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, Howard Brown, of the Raleigh 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 David Pompey by hand delivering it to him this 8th day of July 2010 at 1:15 o'clock P.M. A copy of the subpoena served is attached to this return of service.

(b) (7)(C)

Name

Sworn to and signed before me, a notary public for the State of West Virginia, this 8th day of July 2010.

(b) (7)(C)

My commission expires on Jan. 2, 2012

EXHIBIT
Page 1/2
IN THE MATTER OF:

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

SUBPOENA

TO:    David Pompie
       (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 August 13, 2010 at 10:00 a.m. in classroom 121 at the Mine Academy located at 1301 Airport Road, Beaver, West Virginia 25813.

Given under my hand this 30th day of June, 2010.

(b) (7)(C)

- Ronald L. Wooten, Director