

EXHIBIT E

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CITY ATTORNEY

SUBPOENA FOR PRODUCTION

BY PERSONAL SERVICE AND EMAIL

To: U.S. News & World Report, L.P.
c/o C T Corporation System
330 North Brand Blvd., Suite 700
Glendale, CA 91203

This Subpoena for Production (“Subpoena”) is issued to U.S. News & World Report, L.P. (“USNWR” or “you”) under the powers conferred to the City Attorney for the City and County of San Francisco by California Business & Professions Code section 16759(b) and California Government Code section 11180 *et seq.* as part of a pending investigation concerning potential violations of California Business and Professions Code section 17200, *et seq.* (the “Unfair Competition Law”). The Unfair Competition Law prohibits USNWR from engaging in any unlawful, unfair, or fraudulent business act or practice. Specifically, this Office’s investigation relates to USNWR’s advertising representations about its hospital rankings and its failure to disclose payments received from hospitals that it ranks.

YOU ARE HEREBY COMMANDED to produce, within 15 calendar days after service, all non-privileged documents, records, and other materials described in **Attachment A** (collectively, the “Subpoenaed Documents”). Unless otherwise stated, the operative timeframe is January 9, 2020, to the present, including and up to the date of your response to this Subpoena.

All of the Subpoenaed Documents must be sent electronically via email to alexander.holtzman@sfcityatty.org and karun.tilak@sfcityatty.org, via the City Attorney’s Office SecureShare FTP portal, or delivered on or before the deadline to the following address:

Office of the City Attorney
Attn: Alex Holtzman
1390 Market Street, 7th Floor
San Francisco, CA 94102

Your production must be accompanied by a certification in the form set forth in **Attachment B**, dated and signed under penalty of perjury under the laws of the State of California by the representative who supervised the response to this Subpoena, that the documents provided are true, correct, and complete copies of all documents responsive to this Subpoena.

USNWR must preserve and not modify or destroy or encourage others to modify or destroy any documents or information related to the topics described in Attachment A. The destruction or concealment by anyone subject to this Subpoena of any Subpoenaed Documents may result in our referral to law enforcement for criminal prosecution under California Penal Code section 135.


If you have questions regarding compliance with this Subpoena, concerns about the format of production, or need additional time to respond, please contact Deputy City Attorney Alex Holtzman (Alexander.Holtzman@sfcityatty.org) and Deputy City Attorney Karun Tilak (Karun.Tilak@sfcityatty.org).

Failure to comply with the commands of this Subpoena may subject you to citation for contempt or other penalties before the Superior Court of the State of California.

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CITY ATTORNEY

Signed in the City and County of San Francisco this 9th day of January, 2024.



Alexander J. Holtzman
Deputy City Attorney for the
City & County of San Francisco

ATTACHMENT A

DEFINITIONS:

For purposes of each Specification:

1. “Hospitals” means hospitals, hospital networks, and entities associated with hospital or hospital networks (e.g., affiliated nonprofits or universities).
2. “USNWR” means U.S. News & World Report, L.P. and any parent, subsidiary, or affiliate corporate entity of U.S News & World Report, L.P.
3. “Agreement” means any written contract, licensing agreement, terms and conditions, or other written document governing the provision of, or access to, a product or service.
4. “Best Hospitals rankings” means Best Hospitals Honor Roll, Best Hospitals by Specialty, Best Hospitals by Medical Procedures and Conditions, Best Children’s Hospitals Honor Roll, Best Children’s Hospitals by Specialty, and any other ranking of Hospitals published by USNWR.

DOCUMENT SPECIFICATIONS:

1. Documents sufficient to show the corporate structure of USNWR, including but not limited to U.S. News & World Report L.P.’s relationship with any parent, subsidiary or affiliate entity identified in your responses to the accompanying Subpoena for Interrogatory Responses;
2. All agreements between USNWR and BrandConnex, LLC;
3. All agreements between USNWR and RTI International relating to the Best Hospitals rankings;
4. For each Hospital identified in response to Interrogatory Specification Nos. 1–6 in the accompanying Subpoena for Interrogatory Responses, all agreements between that Hospital and USNWR;
5. Documents sufficient to determine USNWR’s equity interest in Doximity, Inc. for each year between 2019 and the present; and
6. All USNWR policies and procedures governing the receipt of payments from Hospitals eligible to be considered in USNWR’s Best Hospitals rankings.

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CITY ATTORNEY

ATTACHMENT B

CERTIFICATION OF COMPLIANCE WITH SUBPOENA FOR PRODUCTION

State of [State]
County of [County]

I, [Name], declare and state as follows:

1. I am employed by U.S. News & World Report, L.P. (“USNWR”) in the position of [Position];
2. The enclosed production of documents and responses to the Subpoena dated [Date] served on USNWR was prepared and assembled under my personal supervision;
3. I made or caused to be made a diligent, complete, and comprehensive search for all Subpoenaed Documents, in full accordance with the instructions and definitions set forth in the Subpoena;
4. The enclosed production of documents and responses to the Subpoena are complete and correct to the best of my knowledge and belief;
5. No documents responsive to the Subpoena have been withheld from this production and response, other than responsive documents or information withheld on the basis of a legal privilege or doctrine; and
6. The Subpoenaed Documents contained in these productions and responses to the Subpoena for Production are authentic, genuine, and what they purport to be.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signature of Declarant: _____ Date: _____

Printed Name of Declarant: _____

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CITY ATTORNEY

PROOF OF SERVICE

I, Christine Hoang, declare as follows:

I am a citizen of the United States, over the age of eighteen years and not a party to the above-entitled action. I am employed at the City Attorney's Office of San Francisco, Fox Plaza Building, 1390 Market Street, Seventh Floor, San Francisco, CA 94102.

On January 9, 2024, I served the following document:

SUBPOENA FOR PRODUCTION

on the following persons at the locations specified:

**U.S. News & World Report, L.P.
c/o C T Corporation System
330 North Brand Blvd., Suite 700
Glendale, CA 91203**

in the manner indicated below:

- BY PERSONAL SERVICE:** I caused a true and correct copy of the above document to be delivered by hand at the above location by a professional messenger service.
- BY ELECTRONIC MAIL:** I sent a true and correct copy of the above document in PDF format from christine.hoang@sfcityatty.org to johnpotter@quinnemanuel.com, michaelwilliams@quinnemanuel.com, and seananderson@quinnemanuel.com.

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct. Executed on January 9, 2024, at San Francisco, California.

/s/ Christine Hoang

Christine Hoang