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Statement Under Oath of **James Bailey**

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STATEMENT UNDER OATH

OF

JAMES BAILEY

taken pursuant to Notice by Alison Salyards, a Court Reporter and Notary Public in and for the State of West Virginia, at the National Mine Health and Safety Academy, 1301 Airport Road, Beaver, West Virginia, on June 28, 2010, beginning at 1:38 p.m.

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A P P E A R A N C E S

1  
2  
3  
4  
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A P P E A R A N C E S

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## I N D E X

1		
2		
3	OPENING STATEMENT	
4	By Attorney Hampton	6 - 10
5	STATEMENT	
6	By Mr. Farley	11
7	WITNESS: JAMES BAILEY	
8	EXAMINATION	
9	By Mr. Sherer	11 - 25
10	EXAMINATION	
11	By Mr. Farley	25
12	EXAMINATION	
13	By Ms. Monforton	26 - 27
14	RE-EXAMINATION	
15	By Mr. Farley	27 - 28
16	EXAMINATION	
17	By Attorney Hampton	29
18	RE-EXAMINATION	
19	By Mr. Farley	29 - 30
20	CLOSING STATEMENT	
21	By Attorney Hampton	30 - 31
22	CERTIFICATE	33
23		
24		
25		

1		EXHIBIT PAGE	
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P R O C E E D I N G S

1  
2 -----  
3 ATTORNEY HAMPTON:

4 My name is Pollyanna Hampton. Today is  
5 June 28th, 2010 and I am with the Office of the  
6 Solicitor, U.S. Department of Labor. With me here is  
7 Erik Sherer, an accident investigator with the Mine  
8 Safety and Health Administration, MSHA, an agency of  
9 the United States Department of Labor. Also present  
10 are several people from the State of West Virginia,  
11 and I ask that they state their appearance for the  
12 record now.

13 MR. FARLEY:

14 I'm Terry Farley with the Office of  
15 Miners' Health, Safety and Training.

16 MR. O'BRIEN:

17 John O'Brien with the West Virginia  
18 Office of Miners' Health, Safety and Training

19 MS. MONFORTON:

20 I'm Celeste Monforton with Governor  
21 Manchin's special team.

22 ATTORNEY HAMPTON:

23 There are also several other members of  
24 the investigation teams in the room observing. All  
25 members of the Mine Safety and Health Accident

1 Investigation Team and all members of the State of  
2 West Virginia Accident Investigation Team  
3 participating in the investigation of the Upper Big  
4 Branch Mine explosion shall keep confidential all  
5 information that is gathered from each witness who  
6 voluntarily provides a statement until the witness  
7 statements are officially released. MSHA and the  
8 State of West Virginia shall keep this information  
9 confidential so that other ongoing enforcement  
10 activities are not prejudiced or jeopardized by a  
11 premature release of information. This  
12 confidentiality requirement shall not preclude  
13 investigation team members from sharing information  
14 with each other or with other law enforcement  
15 officials. Your participation in this interview  
16 constitutes your agreement to keep all this  
17 information confidential.

18 Government investigators and specialists  
19 have been assigned to investigate the conditions,  
20 events and circumstances surrounding the fatalities  
21 that occurred at the Upper Big Branch Mine-South on  
22 April 5th, 2010. The investigation is being conducted  
23 by MSHA under Section 103(a) of the Federal Mine  
24 Safety and Health Act and the West Virginia Office of  
25 Miners' Health, Safety and Training. We really

1 appreciate your assistance in this investigation.  
2 You may have a personal attorney present  
3 during the taking of the statement or another personal  
4 representative if MSHA has permitted it. Your  
5 statement is completely voluntary. You may refuse to  
6 answer any question and you may terminate your  
7 interview at any time or request a break at any time.  
8 Since this is not an adversarial  
9 proceeding, formal Cross Examination will not be  
10 permitted. Just so that the record is clear, do you  
11 have a personal representative with you here today?

12 MR. BAILEY:

13 No.

14 ATTORNEY HAMPTON:

15 Your identity and the content of this  
16 conversation will be made public at the conclusion of  
17 the interview process and may be included in the  
18 public report of the accident unless you request that  
19 your identity remain confidential or your information  
20 would otherwise jeopardize a potential criminal  
21 investigation. If you request us to keep your  
22 identity confidential, we will do so to the extent  
23 permitted by law. That means that if a judge orders  
24 us to reveal your name or if another law requires us  
25 to reveal your name, or if we need to reveal your name

1 for other law enforcement purposes, we may do so.  
2 Also, there may be a need to use the  
3 information you provide to us or other information we  
4 may ask you in the future in other investigations and  
5 hearings about the explosion. Do you understand?

6 MR. BAILEY:

7 Yes.

8 ATTORNEY HAMPTON:

9 Do you have any questions?

10 MR. BAILEY:

11 No.

12 ATTORNEY HAMPTON:

13 After the investigation is complete, MSHA  
14 will issue a public report detailing the nature and  
15 cause of the fatalities in the hope that greater  
16 awareness about the causes of accidents can reduce  
17 their occurrence in the future. Information obtained  
18 through witness interviews is frequently included in  
19 these reports. Since we will be interviewing other  
20 individuals, we request that you not discuss your  
21 testimony with any other person aside from a personal  
22 representative or an attorney.

23 As you can see, a court reporter is here  
24 recording your interview, so please speak loudly and  
25 clearly. If you don't understand a question, please

1 ask the person to rephrase it, and please answer each  
2 question as fully as you can, including any  
3 information you have learned from someone else.

4 We'd like to thank you in advance for  
5 your appearance here. We really appreciate your  
6 assistance with this investigation. Your cooperation  
7 is critical in making the nation's mines safer.

8 After we have finished asking the  
9 questions, we will have --- we will give you an  
10 opportunity to make any statement that you would like  
11 or to provide us with any other information that you  
12 believe is important. If at any time after the  
13 interview you recall any additional information that  
14 you believe might be useful, please contact Norman  
15 Page at the telephone number or the e-mail address  
16 provided in the letter that I've given to you.

17 Any statements given by miner witnesses  
18 to MSHA are considered to be an exercise of statutory  
19 rights and protected activity under Section 105(c) of  
20 the Mine Act. If you believe any discharge,  
21 discrimination or other adverse action is taken  
22 against you as a result of your cooperation with this  
23 investigation, you are encouraged to immediately  
24 contact MSHA and file a complaint under Section 105(c)  
25 of the Act.

1 MR. FARLEY:

2 We'd like to advise you that the West

3 Virginia Coal Mine Health and Safety Regulations also

4 protect miners from potential discrimination for

5 participating in this kind of interview. I'm going to

6 give you some contact information in the event that

7 you should experience any such treatment and advise

8 you that if you wish, you can file a claim. You need

9 to do so within 30 days of the time the offense

10 occurred. Also, I will give you my business card and

11 another one for Mr. Bill Tucker, who is one of our

12 lead investigators, and you can contact us if you have

13 any problems; okay?

14 MR. BAILEY:

15 All right.

16 ATTORNEY HAMPTON:

17 Okay. Could you please swear in the

18 witness?

19 -----

20 JAMES BAILEY, HAVING FIRST BEEN DULY SWORN, TESTIFIED

21 AS FOLLOWS:

22 -----

23 EXAMINATION

24 BY MR. SHERER:

25 Q. I want to thank you for coming down, Mr. Bailey.



1 Q. How many years mining experience do you have?

2 A. Let's see. Two years and four months.

3 Q. Okay. Could you give us a rough outline of where  
4 that's been?

5 A. I worked at Shumate Powellton, Parker Peerless,  
6 Performance and Shank Powellton.

7 Q. And when did you work up at Upper Big Branch?

8 A. I was there about a month and a half.

9 Q. Okay.

10 A. I'm not exactly sure on the date they transferred  
11 us down there.

12 Q. Roughly, was it --- has it been in 2010?

13 A. Yes, it was probably the last part of February,  
14 first part of March.

15 Q. Okay. What did you do at Upper Big Branch?

16 A. I was electrician on a section.

17 Q. Which section?

18 A. The barrier section.

19 Q. Okay. Which shift did you work?

20 A. I was on dayshift at the time of the explosion.

21 Q. Okay. Were you actually in the mine at the time  
22 of the explosion?

23 A. Yes.

24 Q. Were you on the section?

25 A. Yes.

1 Q. When you first knew something was going on, what  
2 did you see or feel or ---?

3 A. Just a very little bit of wind change and the  
4 power went off.

5 Q. Okay. Do you recall what happened immediately  
6 after that?

7 A. After they found out that they couldn't get ahold  
8 of the guys on the longwall and One and Two section,  
9 that they told everybody that they needed to make  
10 their way outside.

11 Q. Okay. Did you still have phone contact with the  
12 portal?

13 A. Yes.

14 Q. Did you still have power or ---?

15 A. No, they said they knocked the power.

16 Q. Okay. Roughly, how long was the interval between  
17 when you felt the wind and the power knocked to when  
18 you started the evacuation? Do you recall?

19 A. I think it was like eight --- about eight minutes  
20 after 3:00. And we started outside at probably 12  
21 after or so.

22 Q. Okay. So not very long?

23 A. No.

24 Q. How did the evacuation work? Do you think that it  
25 was quick, calm, effective?

1 A. On our section it was, because, I mean, we didn't  
2 have the --- any idea what happened was to that  
3 magnitude of ---

4 Q. Sure.

5 A. --- an ordeal.

6 Q. Sure. How long did it take you to get outside?

7 A. No more than 15 minutes.

8 Q. Okay. Did you start out with extra SCSRs?

9 A. No.

10 Q. So you just had the SCSRs on your belts?

11 A. Uh-huh (yes).

12 Q. Who led the evacuation?

13 A. Well, the whole crew rode out on the mantrip.

14 Q. Oh, okay. So does the mantrip have extra SCSRs on  
15 it?

16 A. Yes.

17 Q. Okay. So they didn't knock all the power in the  
18 mine?

19 A. Yeah, they throwed the power outside. They took  
20 all the power going underground.

21 Q. Oh, you got battery mantrips?

22 A. Yes.

23 Q. Okay. Sorry about that. I grew up with Charlie.  
24 You've got to forgive me. Do you have any Federal or  
25 State mining certifications?

1 A. I've got just my electrical certification. I  
2 think it's a State.

3 Q. Okay. And your fire boss papers?

4 A. No.

5 Q. Briefly, what do you do --- or what did you do at  
6 Upper Big Branch as an electrician?

7 A. Just maintenance on the equipment, serviced the  
8 miners, made sure they had oil in them and serviced  
9 the buggies, made sure they had oil in them and fix  
10 anything that broke down.

11 Q. Okay. Would you ever check permissibility?

12 A. Yes.

13 Q. Who was your boss on that section?

14 A. Jack Martin.

15 Q. Okay. Did you also report to somebody else like a  
16 Massey electrician or chief electrician?

17 A. Yes.

18 Q. Who was that?

19 A. David something. I'm not sure what his last name  
20 was. Actually I didn't really even know what his  
21 first name was until here the other day. They all  
22 called him Doughnut.

23 Q. Oh, okay. We're familiar with Doughnut. That's  
24 good enough for us. And you portalled out of the UBB  
25 Portal?

1 A. Yes.

2 Q. Okay. What about the conditions on the barrier  
3 section? Were the roof, rib and floor okay?

4 A. Yeah.

5 Q. Okay. Ever have any evidence of pressure, ribs  
6 rolling or ratty looking?

7 A. No.

8 Q. What about the ventilation on that section?

9 A. We always had good air.

10 Q. Okay. What about the rock dust?

11 A. They rock dusted usually three days a week with a  
12 machine duster.

13 Q. Okay. You ever travel --- walk out your beltline  
14 any?

15 A. Uh-huh (no). No, never did walk the beltline.

16 Q. Okay. Are you or were you aware of any  
17 ventilation problems at the mine?

18 A. No.

19 Q. Okay. Nobody ever said they were having problems  
20 in there?

21 A. No, not to me.

22 Q. Okay.

23 A. The only thing that I knew to be any ventilation  
24 was they had a ventilation change and they told  
25 everybody we had to go outside at about three o'clock.

1 Q. Can you recall, roughly, when that change  
2 occurred?

3 A. It was the week before the explosion.

4 Q. Okay. Was it early in the week or later in the  
5 week?

6 A. I think it was later on in the week.

7 Q. Okay. What was the last time you worked prior to  
8 the explosion? Not on the day of the explosion.

9 A. See, we --- well, I left right after the  
10 explosion, so we got outside at probably no later than  
11 20 after 3:00 or so.

12 Q. Okay. I understand that that was Easter weekend  
13 and the mine was shut down some. Did you work like on  
14 Friday?

15 A. No. Thursday --- yeah, Friday. We worked Friday.

16 Q. Okay. Did you work on Saturday?

17 A. No.

18 Q. Okay. So Friday was your last shift that you  
19 worked?

20 A. Yes.

21 Q. Did you hear of any major ventilation changes to  
22 the mine over the weekend?

23 A. No.

24 Q. And the ventilation change you're talking about  
25 would've occurred on --- do you think it would have

1       been the Wednesday --- as early as Wednesday?

2       A. I'm not 100 percent sure.

3       Q. Okay. But you think it was later in the week?

4       A. Yeah, it was sometime later in the week.

5       Q. So possible Wednesday through Friday?

6       A. Probably, yeah.

7       Q. Well, let me ask you this. You worked on Friday.

8       Did you get out early on Friday? Did you go home

9       early for the weekend?

10      A. I can't remember.

11      Q. Okay. You ever see any floor hooving on that

12      barrier section panel?

13      A. No.

14      Q. Okay. You ever hear of any problem with methane

15      outbursts or methane inundations at the Upper Big

16      Branch?

17      A. No.

18      Q. Were you aware of any other problems or concerns

19      of the mine that may be helpful to us?

20      A. No.

21      Q. Okay. You ever hear of excessive water at Upper

22      Big Branch?

23      A. Yes, they said that they had some water in places.

24      We had a little bit of water on the barrier section.

25      We just had maybe like a ten --- ten horsepower pump

1 or something like that. That took care of the water  
2 we had.

3 Q. Sure. Do you recall where they said they had  
4 other problems with the water?

5 A. Not right off.

6 Q. Okay.

7 A. I just know they said they had numerous pumps in  
8 other places.

9 Q. Okay. Did you have much contact with the folks  
10 working on the longwall?

11 A. No.

12 Q. You ever been to the longwall?

13 A. No.

14 Q. Did you ever get out to any of the other miner  
15 sections?

16 A. No.

17 Q. So you're just stuck down on the barrier section?

18 A. Yes.

19 Q. You're probably a lucky individual.

20 A. Yes, I agree.

21 Q. While you were at Upper Big Branch, did you ever  
22 get injured?

23 A. No.

24 Q. Okay. Do you know if there was ever advance  
25 notice given of any inspectors on the property?

1 A. No.

2 Q. Did you ever hear anybody talking about that?

3 A. No.

4 Q. Was the mine ventilation adequate at all times?

5 A. On our section it was. They kept it up, up there.

6 The rest of it, I couldn't tell you.

7 Q. Sure. You ever hear anybody talking about other

8 working areas where they had low air?

9 A. No.

10 Q. Okay. When the ventilation changes were made, do

11 you recall if they were ever made when miners were

12 underground?

13 A. No.

14 Q. Did you ever notice any fluctuations in the air on

15 your section?

16 A. No.

17 Q. Did you ever hear about air reversals anywhere in

18 the mine?

19 A. No.

20 Q. Okay. Did you ever hear of mining taking place

21 without ventilation curtains in place?

22 A. No.

23 Q. Okay. How about methane monitors that are bridged

24 out?

25 A. Not that I know of.

1 Q. Do you know of any miners that were subjected to  
2 retaliation or threats for reporting safety issues?

3 A. No.

4 Q. Okay. And you say you were in the mine on the  
5 section when the explosion occurred?

6 A. Yes.

7 Q. And it took about 15, maybe 20 minutes to get  
8 organized and get out of the mine?

9 A. Yes.

10 Q. What do you recall when you got out of the mine?  
11 What was happening then?

12 A. Everybody was standing around, trying to figure  
13 out exactly what was going on.

14 Q. Okay. Did you hear anything about the fans  
15 stalling out or reversing?

16 A. Yes.

17 Q. Could you tell us what you heard?

18 A. They said that the fan stopped and spun backwards.

19 Q. Okay. Help me out. As an electrician, have you  
20 ever seen anything like that?

21 A. No.

22 Q. Do you think that's possible?

23 A. I guess anything's possible.

24 Q. That's true. Do you think it's probable?

25 A. I would think that it would break something before

1 it would spin backwards, but ---.

2 Q. Would an A --- I guess those are AC motors,  
3 production-type motors?

4 A. Yes.

5 Q. Would they generate excessive currents if they  
6 were reversed like that?

7 A. I would imagine so.

8 Q. Okay. What about the organization when you got  
9 outside? Who was in charge? Do you recall?

10 A. Not right off. I know they had two gentlemen out  
11 there making sure that everybody signed the piece of  
12 paper, just trying to do a headcount to make sure  
13 everybody was accounted for.

14 Q. Okay. Do you recall who that was?

15 A. One of them was Will Bragg. I can't remember who  
16 the other fellow was. I didn't know very many of the  
17 guys by name down there.

18 Q. Sure. Do you recall who the responsible person  
19 was? Does that term ring a bell?

20 A. I think Gary May was the superintendent down there  
21 at the time. I think he was still there.

22 Q. Okay. So he was the responsible person?

23 A. Yes.

24 Q. Okay. How long did you stay outside before you  
25 left?

1 A. Probably 25, 30 minutes.

2 Q. Okay. Do you recall who told you to go?

3 A. Nobody really said that we could leave or  
4 anything. Just they --- a lot of ambulance started  
5 coming in and there was a helicopter landing and we  
6 tried to move out of the way, give them some room.

7 Q. Okay. Did you participate in the subsequent  
8 rescue and recovery attempts?

9 A. No.

10 Q. And was that the last time you were at the Upper  
11 Big Branch Mine?

12 A. I worked four days after working on the mantrips  
13 and stuff. We built some gurneys on the little rubber  
14 type drives to try to help them bring people out, but  
15 I never went into the mines.

16 Q. Okay. While you were up there working on those  
17 mantrips, did you hear anybody speculate as to the  
18 cause of the explosion?

19 A. No, everybody kept everything just as quiet as it  
20 could be.

21 Q. Okay.

22 A. You could hear more on the news than you did up  
23 there.

24 Q. I can understand that. I was in Arlington with  
25 MSHA and most of our information was off CNN.

1 A. Yeah, that's about the same way.

2 Q. Yeah.

3 A. I was on the property a couple days and never  
4 heard nothing.

5 MR. SHERER:

6 Sure. Well, I appreciate you talking to  
7 me. That's all the questions I got.

8 EXAMINATION

9 BY MR. FARLEY:

10 Q. By the time you evacuated the barrier section  
11 after the explosion ---

12 A. Uh-huh (yes).

13 Q. --- and you got out on the mainline track and  
14 things calmed down, did you --- was there any dust in  
15 the air? Was there still any ---?

16 A. Yes, they was dust on the mainline track.

17 Q. Okay. How much or what'd that look like?

18 A. It was pretty heavy.

19 Q. Okay. Hard to breathe?

20 A. No.

21 Q. Okay. Had the wind force died down by then?

22 A. Yes. It was just very brief on the --- the gust  
23 that we felt. Like I said, the fan had done picked  
24 back up and it was just like normal, everyday, you  
25 know, air that was traveling down through there.

1 MR. FARLEY:

2 Okay.

3 EXAMINATION

4 BY MS. MONFORTON:

5 Q. Mr. Bailey, you said you worked in the miner a  
6 little more than two years.

7 A. Yeah.

8 Q. Have you always worked for Massey Mines?

9 A. Yes.

10 Q. Okay. You testified about recalling a ventilation  
11 change maybe a week before the explosion, and I wrote  
12 down that you said they needed everybody out of the  
13 mine. Can you tell me when you knew the ventilation  
14 change was going to happen?

15 A. They said it would be later on that day.

16 Q. Okay. So did they tell you that at the beginning  
17 of your shift, or ---?

18 A. No, they called in at probably around noon or so  
19 and said everybody needed to be out by 3:00.

20 Q. Okay. And is it your understanding that the whole  
21 mine was going to be evacuated ---

22 A. Yes.

23 Q. --- for that? Okay. When you were in the mine on  
24 April 5th at the time of the explosion, who was on  
25 your crew that you were with?

1 A. Jack Martin was the section boss. Jeremy Wright,  
2 Eddie Foster, Chris Cabell, Danny Williams, Ty Harold,  
3 and I think that was about it.

4 Q. That was a mining section ---

5 A. Yes.

6 Q. --- that you were working on? You mentioned that  
7 shortly after you came out of the mine, the ambulances  
8 started coming and a helicopter landed.

9 A. Yes.

10 Q. Do you know who was in the helicopter?

11 A. No.

12 Q. Okay. Had you ever seen a helicopter there  
13 before?

14 A. No.

15 MS. MONFORTON:

16 Okay. That's it.

17 RE-EXAMINATION

18 BY MR. FARLEY:

19 Q. I think you said earlier that you --- when you  
20 were on the barrier section that you first felt the  
21 wind or air change, you said about 3:08.

22 A. Yes.

23 Q. What's that based on, your watch or ---?

24 A. Yes. Yeah, minus ---. I've got 2:06 now, so it's  
25 a little fast, I think.

1 Q. Okay. All right.

2 ATTORNEY HAMPTON:

3 My phone says it's 2:02, so maybe it's  
4 four minutes.

5 MR. FARLEY:

6 I have 2:01.

7 BY MR. FARLEY:

8 Q. Do you know who may have given you or your foreman  
9 the order to evacuate that day, who you got the call  
10 from?

11 A. To be honest with you, I'm not sure if anybody  
12 called out or if he just used his own judgment for  
13 everybody to go outside.

14 Q. Okay. Was it normal routine for your section  
15 foreman to call out production and downtime reports  
16 during a shift?

17 A. Yes.

18 Q. Okay. Do you know who he'd usually talk to?

19 A. No. As far as I know, I guess it'd either have to  
20 be the dispatcher or, like, the superintendent.

21 Q. Okay.

22 A. I mean, I don't know who else would have been  
23 outside at the --- really, at the time to ---.

24 Q. Do you know how many times a day he called out?

25 A. No.

1 MR. FARLEY:

2 Okay. That's all I have.

3 EXAMINATION

4 BY ATTORNEY HAMPTON:

5 Q. I'm sorry. Did you tell us where you're working  
6 now?

7 A. Shank Powellton, Roundbottom.

8 Q. Okay. How long have you been there?

9 A. Two months, three months, something. I ain't  
10 sure. They sent us down there about a month after the  
11 explosion or so.

12 ATTORNEY HAMPTON:

13 Let's go off the record for just a  
14 second.

15 OFF RECORD DISCUSSION

16 RE-EXAMINATION

17 BY MR. FARLEY:

18 Q. I have one, one follow-up question. When you were  
19 evacuating the mine, did you notice the man doors ---  
20 or the equipment doors, excuse me.

21 A. What equipment doors are you referring to?

22 Q. Did you pass through any equipment doors going to  
23 the barrier section?

24 A. The airlock doors?

25 Q. Yes.

1 A. Yes. We had two --- well, one set of doors, two  
2 doors that you go through to get outside.

3 Q. Uh-huh (yes). Did you go back through those same  
4 doors evacuating the mine?

5 A. Yes.

6 Q. Did they appear to be in good condition?

7 A. Yes.

8 Q. So they weren't bent or displaced by the explosion  
9 itself?

10 A. Nothing more than normal.

11 Q. Okay. When you say more than normal, what's that?

12 A. Well, all the airlock doors has got a few dents  
13 and things in them.

14 Q. Oh, okay.

15 A. I mean, nothing more than normal wear, you know,  
16 normal, everyday wear and tear on them.

17 Q. Sure. Occasionally somebody hits them with a  
18 truck or something?

19 A. Yes.

20 MR. FARLEY:

21 Okay. That's all I have.

22 ATTORNEY HAMPTON:

23 Okay. On behalf of MSHA and the Office  
24 of Miners' Health, Safety and Training, I want to  
25 thank you for appearing and answering questions today.

1 Your cooperation is very important to the  
2 investigation as we work to determine the cause of the  
3 accident. We do request that you not discuss your  
4 testimony with any other person aside from an attorney  
5 or a personal representative. After questioning other  
6 witnesses, we may call you if we have any follow-up  
7 questions. And if at any time you can think of any  
8 other information that you'd like to provide to us,  
9 please contact us at the information that was provided  
10 to you in the letter.

11 So now, at this time you may now go back  
12 over any answer that you've given to us or you may ---  
13 you may make any other statement or give us any other  
14 information that you think is relevant. Is there  
15 anything else you would like to say?

16 A. Nothing I can think of.

17 ATTORNEY HAMPTON:

18 Okay. Again, we really would like to  
19 thank you for coming in and talking to us.

20 A. No problem. And I'm sorry to let you stand down  
21 there for as long as I did.

22 ATTORNEY HAMPTON:

23 Okay. Off the record.

24 \* \* \* \* \*

25 STATEMENT UNDER OATH CONCLUDED AT 2:06 P.M.

1 STATE OF WEST VIRGINIA )

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CERTIFICATE

I, Alison Salyards, a Notary Public in and for the State of West Virginia, do hereby certify: That the witness whose testimony appears in the foregoing deposition, was duly sworn by me on said date and that the transcribed deposition of said witness is a true record of the testimony given by said witness; That the proceeding is herein recorded fully and accurately; That I am neither attorney nor counsel for, nor related to any of the parties to the action in which these depositions were taken, and further that I am not a relative of any attorney or counsel employed by the parties hereto, or financially interested in this action.



*Alison Salyards*