IN THE MATTER OF:

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

TO: Shannon Dickens
    % 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 1:00 p.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
State of West Virginia
Barl 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

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THE INVESTIGATION OF THE
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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 Shannon Dickens.

2.4.11
Date

(b) (7)(C)
Attorney
Feb 11, 2011

I request and demand a copy of the hearing transcript of both my August 23, 2010 testimony and my Feb 11, 2011 testimony which was given pursuant to a subpoena issued by the State of West Virginia.

(b) (7)(C)

Shannon Dickens