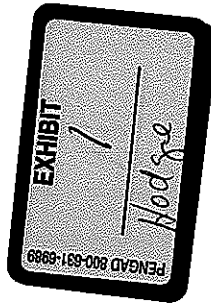




State of West Virginia
Earl Ray Tomblin, Governor

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: Rick Hodges

(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 January 6, 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 22nd day of December 2010.

(b) (7)(C)
C.A. Phillips, Acting Director

STATE OF WEST VIRGINIA

Earl Ray Tomblin, Governor

WV Office of Miners' Health, Safety & Training

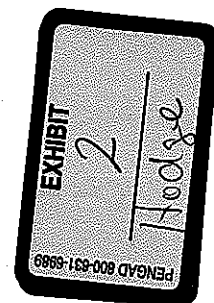
C.A. Phillips, Acting Director

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 **29th** day of **December**, 2010. I personally served **Rick Hodges**, with a **Subpoena** at (b) (7)(C)
(b) (7)(C)

Further your affiant says not.

(b) (7)(C)

/ ROBERT J. MacDonald

Taken, subscribed and sworn to by **Robert J. MacDonald**, this the **30th** day of **Dec.**, 2010.

My commission expires: **July 9, 2017**

(b) (7)(C)

