IN THE MATTER OF:

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

TO: Jim Aurendli

(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 November 30, 2010 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 17th day of November, 2010.

(b) (7)(C)

C.A. Phillips, Acting Director
STATE OF WEST VIRGINIA
Earl Ray Tomblin, Governor

WV Office of Miners’ Health, Safety & Training
C.A. Phillips, Acting Director

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 20th day of November, 2010, I personally served Jim Aurendnik, with a
   Subpoena at (b) (7)(C)

   Further your affiant says not.

Robert J. MacDonald

Taken, subscribed and sworn to by Robert J. MacDonald, this the 22nd day of
November, 2010.

My commission expires: July 9, 2017

(b) (7)(C)