
Decanal	Eye and skin irritation; respiratory problems; gastrointestinal problems	20.048	24.897	3.74
Decane	Irritation of nose, throat, and lungs; dizziness	0.403	—	1.95
D-Limonene	Skin irritation	1.272	4.056	5.51
Dodecane	Skin and respiratory irritation	1.588	—	1.24
Ethylbenzene	Liver or kidneys problems; increased cancer risk	0.455	0.324	1.11
Ethylcyclohexane	Skin, eye, and respiratory irritation; dizziness and drowsiness; central nervous system problems	—	—	0.25
Heptanal	Skin, eye, and respiratory irritation	0.372	—	1.55
Hexanal	Headache; respiratory, eye, and skin irritation	1.253	—	2.01
M/P-Diethylbenzene	Irritation of skin, nose, and throat; headache, nausea, vomiting, dizziness; liver and kidney damage	0.196	—	0.42
M/P-Ethyltoluene	Eye, skin, and respiratory irritation	2.37	9.475	2.26
m/p-Xylene	Nervous system damage; increased cancer risk	1.348	0.491	1.88
Methyl salicylate	Eye, skin, and respiratory irritation; central nervous system and gastrointestinal problems; liver and kidney damage	0.503	0.473	0.4
Naphthalene	Neurological damage, liver damage, eye damage, increased cancer risk	0.392	0.323	0.53
N-Nonane	Skin irritation, dizziness, liver damage	0.487	—	1.3
N-Octanal	Headache, nausea, dizziness, eye and skin irritation, pulmonary tract irritation, central nervous system problems	3.178	—	2.81
N-Propylbenzene	Skin and eye irritation, headache, nausea, vomiting	0.245	0.112	0.38
Octane	Respiratory, skin, and eye irritation; dizziness and headache	—	—	2.54
O-Diethylbenzene	Respiratory, skin, and eye irritation	0.419	1.224	1.22
O-Xylene	Nervous system damage; increased cancer risk	0.976	0.291	1.43
Penadecane	Skin and eye irritation	0.433	0.471	0.94
Styrene	Liver, kidney, or circulatory system problems; increased cancer risk	0.333	0.74	0.58
Tetradecane	Nausea, vomiting and diarrhea; central nervous system problems	0.533	0.765	1.54
Toluene	Nervous system, kidney, or liver problems; increased cancer risk	5.575	21.183	10.21
Tridecane	Skin irritation, headache	0.423	0.828	0.8
Undecane	Skin and eye irritation	0.5	0.49	1.3

How to Round Your Results

Exceeds a level established to cause non-cancer health effects over a lifetime
Exceeds a level of exposure estimated to increase cancer risk by more than 1 in a million
No state or federal exposure limits available
Below available exposure limits
Chemical not found in your air sample

Recommended Exposure Limits

Compounds	RfC, µg/m³	UR, µg/m³-1	References
1,2,3-Trimethylbenzene	60		EPA
1,2,4-Trimethylbenzene	60		EPA
1,3,5-Trimethylbenzene	60		EPA
Benzene	30	29	EPA, OEHHA
Cumene	400		EPA
Ethylbenzene	1,000	2.5	EPA, OEHHA
Xylenes	10		EPA
Naphthalene	3	34	EPA, OEHHA
Styrene	1,000		EPA
Toluene	5,000		EPA

RfC = Reference Concentration, an estimate of a level of continuous inhalation exposure to a chemical in air that is expected to pose little or no risk of adverse non-cancer effects over a lifetime.

UR = Unit Risk, the Risk, an estimate of the level of lifetime exposure that is likely to increase lifetime cancer risk by more than 1 in a million.

EPA = U.S. Environmental Protection Agency
OEHHA = California Office of Environmental Health Hazard Assessment

* This list includes findings from both human and animal studies. Having this chemical in your air, water, or body does not necessarily mean that you will experience these health effects.

Sources: EPA. 2009. Risk Assessment Guidance for Superfund (RAGS). Part F. 2009. https://www.epa.gov/sites/default/files/2016-09/documents/rags_f_200901_final.pdf Integrated Risk Information System (IRIS)/Assessments <https://pub.epa.gov/ncea/iris/search/index.cfm>. Assessed July 4th 2019 The Office of Environmental Health Hazard Assessment (OEHHA). Toxicity criteria on chemicals evaluation U.S. Centers for Disease Control and Prevention, National Institutes of Health, World Health Organization, Agency for Toxic Substances and Disease Registry, European Chemicals Agency New Jersey Department of Health, ChemWatch, Sigma-Aldrich, the Human Metabolome Database, Thermo Fisher Scientific

EXHIBIT 2

Urine Testing Results - Metabolites: Bryan Latkanich

Metabolites found in urine from 10/15/2010 to 10/15/2010

Metabolite	Parent Chemical (s)	Potential Health Effects*	Metabolite levels in your urine			Median for U.S. Population	95th percentile for U.S. Population	Median for Our Study
			7/24/10	8/31/10	8/18/10			
Hippuric acid	Toluene, Cinnamaldehyde	Nervous system, kidney, of liver problems, skin irritation; increased cancer risk	304,048	104,865	226,838	10,000	360,000	170,783
2-hydroxy-N-methylsuccinimide	N-Methyl-2-pyrrolidone (NMP)	Skin, eye, and respiratory irritation, kidney, liver, and nervous system problems; reproductive harm in pregnant individuals	410,674	381,153	322,324	N/A	N/A	258,594
Mandelic acid	Ethylbenzene, Styrene	Liver, kidney, or circulatory system problems; increased cancer risk	1,402	1,000	1,229	124	400	2,315
4-Methylhippuric acid	Xylene	Headache, dizziness, drowsiness, nausea, tiredness, nervous system damage, eye, skin, and lung irritation, increased cancer risk	442	167	317	210	1500	230
2-Methylhippuric acid	Xylene	Headache, dizziness, drowsiness, nausea, tiredness, nervous system damage, eye, skin, and lung irritation, increased cancer risk	185	184	224	40	276	105
3-Methylhippuric Acid	Xylene	Headache, dizziness, drowsiness, nausea, tiredness, nervous system damage, eye, skin, and lung irritation, increased cancer risk	85	103	135	210	1500	90
Alpha-Naphthyl Glucuronide	Naphthalene	Skin and eye irritation; nausea, vomiting, abdominal cramps, diarrhea; nervous system problems, kidney problems, jaundice, anemia	191	297	362	N/A	N/A	264
Beta-Naphthyl Sulphate	Naphthalene	Skin and eye irritation; nausea, vomiting, abdominal cramps, diarrhea, nervous system problems, kidney problems, jaundice, anemia	46	43	71	N/A	N/A	61
Phenylpyruvic Acid	Ethylbenzene, Styrene	Liver, kidney, or circulatory system problems; increased cancer risk	840	1,271	1,448	210	520	741
Trans, Trans-Mucenic Acid	Benzene	Anemia, decrease in blood platelets, increased risk of cancer	354	1,002	797	77	470	438
2-Pyrrolidone	N-Methyl-2-pyrrolidone (NMP)	Skin, eye, and respiratory irritation, kidney, liver, and nervous system problems; birth defects in pregnant individuals	5,040	0,864	6,041	N/A	N/A	4,239

Median = The middle number in the data set
95th percentile = 95% of levels fall below this number

How to Read Your Results	
Exceeds 95th percentile for the general U.S. population	
Exceeds median for the general U.S. population	
No U.S. population data available	
Below median and 95th percentile for the general U.S. population	

* This list includes findings from both human and animal studies. Having the chemical in your air, water, or body does not necessarily mean that you will experience these health effects.

Sources: Agency for Toxic Substances and Disease Registry (ATSDR) <http://www.atsdr.cdc.gov/>
New Jersey Department of Health Hazardous Substances Fact Sheets <http://www.nj.gov/health/hazardousmaterials/factsheets/>
Toxicology Data Network <http://www.tdnet.nlm.nih.gov/>
U.S. Centers for Disease Control and Prevention, National Institutes of Health, World Health Organization, Agency for Toxic Substances and Disease Registry, European Chemicals Agency
New Jersey Department of Health, ChemWatch, Sigma-Aldrich, The Human Metabolome Database, Thermo Fisher Scientific

Urine Testing Results - Parent Compounds: Bryan Latkanich

Compound	Potential Health Effects*	Levels in your urine			Median for Q1 study
		7/23/19	8/6/19	8/16/19	
1,2,3-Trimethylbenzene	Skin and eye irritation, liver and respiratory damage, anemia, increased cancer risk	---	---	---	0.32
1,2,4,5-Tetramethylbenzene	Nervous system problems, respiratory irritation	---	---	---	---
1,2,4-Trimethylbenzene	Skin and eye irritation, liver and respiratory damage, anemia, increased cancer risk	---	---	---	1.07
1,2,3-Trimethylbenzene	Skin irritation	---	---	---	---
1-Methylpyrrolidone	Irritation of nose, throat and lungs, dizziness, nausea, headache, nervous system problems	---	---	---	---
2-Ethylhexanol-1	Irritation to the skin, eyes, and respiratory system, headaches, vomiting, and dizziness	---	---	---	14.25
2-Heptanone	Skin irritation	---	---	---	1.92
2-Methylpyrrolidone	Digestive tract irritation	52.75	219.52	11.00	102.26
2-Pentanone	Irritation of eyes and skin, central nervous system depression, dizziness, drowsiness, decreased breath, liver damage	10.11	---	---	42.53
4-Hexanone	Skin, eye, and respiratory irritation or damage, difficulty breathing, kidney, urinary tract, and bladder problems, reproductive harm to pregnant individuals	---	---	---	---
4-Isothiocyanato-1-butene	Skin, eye, and respiratory irritation, difficulty breathing	---	---	---	51.13
Allyl isothiocyanate	Headache, nausea, vomiting, central nervous system issues, skin, eye, and respiratory irritation, kidney damage	---	---	---	---
Alpha Pinene	Headache, decrease in blood platelets, increased cancer risk	1.26	2.41	1.83	0.72
Benzene	Respiratory irritation, central nervous system problems, drowsiness and dizziness, lung damage	---	---	---	---
Bicyclichexane	Skin irritation	---	---	---	80.28
Carvone	Eye, skin, gastrointestinal and respiratory irritation, drowsiness, irritability, kidney, urinary tract, and bladder problems; reproductive harm to pregnant individuals; increased cancer risk	---	---	---	---
Camphor	Irritation of nose, throat, and lungs; dizziness	8.22	---	12.07	4.94
Decane	Eye, skin, and gastrointestinal irritation	---	---	---	1.13
Dodecane	Skin and respiratory irritation	---	---	---	2.73
Diethylbenzene	Eye and skin irritation; liver or kidney problems; reproductive harm to pregnant individuals; increased cancer risk	---	---	---	0.49
Ethylbenzene	Skin, eye, and respiratory irritation, dizziness and drowsiness, central nervous system problems	---	---	---	2.66
Ethylcyclohexane	Nervous system problems	3.63	0.77	24.50	3.05
Heptane	Irritation of skin, nose, and throat, headache, nausea, vomiting, dizziness; liver and kidney damage	---	---	---	---
MSP-Diethylbenzene	Eye, skin, and respiratory irritation	---	---	---	---
MSP-Ethylbenzene	Eye, skin, and respiratory irritation	---	---	---	---
MSP-Xylene	Nervous system damage, increased cancer risk	---	---	---	0.33
Methyl Salicylate	Eye, skin, and respiratory irritation; central nervous system and gastrointestinal problems, liver and kidney damage	---	---	---	3.71
Methylcyclohexane	Skin and eye irritation, dizziness or drowsiness	---	---	---	0.73
Naphthalene	Damage to blood cells, increased cancer risk	---	2.84	---	1.77
Nonane	Skin irritation, dizziness, liver damage	---	---	---	0.60
11 Propylbenzene	Skin and eye irritation, headache, nausea, vomiting	---	---	---	---
Octane	Irritation of nose, throat, and lungs; headache, dizziness	2.18	---	6.30	2.55
O-Diethylbenzene	Respiratory, skin, and eye irritation	---	---	---	---
O-Xylene	Nervous system damage, increased cancer risk	---	---	---	1.19
Pentadecane	Skin and eye irritation	---	---	---	10.04
Styrene	Liver, kidney, or circulatory system problems, increased cancer risk	---	---	---	---
TetraDecane	Nausea, vomiting and diarrhea, central nervous system problems	---	---	---	1.47
Undecane	Nervous system, kidney, or liver problems, increased cancer risk	2.36	3.41	4.72	1.65
Undecane	Skin irritation, headache	---	---	---	---
Undecane	Skin and eye irritation	14.68	40.00	77.00	19.42

How to Read Your Results
 --- Exact Median for Our Study
 --- Chemical not detected

* This table includes findings from both human and animal studies. Having this chemical in your air, water, or body does not necessarily mean that you will experience these health effects.

Sources: Agency for Toxic Substances and Disease Registry (ATSDR), EPA, News and Info from New Jersey Department of Health, Hazardous Substances Fact Sheet
 * ATSDR, U.S. Environmental Protection Agency (EPA), National Institute for Environmental Health Sciences (NIEHS), U.S. Environmental Protection Agency (EPA), U.S. Agency for Toxic Substances and Disease Registry, European Chemicals Agency, New Jersey Department of Health, ChemWatch, ECHA, and the Human Metabolome Database, Thomson Fisher Scientific

Urine Testing Results - Metabolites: Ryan Latkanich

Metabolite	Parent Chemical (s)	Potential Health Effects*	Metabolite levels in your urine			Median for U.S. Population	95th percentile for U.S. Population	Median for Our Study
			7/24/19	8/5/19	8/19/19			
Hippuric acid	Toluene, Cinnamylaldehyde	Nervous system, kidney, or liver problems, skin irritation; increased cancer risk	1,646,216	85,082	327,584	18,000	320,000	170,753
2-hydroxy-N-methylsuccinimide	N-Methyl-2-pyrrolidone (NMP)	Skin, eye, and respiratory irritation; kidney, liver, and nervous system problems, reproductive harm in pregnant individuals	525,248	453,510	257,164	N/A	N/A	250,594
Mandelic acid	Ethylbenzene, Styrene	Liver, kidney, or circulatory system problems, increased cancer risk	5,163	2,372	3,001	124	409	2,315
4-Methylhippuric acid	Xylene	Headache, dizziness, drowsiness, nausea, tiredness, nervous system damage, eye, skin, and lung irritation, increased cancer risk	2,723	149	727	210	1500	230
2-Methylhippuric acid	Xylene	Headache, dizziness, drowsiness, nausea, tiredness, nervous system damage, eye, skin, and lung irritation, increased cancer risk	178	81	544	43	276	109
3-Methylhippuric Acid	Xylene	Headache, dizziness, drowsiness, nausea, tiredness, nervous system damage, eye, skin, and lung irritation, increased cancer risk	384	70	272	210	1500	95
Alpha-Naphthyl Glucuronide	Naphthalene	Skin and eye irritation; nausea, vomiting, abdominal cramps, diarrhea, nervous system problems, kidney problems, jaundice, anemia	1,928	240	268	N/A	N/A	264
Beta-Naphthyl Sulphate	Naphthalene	Skin and eye irritation; nausea, vomiting, abdominal cramps, diarrhea, nervous system problems, kidney problems, jaundice, anemia	58	21	45	N/A	N/A	61
Phenylglyoxylic Acid	Ethylbenzene, Styrene	Liver, kidney, or circulatory system problems, increased cancer risk	1,828	858	3,208	210	520	741
Trans, Trans-Muconic Acid	Benzene	Anemia, decrease in blood platelets, increased risk of cancer	1,189	204	2,112	77	476	436
2-Pyrrolidone	N-Methyl-2-pyrrolidone (NMP)	Skin, eye, and respiratory irritation; kidney, liver, and nervous system problems; birth defects in pregnant individuals	9,633	5,009	6,728	N/A	N/A	4,239

Median = The middle number in the data set
95th percentile = 95% of levels fell below this number

How to Read Your Results	
Exceeds 95th percentile for the general U.S. population	
Exceeds median for the general U.S. population	
No U.S. population data available	
Below median and 95th percentile for the general U.S. population	

* The list includes findings from both human and animal studies. Having this chemical in your air, water, or food does not necessarily mean that you will experience these health effects.

Sources: Agency for Toxic Substances and Disease Registry (ATSDR) <https://www.atsdr.cdc.gov/>
New Jersey Department of Health Hazardous Substances Fact Sheets <https://www.nj.gov/health/hhs/factsheets/index.html>
Technology Data Network <http://tdn.net/tdn/tdn.html>
U.S. Centers for Disease Control and Prevention, National Institutes of Health, World Health Organization, Agency for Toxic Substances and Disease Registry, European Chemical Agency
New Jersey Department of Health, ChemWatch, S-gene AG, the Human Metabolome Database, Thermo Fisher Scientific

Urine Testing Results - Parent Compounds: Ryan Latkanich

Compound	Potential Health Effects*	Levels in your urine			Median for Our Study
		7/23/19	8/6/19	8/19/19	
1,2,3-Trimethylbenzene	Skin and eye irritation, liver and respiratory damage, anemia, increased cancer risk	---	---	---	0.32
1,2,4-Trimethylbenzene	Nervous system problems; respiratory irritation	---	---	---	---
1,2,4-Trinitrobenzene	Skin and eye irritation, liver and respiratory damage, anemia, increased cancer risk	---	---	---	1.07
1,3,5-Trimethylbenzene	Skin and eye irritation, liver and respiratory damage, anemia, increased cancer risk	---	---	---	---
1-Methylcyclohexane	Skin irritation	---	---	---	---
2-Ethylhexanol-1	Irritation of nose, throat, and lungs; dizziness, nausea, headache, nervous system problems	---	10.24	---	14.83
2-Heptanone	Irritation to the skin, eyes, and respiratory system; headaches, vomiting, and nausea	---	---	---	14.25
2-Methylcyclohexane	Skin irritation	---	---	---	1.02
2-Pentanol	Digestive tract irritation	109.53	74.58	---	162.28
4-Heptanone	Irritation of eyes and skin; central nervous system depression, dizziness, drowsiness, decreased breath, liver damage	64.50	---	20.62	42.53
4-methoxyanisole-1-butene	Skin, eye, and respiratory irritation or damage, difficulty breathing, kidney, urinary tract, and bladder problems, reproductive harm in pregnant individuals	---	---	---	---
Amyl isothiocyanate	Skin, eye, and respiratory irritation; difficulty breathing	83.14	---	---	51.13
Alpha Pinene	Headache, nausea, vomiting, central nervous system issues, skin, eye, and respiratory irritation; kidney damage	---	---	---	---
Benzene	Anemia, decrease in blood platelets, increased cancer risk	---	0.83	1.84	0.72
Bicyclohexane	Respiratory irritation, central nervous system problems, drowsiness and dizziness; lung damage	---	---	---	---
Carvone	Skin irritation	---	---	---	60.20
Cumene	Eye, skin, gastrointestinal and respiratory irritation, weakness, inability, kidney, urinary tract, and bladder problems, reproductive harm in pregnant individuals;	---	---	---	---
Decane	Irritation of nose, throat, and lungs; dizziness	29.80	---	6.31	4.54
D-Limonene	Eye, skin, and gastrointestinal irritation	---	---	---	1.13
Dodecane	Skin and respiratory irritation	---	---	---	2.73
Ethylbenzene	Eye and skin irritation, liver or kidney problems, reproductive harm in pregnant individuals; increased cancer risk	---	---	---	0.49
Ethylcyclohexane	Skin, eye, and respiratory irritation; dizziness and drowsiness; central nervous system problems	---	---	11.29	2.86
Heptane	Nervous system problems	7.66	3.23	24.20	3.85
Hexane	Irritation of skin, nose, and throat; headache, nausea, vomiting, dizziness, liver and kidney damage	---	---	---	---
MIP-Diethylbenzene	Eye, skin, and respiratory irritation	---	---	---	---
MIP-Xylene	Nervous system damage; increased cancer risk	---	---	---	0.33
Methyl Salicylate	Eye, skin, and respiratory irritation; central nervous system and gastrointestinal problems; liver and kidney damage	---	---	---	3.71
Methylcyclohexane	Skin and eye irritation; dizziness or drowsiness	---	---	---	0.73
Naphthalene	Damage to blood cells; increased cancer risk	2.03	1.12	---	1.77
Nonane	Skin irritation; dizziness, liver damage	---	---	---	0.60
NP-Propylbenzene	Skin and eye irritation, headache, nausea, vomiting	---	---	---	---
Octane	Irritation of nose, throat, and lungs; headache, dizziness	2.40	---	---	2.35
O-Diethylbenzene	Respiratory, skin, and eye irritation	---	---	---	---
O-Xylene	Nervous system damage; increased cancer risk	---	---	---	1.10
Periladecane	Skin and eye irritation	---	---	---	10.04
Styrene	Liver, kidney, or circulatory system problems; increased cancer risk	---	---	---	---
Tetradecane	Nausea, vomiting and diarrhea; central nervous system problems	---	---	---	1.47
Toluene	Nervous system, kidney, or liver problems; increased cancer risk	3.54	1.48	8.30	1.65
Undecane	Skin irritation, headache	---	---	---	---
Undecylolene	Skin and eye irritation	60.18	12.53	50.72	19.42

How to Read Your Results
 Legend: Median for Our Study
 --- Observed not detected

* This list includes findings from both human and animal studies. Having this chemical in your air, water, or body does not necessarily mean that you will experience these health effects.

Sources: Agency for Toxic Substances and Disease Registry (ATSDR) <https://www.atsdr.cdc.gov/toxsubstances/>; New Jersey Department of Health Hazardous Substances Fact Sheet; Health Effects Institute (HEI) <https://www.hei.org/>; U.S. Environmental Protection Agency (EPA) <https://www.epa.gov/>; U.S. Centers for Disease Control and Prevention, National Institutes of Health, World Health Organization, Agency for Toxic Substances and Disease Registry, European Chemical Agency; New Jersey Department of Health, Division of Environmental Health Assessment, Human Metabolome Database, Toxnet Fact Sheet

Certificate of Compliance

To Environmental Health News:

You are required to complete the following Certificate of compliance when producing documents or things pursuant to the Subpoena.

CERTIFICATE OF COMPLIANCE
WITH SUBPOENA TO PRODUCE DOCUMENTS
OR THINGS
PURSUANT TO RULE 4009.23

I, _____, certify to the best of my knowledge, information and belief that all documents or things required to be produced pursuant to the subpoena issued on _____, 2023 have been produced.

Date: _____

Representative of Environmental Health News

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **NOTICE OF INTENT TO SERVE SUBPOENA ON ENVIRONMENTAL HEALTH NEWS** was served upon counsel via electronic mail, this 3rd day of February, 2023.

Marc T. Valentine, Esq.
MARC T. VALENTINE & ASSOCIATES
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Somerset, PA 15501
marcvaltax@gmail.com

Counsel for Plaintiff

Babst, Calland, Clements & Zomnir, P.C.

By: 

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **CERTIFICATE PREREQUISITE TO SERVICE OF SUBPOENA** was served upon counsel via electronic mail, this 13th day of June, 2023.

Lisa Johnson, Esquire
PA I.D. No. 200101
Lisa Johnson & Associates
1800 Murray Ave., #81728
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lisa@lajteam.com

*Counsel for Plaintiffs Bryan Latkanich, Hunter Latkanich,
Colton Latkanich, and Ryan Latkanich*

Babst, Calland, Clements and Zomnir, P.C.

By: 

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**CERTIFICATE PREREQUISITE TO
SERVICE OF SUBPOENA TO
PRODUCE DOCUMENTS TO INSIDE
CLIMATE NEWS PURSUANT TO RULE
4009.25**

Served on Behalf of Defendants:

CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
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BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.

Firm #812
Two Gateway Center, 6th Floor
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(412) 394-5400 – Phone
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**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,)	CIVIL DIVISION
HUNTER LATKANICH,)	
COLTON LATKANICH, and	)	Case No. 2022-6006
RYAN LATKANICH, a minor by and)	
through natural guardian BRYAN)	
LATKANICH,)	
)	
Plaintiffs,)	
v.)	
)	
CHEVRON CORP., CHEVRON U.S.A.)	
INC., CHEVRON APPALACHIA, LLC,)	
EQT CORP., EQT PRODUCTION)	
COMPANY, EQT PRODUCTION)	
MARCELLUS, EQT CHAP LLC, and JOHN)	
DOE DEFENDANTS,)	

Defendants.

CERTIFICATE PREREQUISITE TO SERVICE OF SUBPOENA

As a prerequisite to service of subpoenas for documents and things pursuant to Pa. R. Civ. P. 4009.22, Defendants Chevron U.S.A. Inc., Chevron Appalachia, LLC, EQT Corp., EQT Production Company, EQT Production Marcellus, and EQT CHAP LLC (collectively, “Defendants”), by and through their undersigned counsel, certify that:

- (1) A notice of intent to serve the subpoena with a copy of the subpoena attached thereto was delivered to each party at least twenty days prior to the date on which the subpoena is sought to be served,
- (2) A copy of the notice of intent, including the proposed subpoena, is attached to this certificate,
- (3) No objection to the subpoena has been received, and
- (4) The subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.

Dated: June 13, 2023

Respectfully submitted,

BABST, CALLAND, CLEMENTS and ZOMNIR,
PC.



Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

EXHIBIT A

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**NOTICE OF INTENT TO SERVE
SUBPOENA ON INSIDE CLIMATE
NEWS**

Served on Behalf of Defendants:

CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

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**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,)	CIVIL DIVISION
HUNTER LATKANICH,)	
COLTON LATKANICH, and	)	Case No. 2022-6006
RYAN LATKANICH, a minor by and)	
through natural guardian BRYAN)	
LATKANICH,)	
)	
Plaintiffs,)	
v.)	
)	
CHEVRON CORP., CHEVRON U.S.A.)	
INC., CHEVRON APPALACHIA, LLC,)	
EQT CORP., EQT PRODUCTION)	
COMPANY, EQT PRODUCTION)	
MARCELLUS, EQT CHAP LLC, and JOHN)	
DOE DEFENDANTS,)	

Defendants.

NOTICE OF INTENT TO SERVE SUBPOENA ON INSIDE CLIMATE NEWS

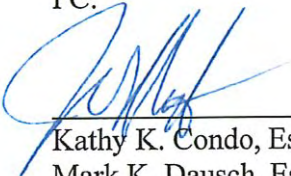
Defendants Chevron U.S.A. Inc., Chevron Appalachia, LLC, EQT Corp., EQT Production Company, EQT Production Marcellus, and EQT CHAP LLC intend to serve a subpoena identical to the one that is attached to this notice.

You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena will be served.

Dated: February 3, 2023

Respectfully submitted,

BABST, CALLAND, CLEMENTS AND ZOMNIR,
PC.



Kathy K. Condo, Esquire
Mark K. Dausch, Esquire

Joshua S. Snyder, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

COUNTY OF WASHINGTON

Bryan Latkanich, et al.

v.

Chevron Corp., et al.

:
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:
:

FILE NO. 2022-6006

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: Inside Climate News
(Name of Person or Entity).

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: See Exhibit A attached

at 603 Starwix St, 6th Floor, Pittsburgh, PA 15222; or electronically to jsnyder@babstcalland.com
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Joshua Snyder
ADDRESS: 603 Starwix St, 6th Floor
Pittsburgh, PA 15222
TELEPHONE: 412-394-6556
SUPREME COURT ID # 315845
ATTORNEY FOR: Chevron & EBT defendants

BY THE COURT:

Laura H. Hough as

LAURA H. HOUGH, PROTHONOTARY
MY TERM EXPIRES FIRST MONDAY IN JANUARY 2024

Jim Whited as
DEPUTY

Date: _____
Seal of the Court

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,	)	CIVIL DIVISION
HUNTER LATKANICH,)	
COLTON LATKANICH, and	)	Case No. 2022-6006
RYAN LATKANICH, a minor by and)	
through natural guardian BRYAN)	
LATKANICH,)	
)	
Plaintiffs,)	
)	
v.)	
)	
CHEVRON CORP., CHEVRON U.S.A.)	
INC., CHEVRON APPALACHIA, LLC,)	
EQT CORP., EQT PRODUCTION)	
COMPANY, EQT PRODUCTION)	
MARCELLUS, EQT CHAP LLC, and JOHN)	
DOE DEFENDANTS,)	

Defendants.

EXHIBIT A TO SUBPOENA

Definitions and Instructions

1. “Latkanich Property” or “Property” shall mean the property located at 95 Hill Road, Fredericktown, Pennsylvania 15333.
2. “Communications” shall mean all forms of written and oral transmissions of information, including, but not limited to, letters, e-mails, faxes, voice mails, notes, memos, and all electronic correspondence such as instant messaging.
3. The terms “concern,” “concerning,” “relate to,” “relating to,” “refer to,” “referring to,” and “evidence” shall be interpreted broadly to include constituting, reflecting, respecting, supporting, contradicting, describing, recording, noting, embodying, containing, mentioning, alluding to, responding to, connected with, studying, analyzing, evaluating, commenting on, in respect of, about, regarding, discussing, or showing, analyzing, constituting, containing anything

relevant in any way to the specified subject within the meaning of Rule 4003.1 of the Pennsylvania Rules of Civil Procedure.

4. "Document" shall extend to the fullest scope provided for under Rule 4009.1 of the Pennsylvania Rules of Civil Procedure and shall include, without limitation, all written or graphic matter or any other means of preserving thought or expression of every type and description regardless of origin or location, whether written, recorded, transcribed, taped, punched, filmed, microfilmed, or in any other way produced, reproduced or recorded, and including but not limited to: originals, drafts, computer-stored and computer-retrievable information, copies or duplicates that are marked with any notation or annotation, copies or duplicates that differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendar notes, computer printouts, computer disks, CD-ROMs, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements of employees, requisitions, manuals or guidelines, audit workpapers, financial analyses, tables of organizations, charts, graphs, indices, advertisements or other promotional material, audited and unaudited financial statements, trade letters, trade publications, newspapers or newsletters, diagrams, photographs, e-mails, electronic or mechanical records, telegrams, telecopies, audiotapes, videotapes, and all other receptacles or repositories housing or containing such Documents, and all other media used to record in any form, information. A draft, annotated or otherwise non-identical copy shall be considered a separate Document within the meaning of this term. "Document" shall also include any removable "Post-It" notes or other attachments affixed to any of the foregoing, as well as the file, folder tabs, and labels appended to or containing any Documents. For purposes of these Discovery Requests,

“Document” includes “electronically stored information”—or ESI—as that term is used in the Pennsylvania Rules of Civil Procedure.

5. If there is any objection or claim of privilege relating to any request, state in full the basis for the objection or claim of privilege, including the facts upon which you rely to support the objection or claim or privilege in sufficient detail to permit the Court to rule on the propriety of the objection or claim of privilege.

6. A request for a document shall be deemed to include a request for the entire document and transmittal sheets, cover letters, exhibits, enclosures, or attachments to the document, in addition to the document itself.

7. In the event that any information is redacted from a document produced pursuant to these Requests, the subject matter of the information withheld and the basis upon which such information is redacted must be furnished.

8. If you contend that any documents responsive to these requests are not reasonably accessible or would be unduly burdensome to locate and/or produce, identify such documents by category and source and provide detailed information regarding the burden or cost you claim is associated with the search for or production of such documents.

9. If any document requested herein was, but no longer is, in your possession, custody, or control, state what disposition was made of such document, why, and include the date and place of disposition and the person(s) who disposed of the document.

10. If any document responsive to these Requests has been destroyed, the response hereto shall describe in detail the circumstances of such destruction, including the date of destruction and the names and titles of all persons who participated in the destruction, and any documents related to such destruction are hereby requested to be produced.

11. If no documents are responsive to a particular request, state that no responsive documents exist.

Requests for Production of Documents

1. Produce all documents related to the Property, including but not limited to any inspections, sampling or testing done on the Property.

2. Produce all documents related to Bryan Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

3. Produce all documents related to Ryan Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

4. Produce all documents related to Hunter Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

5. Produce all documents related to Colton Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

6. Produce all documents related to any communications with any third parties regarding the Latkanich Property or its residents.

7. Produce all documents related to any news report, article, documentary, or broadcast involving the Latkanich Property or its residents. This request includes, but is not limited to, documents related to Neela Banerjee, *Has Fracking Tainted Your Water? Scientistis Say EPA Safety Study Was Censored* (December 2017) and *Living with Fracking in Washington County, Pennsylvania* (2018).

Certificate of Compliance

To Inside Climate News:

You are required to complete the following Certificate of compliance when producing documents or things pursuant to the Subpoena.

CERTIFICATE OF COMPLIANCE
WITH SUBPOENA TO PRODUCE DOCUMENTS
OR THINGS
PURSUANT TO RULE 4009.23

I, _____, certify to the best of my knowledge, information and belief that all documents or things required to be produced pursuant to the subpoena issued on _____, 2023 have been produced.

Date: _____

Representative of Inside Climate News

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **NOTICE OF INTENT TO SERVE SUBPOENA ON INSIDE CLIMATE NEWS** was served upon counsel via electronic mail, this 3rd day of February, 2023.

Marc T. Valentine, Esq.
MARC T. VALENTINE & ASSOCIATES
The Rubicon Building
118 North Center Ave
Somerset, PA 15501
marcvaltax@gmail.com

Counsel for Plaintiff

Babst, Calland, Clements & Zomnir, P.C.

By:  _____

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **CERTIFICATE PREREQUISITE TO SERVICE OF SUBPOENA** was served upon counsel via electronic mail, this 13th day of June, 2023.

Lisa Johnson, Esquire
PA I.D. No. 200101
Lisa Johnson & Associates
1800 Murray Ave., #81728
Pittsburgh, PA 15217
lisa@lajteam.com

*Counsel for Plaintiffs Bryan Latkanich, Hunter Latkanich,
Colton Latkanich, and Ryan Latkanich*

Babst, Calland, Clements and Zomnir, P.C.

By:  _____

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**CERTIFICATE PREREQUISITE TO
SERVICE OF SUBPOENA TO
PRODUCE DOCUMENTS TO ISSAM
AHMED PURSUANT TO RULE 4009.25**

Served on Behalf of Defendants:
CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa. ID No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
Pa. ID No. 315845
jsnyder@babstcalland.com
Edward D. Phillips
Pa. ID No. 322402
ephillips@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.

Firm #812
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

Dated: June 13, 2023

Respectfully submitted,

BABST, CALLAND, CLEMENTS and ZOMNIR,
PC.



Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

EXHIBIT A

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**NOTICE OF INTENT TO SERVE
SUBPOENA ON ISSAM AHMED**

Served on Behalf of Defendants:
CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa I.D. No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
Pa. ID No. 315845
jsnyder@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.
Firm #812
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

Joshua S. Snyder, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF WASHINGTON

Bryan Latkanich, et al.

v.

Chevron Corp., et al.

:
:
: FILE NO. 2022-6006
:
:

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: Issam Ahmed
(Name of Person or Entity).

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: See Exhibit A attached

at 603 Stanwix St, Pittsburgh, PA 15222 (6th Floor); or electronically to jsnyder@babstcalland.com
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Joshua Snyder
ADDRESS: 603 Stanwix St, 6th Floor
Pittsburgh, PA 15222
TELEPHONE: 412-394-6556
SUPREME COURT ID # 315845
ATTORNEY FOR: Chevron & EQT Defendants

Date: _____
Seal of the Court

BY THE COURT:
Laura H. Hough @SN
LAURA H. HOUGH, PROTHONOTARY
MY TERM EXPIRES FIRST MONDAY IN JANUARY 2024
Tina White @SN
DEPUTY

relevant in any way to the specified subject within the meaning of Rule 4003.1 of the Pennsylvania Rules of Civil Procedure.

4. "Document" shall extend to the fullest scope provided for under Rule 4009.1 of the Pennsylvania Rules of Civil Procedure and shall include, without limitation, all written or graphic matter or any other means of preserving thought or expression of every type and description regardless of origin or location, whether written, recorded, transcribed, taped, punched, filmed, microfilmed, or in any other way produced, reproduced or recorded, and including but not limited to: originals, drafts, computer-stored and computer-retrievable information, copies or duplicates that are marked with any notation or annotation, copies or duplicates that differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendar notes, computer printouts, computer disks, CD-ROMs, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements of employees, requisitions, manuals or guidelines, audit workpapers, financial analyses, tables of organizations, charts, graphs, indices, advertisements or other promotional material, audited and unaudited financial statements, trade letters, trade publications, newspapers or newsletters, diagrams, photographs, e-mails, electronic or mechanical records, telegrams, telecopies, audiotapes, videotapes, and all other receptacles or repositories housing or containing such Documents, and all other media used to record in any form, information. A draft, annotated or otherwise non-identical copy shall be considered a separate Document within the meaning of this term. "Document" shall also include any removable "Post-It" notes or other attachments affixed to any of the foregoing, as well as the file, folder tabs, and labels appended to or containing any Documents. For purposes of these Discovery Requests,

“Document” includes “electronically stored information”—or ESI—as that term is used in the Pennsylvania Rules of Civil Procedure.

5. If there is any objection or claim of privilege relating to any request, state in full the basis for the objection or claim of privilege, including the facts upon which you rely to support the objection or claim or privilege in sufficient detail to permit the Court to rule on the propriety of the objection or claim of privilege.

6. A request for a document shall be deemed to include a request for the entire document and transmittal sheets, cover letters, exhibits, enclosures, or attachments to the document, in addition to the document itself.

7. In the event that any information is redacted from a document produced pursuant to these Requests, the subject matter of the information withheld and the basis upon which such information is redacted must be furnished.

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9. If any document requested herein was, but no longer is, in your possession, custody, or control, state what disposition was made of such document, why, and include the date and place of disposition and the person(s) who disposed of the document.

10. If any document responsive to these Requests has been destroyed, the response hereto shall describe in detail the circumstances of such destruction, including the date of destruction and the names and titles of all persons who participated in the destruction, and any documents related to such destruction are hereby requested to be produced.

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3. Produce all documents related to Ryan Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

4. Produce all documents related to Hunter Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

5. Produce all documents related to Colton Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

6. Produce all documents related to any communications with any third parties regarding the Latkanich Property or its residents.

7. Produce all documents related to any news report, article, documentary, or broadcast involving the Latkanich Property or its residents. This request includes, but is not limited to, documents related to Issam Ahmed, *In Pennsylvania, Fracking Debate Triggers Political Tremors* (October 2020).

Certificate of Compliance

To Issam Ahmed:

You are required to complete the following Certificate of compliance when producing documents or things pursuant to the Subpoena.

CERTIFICATE OF COMPLIANCE
WITH SUBPOENA TO PRODUCE DOCUMENTS
OR THINGS
PURSUANT TO RULE 4009.23

I, _____, certify to the best of my knowledge, information and belief that all documents or things required to be produced pursuant to the subpoena issued on _____, 2023 have been produced.

Date: _____

Issam Ahmed

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **NOTICE OF INTENT TO SERVE SUBPOENA ON ISSAM AHMED** was served upon counsel via electronic mail, this 3rd day of February, 2023.

Marc T. Valentine, Esq.
MARC T. VALENTINE & ASSOCIATES
The Rubicon Building
118 North Center Ave
Somerset, PA 15501
marcvaltax@gmail.com

Counsel for Plaintiff

Babst, Calland, Clements & Zomnir, P.C.

By:  _____

Kathy K. Condc, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **CERTIFICATE PREREQUISITE TO SERVICE OF SUBPOENA** was served upon counsel via electronic mail, this 13th day of June, 2023.

Lisa Johnson, Esquire
PA I.D. No. 200101
Lisa Johnson & Associates
1800 Murray Ave., #81728
Pittsburgh, PA 15217
lisa@lajteam.com

*Counsel for Plaintiffs Bryan Latkanich, Hunter Latkanich,
Colton Latkanich, and Ryan Latkanich*

Babst, Calland, Clements and Zomnir, P.C.

By:  _____

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**CERTIFICATE PREREQUISITE TO
SERVICE OF SUBPOENA TO
PRODUCE DOCUMENTS TO
MINNESOTA PUBLIC RADIO D/B/A
MARKETPLACE.ORG PURSUANT TO
RULE 4009.25**

Served on Behalf of Defendants:
CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa. ID No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
Pa. ID No. 315845
jsnyder@babstcalland.com
Edward D. Phillips
Pa. ID No. 322402
ephillips@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.
Firm #812
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

Dated: June 13, 2023

Respectfully submitted,

BABST, CALLAND, CLEMENTS and ZOMNIR,
PC.



Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

EXHIBIT A

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**NOTICE OF INTENT TO SERVE
SUBPOENA ON MINNESOTA PUBLIC
RADIO D/B/A MARKETPLACE.ORG**

Served on Behalf of Defendants:
CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa I.D. No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
Pa. ID No. 315845
jsnyder@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.
Firm #812
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

COUNTY OF WASHINGTON

Bryan Latkanich, et al,

v.

Chevron Corp., et al.

:
:
: FILE NO. 2022-6006
:
:

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: Minnesota Public Radio d/b/a marketplace.org
(Name of Person or Entity).

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: See Exhibit A attached

at 603 Starwix St, 6th Floor, Pittsburgh, PA 15222; or electronically to jsnyder@babstcalland.com
(Address)

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THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Joshua Snyder
ADDRESS: 603 Starwix St, 6th Floor
Pittsburgh, PA 15222
TELEPHONE: 412-394-6556
SUPREME COURT ID # 315845
ATTORNEY FOR: Chevron & E&T Defendants

BY THE COURT:

Laura H. Hough

LAURA H. HOUGH, PROTHONOTARY
MY TERM EXPIRES FIRST MONDAY IN JANUARY 2024

Jim Whitely
DEPUTY

Date: _____
Seal of the Court

relevant in any way to the specified subject within the meaning of Rule 4003.1 of the Pennsylvania Rules of Civil Procedure.

4. "Document" shall extend to the fullest scope provided for under Rule 4009.1 of the Pennsylvania Rules of Civil Procedure and shall include, without limitation, all written or graphic matter or any other means of preserving thought or expression of every type and description regardless of origin or location, whether written, recorded, transcribed, taped, punched, filmed, microfilmed, or in any other way produced, reproduced or recorded, and including but not limited to: originals, drafts, computer-stored and computer-retrievable information, copies or duplicates that are marked with any notation or annotation, copies or duplicates that differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendar notes, computer printouts, computer disks, CD-ROMs, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements of employees, requisitions, manuals or guidelines, audit workpapers, financial analyses, tables of organizations, charts, graphs, indices, advertisements or other promotional material, audited and unaudited financial statements, trade letters, trade publications, newspapers or newsletters, diagrams, photographs, e-mails, electronic or mechanical records, telegrams, teletypes, audiotapes, videotapes, and all other receptacles or repositories housing or containing such Documents, and all other media used to record in any form, information. A draft, annotated or otherwise non-identical copy shall be considered a separate Document within the meaning of this term. "Document" shall also include any removable "Post-It" notes or other attachments affixed to any of the foregoing, as well as the file, folder tabs, and labels appended to or containing any Documents. For purposes of these Discovery Requests,

“Document” includes “electronically stored information”—or ESI—as that term is used in the Pennsylvania Rules of Civil Procedure.

5. If there is any objection or claim of privilege relating to any request, state in full the basis for the objection or claim of privilege, including the facts upon which you rely to support the objection or claim or privilege in sufficient detail to permit the Court to rule on the propriety of the objection or claim of privilege.

6. A request for a document shall be deemed to include a request for the entire document and transmittal sheets, cover letters, exhibits, enclosures, or attachments to the document, in addition to the document itself.

7. In the event that any information is redacted from a document produced pursuant to these Requests, the subject matter of the information withheld and the basis upon which such information is redacted must be furnished.

8. If you contend that any documents responsive to these requests are not reasonably accessible or would be unduly burdensome to locate and/or produce, identify such documents by category and source and provide detailed information regarding the burden or cost you claim is associated with the search for or production of such documents.

9. If any document requested herein was, but no longer is, in your possession, custody, or control, state what disposition was made of such document, why, and include the date and place of disposition and the person(s) who disposed of the document.

10. If any document responsive to these Requests has been destroyed, the response hereto shall describe in detail the circumstances of such destruction, including the date of destruction and the names and titles of all persons who participated in the destruction, and any documents related to such destruction are hereby requested to be produced.

11. If no documents are responsive to a particular request, state that no responsive documents exist.

Requests for Production of Documents

1. Produce all documents related to the Property, including but not limited to any inspections, sampling or testing done on the Property.

2. Produce all documents related to Bryan Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

3. Produce all documents related to Ryan Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

4. Produce all documents related to Hunter Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

5. Produce all documents related to Colton Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

6. Produce all documents related to any communications with any third parties regarding the Latkanich Property or its residents.

7. Produce all documents related to any news report, article, documentary, or broadcast involving the Latkanich Property or its residents. This request includes, but is not limited to, documents related to Scott Tong, *Documents Show Undisclosed EPA Health Concerns on Fracking Chemicals* (November 2017).

Certificate of Compliance

To Minnesota Public Radio d/b/a marketplace.org:

You are required to complete the following Certificate of compliance when producing documents or things pursuant to the Subpoena.

CERTIFICATE OF COMPLIANCE
WITH SUBPOENA TO PRODUCE DOCUMENTS
OR THINGS
PURSUANT TO RULE 4009.23

I, _____, certify to the best of my knowledge, information and belief that all documents or things required to be produced pursuant to the subpoena issued on _____, 2023 have been produced.

Date: _____

Representative of Minnesota Public Radio
d/b/a marketplace.org

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **NOTICE OF INTENT TO SERVE SUBPOENA ON MINNESOTA PUBLIC RADIO D/B/A MARKETPLACE.ORG** was served upon counsel via electronic mail, this 3rd day of February, 2023.

Marc T. Valentine, Esq.
MARC T. VALENTINE & ASSOCIATES
The Rubicon Building
118 North Center Ave
Somerset, PA 15501
marcvaltax@gmail.com

Counsel for Plaintiff

Babst, Calland, Clements & Zomnir, P.C.

By: 

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **CERTIFICATE PREREQUISITE TO SERVICE OF SUBPOENA** was served upon counsel via electronic mail, this 13th day of June, 2023.

Lisa Johnson, Esquire
PA I.D. No. 200101
Lisa Johnson & Associates
1800 Murray Ave., #81728
Pittsburgh, PA 15217
lisa@lajteam.com

*Counsel for Plaintiffs Bryan Latkanich, Hunter Latkanich,
Colton Latkanich, and Ryan Latkanich*

Babst, Calland, Clements and Zomnir, P.C.

By:  _____

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**CERTIFICATE PREREQUISITE TO
SERVICE OF SUBPOENA TO
PRODUCE DOCUMENTS TO NEELA
BANERJEE PURSUANT TO RULE
4009.25**

Served on Behalf of Defendants:
CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa. ID No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
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jsnyder@babstcalland.com
Edward D. Phillips
Pa. ID No. 322402
ephillips@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.
Firm #812
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

- (4) The subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.

Dated: June 13, 2023

Respectfully submitted,

BABST, CALLAND, CLEMENTS and ZOMNIR,
PC.



Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

added). Consistent with Rule 4009.21, Defendants did not provide third-party Neela Banerjee with the Notice of Intent. Notwithstanding, on February 23, 2023, third-party Neela Banerjee filed improper objections to the Notice of Intent to Serve Subpoena on Neela Banerjee. Third-party Neela Banerjee may seek an appropriate protective order after the service of this subpoena. Rule 4009.21(d)(2).

EXHIBIT A

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**NOTICE OF INTENT TO SERVE
SUBPOENA ON NEELA BANERJEE**

Served on Behalf of Defendants:
CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa I.D. No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
Pa. ID No. 315845
jsnyder@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.
Firm #812
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

Joshua S. Snyder, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF WASHINGTON

Bryan Latkanich, et al

v.

Chevron Corp., et al.

:
:
: FILE NO. 2022-6006
:
:

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: Neela Banerjee
(Name of Person or Entity).

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: See Exhibit A attached

at 603 Stanwix St, 6th floor, Pittsburgh, PA 15222; or electronically to jsnyder@babstcalland.com
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Joshua Snyder
ADDRESS: 603 Stanwix St, 6th floor
Pittsburgh, PA 15222
TELEPHONE: 412-394-6556
SUPREME COURT ID # 315845
ATTORNEY FOR: Chevron & EBT Defendants

BY THE COURT:

Laura H. Hough

LAURA H. HOUGH, PROTHONOTARY
MY TERM EXPIRES FIRST MONDAY IN JANUARY 2024

Jina Whited
DEPUTY

Date: _____
Seal of the Court

relevant in any way to the specified subject within the meaning of Rule 4003.1 of the Pennsylvania Rules of Civil Procedure.

4. "Document" shall extend to the fullest scope provided for under Rule 4009.1 of the Pennsylvania Rules of Civil Procedure and shall include, without limitation, all written or graphic matter or any other means of preserving thought or expression of every type and description regardless of origin or location, whether written, recorded, transcribed, taped, punched, filmed, microfilmed, or in any other way produced, reproduced or recorded, and including but not limited to: originals, drafts, computer-stored and computer-retrievable information, copies or duplicates that are marked with any notation or annotation, copies or duplicates that differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendar notes, computer printouts, computer disks, CD-ROMs, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements of employees, requisitions, manuals or guidelines, audit workpapers, financial analyses, tables of organizations, charts, graphs, indices, advertisements or other promotional material, audited and unaudited financial statements, trade letters, trade publications, newspapers or newsletters, diagrams, photographs, e-mails, electronic or mechanical records, telegrams, telecopies, audiotapes, videotapes, and all other receptacles or repositories housing or containing such Documents, and all other media used to record in any form, information. A draft, annotated or otherwise non-identical copy shall be considered a separate Document within the meaning of this term. "Document" shall also include any removable "Post-It" notes or other attachments affixed to any of the foregoing, as well as the file, folder tabs, and labels appended to or containing any Documents. For purposes of these Discovery Requests,

“Document” includes “electronically stored information”—or ESI—as that term is used in the Pennsylvania Rules of Civil Procedure.

5. If there is any objection or claim of privilege relating to any request, state in full the basis for the objection or claim of privilege, including the facts upon which you rely to support the objection or claim or privilege in sufficient detail to permit the Court to rule on the propriety of the objection or claim of privilege.

6. A request for a document shall be deemed to include a request for the entire document and transmittal sheets, cover letters, exhibits, enclosures, or attachments to the document, in addition to the document itself.

7. In the event that any information is redacted from a document produced pursuant to these Requests, the subject matter of the information withheld and the basis upon which such information is redacted must be furnished.

8. If you contend that any documents responsive to these requests are not reasonably accessible or would be unduly burdensome to locate and/or produce, identify such documents by category and source and provide detailed information regarding the burden or cost you claim is associated with the search for or production of such documents.

9. If any document requested herein was, but no longer is, in your possession, custody, or control, state what disposition was made of such document, why, and include the date and place of disposition and the person(s) who disposed of the document.

10. If any document responsive to these Requests has been destroyed, the response hereto shall describe in detail the circumstances of such destruction, including the date of destruction and the names and titles of all persons who participated in the destruction, and any documents related to such destruction are hereby requested to be produced.

11. If no documents are responsive to a particular request, state that no responsive documents exist.

Requests for Production of Documents

1. Produce all documents related to the Property, including but not limited to any inspections, sampling or testing done on the Property.

2. Produce all documents related to Bryan Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

3. Produce all documents related to Ryan Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

4. Produce all documents related to Hunter Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

5. Produce all documents related to Colton Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

6. Produce all documents related to any communications with any third parties regarding the Latkanich Property or its residents.

7. Produce all documents related to any news report, article, documentary, or broadcast involving the Latkanich Property or its residents. This request includes, but is not limited to, documents related to Neela Banerjee, *Industrial Strength: How the US Government Hid Fracking's Risks to Drinking Water* (November 2017) and Neela Banerjee, *Has Fracking Tainted Your Water? Scientists Say EPA Safety Study Was Censored* (December 2017).

Certificate of Compliance

To Neela Banerjee:

You are required to complete the following Certificate of compliance when producing documents or things pursuant to the Subpoena.

CERTIFICATE OF COMPLIANCE
WITH SUBPOENA TO PRODUCE DOCUMENTS
OR THINGS
PURSUANT TO RULE 4009.23

I, _____, certify to the best of my knowledge, information and belief that all documents or things required to be produced pursuant to the subpoena issued on _____, 2023 have been produced.

Date: _____

Neela Banerjee

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **NOTICE OF INTENT TO SERVE SUBPOENA ON NEELA BANERJEE** was served upon counsel via electronic mail, this 3rd day of February, 2023.

Marc T. Valentine, Esq.
MARC T. VALENTINE & ASSOCIATES
The Rubicon Building
118 North Center Ave
Somerset, PA 15501
marcvaltax@gmail.com

Counsel for Plaintiff

Babst, Calland, Clements & Zomnir, P.C.

By: 

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **CERTIFICATE PREREQUISITE TO SERVICE OF SUBPOENA** was served upon counsel via electronic mail, this 13th day of June, 2023.

Lisa Johnson, Esquire
PA I.D. No. 200101
Lisa Johnson & Associates
1800 Murray Ave., #81728
Pittsburgh, PA 15217
lisa@lajteam.com

*Counsel for Plaintiffs Bryan Latkanich, Hunter Latkanich,
Colton Latkanich, and Ryan Latkanich*

Babst, Calland, Clements and Zomnir, P.C.

By: 

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**CERTIFICATE PREREQUISITE TO
SERVICE OF SUBPOENA TO
PRODUCE DOCUMENTS TO
NBCUNIVERSAL MEDIA, LLC
PURSUANT TO RULE 4009.25**

Served on Behalf of Defendants:

CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa. ID No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
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jsnyder@babstcalland.com
Edward D. Phillips
Pa. ID No. 322402
ephillips@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.

Firm #812
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

Dated: June 13, 2023

Respectfully submitted,

BABST, CALLAND, CLEMENTS and ZOMNIR,
PC.



Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

EXHIBIT A

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**NOTICE OF INTENT TO SERVE
SUBPOENA ON NBCUNIVERSAL
MEDIA, LLC**

Served on Behalf of Defendants:

CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa I.D. No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
Pa. ID No. 315845
jsnyder@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.
Firm #812
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

Joshua S. Snyder, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

COUNTY OF WASHINGTON

Bryan Latkanich, et al.

v.

Chevron Corp., et al.

:
:
: FILE NO. 2022-6006
:
:

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: NBCUniversal Media, LLC
(Name of Person or Entity).

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: See Exhibit A attached

at 1203 Stanwix St, 10th Floor, Pittsburgh, PA 15222; or electronically to jsnyder@babstcalland.com
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Joshua Snyder
ADDRESS: 1203 Stanwix St, 10th Floor
Pittsburgh, PA 15222
TELEPHONE: 412-394-6556
SUPREME COURT ID # 215845
ATTORNEY FOR: Chevron & EQT defendants

BY THE COURT:

Laura H. Hough
LAURA H. HOUGH, PROTHONOTARY

MY TERM EXPIRES FIRST MONDAY IN JANUARY, 2024

Jane Whitman
DEPUTY

Date: _____
Seal of the Court

relevant in any way to the specified subject within the meaning of Rule 4003.1 of the Pennsylvania Rules of Civil Procedure.

4. "Document" shall extend to the fullest scope provided for under Rule 4009.1 of the Pennsylvania Rules of Civil Procedure and shall include, without limitation, all written or graphic matter or any other means of preserving thought or expression of every type and description regardless of origin or location, whether written, recorded, transcribed, taped, punched, filmed, microfilmed, or in any other way produced, reproduced or recorded, and including but not limited to: originals, drafts, computer-stored and computer-retrievable information, copies or duplicates that are marked with any notation or annotation, copies or duplicates that differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendar notes, computer printouts, computer disks, CD-ROMs, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements of employees, requisitions, manuals or guidelines, audit workpapers, financial analyses, tables of organizations, charts, graphs, indices, advertisements or other promotional material, audited and unaudited financial statements, trade letters, trade publications, newspapers or newsletters, diagrams, photographs, e-mails, electronic or mechanical records, telegrams, telecopies, audiotapes, videotapes, and all other receptacles or repositories housing or containing such Documents, and all other media used to record in any form, information. A draft, annotated or otherwise non-identical copy shall be considered a separate Document within the meaning of this term. "Document" shall also include any removable "Post-It" notes or other attachments affixed to any of the foregoing, as well as the file, folder tabs, and labels appended to or containing any Documents. For purposes of these Discovery Requests,

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3. Produce all documents related to Ryan Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

4. Produce all documents related to Hunter Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

5. Produce all documents related to Colton Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

6. Produce all documents related to any communications with any third parties regarding the Latkanich Property or its residents.

7. Produce all documents related to any news report, article, documentary, or broadcast involving the Latkanich Property or its residents. This request includes, but is not limited to, documents related to CNBC, *Should the U.S. Ban Fracking?* (January 2020).

Certificate of Compliance

To the NBCUniversal Media, LLC:

You are required to complete the following Certificate of compliance when producing documents or things pursuant to the Subpoena.

CERTIFICATE OF COMPLIANCE
WITH SUBPOENA TO PRODUCE DOCUMENTS
OR THINGS
PURSUANT TO RULE 4009.23

I, _____, certify to the best of my knowledge, information and belief that all documents or things required to be produced pursuant to the subpoena issued on _____, 2023 have been produced.

Date: _____

Representative of the NBCUniversal Media, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **NOTICE OF INTENT TO SERVE SUBPOENA ON NBCUNIVERSAL MEDIA, LLC** was served upon counsel via electronic mail, this 3rd day of February, 2023.

Marc T. Valentine, Esq.
MARC T. VALENTINE & ASSOCIATES
The Rubicon Building
118 North Center Ave
Somerset, PA 15501
marcvaltax@gmail.com

Counsel for Plaintiff

Babst, Calland, Clements & Zomnir, P.C.

By:  _____

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*


CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **CERTIFICATE PREREQUISITE TO SERVICE OF SUBPOENA** was served upon counsel via electronic mail, this 13th day of June, 2023.

Lisa Johnson, Esquire
PA I.D. No. 200101
Lisa Johnson & Associates
1800 Murray Ave., #81728
Pittsburgh, PA 15217
lisa@lajteam.com

*Counsel for Plaintiffs Bryan Latkanich, Hunter Latkanich,
Colton Latkanich, and Ryan Latkanich*

Babst, Calland, Clements and Zomnir, P.C.

By: 

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**CERTIFICATE PREREQUISITE TO
SERVICE OF SUBPOENA TO
PRODUCE DOCUMENTS TO
PITTSBURGH POST-GAZETTE
PURSUANT TO RULE 4009.25**

Served on Behalf of Defendants:

CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa. ID No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
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Edward D. Phillips
Pa. ID No. 322402
ephillips@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.

Firm #812
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

Dated: June 13, 2023

Respectfully submitted,

BABST, CALLAND, CLEMENTS and ZOMNIR,
PC.



Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

EXHIBIT A

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**NOTICE OF INTENT TO SERVE
SUBPOENA ON PITTSBURGH POST-
GAZETTE**

Served on Behalf of Defendants:
CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa I.D. No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
Pa. ID No. 315845
jsnyder@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.
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(412) 394-5400 – Phone
(412) 394-6576 – Fax

Joshua S. Snyder, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

COUNTY OF WASHINGTON

Bryan Latkanich, et al.

v.

Chevron Corp., et al.

:
:
: FILE NO. 2022-6006
:
:

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: PG Publishing Company d/b/a Pittsburgh Post-Gazette
(Name of Person or Entity).

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: See Exhibit A attached

at 603 Stanwix St, 16th Floor, Pittsburgh, PA 15222; or electronically to jsnyder@babstcalland.com
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Joshua Snyder
ADDRESS: 603 Stanwix St, 16th Floor
Pittsburgh, PA 15222
TELEPHONE: 412-394-6556
SUPREME COURT ID # 315845
ATTORNEY FOR: Chevron & EQT Defendants

BY THE COURT:
Laura H. Hough
LAURA H. HOUGH, PROTHONOTARY
MY TERM EXPIRES FIRST MONDAY IN JANUARY 2024
Laura Whited
DEPUTY

Date: _____
Seal of the Court

relevant in any way to the specified subject within the meaning of Rule 4003.1 of the Pennsylvania Rules of Civil Procedure.

4.3 “Document” shall extend to the fullest scope provided for under Rule 4009.1 of the Pennsylvania Rules of Civil Procedure and shall include, without limitation, all written or graphic matter or any other means of preserving thought or expression of every type and description regardless of origin or location, whether written, recorded, transcribed, taped, punched, filmed, microfilmed, or in any other way produced, reproduced or recorded, and including but not limited to: originals, drafts, computer-stored and computer-retrievable information, copies or duplicates that are marked with any notation or annotation, copies or duplicates that differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendar notes, computer printouts, computer disks, CD-ROMs, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements of employees, requisitions, manuals or guidelines, audit workpapers, financial analyses, tables of organizations, charts, graphs, indices, advertisements or other promotional material, audited and unaudited financial statements, trade letters, trade publications, newspapers or newsletters, diagrams, photographs, e-mails, electronic or mechanical records, telegrams, telecopies, audiotapes, videotapes, and all other receptacles or repositories housing or containing such Documents, and all other media used to record in any form, information. A draft, annotated or otherwise non-identical copy shall be considered a separate Document within the meaning of this term. “Document” shall also include any removable “Post-It” notes or other attachments affixed to any of the foregoing, as well as the file, folder tabs, and labels appended to or containing any Documents. For purposes of these Discovery Requests,

“Document” includes “electronically stored information”—or ESI—as that term is used in the Pennsylvania Rules of Civil Procedure.

5. If there is any objection or claim of privilege relating to any request, state in full the basis for the objection or claim of privilege, including the facts upon which you rely to support the objection or claim or privilege in sufficient detail to permit the Court to rule on the propriety of the objection or claim of privilege.

6. A request for a document shall be deemed to include a request for the entire document and transmittal sheets, cover letters, exhibits, enclosures, or attachments to the document, in addition to the document itself.

7. In the event that any information is redacted from a document produced pursuant to these Requests, the subject matter of the information withheld and the basis upon which such information is redacted must be furnished.

8. If you contend that any documents responsive to these requests are not reasonably accessible or would be unduly burdensome to locate and/or produce, identify such documents by category and source and provide detailed information regarding the burden or cost you claim is associated with the search for or production of such documents.

9. If any document requested herein was, but no longer is, in your possession, custody, or control, state what disposition was made of such document, why, and include the date and place of disposition and the person(s) who disposed of the document.

10. If any document responsive to these Requests has been destroyed, the response hereto shall describe in detail the circumstances of such destruction, including the date of destruction and the names and titles of all persons who participated in the destruction, and any documents related to such destruction are hereby requested to be produced.

11. If no documents are responsive to a particular request, state that no responsive documents exist.

Requests for Production of Documents

1. Produce all documents related to the Property, including but not limited to any inspections, sampling or testing done on the Property.

2. Produce all documents related to Bryan Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

3. Produce all documents related to Ryan Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

4. Produce all documents related to Hunter Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

5. Produce all documents related to Colton Latkanich, including but not limited to communications with him, and any examination, testing, or sampling done with or on him.

6. Produce all documents related to any communications with any third parties regarding the Latkanich Property or its residents.

7. Produce all documents related to any news report, article, documentary, or broadcast involving the Latkanich Property or its residents. This request includes, but is not limited to, documents related to David Templeton and Don Hopey, *The Human Toll Part 2 – The Industry Says Otherwise, but Studies Identify Specific Harms that Shale Gas Pollution Can Cause for Fetuses, Newborns, Children, and Teenagers* (July 2019).

Certificate of Compliance

To the Pittsburgh Post-Gazette:

You are required to complete the following Certificate of compliance when producing documents or things pursuant to the Subpoena.

CERTIFICATE OF COMPLIANCE
WITH SUBPOENA TO PRODUCE DOCUMENTS
OR THINGS
PURSUANT TO RULE 4009.23

I, _____, certify to the best of my knowledge, information and belief that all documents or things required to be produced pursuant to the subpoena issued on _____, 2023 have been produced.

Date: _____

Representative of the Pittsburgh Post-Gazette

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **NOTICE OF INTENT TO SERVE SUBPOENA ON PITTSBURGH POST-GAZETTE** was served upon counsel via electronic mail, this 3rd day of February, 2023.

Marc T. Valentine, Esq.
MARC T. VALENTINE & ASSOCIATES
The Rubicon Building
118 North Center Ave
Somerset, PA 15501
marcvaltax@gmail.com

Counsel for Plaintiff

Babst, Calland, Clements & Zomnir, P.C.

By:  _____

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*


CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **CERTIFICATE PREREQUISITE TO SERVICE OF SUBPOENA** was served upon counsel via electronic mail, this 13th day of June, 2023.

Lisa Johnson, Esquire
PA I.D. No. 200101
Lisa Johnson & Associates
1800 Murray Ave., #81728
Pittsburgh, PA 15217
lisa@lajteam.com

*Counsel for Plaintiffs Bryan Latkanich, Hunter Latkanich,
Colton Latkanich, and Ryan Latkanich*

Babst, Calland, Clements and Zomnir, P.C.

By: 

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**CERTIFICATE PREREQUISITE TO
SERVICE OF SUBPOENA TO
PRODUCE DOCUMENTS TO WTAE-TV
PURSUANT TO RULE 4009.25**

Served on Behalf of Defendants:
CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa. ID No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
Pa. ID No. 315845
jsnyder@babstcalland.com
Edward D. Phillips
Pa. ID No. 322402
ephillips@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.
Firm #812
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

Dated: June 13, 2023

Respectfully submitted,

BABST, CALLAND, CLEMENTS and ZOMNIR,
PC.



Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

EXHIBIT A

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**NOTICE OF INTENT TO SERVE
SUBPOENA ON WTAE-TV**

Served on Behalf of Defendants:
CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa I.D. No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
Pa. ID No. 315845
jsnyder@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.
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Two Gateway Center, 6th Floor
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Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

Joshua S. Snyder, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

COUNTY OF WASHINGTON

Bryan Latkanich, et al.

v.

Chevron Corp., et al.

:
:
: FILE NO. 2022-6006
:
:

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: WTAE - TV
(Name of Person or Entity).

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: See Exhibit A attached

at 603 Starwix St, 6th Floor, Pittsburgh, PA 15222; or electronically to jsnyder@babstcalland.com
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Joshua Snyder
ADDRESS: 603 Starwix St, 6th Floor
Pittsburgh, PA 15222
TELEPHONE: 412-394-6556
SUPREME COURT ID # 315845
ATTORNEY FOR: Chevron & EISST Defendants

BY THE COURT:

Laura H. Hough

LAURA H. HOUGH, PROTHONOTARY
MY TERM EXPIRES FIRST MONDAY IN JANUARY 2024

Tina White
DEPUTY

Date: _____
Seal of the Court

relevant in any way to the specified subject within the meaning of Rule 4003.1 of the Pennsylvania Rules of Civil Procedure.

4. "Document" shall extend to the fullest scope provided for under Rule 4009.1 of the Pennsylvania Rules of Civil Procedure and shall include, without limitation, all written or graphic matter or any other means of preserving thought or expression of every type and description regardless of origin or location, whether written, recorded, transcribed, taped, punched, filmed, microfilmed, or in any other way produced, reproduced or recorded, and including but not limited to: originals, drafts, computer-stored and computer-retrievable information, copies or duplicates that are marked with any notation or annotation, copies or duplicates that differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendar notes, computer printouts, computer disks, CD-ROMs, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements of employees, requisitions, manuals or guidelines, audit workpapers, financial analyses, tables of organizations, charts, graphs, indices, advertisements or other promotional material, audited and unaudited financial statements, trade letters, trade publications, newspapers or newsletters, diagrams, photographs, e-mails, electronic or mechanical records, telegrams, telecopies, audiotapes, videotapes, and all other receptacles or repositories housing or containing such Documents, and all other media used to record in any form, information. A draft, annotated or otherwise non-identical copy shall be considered a separate Document within the meaning of this term. "Document" shall also include any removable "Post-It" notes or other attachments affixed to any of the foregoing, as well as the file, folder tabs, and labels appended to or containing any Documents. For purposes of these Discovery Requests,

“Document” includes “electronically stored information”—or ESI—as that term is used in the Pennsylvania Rules of Civil Procedure.

5. If there is any objection or claim of privilege relating to any request, state in full the basis for the objection or claim of privilege, including the facts upon which you rely to support the objection or claim or privilege in sufficient detail to permit the Court to rule on the propriety of the objection or claim of privilege.

6. A request for a document shall be deemed to include a request for the entire document and transmittal sheets, cover letters, exhibits, enclosures, or attachments to the document, in addition to the document itself.

7. In the event that any information is redacted from a document produced pursuant to these Requests, the subject matter of the information withheld and the basis upon which such information is redacted must be furnished.

8. If you contend that any documents responsive to these requests are not reasonably accessible or would be unduly burdensome to locate and/or produce, identify such documents by category and source and provide detailed information regarding the burden or cost you claim is associated with the search for or production of such documents.

9. If any document requested herein was, but no longer is, in your possession, custody, or control, state what disposition was made of such document, why, and include the date and place of disposition and the person(s) who disposed of the document.

10. If any document responsive to these Requests has been destroyed, the response hereto shall describe in detail the circumstances of such destruction, including the date of destruction and the names and titles of all persons who participated in the destruction, and any documents related to such destruction are hereby requested to be produced.


CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **CERTIFICATE PREREQUISITE TO SERVICE OF SUBPOENA** was served upon counsel via electronic mail, this 13th day of June, 2023.

Lisa Johnson, Esquire
PA I.D. No. 200101
Lisa Johnson & Associates
1800 Murray Ave., #81728
Pittsburgh, PA 15217
lisa@lajteam.com

*Counsel for Plaintiffs Bryan Latkanich, Hunter Latkanich,
Colton Latkanich, and Ryan Latkanich*

Babst, Calland, Clements and Zomnir, P.C.

By: 

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**CERTIFICATE PREREQUISITE TO
SERVICE OF SUBPOENA TO
PRODUCE DOCUMENTS TO WEST
VIRGINIA PUBLIC BROADCASTING
FOUNDATION, INCORPORATED
PURSUANT TO RULE 4009.25**

Served on Behalf of Defendants:
CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa. ID No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
Pa. ID No. 315845
jsnyder@babstcalland.com
Edward D. Phillips
Pa. ID No. 322402
ephillips@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.
Firm #812
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,	)	CIVIL DIVISION
HUNTER LATKANICH,)	
COLTON LATKANICH, and	)	Case No. 2022-6006
RYAN LATKANICH, a minor by and)	
through natural guardian BRYAN)	
LATKANICH,)	
)	
Plaintiffs,)	
)	
v.)	
)	
CHEVRON CORP., CHEVRON U.S.A.)	
INC., CHEVRON APPALACHIA, LLC,)	
EQT CORP., EQT PRODUCTION)	
COMPANY, EQT PRODUCTION)	
MARCELLUS, EQT CHAP LLC, and JOHN)	
DOE DEFENDANTS,)	

Defendants.

CERTIFICATE PREREQUISITE TO SERVICE OF SUBPOENA

As a prerequisite to service of subpoenas for documents and things pursuant to Pa. R. Civ. P. 4009.22, Defendants Chevron U.S.A. Inc., Chevron Appalachia, LLC, EQT Corp., EQT Production Company, EQT Production Marcellus, and EQT CHAP LLC (collectively, “Defendants”), by and through their undersigned counsel, certify that:

- (1) A notice of intent to serve the subpoena with a copy of the subpoena attached thereto was delivered to each party at least twenty days prior to the date on which the subpoena is sought to be served,
- (2) A copy of the notice of intent, including the proposed subpoena, is attached to this certificate,
- (3) No objection to the subpoena has been received, and
- (4) The subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.

Dated: June 13, 2023

Respectfully submitted,

BABST, CALLAND, CLEMENTS and ZOMNIR,
PC.



Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

EXHIBIT A

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA**

BRYAN LATKANICH,
HUNTER LATKANICH,
COLTON LATKANICH, and
RYAN LATKANICH, a minor by and
through natural guardian BRYAN
LATKANICH,

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT
CORP., EQT PRODUCTION COMPANY,
EQT PRODUCTION MARCELLUS, EQT
CHAP LLC, and JOHN DOE
DEFENDANTS,

Defendants.

CIVIL DIVISION

Case No. 2022-6006

**NOTICE OF INTENT TO SERVE
SUBPOENA ON WEST VIRGINIA
PUBLIC BROADCASTING
FOUNDATION, INCORPORATED**

Served on Behalf of Defendants:

CHEVRON U.S.A. INC., CHEVRON
APPALACHIA, LLC, EQT CORP., EQT
PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, and EQT
CHAP LLC

Counsel of Record for this Party:

Kathy K. Condo
Pa. ID No. 34910
kcondo@babstcalland.com
Mark K. Dausch, Esquire
Pa I.D. No. 205621
mdausch@babstcalland.com
Joshua S. Snyder
Pa. ID No. 315845
jsnyder@babstcalland.com

BABST, CALLAND, CLEMENTS
and ZOMNIR, P.C.
Firm #812
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
(412) 394-5400 – Phone
(412) 394-6576 – Fax

Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
412.394.5400

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

COUNTY OF WASHINGTON

Bryan Latkanich, et al.

v.

Chevron Corp., et al.

:
:
: FILE NO. 2022-~~1000~~ 6006
:
:

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: West Virginia Public Broadcasting
(Name of Person or Entity).

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: See Exhibit A attached

at 603 Stanwix St, 6th floor, Pittsburgh, PA 15222; or electronically to jsnyder@bobitcailand.com
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Joshua Snyder
ADDRESS: 603 Stanwix St, 6th floor
Pittsburgh, PA 15222
TELEPHONE: 412-394-6556
SUPREME COURT ID # 315 845
ATTORNEY FOR: Chevron & EQT Defendants

BY THE COURT:

Laura H. Hough

LAURA H. HOUGH, PROTHONOTARY
MY TERM EXPIRES FIRST MONDAY IN JANUARY 2024

Jina Whitbeck

DEPUTY

Date: _____
Seal of the Court

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **CERTIFICATE PREREQUISITE TO SERVICE OF SUBPOENA** was served upon counsel via electronic mail, this 13th day of June, 2023.

Lisa Johnson, Esquire
PA I.D. No. 200101
Lisa Johnson & Associates
1800 Murray Ave., #81728
Pittsburgh, PA 15217
lisa@lajteam.com

*Counsel for Plaintiffs Bryan Latkanich, Hunter Latkanich,
Colton Latkanich, and Ryan Latkanich*

Babst, Calland, Clements and Zomnir, P.C.

By: 

Kathy K. Condo, Esquire
Mark K. Dausch, Esquire
Joshua S. Snyder, Esquire
Edward D. Phillips, Esquire

*Counsel for Defendants Chevron Corporation,
Chevron U.S.A. Inc., Chevron Appalachia, LLC,
EQT Corp., EQT Production Company, EQT
Production Marcellus, and EQT CHAP LLC*

EXHIBIT B TO MOTION TO QUASH

Paula Knudsen Burke (No. 87607)
REPORTERS COMMITTEE
FOR FREEDOM OF THE PRESS
Lancaster, PA 17608
PO Box 1328
(717) 370-6884
pknudsen@rcfp.org

Counsel for Neela Banerjee

BRYAN LATKANICH
HUNTER LATKANICH
COLTON LATKANICH
RYAN LATKANICH, a minor by and through
natural guardian BRYAN LATKANICH

Plaintiffs,

v.

CHEVRON CORP., CHEVRON U.S.A. INC.,
CHEVRON APPALACHIA, LLC, EQT CORP.,
EQT PRODUCTION COMPANY, EQT
PRODUCTION MARCELLUS, EQT CHAP
LLC, and JOHN DOE,

Defendants.

IN THE COURT OF COMMON PLEAS
OF WASHINGTON COUNTY

No. 2022-6006

**NON-PARTY'S OBJECTIONS TO
DEFENDANTS' NOTICE OF INTENT TO SERVE SUBPOENA
UPON NEELA BANERJEE**

Non-party journalist, Neela Banerjee ("Ms. Banerjee"), by and through her undersigned counsel, hereby respectfully objects to service of the attached subpoena pursuant to Pennsylvania Rule of Civil Procedure 4009.21(c).

BACKGROUND

1. On September 7, 2022, Plaintiffs issued a summons in the above-captioned action.
2. On October 28, 2022, Plaintiffs filed a complaint in the above-captioned action.
3. On December 16, 2022, Defendants filed preliminary objections to the complaint.

4. On January 26, 2023, Bryan Latkanich, Hunter Latkanich, Colton Latkanich, and minor Ryan Latkanich, by and through his guardian, Bryan Latkanich (the “Plaintiffs”), filed an amended complaint (the “Latkanich lawsuit”) against Chevron Corp., Chevron USA Inc., Chevron Appalachia, LLC, Chevron North American Exploration and Production Company and EQT Corp., EQT Production Company, EQT Production Marcellus, and EQT Chap LLC, and John Doe (the “Defendants”).

5. The Latkanich lawsuit claims Defendants’ fossil fuel operations have caused environmental contamination and pollution, which resulted in Plaintiffs being exposed to “chemicals, industrial wastes, PFAS, and radioactive wastes and caused damage to Plaintiffs’ property and the natural resources of the environment, causing health injuries, loss of use and enjoyment of the property, loss of quality of life, emotional distress, and other damages.” *See* Am. Compl. ¶¶ 1–3.

6. Journalists throughout Pennsylvania and beyond have been reporting on the fossil fuel industry in the state for years, including the oil and gas industry. In-depth reporting on the oil and gas industry helps hold companies and elected officials accountable and keeps residents informed about potential threats to their communities’ safety and wellbeing.

7. Neela Banerjee is one of the journalists who has covered Pennsylvania’s oil and gas industry.

8. On November 16, 2017, Ms. Banerjee published an investigative piece in the Brooklyn-based nonprofit, nonpartisan news outlet Inside Climate News. The article, *Industrial Strength: How the U.S. Government Hid Fracking’s Risks to Drinking Water* (the “Inside Climate Article”), discusses, among other things, Chevron Appalachia’s dealings with Bryan Latkanich, the

hydraulically fractured wells on Latkanich’s property, and whether hydraulic fracturing may have affected Latkanich’s drinking water.

9. The Inside Climate Article also discusses the health problems that Bryan Latkanich and his son, Ryan Latkanich, experienced after Chevron Appalachia hydraulically fractured wells on their property.

10. On December 5, 2017, *The Dallas Morning News* published a version of the Inside Climate Article, entitled *Has Fracking Tainted Your Water? Scientists Say EPA Safety Study was Censored* (the “Dallas Morning News Article”), which discusses substantially the same topics as the Inside Climate Article.

11. On February 3, 2023, Defendants served via email a NOTICE OF INTENT TO SERVE SUBPOENA ON NEELA BANERJEE (“Notice of Intent”) upon counsel for Plaintiffs. A true and correct copy of the Notice of Intent, and the attendant proposed subpoena for documents (the “Proposed Subpoena”), is attached as “**Exhibit 1.**”

12. The Proposed Subpoena demands seven categories of documents, including materials pertaining to Ms. Banerjee’s newsgathering methods for the Inside Climate Article and the Dallas Morning News Article.

LEGAL STANDARDS

13. Under Pennsylvania law, “a party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action.” Pa. R. Civ. P. 4003.1. “[N]o discovery shall be permitted which is beyond the scope of [Rule 4003.1].” *See Lloyd v. Pa. Med. Prof’l Liab. Catastrophe Loss Fund*, 821 A.2d 1230, 1236 (Pa. 2003) (holding that the trial court properly denied discovery that were “not relevant”). “No discovery, including discovery of electronically stored information, shall be permitted which (a) is sought in bad faith;

[or] (b) would cause unreasonable annoyance, embarrassment, oppression, burden or expense to the deponent or any person or party[.]” Pa. R. Civ. P. 4011(a)-(b).

14. Pennsylvania Rule of Civil Procedure 4009.21(a) provides specific rules for discovery via subpoena when the person from whom production is sought is not a party to the action.

15. In this case, Ms. Banerjee is not a party to the action; instead, she is a reporter who covers environmental issues in Pennsylvania and beyond.

16. Ms. Banerjee’s status as a reporter brings with it special protections under both the Pennsylvania Shield Law and the First Amendment reporter’s privilege.

17. The Pennsylvania Supreme Court has assumed that Pennsylvania recognizes a First Amendment reporter’s privilege. *Commonwealth v. Bowden*, 838 A.2d 740, 753 n.10 (Pa. 2003). This privilege is crucial and exists to “promote the free flow and exchange of ideas and information to the news media,” which is “essential to the existence of a democratic republic.” *Castellani v. Scranton Times, L.P.*, 916 A.2d 648, 653 (Pa. Super. Ct. 2007) (citing to *Hatchard v. Westinghouse Broad. Co.*, 532 A.2d 346, 350 (Pa. 1987)). In evaluating that privilege, a court “must balance on one hand the policies which give rise to the privilege and their applicability to the facts at hand against the needs for the evidence sought to be obtained in the case at hand.” *Id.* at 754. The party that is seeking to overcome this privilege must show that: (1) it has made an effort to obtain the information from other sources; (2) the information is only accessible through the reporters and their sources; and (3) the information is crucial to the case.” *Id.* at 752. The First Amendment privilege applies to all information, including published information. The privilege protects reporters from having to testify to verify the accuracy of published material. *McMenamin v. Tartaglione*, 590 A.2d 802, 811 (Pa. Commw. 1991) (where, based on First Amendment, court refused to compel reporter’s testimony to verify that candidate made statements at press conference

that were part of a television news report), *aff'd without op.*, 590 A.2d 753 (Pa. 1991); *see also Commonwealth v. Farley*, 27 Med. L. Rep. 1544 (Jefferson Cty. C.C.P. Jan. 12, 1999) (quashing subpoena and holding that First Amendment reporter's privilege applies to published material sought by the Commonwealth).

18. Pursuant to the Pennsylvania Shield Law, no individual who is “engaged on, connected with, or employed by any newspaper of general circulation or any press association or any radio or television station, or any magazine of general circulation, for the purpose of gathering, procuring, compiling, editing or publishing news, shall be required to disclose the source of any information procured or obtained by such person, in any legal proceeding, trial or investigation before any government unit.” 42 Pa. Cons. Stat. § 5942(a). This law creates an absolute privilege for “confidential source’s identity, or any information which could expose the source’s identity.” *Castellani v. Scranton Times, L.P.* 956 A.2d 937, 954 (Pa. 2008). The Shield Law aims to maintain the “free flow of information to members of the news media.” *Bowden*, 838 A.2d at 750.

OBJECTIONS

19. The Proposed Subpoena should be quashed because its demands are vague, unduly burdensome, and overbroad.

20. The Proposed Subpoena should be quashed because Defendants can obtain the requested information from other sources, and cannot, therefore, overcome the reporter’s privilege.

21. The Proposed Subpoena should be quashed because Defendants are seeking information that could expose the identity of confidential sources, which Ms. Banerjee is not required to disclose under the Pennsylvania Shield Law.

22. Demand 1 is vague, unduly burdensome, and overbroad because it seeks “inspections” “sampling” and “testing” done on the property; it is not clear (a) what types of inspections are being sought, (2) what sampling means, or (c) what type of testing is being sought.

23. Demands 2, 3, 4, and 5 are vague, unduly burdensome, and overbroad because they seek “any examination, testing, or sampling done” without defining or clarifying: (a) what type of examination is being sought (b) what type of testing is being sought; and (c) what is meant by sampling.

24. Demands 1, 2, 3, 4, 5, 6, and 7 are vague, unduly burdensome, and overbroad for the additional reason that they place no temporal limit on Defendants’ request for documents.

25. Demands 1, 2, 3, 4, 5, 6, and 7 are unduly burdensome because they seek information from a non-party journalist, which can be obtained from different sources, including parties to the litigation, who have access to the information.

26. Demand 7 is overbroad and unduly burdensome because it seeks information that could reveal the identities of a confidential source, protected by the Pennsylvania Shield Law.

27. The Proposed Subpoena is a bad faith attempt to harass and burden Ms. Banerjee by imposing discovery demands on her and forcing her to produce documents gathered in connection to her reporting, including information that could reveal confidential sources. This can have a damaging, chilling impact on the free flow and exchange of ideas between Ms. Banerjee, a member of the news media, and sources, thus thwarting the very important purpose of the Pennsylvania Shield Law and the reporter’s privilege.

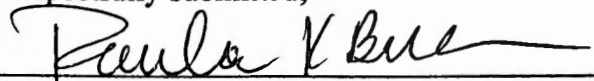
28. The Defendants have not and cannot demonstrate that the information sought is crucial to the case. In addition, Defendants have no grounds to claim that the information is unavailable from other sources where the case is only in its in its initial stages of party discovery.

29. For all the reasons set forth herein, Ms. Banerjee objects to the proposed subpoena in its entirety pursuant to Pennsylvania Rule of Civil Procedure 4009.21(c).

30. In light of these Objections, the proposed subpoena shall not be served as stated in Rule 4009.21(d)(1).

Dated: February 22, 2023

Respectfully submitted,



Paula Knudsen Burke (No. 87607)

REPORTERS COMMITTEE

FOR FREEDOM OF THE PRESS

Lancaster, PA 17608

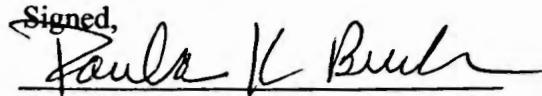
PO Box 1328

(717) 370-6884

pknudsen@rcfp.org

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Signed,


Paula Knudsen Burke
PA Bar No. 87607
February 22, 2023

CERTIFICATE OF SERVICE

I certify that I have served the foregoing OBJECTIONS TO THE NOTICE OF INTENT TO SERVE SUBPOENA ON NEELA BANEJREE on the following persons by the method and on the date indicated below:

By email

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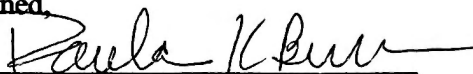
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Signed,

A handwritten signature in cursive script, appearing to read "Paula Knudsen Burke", written over a horizontal line.

Paula Knudsen Burke

PA Bar No. 87607

February 22, 2023