

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

In Re 2025 UPMC Subpoena

Civil Action No. 2:25-mc-01069 A. et al

MOTION TO QUASH SUBPOENA DUCES TECUM

1. Upon information and belief, in or around June of 2025, an administrative Subpoena was issued by Requester, The United States of America Department of Justice (“Requester”), upon Respondent, University of Pittsburgh Medical Center (“Respondent” or “UPMC”), pursuant to 18 U.S.C. § 3486. The presence of such Subpoena has been publicly reported and confirmed by counsel for UPMC.

2. Upon information and belief, the Subpoena issued to UPMC is identical or substantially similar to the subpoenas issued to Children’s Hospital of Philadelphia and Boston Children’s Hospital.¹

3. Movants are patients and former patients who received gender-affirming care from UPMC, along with their parents. Upon information and belief, the Subpoena seeks Movants’ identities and medical records and the intimate personal details therein. In requesting such records, the Subpoena violates the privacy rights of patients and their parents. The Requester also issued the Subpoena for an improper purpose.

¹ See In Re: Subpoena No. 25-1431-014, 2:25-mc-00039 (E.D. Pa. July 8, 2025), Dkt. No. 1; In Re: Administrative Subpoena No. 25-1431-019, 1:25-mc-91324 (D. Mass. July 8, 2025), Dkt. No. 5-1.

4. Movants hereby move this Court for an order quashing requests for patient records demanded in the Subpoena, more specifically identified below. Movants seek to quash the Subpoena as to the following requests:

- a. Request 11: “Documents sufficient to identify each patient (by name, date of birth, social security number, address, and parent/guardian information) who was prescribed puberty blockers or hormone therapy.”
- b. Request 12: “For each such patient identified in Subpoena [Request 11], documents relating to the clinical indications, diagnoses, or assessments that formed the basis for prescribing puberty blockers or hormone therapy.”
- c. Request 13: “All documents relating to informed consent, patient intake, and parent or guardian authorization for minor patients identified in [Request 11], including any disclosures about off-label use (i.e., uses not approved by the United States Food and Drug Administration) and potential risks.”²
- d. Any and all other Requests enumerated in the Subpoena (Request 1 through Request 15) to the extent that such Requests or sub-Requests call for the production of the identities or health information of patients and their parents or guardians.

5. In support of this Motion, Movants incorporate an accompanying memorandum of law and declarations.

WHEREFORE, Movants respectfully request that this Court quash the Subpoena as requested in this motion.

² *In Re: Subpoena No. 25-1431-014*, 2:25-mc-00039 (E.D. Pa. July 8, 2025), Dkt. No. 1 at 40–41.

Dated: September 24, 2025

By: /s/ Jill Steinberg
Jill Steinberg* (PA 82127)
J. Chesley Burruss* (PA 331521)
Kevin M. Hayne* (NY 5967526)
Elizabeth A. Lilly* (PA 336185)
BALLARD SPAHR LLP
1735 Market Street, 51st Floor
Philadelphia, PA 19103
215-665-8500
steinbergj@ballardspahr.com
burrussc@ballardspahr.com
haynek@ballardspahr.com
lillye@ballardspahr.com

By: /s/ Alison Gutierrez
Rachael L. Dizard (PA 315482)
Alison Gutierrez (PA 330738)
FOX ROTHSCHILD LLP
Six PPG Place
Suite 1000
Pittsburgh, PA 15222
RDizard@foxrothschild.com
agutierrez@foxrothschild.com

Respectfully submitted,

By: /s/ Mary M. McKenzie
Mary M. McKenzie* (PA 47434)
Daniel Urevick-Ackelsberg* (PA 307758)
Meghan Binford* (PA 321212)
Olivia Mania* (PA 336161)
PUBLIC INTEREST LAW CENTER
2 Penn Center
1500 JFK Blvd., Suite 802
Philadelphia, PA 19102
267-546-1316
mmckenzie@pubintl.org
dackelsberg@pubintl.org
mbinford@pubintl.org
omania@pubintl.org

Counsel for Movants
**Pro hac vice forthcoming*