

1 Quarles & Brady LLP  
2 Firm State Bar No. 00443100  
3 One South Church Avenue  
4 Suite 1700  
5 Tucson, Arizona 85701-1621  
6 TELEPHONE 520.770.8700  
7 FACSIMILE 520.623.2418

8 Adriane J. Hofmeyr - State Bar No. 025100  
9 Adriane.Hofmeyr@quarles.com

10 *Attorney for ABC Ambulance, LLC*

11 **BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS**

12 In the Matter of:

13 **RBR Management LLC, dba  
14 Community Ambulance**

15 Applicant.

16 Docket No. 2017-EMS-0104-DHS  
17 (EMS No. 0283)

18 **SUBPOENA DUCES TECUM TO  
19 CHANDLER FIRE, HEALTH &  
20 MEDICAL DEPARTMENT**

21 (Assigned: The Hon. Tammy Eigenheer)

22 To: CHANDLER FIRE, HEALTH & MEDICAL DEPARTMENT,  
23 Custodian of Records  
24 151 E. Boston Street  
25 Chandler, Arizona 85225

26 YOU ARE HEREBY COMMANDED TO PRODUCE for inspection and copying  
27 the documents identified in the attached **Exhibit 1**. Said production shall take place at the  
28 earliest practical time, but in any event no later than seven (7) calendar days after service,  
at the offices of the attorneys for Intervenor ABC Ambulance, LLC.

29 Adriane J. Hofmeyr  
30 Quarles & Brady LLP  
31 One South Church Avenue  
32 Suite 1700  
33 Tucson, Arizona 85701

34 DATED this 22nd day of June, 2018.

35 By:   
36 The Honorable Tammy Eigenheer



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**EXHIBIT 1**

**The following definitions apply for the below items:**

A. "CON" means a Certificate of Necessity required to operate an ambulance service as defined in A.R.S. § 36-2233.

B. "Community Ambulance" refers to RBR Management, LLC, including its managers, members, employees, independent contractors, agents, accountants, bookkeepers and/or attorneys, and includes its parent company, Dignity Health, and any of Dignity Health's managers, members, employees, independent contractors, agents, accountants, bookkeepers and/or attorneys.

C. "Records" are intended to be utilized in the broadest possible sense, and specifically include records or data kept in electronic format, emails, letters, photographs, memos (internal and external), any writing/recording/photograph as defined in the Arizona Rules of Evidence Rule 1001, and any other item, whether in paper/electronic/or other format, containing any information that pertains to the below requests.

D. "Chandler Fire, Health & Medical Department" includes its appointed officials, directors, officers, managers, members, employees, independent contractors, agents, accountants, bookkeepers and/or attorneys.

**PRODUCTION ITEMS**

1. Copies of any and all documents and records reviewed by the author of the attached letter, Thomas Dwiggins, at or about the time he signed the attached letter, and which related to the subject matter of the attached letter.

2. Copies of any and all correspondence (including emails and any attachments thereto) between the Chandler Fire, Health & Medical Department and Community Ambulance regarding Community Ambulance's application for a CON in Arizona.

3. Copies of any and all drafts of the attached letter, including copies of any emails to which such drafts were attached.

4. Copies of any and all records and communications within the Chandler Fire, Health & Medical Department, or between the Chandler Fire, Health & Medical Department and any third party, relating in any way to ABC's inability to meet public need during the past two years.



July 5, 2017

Dear Mr. Sams,

The Chandler Fire, Health & Medical Department (CFHMD) supports the Community Ambulance Certificate of Necessity (CON) application that is under consideration by the Arizona Department of Health Services. The CON application provides for inter-facility transportation for all of Maricopa County.

As a patient care provider, CFHMD is aware of the level of care and service being proposed by Community Ambulance, and that they will actively participate in regional EMS service delivery collaboration while adhering to performance measures, quality assurance standards and protocols, and will meet or exceed the standards set forth by the Bureau of EMS.

When we encounter circumstances where EMS and continued patient care is in the best interest of our citizens, CFHMD is committed to making every effort to provide for the transport of our citizens and patients to the appropriate facility and in accordance with all guidelines, policies and standards of care. When necessary and appropriate, CFHMD fully supports that Community Ambulance will be properly certified, accessed, and positioned to respond, taking into account the continuing core mission of Community Ambulance as a provider of inter-facility ambulance service within Maricopa County

The Chandler Fire, Health & Medical Department is confident that this application is in the best interest of all citizens of Maricopa County. By granting this CON application, inter-facility transportation services will be enhanced for all with the addition of more available ambulances to serve the needs of all levels of inter-facility patient care. We fully support the granting of this CON application.

Please feel free to contact me with any questions.

Sincerely,

Thomas Dwiggin, Fire Chief  
City of Chandler Fire, Health & Medical Department



Mailing Address  
Mail Stop 801  
PO Box 4008  
Chandler, Arizona  
85244-4008

Chandler Fire, Health & Medical Department  
Telephone (480) 782-2120  
Fax (480) 782-2125  
Web [www.chandleraz.gov/fire](http://www.chandleraz.gov/fire)

Location  
151 E. Boston Street  
Chandler, Arizona  
85225

