

**MOTION REGARDING SUBPOENAS**  
**OFFERED BY MR. STUPAK**

MR. STUPAK moves that the Subcommittee authorize the issuance of subpoenas as follows:

1           (1) Subpoenas ad testificandum, for testimony  
2           touching matters of inquiry committed to the Sub-  
3           committee, to the following:

4                   (A) Douglas Loveland, special agent, Food  
5                   and Drug Administration.

6                   (B) Robert West, special agent, Food and  
7                   Drug Administration.

8                   (C) Robert Ekey, former special agent,  
9                   Food and Drug Administration.

10                   (D) Ann Marie Cisneros.

11           (2) A subpoena duces tecum, to the Secretary  
12           of Health and Human Services, Michael O. Leavitt,  
13           to produce all records, in unredacted form, prepared  
14           for or used in the preparation of the testimony of  
15           the Commissioner of Food and Drugs, Andrew C.  
16           von Eschenbach, before the Committee on Energy  
17           and Commerce on March 22, 2007, by any employee  
18           of the Department of Health and Human Services  
19           (HHS), including, but not limited to—

1           (A) any briefing books and background  
2 memoranda; and

3           (B) all communications between and  
4 among senior staff of the Food and Drug Ad-  
5 ministration (FDA), the FDA Office of Legisla-  
6 tive Affairs, the HHS Office of Legislative Af-  
7 fairs, and the HHS Office of General Counsel,  
8 including communications from the FDA Office  
9 of Chief Counsel to Commissioner von  
10 Eschenbach and his senior staff.