

*State of West Virginia*  
Earl Ray Tomblin, Governor

WV Office of Miners' Health, Safety & Training  
C. A. Phillips, Acting Director  
1615 Washington Street East • Charleston, West Virginia • 25311-2126  
Telephone 304-558-1425 • Fax 304-558-1282  
[www.wvminesafety.org](http://www.wvminesafety.org)

**IN THE MATTER OF:**

**THE INVESTIGATION OF THE  
APRIL 5, 2010 MINE EXPLOSION  
AT UPPER BIG BRANCH MINE.**

**SUBPOENA**

**TO:** Travis Nelson

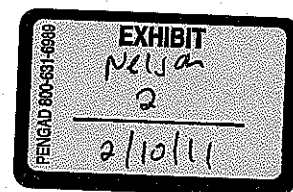
**(b) (7)(C)**

You are hereby **COMMANDED**, pursuant to W. Va. Code Section 22A-2-66(d), to appear and give testimony regarding the above referenced investigation on February 10, 2011 at 10:30 a.m. in classroom 121 at the Mine Academy located at 1301 Airport Road, Beaver, West Virginia 25813. The West Virginia Office of Miners' Health, Safety and Training, the Mine Safety and Health Administration, and the Governor's Independent Investigation Team will participate in the interview.

Given under my hand this 2nd day of February, 2011.

**(b) (7)(C)**

C.A. Phillips, Acting Director



STATE OF WEST VIRGINIA  
Earl Ray Tomblin, Governor

WV Office of Miners' Health, Safety & Training  
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# AFFIDAVIT OF SERVICE

IN THE MATTER OF:

THE INVESTIGATION OF THE  
APRIL 5, 2010 MINE EXPLOSION  
AT UPPER BIG BRANCH MINE.

STATE OF WEST VIRGINIA,  
COUNTY OF KANAWHA, to-wit:

I, Robert J. MacDonald, being first duly sworn, do testify and aver as follows:

1. That I am a credible person over the age of 21 years.
2. That on the 4th day of February, 2011. I personally served Travis Nelson, with a Subpoena a <sup>(b) (7)(C)</sup> \_\_\_\_\_ in Raleigh County.

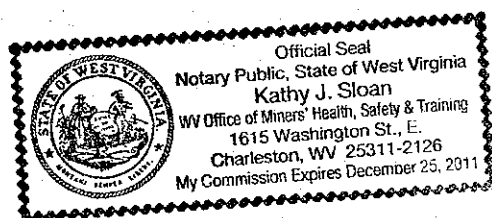
Further your affiant says not.

(b) (7)(C)

/ Robert J. MacDonald

Taken, subscribed and sworn to by Robert J. MacDonald, this the 7th day of February, 2011.

My commission expires: December 25, 2011



(b) (7)(C)