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ONE HUNDRED NINTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074
FACSIMILE (202) 225-3974
MINORITY (202) 225-5051
TTY (202) 225-6852

<http://reform.house.gov>

March 18, 2005

HENRY A. WAXMAN, CALIFORNIA
RANKING MINORITY MEMBER

TOM LANTOS, CALIFORNIA
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ELEANOR HOLMES NORTON,
DISTRICT OF COLUMBIA

BERNARD SANDERS, VERMONT.
INDEPENDENT

Mr. Michael Schiavo
c/o Frank Felos, Esq.
Felos and Felos, PA
595 Main Street
Dunedin, FL 34698


Dear Mr. Schiavo:

Attached please find a subpoena to testify and produce things, including hydration and nutrition equipment related to the care of Theresa Schiavo, on Friday, March 25, 2005 at 10:00 a.m., at the Hospice of the Florida Suncoast for the Committee on Government Reform. The subpoena requires that you maintain the equipment in its current operating state, subject only to routine and necessary maintenance.

The Committee has initiated an inquiry into the long term care of incapacitated adults, an issue of growing importance to the federal government and federal healthcare policy. The hearing will review the treatment options provided to incapacitated patients to advance the quality of life by examining the procedures, practices, methods, and equipment used by health care professionals. Additionally, the Committee will examine nutrition and hydration which incapacitated patients receive as part of their care. Further, the Committee seeks to understand the issues raised by the legislative proposals contained in H.R. 1332, Protection of Incapacitated Persons Act of 2005 and S. 539, Incapacitated Persons Legal Protection Act of 2005. Your testimony regarding the treatment provided to Theresa Schiavo would be central to the Committee's understanding of these matters.

Thank you in advance for your participation in this important hearing. If you have any questions regarding this hearing, please contact the Committee at (202) 225-5074.

Sincerely,


Tom Davis
Chairman

cc: The Honorable Henry A. Waxman
Minority Ranking Member

SUBPOENA

**BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE
CONGRESS OF THE UNITED STATES OF AMERICA**

To Michael Schiavo

You are hereby commanded to be and appear before the Committee on Government Reform

of the House of Representatives of the United States at the place, date and time specified below.

- to testify touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: Hospice of the Florida Suncoast, 6774 102nd Avenue, Pinellas Park, FL 33782

Date: March 25, 2005

Time: 10:00 AM

- to produce the things identified on the attached schedule touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: Hospice of the Florida Suncoast, 6774 102nd Avenue, Pinellas Park, FL 33782

Date: March 25, 2005

Time: 10:00 AM

To U.S. Marshals Service or any authorized staff member

_____ to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States,
at the city of Washington, this 18 day of March, 2005.

Attest:

[Signature]
Clerk

[Signature]
Chairman or Authorized Member

PROOF OF SERVICE

Subpoena for Michael Schiavo

Address Felos and Felos, PA 595 Main Street, Dunedin, FL 34698

before the Committee on Government Reform

*U.S. House of Representatives
109th Congress*

Served by (print name) _____

Title _____

Manner of service _____

Date _____

Signature of Server _____

Address _____

SCHEDULE

All medical and other equipment that provides nutrition and hydration to Theresa Schiavo -- in its current and continuing state of operations -- and all data, information, and records relating to the functioning of such medical and other equipment, subject only to such routine and necessary maintenance as is necessary to ensure its continued proper functioning to provide such nutrition and hydration to Theresa Schiavo.

SCHEDULE INSTRUCTIONS

1. In complying with this subpoena, you are required to produce all responsive things that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You are also required to produce things that you have a legal right to obtain, that you have a right to access, as well as things that you have placed in the temporary possession, custody, or control of any third party.
2. No things , including those things reflecting data, information, or records called for by this request shall be destroyed, modified, removed, transferred, disconnected, discontinued, or otherwise made inaccessible to the Committee, except as otherwise permitted under the schedule.
3. In the event that any entity, organization or individual denoted in this subpoena has been, or is also known by any other name than that herein denoted, the subpoena shall be read also to include them under that alternative identification.
4. This request is continuing in nature and applies to any newly-deployed things required for the continued hydration and nutrition of Theresa Schiavo.

SCHEDULE

All medical and other equipment that provides nutrition and hydration to Theresa Schiavo -- in its current and continuing state of operations -- and all data, information, and records relating to the functioning of such medical and other equipment, subject only to such routine and necessary maintenance as is necessary to ensure its continued proper functioning to provide such nutrition and hydration to Theresa Schiavo.

SCHEDULE INSTRUCTIONS

1. In complying with this subpoena, you are required to produce all responsive things that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You are also required to produce things that you have a legal right to obtain, that you have a right to access, as well as things that you have placed in the temporary possession, custody, or control of any third party.
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3. In the event that any entity, organization or individual denoted in this subpoena has been, or is also known by any other name than that herein denoted, the subpoena shall be read also to include them under that alternative identification.
4. This request is continuing in nature and applies to any newly-deployed things required for the continued hydration and nutrition of Theresa Schiavo.

Definitions for Schedule

1. "Continued" and "continuing" means ongoing and without interruption of operations, so as to permit the Committee to observe and examine the operation of the things subpoenaed as and while they provide nutrition and hydration to Theresa Schiavo.
2. The terms "and" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this subpoena any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.
3. The terms "person" or "persons" means natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, and other units thereof.
4. The terms "referring or relating," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is in any manner whatsoever pertinent to that subject.

TOM DAVIS, VIRGINIA
CHAIRMAN

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MARYLAND
BRIAN HIGGINS, NEW YORK
ELEANOR HOLMES NORTON,
DISTRICT OF COLUMBIA

BERNARD SANDERS, VERMONT.
INDEPENDENT

Mrs. Theresa Marie Schiavo
The Hospice of the Florida Suncoast
6774 102nd Avenue
Pinellas Park, FL 33782

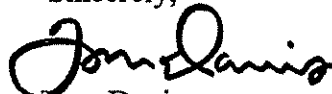
Dear Mrs. Schiavo:

Attached please find a subpoena to appear on Friday, March 25, 2005 at 10:00 a.m., at the Hospice of the Florida Suncoast for the Committee on Government Reform.

The Committee has initiated an inquiry into the long term care of incapacitated adults, an issue of growing importance to the federal government and federal healthcare policy. The hearing will review the treatment options provided to incapacitated patients to advance the quality of life by examining the procedures, practices, methods, and equipment used by health care professionals. Additionally, the Committee will examine nutrition and hydration which incapacitated patients receive as part of their care. Further, the Committee seeks to understand the issues raised by the legislative proposals contained in H.R. 1332, Protection of Incapacitated Persons Act of 2005 and S. 539, Incapacitated Persons Legal Protection Act of 2005. Your appearance at the hearing would be central to the Committee's understanding of these matters.

Thank you in advance for your participation in this important hearing. If you have any questions regarding this hearing, please contact the Committee at (202) 225-5074.

Sincerely,


Tom Davis
Chairman

cc: The Honorable Henry A. Waxman
Minority Ranking Member

SUBPOENA

**BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE
CONGRESS OF THE UNITED STATES OF AMERICA**

To Theresa Marie Schiavo

You are hereby commanded to be and appear before the Committee on Government Reform

of the House of Representatives of the United States at the place, date and time specified below.

- to testify touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: Hospice of the Florida Suncoast, 6774 102nd Avenue, Pinellas Park, FL 33782

Date: March 25, 2005

Time: 10:00 AM

- to produce the things identified on the attached schedule touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: _____

Date: _____

Time: _____

To U.S. Marshals Service or any authorized staff member

_____ to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States,
at the city of Washington, this 18 day of March, 2005.

Attest:

[Signature]
Clerk

[Signature]
Chairman or Authorized Member