

NEW YORK STATE DEPARTMENT OF LABOR  
Unemployment Insurance Division  
**SUBPOENA (Duces Tecum)**  
**THE PEOPLE OF THE STATE OF NEW YORK**

**TO: Harry's Nurses Registry Inc**  
**8825 163<sup>rd</sup> St**  
**Jamaica, NY 11432-4046**

**ER No. 48-41624 7**  
**Saju Damodaran**  
**(718)321-6356**  
**Senior Auditor**

**GREETING:**

**WE COMMAND YOU**, that all business and excuses being laid aside, you and each of you appear and attend before, **Yoming Wang, UIESA II**, duly designated a representative of the Commissioner of Labor for the purpose of this proceeding at **138-60 Barclay Ave 2nd Floor Flushing NY**

**on the 20th day of December, 2017, at 9:00 o'clock AM.**

to testify and give evidence in a certain official proceeding instituted by the Department of Labor of the State of New York, wherein inquiry is made pursuant to Article 18 of the Labor Law relating to the matter of the amount of wages paid by the above-named to employees and others for services.

And that you bring with you and produce at the place aforesaid, the following books and papers for the period from **01/01/2014 to Present:**

General Ledger, supporting ledgers and journals	Federal Income Tax Returns
Payroll records such as Individual Earnings Records, Payroll Journals, Payroll Books and Summaries	Copies of Federal and State payroll returns such as Forms 941s, 940s, NYS-45, NYS-45-ATT, W-2s, W-3s
Disbursement records such as the check register, cancelled checks, bank statements, check stubs, cash book, disbursements journal, petty cash journal, or any other record that shows payments made by cash and/or check	Records pertaining to services by individuals such as Forms 1096's and 1099's, contractor agreements, invoices, certificates of insurance
Founding documents such as Corporate minute book, certificate of incorporation (if incorporated), Partnership agreement (if a partnership), DBA certificate, etc.	Current Workers' Compensation policy
	Poster that shows registration with NYS Dept. of Labor for Unemployment Insurance
Records relating to the value of other remuneration such as meals, tips, lodging, automobiles, etc.	Sales records such as a sales journal, sales tax returns, and 1099s received

and all information and records in your possession concerning remuneration paid to employees or others for services by the above-named employer, so that this Department may verify the number of employees and the amount of their remuneration in accordance with Section 575, subdivision 1, of the New York State Unemployment Insurance Law.

WITNESS, Commissioner of Labor of the State of New York this 6th day of December, 2017.



By \_\_\_\_\_  
*[Handwritten Signature]*

(For authorization and Penalties, See Reverse Side or Next Page)

## NEW YORK STATE LABOR LAW – ARTICLE 2

**Section 39** – Hearings and subpoenas. The Commissioner, the Members of the Unemployment Insurance Appeal Board, the Deputy Commissioner, Referees and any other officer of the Department designated by the Commissioner, shall have power:

1. To issue subpoenas for and compel the attendance of witnesses and the production of books, contracts, papers, documents and other evidence;
2. To hear testimony and take or cause to be taken depositions of witnesses residing within or without this state in the manner prescribed by law for like depositions in civil actions in the supreme court. Subpoenas and commissions to take testimony shall be issued under the seal of the Department.

## NEW YORK STATE UNEMPLOYMENT INSURANCE LAW-ARTICLE 18 OF THE LABOR LAW

### **Section 575, Subdivision 1 – MAINTENANCE, AUDIT AND REPORT OF REMUNERATION AND EMPLOYMENT RECORDS.**

1. Requirements. Every employer shall keep a true and accurate record of each person employed by him, the name and social security account number, and the amount of remuneration paid to each, and such other records as are necessary under this article in the manner prescribed by regulations of the commissioner and shall furnish to the commissioner, upon demand, a sworn statement of the same. Such records, together with all other records reflecting or bearing upon them, shall be open to inspection at any time and as often as may be necessary to verify the number of employees, the periods of their employment, and the amount of their remuneration. Every employer shall report information from such records at such time and in such manner as the commissioner may by regulation prescribe. Any employer who shall violate any of the provisions of this section or who shall wilfully falsify any record which is required to maintain or who shall wilfully file a false report shall be guilty of a misdemeanor.

**Section 630. PENALTIES.** Any misdemeanor defined in this title shall be punishable by a fine of not more than five hundred dollars or imprisonment for not more than one year, or both.

**Section 631. CORPORATION OFFICERS' LIABILITY.** If a corporation is convicted of any violation under this title, the president, secretary, treasurer, or officers exercising corresponding functions shall each be guilty of a misdemeanor.

**Section 634. REFUSAL TO PERMIT INSPECTIONS OF RECORDS.** Any person who refuses to allow the commissioner or his authorized representative to inspect his payroll or other records or documents relative to the enforcement of this article shall be guilty of a misdemeanor.

**Section 640. PROSECUTION AND LITIGATION.** The failure by any person to do any act required by or under the provisions of this article shall be deemed an act committed in part at the office of the Commissioner of Labor in Albany and committed in part in the place where the person resides or has a place for the regular transaction of business. The certificate of the Commissioner of Labor or Deputy Commissioner of Labor to the effect that contribution has not been paid, that a report has not been filed, or that information has not been supplied, as required by or under the provisions of this article, shall be prima facie evidence that such contribution has not been paid, that such report has not been filed, or that such information has not been supplied.