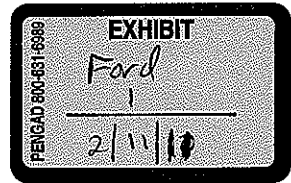




State of West Virginia
Earl Ray Tomblin, Governor

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



IN THE MATTER OF:

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

SUBPOENA

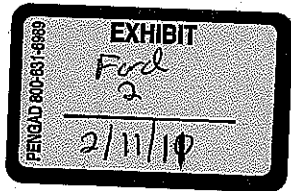
TO: Luke Ford
% John McCuskey, Esq.
Shuman, McCuskey & Slicer PLLC
1411 Virginia Street, East
Suite 200
P.O. Box 3953
Charleston, WV 25339

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 11, 2011 at 9:00 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 4th day of February, 2011.

(b) (7)(C)

C.A. Phillips, Acting Director



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ACCEPTANCE OF SERVICE

TO: John F. McCuskey, Esq.
1411 Virginia Street, East
Suite 200
Charleston, WV 25339

As evidenced by my signature hereto, I am authorized to accept service of the Office of Miners' Health, Safety & Training subpoena in the above-styled matter and hereby acknowledge receipt of said subpoena and that said subpoena has the same force and effect as if personally served on my client Luke Ford.

(b) (7)(C)

2.4.11
Date

Feb 11, 2011



I request and demand a copy of my transcribed "statement" given by me at hearings convened by subpoenas issued by the State of West Virginia on August 28, 2010 and ~~January~~ February 11, 2011. at the National Mine Academy

(b) (7)(C)
LUKE FORTY