

1 **WEST VIRGINIA MINE SAFETY AND HEALTH**
2 **ADMINISTRATION**

3
4
5 **IN THE MATTER OF:**

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

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15 The interview of LISA G. WILLIAMS, taken upon
16 oral examination, before Jenny Marmol, Court
17 Reporter, and Notary Public in and for the State of
18 West Virginia, Tuesday, September 20th, 2011, at
19 11:30 a.m., at the Mine Academy, 1301 Airport Road,
20 Beaver, West Virginia.

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10 **Robert Wilson**

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1 MR. KOERBER: Let's go on the record.

2 Today is September 20th, 2011.

3 My name is Barry Koerber.

4 I'm the assistant attorney general, and
5 I'm assigned to represent the West Virginia Office
6 of Miners' Health, Safety & Training's UBB Accident
7 Investigation Team.

8 To my left, there are other members of the
9 Accident Investigation Teams. And at this time, I
10 would ask that they identify themselves and who
11 they are with.

12 MR. TUCKER: Bill Tucker, with the West
13 Virginia Office of Miners' Health, Safety and
14 Training.

15 MR. BABBINGTON: Matt Babbington, I'm an
16 attorney with the Department of Labor.

17 MR. MAGGARD: Jasey Maggard, with MSHA.

18 MR. GODSEY: John Godsey, with MSHA.

19 MR. KOERBER: We also have a court
20 reporter at the table. She will be taking down
21 everything that's said today.

22 She is with a court reporter firm called
23 Johnny Jackson & Associates.

24 Johnny Jackson & Associates is in

1 Charleston, West Virginia.

2 They are operating under a three-day
3 turnaround, as far as taking what's said today and
4 putting it on paper.

5 So today being Tuesday, three days from
6 now would put us through the close of business on
7 Friday.

8 So beginning next Monday morning, if you
9 and your attorney, or you as an individual, would
10 like to review your transcript, you can do so.

11 Now what you would have to do is, you
12 would call Johnny Jackson & Associates, and I'm
13 going to give you, at the end of my little
14 statement here, Johnny Jackson's business card,
15 which contains their address and telephone number.

16 You would just call Johnny Jackson &
17 Associate's court reporter firm any time Monday or
18 after and schedule a time that would be convenient
19 to you, your attorney, if you desire, and Johnny
20 Jackson.

21 And you would then go to Johnny Jackson's
22 office in Charleston, West Virginia, and they would
23 put you in a conference room where you would have
24 privacy to review your transcript and make any

1 corrections that you find in the transcript on an
2 errata sheet.

3 You would not be permitted to take a copy
4 of the transcript home with you, but you are
5 permitted to schedule an appointment and go to
6 Johnny Jackson's and review your transcript.

7 Now, just for a -- I would ask that if you
8 desire to do that, do it within two or three weeks
9 of Monday as opposed to waiting two years down the
10 road.

11 THE WITNESS: Right.

12 MR. MCCUSKEY: And, Barry, if I might
13 interject, just do it earlier rather than late, I
14 would like to make a request that we be allowed,
15 Ms. Williams be allowed, to actually have the
16 transcript at the place of her choosing and be sent
17 to her for review.

18 And I would object to we being required to
19 go through the process by which we have to go there
20 and she's not allowed to have a copy of it.

21 MR. KOERBER: Understood.

22 Ms. Williams, if you would like to take a
23 break at any time for any reason whatsoever, just
24 say you'd like to take a break and we'll take a

1 break. Okay?

2 THE WITNESS: Okay.

3 MR. KOERBER: We request that you not
4 discuss your testimony with anybody outside this
5 room with anybody other than your attorney.

6 And the reason we make that request is to
7 protect the integrity of the investigation.

8 THE WITNESS: Okay.

9 MR. KOERBER: We also have other members
10 of the Accident Investigation Team in the room, and
11 at this point in time I would ask that they
12 identify themselves and who they're with beginning
13 with my left.

14 MR. PAGE: Norman Page, with MSHA.

15 MR. SHERER: I'm Eric Sherer, with MSHA.

16 MR. BAXTER: I'm Derek Baxter, with the
17 Solicitor's Department of Labor.

18 MR. WILSON: Bob Wilson, with the
19 Solicitor's Office.

20 MR. KOERBER: And I believe Matt may have
21 something he would like to add at this point in
22 time.

23 MR. BABBINGTON: Ms. Williams, thank you
24 for coming in and talking with us.

1 I have a letter here from our lead
2 investigator, Norman Page, addressed to you.
3 Basically it gives you the -- a little bit of the
4 background of the interview process.

5 It also gives you contact information in
6 case you want to provide any additional information
7 once the interview is complete.

8 Thank you.

9 MR. KOERBER: I also want to give you a
10 memo and a business card. The memo pertains to
11 West Virginia Code 22A-1-22, which is a statute
12 that prohibits coal miners from being discriminated
13 against for participating in interviews such as
14 this.

15 I'm going to give you the memo. The memo
16 contains the address of the administrative body who
17 receives complaints concerning coal miner
18 discrimination.

19 You may want to discuss with you attorney
20 as to whether that statute would apply to you, but
21 I'll give you the information anyway.

22 I'm also going to give you a business card
23 of Mr. Bill Tucker. He's the gentleman seated to
24 my left. He is the lead accident investigation --

1 he is the lead accident investigator for the Office
2 of Miners' Health, Safety and Training's
3 investigation of the UBB explosion.

4 If for any reason you have anything else
5 that you would like to add at some later date, this
6 would be our contact person.

7 So let me give you Mr. Tucker's business
8 card, the memo, as well as Johnny Jackson's
9 business card for you to take home with you.

10 At this point in time I would ask that the
11 court reporter swear in the witness.

12 LISA G. WILLIAMS, DEPONENT, SWORN

13 MR. KOERBER: Ms. Williams, would you
14 please state your full name for the record and
15 spell your last name.

16 THE WITNESS: Lisa Gale Williams, spelled
17 W-i-l-l-i-a-m-s.

18 MR. KOERBER: And your home address and
19 home telephone number.

20 THE WITNESS: [REDACTED]

21 [REDACTED] . Phone, [REDACTED] .

22 MR. KOERBER: Do you have an attorney with
23 you here today?

24 THE WITNESS: Yes, I do.

1 MR. KOERBER: I would ask that he identify
2 himself and his firm.

3 MR. MCCUSKEY: My name is John McCuskey,
4 the law firm of Shuman, McCuskey & Slicer,
5 Charleston, West Virginia.

6 MR. KOERBER: Is Ms. Williams your
7 client?

8 MR. MCCUSKEY: She is.

9 MR. KOERBER: Ms. Williams, are you
10 appearing here today as a result of receiving a
11 subpoena?

12 THE WITNESS: Yes, I am.

13 MR. KOERBER: And would that be a copy of
14 that subpoena?

15 THE WITNESS: Yes, it is.

16 MR. KOERBER: I note on the subpoena it
17 says for you to appear here today at 10:00 a.m., is
18 that correct? I mean, is that what the subpoena
19 says?

20 THE WITNESS: Yes.

21 MR. KOERBER: Let me represent for the
22 record that your attorney and I, subsequent to the
23 serving of that subpoena, agreed to change the time
24 that you were to report under that subpoena from

1 10:00 a.m. today to 11:30 a.m. today.

2 Was that your understanding well?

3 THE WITNESS: Yes.

4 MR. KOERBER: And I would also note for
5 the record that you were here at 11:30 a.m.

6 I'd like this to be Exhibit 1 or A or
7 however we're doing those.

8 (Exhibit No. 1 marked for
9 identification.)

10 MR. KOERBER: Also, this is a document you
11 have not seen. But this is the statement of the
12 process server that he served you. Okay?

13 So I'm just going to ask that that be
14 Exhibit No. 2 or B, whatever the case may be.

15 MR. BABBINGTON: Barry, I'll mark those as
16 Exhibit Williams 1 and Exhibit Williams 2.

17 (Exhibit No. 2 marked for
18 identification.)

19 MR. MCCUSKEY: I didn't ask Ms. Williams
20 if she wanted the money that can be paid for
21 appearance today. I didn't know if you were going
22 to ask or not.

23 MR. KOERBER: I regret to inform you that
24 based on some litigation that transpired last

1 September, one of the issues was the statute in
2 which we were subpoenaing people under.

3 So we changed the cite on the subpoena to
4 a different statute number that clearly gave us
5 authority to subpoena people and do this hearing
6 procedure or interview procedure.

7 And that statute does not require the
8 payment of the witness fees and the mileage. So we
9 have not been doing that.

10 So if you want to object to that, you're
11 welcome to make your objection. But I'm not in a
12 position at this time to offer you witness fee or
13 mileage.

14 MR. MCCUSKEY: Do you want money for the
15 appearance?

16 THE WITNESS: I turned in a vacation day.

17 MR. MCCUSKEY: What's that?

18 THE WITNESS: I don't get paid to work
19 anyway. I turned in a vacation day.

20 MR. MCCUSKEY: She's not going to ask for
21 that.

22 MR. KOERBER: With that, I would turn the
23 interview over to Mr. Bill Tucker to ask the
24 questions.

EXAMINATION

1
2 **BY MS. TUCKER:**

3 Q. First of all, I'd like to thank you for
4 coming in today. Do you prefer Ms. Williams or
5 Lisa?

6 A. Lisa would be fine.

7 Q. To start out, what was your job title?

8 MR. KOERBER: On April 5th?

9 Q. On April the 5th, what was your job title?

10 A. Administrative assistant.

11 Q. Okay. And how long had you held that
12 position?

13 A. Approximately 13 years.

14 Q. On April the 5th, who was your immediate
15 supervisor?

16 A. Chris Blanchard.

17 Q. With your job title there, what's kind of
18 some of your responsibilities, things that you were
19 responsible for?

20 A. I was responsible for production reports,
21 scheduling his meetings, taking messages.

22 Q. Okay. Speaking of production reports,
23 kind of, could you explain that a little bit to us
24 how that worked, the production reports?

1 A. I did two production reports a day per
2 each month. We did the day shift and evening, hoot
3 owls, idle, maintenance.

4 Q. On those production reports, was it the
5 same for, say, a miner's section and the longwall,
6 or was there some differences there?

7 A. We actually did the two for the longwall
8 on the day and the evening, but we did a 30-minute
9 report, too, for the longwall.

10 Q. Okay. So did they call those in to the
11 office that you worked at, like the 30 minute --
12 you mentioned the 30-minute report for the
13 longwall, was they required to call you every 30
14 minutes with the report?

15 A. They would call outside to the dispatcher.
16 The dispatcher would type it up on an email to me.
17 I would get it and I would forward it.

18 Q. So you received it in the form of an
19 email?

20 A. Yes.

21 Q. Is that the only way that you got them is
22 through email?

23 A. Well, if our email was down for any
24 reason, he would call me. But, yes, it was email

1 mostly.

2 Q. Then who all would you forward it to?

3 A. It was forwarded to Chris Blanchard; Jason
4 Whitehead; Mr. Blankenship's secretary, Sandra
5 Davis; Chris Adkins' secretary, Ms. Donna Markham;
6 and Keith Hainer.

7 Q. What if you didn't get one? What if the
8 mines didn't email you, what was the process then?

9 A. I would call the mines to remind them I
10 didn't get one. And then Greg Clay, which was the
11 dispatcher, he would get on the mine phone and
12 remind them to get it to me, and then he would
13 email it to me and I would email it to them.

14 Q. Okay. How did you get them to
15 Mr. Blanchard? Would you email them to him also,
16 or was that something you would verbally pass on to
17 him?

18 A. Typically I would verbally -- I would just
19 print it. He still got the email, but I wouldn't
20 sometimes send it to him emailed. Because if he
21 was right beside me, I would just give him a copy.

22 But most of the time it was set up to
23 automatically go to him. I had it to where it went
24 to all five people at one time.

1 Q. Okay. So if he was there and they were
2 late getting it to you, would you typically contact
3 the mines or sometimes would he contact them
4 wanting to know where it was at, or how did that
5 go?

6 A. I typically contacted the mines.

7 Q. Okay. Let's just go to April the 5th.

8 On the day of the explosion, do you recall
9 any issues that had come up that day from UBB?

10 A. No. I had my 30-minute production reports
11 up until it was time for the day shift production
12 report. I received a call from the dispatcher,
13 Greg Clay, that said he had lost communication.

14 And I gave the call to Chris Blanchard,
15 and Chris took the call and left. Well, he called
16 Jason Whitehead, because Jason just happened to be
17 on our property, because he normally didn't work
18 out of that office, and he left.

19 Q. Do you recall what he told Jason?

20 A. No. I mean, that he lost communication.
21 I mean, that he repeated words that I told him.
22 That's all I heard.

23 Q. Okay.

24 A. That's all he said.

1 Q. During the day, do you recall any
2 communication from Jack Roles that you had received
3 or -- from the mines --

4 A. No.

5 Q. -- on April the 5th?

6 A. No.

7 Q. Are you aware of any type of calls that
8 came from the longwall that day telling about the
9 problems they were having?

10 A. No. I could have been -- I mean, I go
11 away from my desk some, but, no, I did not talk to
12 Jack Roles.

13 Q. Okay. We just know that, you know, the
14 longwall had been down quite a bit that day and --

15 A. Right. And that was noted on the
16 30-minute report that they were having trouble.

17 Q. Okay.

18 A. Now, I can't -- I don't know what the
19 problem was. I guess I could have read my notes --
20 should have read my notes but I didn't. I can't
21 remember that far back.

22 Q. Right. It's been a while.

23 A. I mean, I don't know. Plus, I'm not a
24 longwall person. I take word for word what people

1 tell me.

2 Q. Right.

3 A. I know more underground.

4 Q. When you got the call, did you happen to
5 notice what time you got the call from the mines
6 from Greg Clay that there initially was a problem?

7 A. I don't recall exactly, but it was close
8 to 4 o'clock because I was waiting for my last
9 production report from them. And it was between
10 the 3:30 and the 4 o'clock 30-minute report.

11 Q. Do you recall if you got a 3 o'clock
12 30-minute report?

13 A. Yes, I did. The last report I got was
14 3:30.

15 Q. Okay. So the conversation that you're
16 aware of when they had a problem was that -- did
17 you hear anything talked about, other than they had
18 lost communications with underground?

19 A. They had problems that day. I don't know
20 what they were, but I do know I typed them up and
21 sent them on. But I wouldn't guess what they were.

22 Q. Right.

23 A. I mean, I don't want to guess. I won't.
24 But I'm sure on my computer, they're on there.

1 Q. Speaking of your computer, did the FBI
2 take your computer?

3 A. Yes, they did.

4 Q. Have they returned it?

5 A. Yes, they have.

6 Q. Do you know if all the information is
7 still on your computer?

8 A. Yes. I don't know if all of it is, but I
9 do know my longwall 30-minute report is.

10 Q. Okay.

11 MR. MCCUSKEY: You are talking about your
12 office computer, aren't you?

13 THE WITNESS: Yes.

14 MR. MCCUSKEY: All right. Thank you.

15 A. Because they had took my home computer,
16 too. I was off at the time having surgery when
17 they come in and took my office computer.

18 Q. After the explosion you was off?

19 A. Yes. I had a hysterectomy.

20 Q. Okay. On the -- any reports you received
21 from the mines, then, should still be on your
22 computer?

23 A. Yes.

24 Q. The 3:00 or 3:30 report you --

1 A. Yes.

2 Q. -- said you thought you might have
3 gotten?

4 A. I had a file and they all went in that
5 file, yes.

6 Q. Do you mind -- and again, I realize it's
7 been a while, but do you mind to just kind of walk
8 us through, after you got the initial call, how the
9 rest of your evening went, as far as what you were
10 asked to do, any calls you were asked to make?

11 A. No, I don't mind. I wasn't asked to make
12 any calls. Chris left and he was meeting Whitehead
13 at UBB.

14 I guess -- I'm not going to guess.

15 Somehow Chris Adkins was notified, because
16 he called and he told me to be sure and set up the
17 food and shelter. And we agreed on a place, that
18 we would have a meeting place for the families, and
19 I left and went up there and took care of that.

20 Q. Okay. So at that point, I mean, they
21 realized they had something major that had occurred
22 once they started making arrangements?

23 A. Yes.

24 Q. Are you aware of any written notes that

1 was taken by Greg Clay on the day of the explosion,
2 any written notes that he may have made?

3 A. That he didn't send to me?

4 Q. Right.

5 A. No.

6 Q. Would you know if there Blanchard would
7 have went to the mine on Easter Sunday for any
8 reason?

9 A. No. I didn't work Easter Sunday, so, no,
10 I don't know if he went.

11 Q. Just one or two more questions, and I'll
12 pass it on.

13 A. No problem.

14 Q. So, I guess, as far as communications that
15 you had, it went from they had lost communications
16 underground to now they're making arrangements to
17 have food and shelter set up for the families
18 that's going to be coming to the mines.

19 Do you have any idea of what time that you
20 become aware that there had been an actual mine
21 explosion?

22 A. No. I didn't realize how serious it was.
23 I just knew that they had lost communication. At
24 the time I thought the telephone, you know.

1 I mean, I didn't realize that they meant
2 communication. Because Chris didn't elaborate. He
3 just called Whitehead. So I'm thinking it's still
4 the phones.

5 And until I was called to set up shelter
6 and tables and food, because, you know, they didn't
7 know exactly what had happened. They were just
8 taking precaution. That's what I was told, to take
9 precaution.

10 MS. TUCKER: That's all I have for now. I
11 appreciate it. I'll pass it on to Jasey.

12 EXAMINATION

13 BY MR. MAGGARD:

14 Q. I guess where I'll start at, I know Chris
15 called Jason Whitehead. Is Jason Whitehead -- does
16 he have more authority than Chris, or could you
17 kind of explain that to us, what their jobs are?

18 A. Jason, I knew Jason because he was vice
19 president at Mar Fork for a while. But he had got
20 a promotion and he was over production on Route 3.

21 And he just so happened to be at Mar Fork
22 that day and had just left our office and said he
23 was going to Slip Ridge, so we knew where to find
24 him to call him.

1 Q. So if he was over production for Route 3,
2 is that a -- who is he working for? What part of
3 Massey Energy does he work for?

4 A. He would answer to Chris Adkins.

5 Q. Who is Chris Blanchard's -- who is his
6 direct supervisor?

7 A. He answered to Chris Adkins and
8 Mr. Blankenship. But I guess he would answer to
9 Jason Whitehead in a certain capacity, but the call
10 he got every morning was from Mr. Blankenship
11 himself.

12 Q. Was that just a call between him and
13 Mr. Blankenship, or was there other people, was
14 there like a conference call?

15 A. It was just Mr. Blankenship and him.
16 Mr. Blankenship had set a policy that everyone, all
17 the mines, were to call him every morning with all
18 the information about whether their sections were
19 running, if there were any problems, you know, and
20 that was a morning call.

21 Q. About what time would that call take
22 place?

23 A. It would depend I guess on -- Chris was
24 supposed to call him on his way to work. Sometimes

1 he couldn't get ahold of him.

2 By the time you get -- well, by the time
3 Chris could get his 15 sections' information, you
4 know, sometimes it usually was between 8:00 and
5 8:30.

6 Q. What mines was the call related to? What
7 mines was Chris responsible for?

8 A. All of our mines. It was all Mar Fork and
9 UBB. So it was the four mines at UBB and the
10 longwall.

11 And then Mar Fork had the two Parkers and
12 the two Slip Ridges, Marsh Fork, two Ellises, Allen
13 Powellton.

14 So, I mean, we had 15 sections, 16, by the
15 time he could ahold of all of his superintendents,
16 talk to them of what they thought was going to
17 happen through the day ...

18 Q. So let's say that during the morning hours
19 on your 30-minute call out report and stuff, you
20 had, like, the longwall down.

21 Was there any calls made that day, if you
22 can recall, or how did that normally work if they
23 were down on the longwall? Who would be calling?

24 Would Chris Adkins call Chris Blanchard,

1 would Chris call Mr. Blankenship, or how would that
2 normally work?

3 A. Normally I would get the call. And if it
4 was electrical, I would get the call from Keith
5 Hainer telling me to find out more details for him,
6 because he was the electrical engineer over it.

7 Depending on what it was down for, if
8 Chris Adkins was in the office he would call and/or
9 sometimes he would send an email on my 30-minute
10 report telling me what he wanted me to find out in
11 detail. Because usually if it was anything major,
12 Chris Blanchard would go there.

13 MR. MCCUSKEY: Excuse me if I interrupt
14 for a minute. I don't know about you, but this is
15 a serious interview. And the disruptions next door
16 are making it responsible, I think, for my witness
17 to concentrate and probably you guys, too. Maybe
18 you can tell them to keep it down a little bit.

19 MR. KOERBER: I apologize.

20 MR. MAGGARD: They're going to lunch.
21 They should be done in a second.

22 MR. KOERBER: And I apologize for that.

23 MR. MCCUSKEY: That's all right. But if
24 it keeps up, maybe somebody can go tell them to

1 keep it down.

2 BY MR. MAGGARD:

3 Q. As far as the 30-minute call outs, was
4 that only on the day shift that they got those, or
5 was that also on the evening shift? How did that
6 work?

7 A. It was supposed to be evening shift also,
8 but me and Greg were there. But Greg would have a
9 relief, and he was supposed to send it to
10 Mr. Blankenship's house directly.

11 Q. Was that faxed from the mines to --

12 A. Faxed from the mines to Mr. Blankenship's
13 house fax.

14 Q. Okay. As far as the 30-minute call outs,
15 who actually -- was it Greg Clay that would
16 actually type those up and send to you, or would he
17 send, like, a hand -- scanned handwritten document
18 and then you would have it typed --

19 A. He would type it up on an email and send
20 it to me, and then I would forward it on to my list
21 of who I had to send it to.

22 Q. Okay. Could you kind of give me a little
23 description of what you know about Massey Coal
24 Services, how that organization is set up? Who is

1 over that? How did they support, like, Performance
2 or UBB? Do you know a whole lot about that?

3 A. No, I don't know.

4 Q. Does Chris Hainer, does he work for Massey
5 Coal Services?

6 A. Keith Hainer?

7 Q. I'm sorry, Keith.

8 A. Keith Hainer does work for Massey Coal
9 Services and in engineering. He is the -- I always
10 called him the longwall guru because he was over
11 the longwall. He had the most experience on the
12 engineering part of the longwall.

13 Q. Okay. What about Bobby Goss? Was that an
14 employee of Keith Hainer's?

15 A. I did not deal with Bobby Goss. He did
16 work at the longwall, and I could get ahold of him
17 at the longwall. He didn't work through Massey
18 Coal Services. He actually worked through UBB.

19 Q. Was Jason Whitehead a part of Massey Coal
20 Services?

21 A. Yes.

22 Q. Okay. What about the engineers at Route
23 3? Are they a part of Performance, or was they a
24 part of Massey Coal Services as well?

1 A. Performance. Well, they were split. They
2 actually were located at Performance, but we had
3 certain engineers that worked for Mar Fork, certain
4 ones worked for Ellis Eagle, and certain ones
5 worked for UBB.

6 Eric Lilly was actually located at UBB, in
7 the office at UBB. He was their engineer.

8 Q. Did you also have to handle time sheets or
9 something from all these guys at the mines or at
10 Route 3 or --

11 A. No, I handled staffing sheets for them. I
12 mean, just what the positions they were in.

13 But I did not do their time sheets. Only
14 Chris Blanchard's and whoever the vice president
15 was at that time. Jamie Ferguson was over at UBB.

16 Q. Okay. And tell us about Mr. Ferguson.
17 What was his title, and what was his primary role
18 for Performance?

19 A. He was in the office beside me. And then
20 when they got UBB up and running with the four
21 sections and the longwall, Jamie was moved up to
22 the office, up to UBB office, had his own office,
23 and his primary function was to get the longwall
24 running -- I mean, get the UBB sections running

1 with the longwall. He was to oversee it.

2 Q. Okay. So on April 5th, where was he at on
3 April 5th? Where was his office? Was it still at
4 UBB? Just kind of clear that up for us. Where was
5 Mr. Ferguson that day?

6 A. UBB. He was at UBB. They had moved him
7 later, but that day he should have been at UBB
8 still. He was the vice president.

9 Q. Did a guy by the name of Bill Ross work at
10 -- for Performance or Mar Fork?

11 A. He worked in the office with me.

12 Q. Okay. What was --

13 A. And he -- I don't know his exact title.
14 It was a big -- I mean, on his business card, I
15 don't. I mean, I can't remember, but he was a
16 ventilation specialist is what I called him,
17 because that's what his speciality was, was
18 ventilation. But he was located in the office with
19 me and worked through Massey Coal Services.

20 Q. Okay. So who would have been his direct
21 supervisor?

22 A. I don't know, because he answered to so
23 many different people. I know Elizabeth
24 Chamberlain was actually the person that would call

1 him to go places, so I would say Elizabeth
2 Chamberlain.

3 Q. Okay. As far as meetings, we talked about
4 conference calls or telephone calls, we talked
5 about that every morning that Mr. Blanchard would
6 have to talk to Mr. Blankenship.

7 But as far as the employees at all the
8 mines he was responsible for, was there meetings
9 through the week, or was they scheduled meetings
10 that you had to assist Mr. Blanchard with the
11 schedule with the superintendents or whatever?

12 A. He would have department head meetings,
13 and he would also have what we would call S1P2
14 meetings weekly, and that would be for each shift
15 for the mine superintendent and mine foreman and
16 section foreman.

17 And a lot of times they would have them
18 bring one of their miner men. But, yeah, they
19 schedule weekly meetings.

20 Q. Okay. Did you also -- I know we talked
21 about production reports and 30-minute call outs.

22 Did you also get, like, a call out for
23 production sections, you know, regular miner
24 sections daily?

1 A. I actually got their production reports.

2 Q. Okay.

3 A. Now they would call me if they were down,
4 and I would page Chris with it or the vice
5 president, even Chris Adkins. But most of the -- I
6 mean, if it was down major, like the belt broke.
7 We got production reports. That was it.

8 Everything that I received that I typed
9 into the computer, I had a backup sheet that I
10 typed up from.

11 Q. So there wasn't any kind of two-hour call
12 out that come just like the 30-minute call out for
13 the --

14 A. Mr. Blankenship would choose targeted
15 mines and he would require a two-hour call out.
16 They would change from time to time whoever was
17 having trouble.

18 But, no, I never had, like, a set regular
19 two-hour call out on that same mine. He would
20 change the mines.

21 Q. Now let me ask you this. On April 5th,
22 was UBB one of those targeted mines for a two-hour
23 call out?

24 A. One of the sections at UBB was. And I

1 would like to tell you I know which one it was, but
2 I don't. Because we had changed the names to go,
3 like, headgate and tailgate, and I was used to
4 calling them different names. So I'm thinking
5 Headgate 22, but I would not swear to that.

6 Q. Okay. Would you be used to calling it,
7 like, 1 Section or 2 Section?

8 A. No. He had changed the names with UBB,
9 but we never had, like, a Section 1. They would
10 put Section 1, 2, 3 and 4 on their production
11 reports a lot, and I would have to go through and
12 say, this headgate, tailgate, you can't call them
13 that.

14 But I'm thinking at the time it was the
15 Headgate 22 that I had the two-hour report on.

16 Q. Okay.

17 A. But at Mar Fork, I had, like, four. So,
18 you know, it was hard for me to remember UBB's.

19 Q. When you have to do the two-hour call
20 outs, what normally targets that for a working
21 section? How did that work?

22 A. Excessive downtime or low production.

23 Q. Do you have any idea of how long that --
24 we're saying that we -- you think it's Headgate

1 22.

2 Do you have any idea how long it was on a
3 two-hour call out, prior to April 5th?

4 A. No.

5 Q. Did it seem like it was quite a while or
6 just a month or so, or any idea?

7 A. I can't answer that because I had 15 other
8 sections.

9 Q. Let's talk a little bit about the mines
10 and the equipment at the mines, and I know you got
11 a bunch of different mines and you got Performance,
12 and then there's other organizations and Massey and
13 stuff.

14 How was purchase orders handled at UBB and
15 Performance? Was that something you was involved
16 with?

17 A. In the executive office, no.

18 Q. So you never got, like, copies of purchase
19 requests from the mines?

20 A. Well, yes, actually we did. They would
21 fax it and Chris would sign it.

22 Q. So is there -- I mean, did you put those
23 in a file at Mar Fork or how was -- did you send
24 that --

1 A. They were sent back to the mines to put as
2 back up with their purchase order and sent down to
3 purchasing to order.

4 Q. Okay. And where was purchasing at?

5 A. The mines would actually purchase their
6 own things, but the head purchasing department was
7 at Mar Fork office. They were beside us.

8 Q. Who was over the purchasing department,
9 can you remember?

10 A. Yes. Ronnie Williams was the director.

11 Q. I would assume that sometimes, you know,
12 once they're approved, they probably go back to the
13 mines. Was there a routing for approval or
14 disapproval of purchase requests?

15 A. No. They were both sent back to the
16 mines, so they would have whether they knew they
17 could order it or not, and then Greg Clay was the
18 person that actually ordered it.

19 Q. Was all the purchase requests approved or
20 disapproved by Chris Blanchard, or was there other
21 people involved with that?

22 A. Chris Blanchard.

23 Q. Was he involved with big ticket items,
24 like a major piece of equipment, or would that come

1 from Massey Coal Services or --

2 A. That was capital, and that would have to
3 go through Mr. Blankenship.

4 Q. Okay. Was a lot of requests -- if you
5 could remember back that far, I know it -- was
6 there a lot of denials of any kind of purchase
7 requests or anything come to mind?

8 A. For UBB, no, I don't -- no, there wasn't a
9 lot of denials.

10 Q. Do you have any that come to mind recent?

11 A. Yeah. They wanted to order pop and he
12 denied it and it was a big stink. I mean, that's
13 the one that comes to mind because that was the
14 biggest issue.

15 They were used to union and they were used
16 to -- that's what they got. But he was used to Mar
17 Fork and we didn't. So things like that is what
18 comes to mind to me.

19 But to say that he denied equipment that
20 they needed; no, I don't remember that.

21 MR. MCCUSKEY: Let me make sure, who is
22 the "he" you're talking about?

23 THE WITNESS: Chris Blanchard.

24 Q. As far as these purchase requests, where

1 are they currently at, or where do they store them
2 at right now?

3 A. They should be at UBB's office.

4 Q. How far back would they normally keep
5 those, do you know?

6 A. I don't know.

7 Q. Have you ever seen any kind of request
8 denied about rock dust, or anything like that, that
9 UBB was trying to purchase, or do you ever recall a
10 request for purchasing additional rock dust being
11 denied?

12 A. No.

13 Q. How about one on the methane detectors?

14 A. No, I don't remember seeing any on methane
15 detectors, but I do remember seeing them on rock
16 dust. But like I said, I had 15 other sections. I
17 really didn't read these requests.

18 Q. Okay. Thank you.

19 Let's talk -- I know it's a hard subject,
20 but I know we was talking about April the 5th.

21 And did you know some of the employees
22 that worked at UBB on April the 5th?

23 A. Yes, I did.

24 Q. Was that a working relationship or family?

1 A. Both.

2 Q. Did you have to help out -- and I'm sorry
3 for that. Did you have to help out with any of the
4 victims' belongings or assist in any way in
5 collecting those for the families?

6 A. No. I dealt with the families only. I
7 didn't deal with any belongings.

8 Q. Do you know anybody that did assist in
9 that, say, like, taking -- trying to coordinate
10 getting victims' vehicles from the property or
11 getting personal items out?

12 A. Jennifer Chandler, Connie Hendrix, our
13 human resource department.

14 Q. Okay.

15 A. And I think they actually had some loaner
16 human resource departments, like, from Independence
17 and Brian Hicks and them, too.

18 Q. As far as belongings out of victims'
19 lockers and stuff, would those individuals be --
20 would they have been participating in giving those
21 belongings to the family members?

22 A. Yes. They had to approve a family member
23 to go up on a hill, and then security would escort
24 you. Because I actually had got escorted up to get

1 my nephew's belongings.

2 Q. Do you need to take a break?

3 A. No, I'm all right.

4 Q. You're sure?

5 MR. MCCUSKEY: Are you guys aware that her
6 nephew is one of the victims?

7 MR. MAGGARD: I kind of thought that maybe
8 he was.

9 A. I got his locker stuff and his vehicle.

10 Q. Okay. When you got his stuff from the
11 locker -- first, for the record, who was your
12 nephew?

13 A. Gary Quarles.

14 Q. Okay. Do you remember what types of items
15 was in his locker, Lisa?

16 A. No. His uncle got those. I just got the
17 vehicle.

18 Q. Okay.

19 MR. KOERBER: Any time you want to take a
20 break just let us know.

21 THE WITNESS: I'm okay. It will be all
22 right.

23 Q. Can I ask you a question about -- let's
24 say an inspector arrived at UBB. Would there been

1 any contact to your all's office that an inspector
2 was on the property?

3 A. Yes.

4 Q. Okay. Let's say from UBB that an
5 inspector arrived on the property. Who would
6 normally make that call, and who would they contact
7 at your office?

8 A. It was usually the outside guy, the one
9 that was responsible to call. I would have to call
10 and say, Are you running? And they would -- or
11 when they called in their two-hour report or their
12 mid-shift report, they would say we have -- I mean,
13 but that was after they had already probably went
14 underground.

15 We had one federal and two state when they
16 gave me their production report. And that's what
17 we typed. We never typed no names. I mean, they
18 never told me names, nothing. They would just say
19 we had three inspectors.

20 Sometimes you might have one that would
21 say, one state and two federal. Like at UBB, they
22 wouldn't really tell me where at, anything.

23 Q. Would --

24 A. But I didn't ask.

1 Q. Okay. And would you have to relay that
2 information to Chris Blanchard?

3 A. Yes. That would be typed on the report.

4 Q. Okay. But is that something, if he wasn't
5 there, that you needed to contact him at another
6 mine?

7 A. No.

8 Q. Okay.

9 A. No. He never required me to contact him
10 at another mine.

11 Q. Okay.

12 A. The only time I contacted him at another
13 mine was when we had, like, the belt broke and
14 something that he would need to try to find belt
15 for.

16 Q. On April the 5th, do you recall any kind
17 of contact between Mr. Blanchard and the mine
18 regarding why the longwall was down?

19 A. I remember he talked to Jamie Ferguson. I
20 can't remember Jack Roles calling in, but I do
21 remember Jamie calling.

22 Q. Was there concern about how long the
23 longwall was down? Do you remember any kind of --

24 A. No, I did not hear --

1 Q. -- problems?

2 A. -- any of that conversation.

3 MR. MAGGARD: Thank you. I'm going to
4 pass it along to Mr. Godsey.

5 EXAMINATION

6 BY MR. GODSEY:

7 Q. Were you aware, did they have much
8 discussion in the office in the month or week prior
9 to the explosion about ventilation problems at UBB?

10 A. I was aware that they were redoing, like,
11 maps and bringing them to MSHA and looking at maps
12 in the map room.

13 Q. Do you know what reason they were doing
14 that?

15 A. No, I don't.

16 Q. Mr. Blanchard, did he spend any time prior
17 to April 5th at UBB off shifts or anything, just
18 making visits there?

19 A. Yes.

20 Q. How often and when?

21 A. I couldn't tell you how often. I just --
22 I do know that he was at UBB the week just before
23 that.

24 Q. Do you know, did anyone go with him or who

1 assisted him, Jason Whitehead or anybody else?

2 A. Jason Whitehead if he was there.

3 Q. What about Bill Ross? Would Bill Ross
4 have any -- did he have any discussion on the
5 ventilation there with Mr. Blanchard?

6 A. No.

7 Q. Any possible problems?

8 A. No. I mean, they talked in the office,
9 but did Bill go with him, no.

10 Q. Do you know of any other conversations
11 that he had with Chris Adkins or anyone about the
12 problems that they had at UBB according to
13 ventilation?

14 MR. MCCUSKEY: Are you asking about Bill
15 Ross?

16 A. That's what I was getting ready to say.
17 Are you talking about Chris Adkins or Bill Ross?

18 Q. Chris Adkins. Did Mr. Blanchard talk with
19 Chris Adkins?

20 A. Yes, he did.

21 Q. Okay. Could you tell us any -- some of
22 the --

23 A. No. I just know I would hear him asking
24 Donna to get Chris on the phone.

1 Q. Did they have meetings concerning the
2 problems they had at UBB?

3 A. If they did, Chris Adkins went to the
4 mines, because he didn't come in our office. I
5 didn't see him.

6 Q. Okay. Why didn't he come in the office?

7 A. I don't know.

8 Q. Where was your office exactly? I didn't
9 -- where was your office?

10 A. They had us, executive office, they pass
11 through my office to get through Chris Blanchard's
12 and Bill Ross'.

13 Q. Where was your office located?

14 A. Executive office.

15 Q. I know, but --

16 A. At Mar Fork.

17 Q. Mar Fork. Okay.

18 A. We were over UBB, but I never had an
19 office at UBB.

20 Q. Okay.

21 A. And Chris Blanchard did not either.

22 Q. Do you recall any instances where maybe
23 Mr. Blanchard had maybe called out on one of the
24 sections at UBB, and they had been done down for

1 ventilation or roof or whatever, and that the
2 section foreman had shut production down, and
3 Mr. Blanchard had a fit over that, he got in
4 contact with a foreman or the mine foreman to talk,
5 see how come they're down, maybe to see how come
6 they weren't running?

7 A. Yes.

8 Q. Do you remember how many times it
9 happened?

10 A. No.

11 Q. Did he ever threaten anyone, or did you
12 hear him threaten if you didn't do this or do that,
13 you're going to --

14 A. No. I do know he'd go up there.

15 Q. Did he get kind of -- what was his
16 demeanor when he left?

17 A. Nice. I mean, Chris was always nice to
18 me.

19 Q. Okay.

20 A. I mean, upset, I'm sure, that they were
21 down, but not mad. I mean, he didn't leave
22 slamming the door.

23 Q. Okay. Do you know if anybody has ever
24 been discharged because of maybe closing a section

1 down for a ventilation problem or roof problems or
2 delays where they couldn't run until they got it
3 corrected, but they wanted to begin running?

4 A. No.

5 Q. When the production reports came out and
6 there was delays or whatever over an extended
7 period of time, maybe during a morning or
8 something, did anyone above Mr. Blanchard's office,
9 say, Adkins or Blankenship, Mr. Blankenship, call
10 down and want to know exactly why or what's wrong
11 and how come they're not running?

12 A. Yes.

13 Q. How often was that?

14 A. Every time I put on a report that they
15 weren't running. I had a time that I had to put
16 what time they started, and I had to put a reason
17 if they were late.

18 Q. Okay. Was that -- you say it was often,
19 you say, when that happened?

20 A. Yes.

21 Q. I'm going to change a little bit.

22 Who was your supervisor before Mr. Wayne?

23 A. Johnny Jones.

24 Q. When did he retire or leave the

1 department?

2 A. He moved, but I worked for Johnny ten
3 years. 2007. 2007, Chris Blanchard came
4 approximately.

5 Q. I'm going to ask you, was there any
6 difference in the way that that office was operated
7 from the previous to the one that was April the
8 5th?

9 A. Johnny didn't run UBB.

10 Q. Okay.

11 A. That was run through Logan's Fork under
12 Craig Boggs. So after Johnny left, I inherited UBB
13 with Chris Blanchard.

14 Q. Okay. Was that good or bad?

15 A. It was a lot more work. So I can't say
16 good or bad, because I didn't know -- I never -- I
17 didn't do the production for UBB, so I don't know
18 what they had run like at Logan's Fork because they
19 were in the middle of moving when Chris Blanchard
20 was moved up there.

21 Q. Why did they move the longwall to UBB?
22 What was the reason, do you have any idea?

23 A. I thought they had finished at Logan's
24 Fork, and it was time to move it.

1 Q. Was UBB ready for the longwall, do you
2 have any idea -- was there mention about that? Had
3 it been designed for the longwall?

4 A. Yeah, it was being designed for the
5 longwall. I think the work was still kind of in
6 progress, but they knew, that, you know, it would
7 take a while to move. So at the time, that's what
8 -- they were moving it.

9 Q. Once the longwall got to UBB, do you
10 remember recalling any problems they had getting it
11 started or had any problem?

12 A. No.

13 Q. Think back a little bit, maybe in November
14 or December of 2009, the prior, that production
15 kind of ceased for a while. They had run into some
16 problem.

17 A. Water.

18 Q. What do you know about the water?

19 A. That's all I remember. They had water. I
20 mean, they were running pumps. I don't know what
21 caused the water. I mean, that was over my head.

22 Q. Did it stop production on the longwall for
23 a while?

24 A. Yes.

1 Q. On any other section did it stop?

2 A. I know it stopped it on the longwall, but
3 I hate to answer on the other. I think it did.

4 Q. Do you know if they did any kind of
5 research to see where the water came from or what
6 -- where the problem was?

7 A. I knew Chris and Jason Whitehead was up
8 there almost every day. And Chris Adkins, I know,
9 went up to that, and Jack Roles and Jamie
10 Ferguson.

11 I think actually that's when Jamie was
12 sent up there to be -- to make sure every day, you
13 know, that he was there constantly. They said they
14 wanted Jamie there.

15 Q. Did Bill Ross ever get involved with that
16 ventilation during this time?

17 A. No.

18 Q. Now we're going to come on to maybe into
19 the end of November, end of December.

20 And do you happen -- about a roof fall.
21 Do you remember ever having reported to you a roof
22 fall on the shear or a roof fall on the No. 2 entry
23 of the longwall that stopped production for a
24 while?

1 A. I do remember having a roof fall. I don't
2 remember what time frame it was.

3 Q. Do you remember any other events that was
4 called out, roof falls in the tailgate entry that
5 stopped, you know, production for a while?

6 A. No. The tailgate entry was where my
7 nephew worked, so, you know. I don't want to say
8 hearsay.

9 Q. What was the thoughts with Mr. Blanchard
10 and Jason about them being down so long? Were they
11 putting a lot of pressure on the mine to get it
12 started back?

13 A. I don't know.

14 Q. And you said -- earlier I think you said
15 Mr. Blanchard used to have meetings, I guess, with
16 some of his subordinates and stuff. Did you attend
17 any of those meetings?

18 A. No. I would go in and out, take coffee,
19 takes messages, but, no, did I sit in and take
20 notes, no.

21 Q. I'll ask you this question, did the
22 explosion surprise you?

23 A. Yes, it did.

24 Q. What was your first -- what was your first

1 opinion, what did you think happened?

2 A. I have no idea.

3 Q. Just immediately after the explosion, was
4 Bill -- you say Bill Ross was -- I'm sorry. Was
5 Bill Ross, was he in the office with you when you
6 found out about it?

7 A. Yes, he was.

8 Q. Do you remember what his reaction was to
9 it?

10 A. He left, went up there.

11 Q. Oh, he went with them?

12 A. No, he didn't go with them. He left after
13 I told him what happened.

14 Q. Okay. Did anyone call back to you after
15 they got up there?

16 A. My phone was ringing so much, they
17 couldn't have got through.

18 Q. Have you ever traveled underground? Have
19 you been underground?

20 A. Yes.

21 Q. Have you been underground at UBB?

22 A. No, I hadn't been underground at UBB.
23 I've been on the longwall section, but not at UBB.

24 Q. Was that at Logan's Fork?

1 A. No, Ellis Eagle.

2 Q. Did Mr. Blanchard keep a list, or are you
3 aware of a list that he kept of potential miners
4 that would cause problems, or kept a record on
5 problems of people at UBB?

6 A. No.

7 Q. On the 22 Headgate, I guess you're aware
8 they had -- we was talking about the ventilation
9 problems?

10 A. Yes.

11 Q. Did that ever concern you any? I mean,
12 you had thought about it?

13 A. No, it was over my head.

14 Q. Did any of your neighbors or relatives or
15 anybody mention to you about any problems that they
16 might have had at UBB?

17 A. My nephew.

18 Q. What did he say?

19 A. He just said that there was problems. He
20 didn't say what.

21 Q. About when did he say that?

22 A. About two weeks before the explosion.

23 MR. GODSEY: That's about all I've got.

24 Want to take a break?

1 MR. BABINGTON: It's been about an hour,
2 Barry. I think we should take a break.

3 MR. KOERBER: Ms. Williams, we're just
4 going to take a real quick break.

5 (Break.)

6 MR. KOERBER: Let's go back on the record.

7 EXAMINATION

8 BY MS. TUCKER:

9 Q. You mentioned about, if I understood right
10 for the evening shift, normally the 30-minute call
11 outs Greg Clay would type up and email to you, and
12 then you would forward them on.

13 But on the evening shift, once you had
14 went home and Greg had went home, if I understood
15 you right, does the evening shift person who takes
16 that call out, is that the one that faxes it to
17 Mr. Blankenship's --

18 A. Home fax, yes.

19 Q. Home fax, okay.

20 But day shift, they were just sent by
21 email?

22 A. Right.

23 Q. If I understood you right, with Jamie
24 Ferguson, at the time on April the 5th, was he the

1 vice president of Performance Coal at that time, or
2 do you recall?

3 A. Yes.

4 Q. Do you know what Wayne Persinger's title
5 was?

6 A. No, I don't, because I forgot about Wayne
7 up there. I was thinking Wayne was safety, but no,
8 I don't.

9 Q. Okay.

10 MR. KOERBER: Is it possible that Wayne
11 was vice president and Jamie was not, or are you
12 sure Jamie was vice president.

13 THE WITNESS: It's possible that Wayne was
14 because Jamie could have been moved by that time.
15 I won't ...

16 Q. I guess I'll just ask that if there's
17 anything at all on April the 5th that you can
18 recall, that even if it's something minor, maybe
19 some calls made from the mines to Mr. Blanchard or
20 to yourself about problems they were having or --
21 is there anything at all that comes to mind maybe
22 we haven't already talked about?

23 A. They did their morning report like
24 everybody else. So, I mean, I wouldn't have been

1 aware of a problem if they told Chris, because all
2 of his mines called him before he had to take the
3 call for Mr. Blankenship.

4 Q. Okay.

5 A. So, I mean, he talked to every mine, every
6 morning.

7 Q. One other question. Does anything come to
8 your remembrance of any type of problems the
9 longwall may have been having, say, within a week
10 of the explosion, a few days prior, the week before
11 the explosion that you had heard any conversations
12 about?

13 A. No.

14 MS. TUCKER: That's all I have. I
15 appreciate it.

16 EXAMINATION

17 BY MR. BABBINGTON:

18 Q. Ms. Williams, I just wanted to follow up
19 on a couple of these things.

20 Are you currently still employed with, I
21 guess, now Alpha?

22 A. Yes.

23 Q. Are you still working in the Mar Fork
24 office?

1 A. Yes.

2 Q. On April 5th, did you supervise any
3 employees?

4 A. No.

5 Q. You were talking about some of the
6 official titles for folks. Do you know -- you
7 talked about Jason Whitehead being part of Massey
8 Coal Services, and that he was over production on
9 Route 3. Do you know what his official title was?

10 A. No, I don't.

11 Q. You said you worked at the Mar Fork
12 office?

13 A. Yes.

14 Q. Did Mar Fork offer you salary?

15 A. I was paid through Massey Coal Services.

16 Q. You were paid through Massey Coal
17 Services?

18 A. Uh-huh.

19 Q. Did UBB handle all of their own -- I'll
20 try to explain this. Did they handle all of their
21 own operations in terms of did they have their own
22 personnel department, their own engineering
23 department, their own accounting department?

24 A. No. All the engineers were at

1 Performance. All the human resources were at Elk
2 Run, and all the production people and accounting
3 was at Mar Fork.

4 Q. And was there a safety department?

5 A. We each had our own safety department.

6 Q. When you say we "each" --

7 A. Elk Run, yes, they had their own safety.
8 UBB had their own safety. Mar Fork had their own
9 safety, and Elk Run had their own safety.

10 Q. Okay. Besides the -- you talked about the
11 daily phone calls that Mr. Blankenship and
12 Mr. Blanchard had.

13 Was there any other kinds of communication
14 that they had throughout the day?

15 A. Oh, yes.

16 Q. What sorts of communications did they
17 have?

18 A. I mean, he might call just to ask how the
19 mines were doing, or Chris Adkins might call to ask
20 how the mines were doing, or they might even call
21 for a different reason, you know.

22 Q. Were any of these communications written,
23 or were any of them done by telephone?

24 A. Both.

1 Q. What were the written communications?

2 Were those emails, faxes?

3 A. Both. Mr. Blankenship would fax, and most
4 of his communications were faxed.

5 Q. On average, how often was Blankenship
6 faxing questions to Blanchard on any given day?

7 A. About five times -- he might get five, but
8 it could be the same memo back and forth answering
9 a question on each of those. So it was probably
10 five times a day.

11 Q. Are you aware of a policy within Massey
12 that Blankenship required approval for hiring
13 contract labor?

14 A. No.

15 Q. What about an approval policy for
16 equipment rental?

17 A. Yes.

18 Q. Can you tell me a little bit about that?

19 A. It had to be signed off. If we were going
20 to rent a piece of equipment, there was a form that
21 you filled out and it had to go through Mark
22 Clemens, and Mark Clemens could sign off, but --
23 and Mr. Blankenship would sign off.

24 Q. Who is Mark Clemens?

1 A. Mark Clemens was the head controller, the
2 chief financial officer. That was his title.

3 Q. Did you work at all with Profit and Loss
4 Statements?

5 A. When I was in accounting I did and some
6 through executive, yes. I have an accounting
7 background.

8 Q. Did you work as an accountant for Massey?

9 A. I was accounting assistant, yes.

10 Q. Did you do that for Performance, or was
11 that at an earlier point?

12 A. That was earlier for Mar Fork only.

13 Q. Did you deal at all with compliance with
14 mining projections?

15 A. No.

16 Q. Are you familiar with any independent
17 safety audits that were performed at UBB?

18 A. Yes. Our mine rescue -- well, we asked --
19 you mean -- company mine rescue would do
20 independent safety audits.

21 Q. Do you know how often those were done?

22 A. No.

23 Q. Okay. Are you familiar with a group
24 called Pavlovich & Associates?

1 A. No.

2 Q. Are you aware of any other safety audits
3 that were done besides those done by your mine
4 rescue folks?

5 A. No.

6 Q. Did Mr. Blankenship -- what entity did he
7 work for? Was he Massey Energy Company? Was he AT
8 Massey Coal Company? Was there an organization
9 that he was specifically affiliated with?

10 A. Mr. Blankenship?

11 Q. Yes.

12 A. He was Massey Energy. I mean, he was the
13 chief.

14 Q. The CEO?

15 A. Yeah, chief executive officer. I was
16 trying to think of what he was called and the vice
17 president -- or president. He had two titles, but,
18 yeah, he was Massey Energy.

19 Q. We're a little aware of -- we're somewhat
20 familiar with the kind of group, like resource
21 group structure, that was set up within Massey
22 Energy. Do you know which resource group was
23 Performance a part of?

24 A. What do you mean? I mean, I'm not

1 understanding.

2 Q. Are you familiar with Massey Energy being
3 broken up into different resource groups?

4 A. Yeah. They were considered Route 3.

5 Q. For Performance you mean?

6 A. Yes, Performance was considered Route 3,
7 which consisted of Elk Run, Performance and Mar
8 Fork.

9 Q. Did anyone oversee Route 3 operations
10 generally?

11 A. Jason Whitehead was overseeing the
12 production part of it.

13 Q. Okay. And you said that he -- okay. You
14 said he -- that's actually part of Massey Coal
15 Services is who he was affiliated with?

16 A. Yes.

17 Q. Were there any other individuals who were
18 involved at that level of Jason Whitehead for
19 Route 3?

20 A. I'm thinking -- no, I don't know for sure.

21 Q. Who did Keith Hainer work for?

22 A. He worked for Massey Coal Service.

23 Q. Okay.

24 A. But I'm not sure if he was just over

1 Route 3. That's who I was thinking, Keith Hainer,
2 but I'm not sure if he actually went for the other
3 side, Independence and all them, too, so that's the
4 reason I said that.

5 Q. Oh, okay.

6 A. Because I am not sure what Keith did.

7 Q. And how was Massey Coal Services related
8 with Massey Energy?

9 A. Massey Coal Services was the office for
10 Massey Energy. Mr. Blankenship was located out of
11 Lauren Land, which is in Kentucky, but Massey Coal
12 Services was the office in West Virginia.

13 Q. Did you consider Massey Coal Services to
14 basically be Massey Energy Company?

15 A. Yes, they were.

16 Q. Where does Chris Adkins fit into this?

17 A. He worked for Massey Coal Services, and he
18 was the chief -- he was the vice president and CEO
19 -- he was, like, under Mr. Blankenship. He was the
20 next step under Mr. Blankenship. Mr. Blankenship
21 was the CEO and president. Chris was, like, the
22 vice president of operations.

23 Q. What about Elizabeth Chamberlain? You
24 mentioned her before. Where does she fit in?

1 A. She was the safety for Massey Energy. She
2 was the head safety person.

3 Q. Was she also affiliated with Massey Coal
4 Services?

5 A. Yes.

6 Q. Are you familiar with the 1-800 call-in
7 number that Massey created for safety complaints?

8 A. Ethics hot line.

9 Q. Is that what it was called?

10 A. Yes.

11 Q. The ethics hot line?

12 A. Uh-huh.

13 Q. Do you know of anyone who ever called into
14 that number?

15 A. No, I don't. Those went directly to
16 unknown -- nobody in the company.

17 Q. Oh, they just -- something that was an
18 outside group?

19 A. Right.

20 Q. Just a few more. Thank you.

21 You mentioned that you had set up your
22 email to automatically send the production reports
23 to those five different individuals that you named?

24 A. Right.

1 Q. Is that just a feature that was associated
2 with your -- was that a software feature with your
3 email clients?

4 A. Yeah. Once I got it, all I had to do was
5 hit "to," and I named it, Production, or, like,
6 Longwall Report, and it would go -- it
7 automatically would go to those five when I hit
8 send.

9 Q. Is it safe to say that you always sent
10 those production reports to those five people?

11 A. Yes, group.

12 Q. Okay.

13 A. Only time I didn't is if I went on
14 vacation and then, you know, they wouldn't want to
15 be getting them and it come out of that same
16 office.

17 Q. I understand.

18 A. So then I would take that one out for that
19 week.

20 Q. You also mentioned individuals named
21 Ronnie Williams?

22 A. Purchasing director.

23 Q. Purchasing director. And he worked for
24 Mar Fork?

1 A. Yes.

2 Q. Okay. And you said he had some -- he was
3 involved when you had purchase orders, things would
4 go through him?

5 A. Yes.

6 Q. Okay. So if Performance wanted to
7 purchase something, it would have to go through an
8 individual at Mar Fork for approval?

9 A. It would go through Chris Blanchard.

10 Q. It would go through Chris Blanchard?

11 A. Yeah. Ronnie was just over purchasing.
12 He, more bigger items, like he would send out
13 capital requests and things like. And if Chris was
14 out of the office, Ronnie would sign.

15 Q. Oh, if Chris Blanchard was out of the
16 office?

17 A. Yeah, if Chris Blanchard was out of the
18 office, usually Ronnie was the next in line to sign
19 the purchasing order.

20 Q. I understand.

21 MR. BABBINGTON: Thank you.

22 EXAMINATION

23 BY MR. MAGGARD:

24 Q. Was there times that a lot of purchase

1 orders come through when Chris wasn't there for
2 UBB?

3 A. Yes.

4 Q. Would it be, like, several more than what
5 would normally come through?

6 A. I didn't get them when Chris wasn't
7 there. They was handed directly to Ronnie.

8 Q. Okay.

9 A. Because they knew Chris was out, and I was
10 Chris' secretary.

11 Q. Did Chris pretty often deny purchase
12 orders? I mean, I think we asked this before, but
13 I just want to make sure I'm clear on it.

14 A. No, he didn't. If he thought it was
15 something, like rock dust, things that they needed,
16 no, he did not.

17 Q. I understand there was some layoffs prior
18 to April 5th. Do you know anything about the
19 layoffs that occurred, who was affected by them?

20 A. No, I don't. That would be human
21 resources.

22 Q. When you say human resources, who would
23 determine who got laid off or, you know, if it was
24 a contractor that got -- who chose that those guys

1 would not continue working?

2 A. Policy was contractors got laid off
3 first. But our human resources manager is Jennifer
4 Chandler, so I guess it would go through Jennifer.
5 I don't know if she worked through upper
6 management. I have no idea.

7 Q. Do you recall -- you might have already
8 touched on this, but do you recall any times that
9 Chris Adkins made a visit to Upper Big Branch?

10 A. Yes. I mean, I know he went to Upper Big
11 Branch, but I don't know when or anything.

12 Q. I know it's hard to remember. Would you
13 say he'd been there a few months prior, or within a
14 few months time of the accident, or do you know?

15 A. I don't know.

16 Q. I know you've worked there a long time and
17 you've seen -- you've had different bosses?

18 A. Right.

19 Q. Like we all have.

20 MR. MCCUSKEY: She's actually only had a
21 couple and for a very long time; right?

22 THE WITNESS: Well, yeah.

23 MR. MCCUSKEY: It depends -- you know,
24 well --

1 THE WITNESS: In the executive I had --

2 MR. MCCUSKEY: Ten years is a long time
3 for one boss.

4 THE WITNESS: Yeah, Johnny Jones.

5 MR. MCCUSKEY: Three years for the other
6 one.

7 THE WITNESS: That was my boss.

8 BY MR. MAGGARD:

9 Q. How was the general attitude of the Upper
10 Big Branch mine in the last couple years as
11 compared to prior?

12 A. See, I can't answer that, because prior it
13 was Logan's Fork and I didn't do Logan's Fork.
14 That was done through Elk Run.

15 Q. Okay. Had you ever heard anybody make
16 comments that things weren't as good as they used
17 to be or anything like that?

18 A. No.

19 Q. Have you had to handle any kind of record
20 books, anything that were at the mines prior to
21 April 5th, any kind of evidence from the mine
22 that's come through your office?

23 A. No.

24 Q. Have you seen any of it come through your

1 office?

2 A. No. Just after April the 5th I did. I
3 had to copy them all for MSHA.

4 Q. Okay. So you copied record books, I
5 assume?

6 A. Yes, while somebody from MSHA watched me.

7 Q. Was that -- how many -- how long --

8 A. Each book.

9 Q. Every book?

10 A. Yeah, I helped legal department copy.

11 Q. Okay. Do you have any reason to believe
12 that any of those books might have turned up
13 missing or anything happened to any of the books?
14 How was that kind of coordinated?

15 A. No, I don't have any reason to believe
16 they were. There was always an MSHA person there,
17 Ellison. Brandon, maybe Ellison.

18 Anyway, he sat right there and if you took
19 a book, he walked to the copier with you and you
20 copied the page. He stood there, he walked back
21 with you, you separated them, you know, into the
22 stacks.

23 I mean, there was always -- and they would
24 trade off people, but you did not copy anything

1 while they were trading their people. I mean, they
2 were with you all the time.

3 Q. How many days did you work on doing that?
4 Was that right after the accident, or when was it?

5 A. That was right after the accident.
6 Actually, some people still were underground.

7 I, myself, worked on it two days. Then my
8 sister had a nervous breakdown and I went to her.
9 I stopped and I took time off.

10 Q. Has anybody ever told you that a -- I
11 don't need you to disclose this information, and
12 I'm not asking about, like, a part of Massey's
13 investigation, but, hey, this condition to April
14 5th existed, don't tell nothing about it?

15 A. No, no, no.

16 Q. Do you know who purchased the coal at
17 Upper Big Branch?

18 A. Who purchased the coal?

19 Q. Where did it ship to, and do you know
20 anything about that?

21 A. No. It came to Mar Fork. The coal was
22 brought to Mar Fork, mixed with our coal, and it
23 was different companies we sold to. Elgama Steel,
24 Bethlehem Steel. I mean we met with customers and

1 they sold coal to different customers.

2 Q. Like, say, weeks prior to April 5th, did
3 you know where it went to, or was that just another
4 job you done before that you --

5 A. That was just another contract before. I
6 mean ...

7 Q. Okay. Mr. Bill Ross, I know we've asked
8 about Bill Ross, did he participate in any way with
9 Upper Big Branch? Did he make any decisions up
10 there on ventilation, or do you know? Did he make
11 visits to UBB, do you know that?

12 A. I know he dealt with Joe Mackowiak on
13 UBB. No, I don't know if he went up to UBB.

14 Q. Was there any reason -- was he working for
15 other parts of Performance, or was there a reason
16 why he didn't go to Upper Big Branch?

17 A. He was working at Keppler at the time,
18 too. Bill worked for all Massey. So I do know
19 that he was gone to Keppler, and I know he was gone
20 to Green Valley, and he was working other
21 locations.

22 Q. As far as Mr. Blanchard goes, did he have
23 contact -- did he discuss a lot of issues with
24 Mr. Ross? I understand they were close to your

1 cubicle or desk. Did they have a good working
2 relationship?

3 A. No. They didn't discuss a lot. No. I
4 can say no to that. But Bill was out a lot, too.

5 MR. MAGGARD: I think that's about all I
6 got.

7 EXAMINATION

8 BY MR. GODSEY:

9 Q. Bill Ross, did he ever work much with
10 Route 3 engineering in ventilation for UBB?

11 A. No. I mean, I know he would meet him at
12 meetings when they would come and meet with Joe
13 Mackowiak, but he was out of the office more with
14 Keppler and Green Valley.

15 Elizabeth Chamberlain was the one that
16 would send Bill where he needed to go. She was his
17 boss.

18 Q. Would he go to UBB anytime, or did he
19 visit their office?

20 MR. MCCUSKEY: I think she's asked -- been
21 asked that by about three different people, but go
22 ahead.

23 A. Yeah. No.

24 Q. Was there any condition on the production

1 report that was called out to you that was to
2 trigger an immediate response for you to contact
3 someone, like any condition, poor condition?

4 A. Belts. Belts down, miner down, equipment
5 down. That was the key things, you know. I mean,
6 had they told me that, you know, they had water, I
7 would have contacted them. Ventilation problems I
8 would have contacted. You know, things, words like
9 that, yes. I paged them.

10 Q. Is there anything you could tell us that
11 could help us with, that maybe could help prevent
12 this from happening again, this kind of --

13 A. No.

14 Q. Were you surprised when you read about
15 some of the allegations that were going on to the
16 news media, stuff that was going on at UBB?

17 A. Yes.

18 Q. Did you ever suspect any of these
19 practices, you know, any of these allegations were
20 true?

21 A. No.

22 MR. GODSEY: Okay. That's about all.

23 MR. MCCUSKEY: Gentlemen, I have one
24 follow-up when you're done.

1 MR. KOERBER: Go right ahead.

2 MR. MCCUSKEY: It may have left the
3 incorrect impression. You all have interviewed,
4 what, four or five hundred people, so you probably
5 already know this, but it was suggested that all
6 the production reports that Lisa dealt with were
7 emailed to a group, when, in fact, the production
8 reports, the shift production reports, were handled
9 in a different way.

10 You probably already know that, but the
11 record would not be clear from what you've said
12 today. So are you aware that they are handled in a
13 different way?

14 MR. MAGGARD: Well, I'd like to ask her
15 another question, if I may.

16 MR. MCCUSKEY: Yeah, I set this up so I
17 guess I'm stuck with it. I want the record to be
18 clear.

19 EXAMINATION

20 BY MR. MAGGARD:

21 Q. Tell us about the production reports. How
22 were they handled different than the 30-minute call
23 out and the two-hour notification?

24 A. The actual production report, the day

1 shift would get outside, the foreman fills it out,
2 the superintendent would review it. He had to sign
3 it. It was faxed to me. There was five sheets per
4 production report. I would enter all the
5 information in.

6 And then what I entered into the computer
7 would be printed by Mr. Blankenship's secretary or
8 whoever wanted to print it. But I kept the actual
9 five sheets and they would make copies, and they
10 would go behind their Profit/Loss Statement and
11 back up. They didn't get trashed. They went
12 behind the Profit and Loss.

13 Q. It was retyped and Mr. Blankenship got a
14 copy. What copy did Mr. Blanchard get? Did he see
15 the original?

16 A. Yes.

17 Q. Did he have to sign it before or do
18 anything?

19 A. No, he did not sign it. He just wanted to
20 always see the original because it always had the
21 map on it to draw, you know, the way they would
22 draw their stopping, everything.

23 MR. MCCUSKEY: You said draw their
24 stopping?

1 THE WITNESS: Yeah. They had --

2 MR. MCCUSKEY: I'm not sure if she heard
3 that. It's fine.

4 EXAMINATION

5 BY MR. BABBINGTON:

6 Q. So just to clarify here, we know
7 Blankenship would get this shift production report
8 and --

9 A. The typed one.

10 Q. The typed one. And the original would go
11 to Blanchard. Blanchard would see the original,
12 but it would be attached to the Profit and Loss
13 Statement?

14 A. Blanchard was -- I would make him a copy
15 of the original, but then I would also, the one
16 that was sent to me would be stapled and gave to
17 the -- to go behind the Profit and Loss in
18 accounting.

19 Q. So who else would, besides Mr. Blankenship
20 and Mr. Blanchard, who else would see those shift
21 production reports?

22 A. Mr. Blankenship never saw the shift one.
23 He only saw the typed one. The shift one would be
24 seen by the president and vice president, which at

1 one time was Jason Whitehead and one time Jason
2 Acord. It just depended who was vice president. I
3 always made the president a copy and the vice
4 president a copy.

5 And then I kept the one that was faxed to
6 me to staple the next morning with the evening
7 shift ones to give to accounting to go behind the
8 Profit and Loss so that there was always the actual
9 report behind the Profit and Loss Statement.

10 If anybody -- well, actually after April
11 the 5th, we had to make copies of every bit of that
12 for MSHA.

13 Q. Just as a comparison, then, you wouldn't
14 directly send that typed report to Jason Whitehead
15 or Chris Adkins or Keith Hainer?

16 A. The typed?

17 Q. Yes.

18 A. They could pull it up.

19 Q. They could pull it up?

20 A. They had access to the system that we
21 had. So pretty much anybody could pull up that
22 report that had access. All Massey Coal Services
23 could pull up that report.

24 Q. But the email traffic, those five people

1 that were emailed, that only applied to the
2 30-minute call out reports?

3 A. 30-minute. Yeah.

4 Q. We also talked about the two-hour targeted
5 mine report. How was that done?

6 A. That was put into the system so anybody
7 that had access to the production model could pull
8 it up.

9 Q. But that wasn't emailed the same way the
10 30-minutes were?

11 A. No. That was just wrote down on a sheet
12 of paper at, like, 9 o'clock, and then they would
13 write it down, the targeted mine. And it was put
14 into model.

15 Q. So there was some kind of internal network
16 that you all had that everyone had access to --

17 A. Yeah.

18 Q. -- or you could post these documents?

19 A. Yeah.

20 MR. MCCUSKEY: I had one more
21 clarification, too.

22 Are you done with that? Did you have one
23 on that?

24 MR. TUCKER: No, I believe they covered

1 it. Thank you.

2 EXAMINATION

3 BY MR. MCCUSKEY:

4 Q. There was a question asked of you, Lisa,
5 about how the personal items of the people were
6 gotten out of the lockers, and it sounded to me as
7 though it was suggested that the human resources
8 people actually took personal items out of the
9 lockers.

10 But I understood you to mean that the
11 human resources people took the families up to
12 actually get the items out of the lockers.

13 I'm not sure which way you meant, but if
14 you would clarify the role of the families and the
15 human resources people in getting the items out of
16 the victims' lockers. I know it's painful.

17 A. I don't know. I just know how I was taken
18 -- well, there was another gentleman there from his
19 family, he was taken to get -- we were escorted by
20 security up on the hill and security opened the
21 locker, but he had to be cleared through HR first
22 to do it.

23 Q. The family members themselves actually got
24 the items out of the lockers?

1 A. Yes.

2 Q. Okay. And just as a more general
3 question, when Performance would receive citations
4 from either MSHA or the state, was there a
5 procedure for distributing those, those violations
6 or copies of the violations to individuals within
7 Performance or Mar Fork or Massey Coal Services or
8 Massey Energy?

9 A. Yes. They were given to our safety
10 department and then they compiled and sent them to
11 the legal department at Massey Coal Services to, I
12 think, Stephanie Ojeda.

13 Q. And the safety department, that's the
14 safety department for Performance?

15 A. Yeah, or whatever location -- yeah. So
16 UBB's would have went to the safety department, to
17 Berman Cornett, at (inaudible).

18 Q. Okay. And then Berman --

19 A. His clerk would have got them together,
20 and she had to forward them to Samantha Hill which
21 was Stephanie Ojeda's assistant.

22 Q. Okay.

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EXAMINATION

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BY MR. MAGGARD:

Q. I know you was copying record books that was later on transferred to MSHA.

Do you ever recall seeing any foreman's notebooks that you had to copy or any of those that were removed from the victim's lockers or from other lockers at UBB?

A. No. They just had a stack of books there, and there was lawyers there and I was helping Elizabeth's clerk copy them with MSHA standing there. So I didn't even look what book was copying them.

I just put it on there, and then I think they had to have, like, seven copies, or whatever, and we would stack them and staple them, and then they would stack them in the box and they took them.

I don't know what I copied. All I know is it's things they asked for.

Q. Do you know of any vehicles being driven home by upper management from UBB to the victims' families?

A. No, I don't.

1 MR. MAGGARD: Okay.

2 MR. BABBINGTON: Sorry. Two more quick
3 questions.

4 EXAMINATION

5 BY MR. BABBINGTON:

6 Q. We understand that Massey Energy's board
7 of directors had a safety and environmental,
8 basically, committee.

9 Do you recall ever having dealing with any
10 correspondence from that committee being targeted
11 towards UBB or towards Performance or having to
12 comply with requests that they had for certain
13 information or anything like that?

14 A. No, because I'm not familiar with Massey's
15 compliance. I thought we just had the mine rescue,
16 which they were the compliance people, the mine
17 rescue people.

18 Q. Were you aware, or are you aware, of an
19 entity called the Hazard Elimination Committee?

20 A. No.

21 Q. It might have -- it would have been
22 affiliated with Massey Coal Services?

23 A. No. The only thing they had was the mine
24 rescue, because she -- Elizabeth had them set to

1 where they didn't work underground anymore or
2 anything.

3 That's all they did was go from mine to
4 mine and try to eliminate or point out safety
5 issues.

6 Q. And these are the safety audits we
7 discussed earlier?

8 A. Yeah, that's the only committee I knew of.

9 Q. But you weren't aware of them being
10 referred to as the Hazard Elimination Committee?

11 A. No.

12 MR. BABBINGTON: Okay.

13 Jasey or John?

14 MR. GODSEY: No.

15 MR. MAGGARD: I'm good.

16 MR. TUCKER: Appreciate your patience with
17 us today.

18 MR. MCCUSKEY: Thank you.

19 MR. KOERBER: Lisa, if there is anything
20 you would like to add, anything you would like to
21 say, any comment you would like to make, the floor
22 is yours.

23 THE WITNESS: No, I'm fine.

24 MR. KOERBER: On behalf of the Office of

1 Miners' Health, Safety & Training and MSHA, I thank
2 you for coming here today.

3 And with that, we'll go off the record.

4 (Interview concluded.)

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1 STATE OF WEST VIRGINIA, To-wit:

2 I, Jenny Marmol, a Notary Public and Court
3 Reporter within and for the State aforesaid, duly
4 commissioned and do hereby certify that the
5 interview of LISA G. WILLIAMS was duly taken by me
6 and before me at the time and place specified in
7 the caption hereof.

8 I do further certify that said proceedings
9 were correctly taken by me in stenotype notes,
10 that the same were accurately transcribed out in
11 full and true record of the testimony given by
12 said witness.

13 I further certify that I am neither attorney
14 or counsel for, nor related to or employed by,
15 any of the parties to the action in which these
16 proceedings were had, and further I am not a
17 relative or employee of any attorney or counsel
18 employed by the parties hereto or financially
19 interested in the action.

20 My commission expires the 6th day of March
21 2019.

22 Given under my hand and seal this 22nd day of
23 September 2011.

24 -----
Jenny Marmol
Notary Public