

Handling State and Federal Subpoenas in Business

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On Litigator's Lounge, Offit Kurman's Niall McMillan and partner Anders Sleight discuss how businesses should respond to government investigatory or administrative subpoenas from federal, state, or local authorities. Sleight outlines three common subpoena categories—civil investigative demands, administrative subpoenas, and grand jury subpoenas—and emphasizes not panicking but acting quickly due to response deadlines. They recommend pausing to analyze what records are sought, identifying internal decision-makers and custodians, preserving relevant documents, and having counsel contact the issuing office to understand the investigation and potentially narrow an overly broad scope to reduce response burden and cost. They also note that while parties can object or file a motion to quash, negotiating a narrowed subpoena is often more practical. The episode closes with Offit Kurman's litigation service offerings and an invitation to contact the hosts.