



LEVY RATNER, P.C.  
Advancing the rights of everyone who works

*Via electronic mail*

March 25, 2024

Committee on Education and the Workforce  
U.S. House of Representatives  
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**In Re Subpoena to the Association of Legal Aid Attorneys – UAW Local 2325 for documents related to its “Resolution Calling for a Ceasefire in Gaza, an End to the Israeli Occupation of Palestine, and Support for Workers’ Political Speech”**

Dear Chairwoman Foxx:

The American Association of Legal Aid Attorneys – UAW Local 2325 ("ALAA") and Lisa Ohta, President of ALAA, through their undersigned counsel, hereby object and respond to the House Committee on Education and Labor's ("the Committee") subpoena dated March 8, 2024 (attached as **Exhibit 1**) as set forth below:

**GENERAL OBJECTIONS**

1. By responding to the Committee's subpoena, the ALAA and Ms. Ohta do not waive any objections to the legitimacy or propriety of the subpoena. The ALAA and Ms. Ohta preserve any and all objections they hold to this or any subsequent subpoena issued by the Committee regarding the ALAA's "Resolution Calling for a Ceasefire in Gaza, an End to the Israeli Occupation of Palestine, and Support for Workers' Political Speech."
2. The ALAA and Ms. Ohta object to the subpoena on the ground it exceeds the lawful and legitimate jurisdiction of the Committee. The Committee's January 29, 2024 inquiry (attached as **Exhibit 2**) and March 11, 2024 letter accompanying the subpoena to the ALAA reveal that the Committee's true interest in this matter arises out of the Committee's hostility to the content of the ALAA resolution, which not only renders the subpoena beyond the Committee's legitimate authority but also violates the United States Constitution.
3. The ALAA and Ms. Ohta object to the subpoena instructions and requests for being vague and overbroad.

## SPECIFIC OBJECTIONS AND RESPONSES TO SUBPOENA REQUESTS

Request 1: “All Local 2325 meeting minutes (or equivalent Records) for meetings in which the ‘Resolution Calling for a Ceasefire in Gaza, an End to Israeli Occupation of Palestine, and Support for Workers’ Political Speech’ (Resolution) was discussed.”

- Response: This request violates the constitutional rights, including the First Amendment right to freedom of speech and association, of the ALAA, its members, and Ms. Ohta. This request is also vague, overbroad, and outside of the scope of the Committee’s authority and jurisdiction. The ALAA and Ms. Ohta therefore respectfully decline to produce responsive documents. Attached as **Exhibit 3** is a privilege log denoting the documents withheld.

Request 2: “All of Local 2325’s rules, policies, or procedures for filing grievances.”

- Response: The ALAA and Ms. Ohta object to this request as vague and overbroad. Subject to this objection and the general objections set forth above, the ALAA and Ms. Ohta produce the UAW Constitution and the ALAA Bylaws, both of which are publicly available and responsive to this request and are attached as **Exhibit 4** at ALAA 001–224 & ALAA 225–232, respectively.<sup>1</sup> The ALAA and Ms. Ohta have not included documents duplicative of the information provided in response to this request.

Request 3: “All grievances filed by Local 2325 members related to the consideration or adoption of the Resolution.”

- Response: The ALAA and Ms. Ohta object to this request as vague and overbroad. Subject to this objection and the general objections set forth above, to the knowledge of the ALAA and Ms. Ohta there exist no documents responsive to this request.

Request 4: “Local 2325’s Code of Conduct and any rules, policies, or procedures related to Local 2325’s member discipline.”

- Response: The ALAA and Ms. Ohta object to this request as vague and overbroad. Subject to this objection and the general objections set forth above, the ALAA and Ms. Ohta produce the UAW Constitution and the ALAA Bylaws, both of which are publicly available and responsive to this request (*see* Exhibit 4 at ALAA 001–224 & ALAA 225–232, respectively).

Request 5: “All documents and communications referring or related to any formal disciplinary action taken by Local 2325 against any member who opposed the consideration or adoption of the Resolution.”

- Response: The ALAA and Ms. Ohta object to this request as vague and overbroad. Subject to this objection and the general objections set forth above, to the knowledge of the ALAA and Ms. Ohta there exist no documents responsive to this request.

Request 6: “All documents and communications referring or related to when and how Local 2325 notifies employees within the bargaining unit of their rights under *Communication Workers of America v. Beck*, 487 U.S. 735 (1988).”

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<sup>1</sup> In accordance with instructions 4 and 6 of the “Instructions for Responding to a Subpoena,” the ALAA and Ms. Ohta are producing the relevant productions in PDF format, separated by exhibits, and Bates stamped as cited and described above.

- Response: The ALAA and Ms. Ohta object to this request as vague and overbroad. Subject to this objection and the general objections set forth above, the ALAA and Ms. Ohta produce (1) the “Notice to Persons Covered by Union Security Agreements Regulated Under the National Labor Relations Act” and (2) a copy of the August 2023 issue of “Solidarity Magazine,” through which the most recent notice was provided, both of which are publicly available and responsive to this request and are attached as **Exhibit 5** at ALAA 233 & ALAA 234–262 (notice at ALAA 259), respectively. The ALAA and Ms. Ohta have not included documents duplicative of the information provided in response to this request.

Dated: March 25, 2024  
New York, New York

Respectfully submitted,

NEW YORK CIVIL LIBERTIES UNION FOUNDATION



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