



*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  
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[www.wvminesafety.org](http://www.wvminesafety.org)

**IN THE MATTER OF:**

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

**SUBPOENA**

**TO:** Elbert Stover

**(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 9:00 a.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 17<sup>th</sup> day of November, 2010.

**(b) (7)(C)**

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C.A. Phillips, Acting Director

STATE OF WEST VIRGINIA  
Earl Ray Tomblin, Governor



WV Office of Miners' Health, Safety & Training  
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# 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 Kitty Stover (Wife), who is over the age of sixteen and resides with Elbert Stover, with a Subpoena at (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 22nd day of Nov., 2010.

My commission expires:

July 9, 2017

(b) (7)(C)

