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Attorneys for Montclair Board of Education
Our File No. MBOE-146
697730_2

IN THE MATTER OF THE
INVESTIGATION OF JOHN DOE(S) and/or
JANE DOE(S), STAFF MEMBER(S) IN THE
MONTCLAIR PUBLIC SCHOOLS

BEFORE THE MONTCLAIR BOARD OF
EDUCATION, COUNTY OF ESSEX,
STATE OF NEW JERSEY

ADMINISTRATIVE ACTION

SUBPOENA AD TESTIFICANDUM

TO: David Cummings
c/o Montclair Board of Education
22 Valley Road
Montclair, NJ 07042

SIR:

***PURSUANT TO RESOLUTION OF THE MONTCLAIR BOARD OF EDUCATION,
DATED NOVEMBER 1, 2013, DULY AUTHORIZED IN ACCORDANCE WITH N.J.S.A.
18A:6-19 AND 20, DEMAND HEREBY IS MADE*** that you appear to give testimony at the Office
of the Montclair Board of Education, 22 Valley Road, Montclair, New Jersey 07042, on **December
2, 2013 at 10:00 a.m., before Mark A. Tabakin, Esq. (or his designee)** at which time you shall
also produce the following:

- The names, address and telephone numbers of all persons who contacted you via any medium (e-mail, voice, text) or with whom you spoke in person or via phone on Friday, October 25, 2013, regarding or concerning the Montclair Public School District interim assessments (the "Assessments").
- All email communications relating to or concerning the Assessments from or to you from any and all persons between the period from October 8, 2013 to the present.

- A true and complete copy of any and all caller ID records for incoming and outgoing calls to any and all of your cell phones and landlines maintained by you on October 25, 2013, November 11, 2013 and November 12, 2013 to the extent that any such call in any way concerned the business and/or dealings of the Montclair Board of Education and/or the Montclair Public School District;
- All email communications, text messages and/or other forms of written communication relating to or concerning the Assessments by or to you from any and all persons between the period of October 8, 2013 to the present;
- Any and all copies of the Assessments or sample assessments obtained, accepted, received, found, discovered, collected, and/or otherwise acquired by you on or about October 8, 2013 or thereafter.
- A true and complete copy of any and all documents you maintain or which you otherwise control which identify persons communicating with you about Assessments and/or about anything else concerning the Montclair Board of Education and/or the Montclair Public School District at any and all times since October 1, 2013, including but not limited to names, addresses, telephone numbers, email addresses, and/or other identifying information.

Failure to produce appear and/or to produce the requested information as commanded noted may subject you such penalties provided by law potentially including, but not limited to, contempt of court.

WEINER LESNIAK LLP
Attorneys for Montclair Board of Education

By: 
MARK A. TABAKIN, ESQ.

Dated: November 18, 2013

This Subpoena is authorized by the President of the Montclair Board of Education.