OFFICE OF MINERS' HEALTH, SAFETY AND TRAINING

STATE OF WEST VIRGINIA

IN THE MATTER OF:

THE INVESTIGATION OF THE

APRIL 5, 2010 MINE EXPLOSION

AT UPPER BIG BRANCH MINE.

RETURN OF SERVICE

I, Deputy R.G. Goodwin, of the Boone County Sheriff's Office do hereby certify that I received an original subpoena and a copy of the same and that I served the original subpoena on James A. Smith by hand delivering it to him this 11 day of June 2010 at 7:40 o'clock 2 M. A copy of the subpoena served is attached to this return of service.

Name

Sworn to and subscribed before me, a notary public for the State of West Virginia, this 14 day of June 2010.

(b) (7)(C)

My commission expires on Feb 5, 2017

(b) (7)(C)
IN THE MATTER OF:
THE INVESTIGATION OF THE
APRIL 5, 2010 MINE EXPLOSION
AT UPPER BIG BRANCH MINE.

---

SUBPOENA

TO: James A. Smith
(b) (7)(C)

You are hereby COMMANDED, pursuant to W. Va. Code Section 22A-1-4(b)(9), to appear and give testimony regarding the above referenced investigation on June 24, 2010 at 1:00 p.m. in classroom 137 at the Mine Academy located at 1301 Airport Road, Beaver, West Virginia 25813.

Given under my hand this 9th day of June, 2010.

(b) (7)(C)

Ronald L. Wooten, Director