

THE CENTER FOR DISCOVERY

SUBJECT: Subpoenas Policy

MANUAL: Corporate Compliance Program

SECTION: Section 7

Purpose:

A subpoena is an official demand for testimony or the disclosure of documents or other information. They may originate from law enforcement or administrative agencies. Every subpoena requires a careful legal review prior to response. In view of this and the serious legal implications of the receipt of a subpoena, The Center for Discovery (“TCFD”) has established standing policies and procedures to ensure that legal counsel reviews any subpoena immediately and coordinates the Organization’s response.

Policy:

It is the policy of TCFD to comply with any lawful subpoena. Employees will remain courteous and professional when dealing with investigators or agents delivering a subpoena. No one is to impede in any way efforts to deliver a subpoena.

This Policy refers only to subpoenas related to TCFD business matters.

Procedures:

1. Employees will remain courteous and professional when dealing with investigators or agents delivering a subpoena. No one is to impede in any way efforts to deliver a subpoena.
2. If a subpoena related to TCFD business is received, either in person or via the mail, it must be delivered immediately to the Chief Executive Officer.
3. If delivered in person, the senior staff on duty must be provided with any information obtained during the service of the subpoena (e.g., the name, title, and telephone number of the serving agent/investigator, information provided by the agent/investigator).
4. Employees will only provide the agent/investigator with direction or information so they may deliver the subpoena to the appropriate or requested individual. Do not volunteer information to an agent/investigator or submit to any form of questioning or interviewing.
5. The Chief Executive Officer shall be immediately notified of the receipt or delivery of a subpoena. The Chief Executive Officer will promptly notify the Corporate Compliance Officer (“CCO”) and determine who is most qualified and available to assist legal counsel in responding to the subpoena.
6. The Chief Executive Officer and CCO will await direction from legal counsel and then proceed under such direction.

ORIGINAL DATE: 09/02/11

SUPERSEDES:

09/02/11, 10/01/14, 06/05/18

REVISION: 4 DATE: 04/18/24

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Sanction Statement: Non-compliance with this policy may result in disciplinary action, up to and including termination.

Compliance Statement: As part of its ongoing auditing and monitoring process in its Corporate Compliance Program, TCFD will review this policy based on changes in the law or regulations, as TCFD's practices change, and, at minimum, on an annual basis. Additionally, this policy will be tested for effectiveness on an annual basis or more frequently as identified in accordance with TCFD's Corporate Compliance Program. Testing will include but is not limited to ensuring that the policy is appropriately followed; the policy is effective; the policy has been disseminated to all affected individuals, as well as notified of any updates or changes.

Tracking of the criteria above and results of this testing will be completed by the CCO, or designee. Additionally, results will be reported to the Corporate Compliance Committee and Governing Body on a regular basis.

Record Retention Statement: TCFD will retain this policy and all subsequent revisions, and any related documentation will be retained for a period of, at minimum, six years.

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