NORMAN PAGE
CHIEF ACCIDENT INVESTIGATOR
MINE SAFETY & HEALTH ADMINISTRATION
1301 AIRPORT ROAD
ROOM D-200
BEAVER, WEST VIRGINIA 25813-9426
April 4, 2011

Norman Page
Chief Accident Investigator
Mine Safety & Health Administration
1301 Airport Road
Room D-200
Beaver, West Virginia 25813-9426

Re: September 10, 2010 MSHA Transcript of Scott Tilley

Dear Mr. Page:

The United States Department of Justice has furnished me a copy of the MSHA hearing transcript of the testimony of my client, Scott Tilley, for review and preparation of an errata sheet. Although the time for review and correction was limited, my client was able to find and make the corrections as set forth on the enclosed errata sheet. Please append this errata sheet to Mr. Tilley’s original hearing transcript and send a copy of the same to each person or entity to whom the transcript was sent prior to Mr. Tilley’s review.

I reiterate my previous request to you that the transcript be provided to my client (or to me) for an unfettered thirty (30) day review which will allow my client sufficient time to locate additional transcript errors and necessary corrections.

A copy of this errata sheet is also being provided to Sargent’s Court Reporting Service so that, as is the proper procedure, Sargent’s may also append this errata sheet to the original copy of the transcript.
Please confirm receipt of the attached errata sheet and that you have caused it to be affixed to all transcript copies in your possession and to others to whom you have transmitted this transcript.

Sincerely,

John F. McCuskey

JFM/mam
Enclosure

cc: Barry Koerber
    Derek Baxter
    Sargent’s Court Reporting Service, Inc.
ERRATA SHEET

I, the undersigned, SCOTT TILLEY, do hereby certify that I have read the foregoing sworn statement taken on Sept 16th, 2010 at the West Virginia Mine Academy, and that, to the best of my knowledge, said deposition is true and accurate (with the exception of the following corrections listed below):

PAGE/LINE  CORRECTION AND REASON FOR CORRECTION

Page 22/Line 25 Replace Answers with:

Although I did not generate any changes to/ on the projections on the UBB maps, I have on occasion made modifications or placed projections on these maps as directed by my supervising engineers. Basically, I did the drafting on these maps as instructed.

Page 24/Line 13 Replace Answer with:

Although I did not do the Budget planning, however, I have done drafting work on the Budget maps under the direction of my supervising Engineers.
PAGE/LINE
CORRECTION AND REASON FOR CORRECTION

I did not have adequate time to fully review this transcript for errors but the above represents my best efforts to locate the mistakes and make corrections.

SCOTT TILLEY

Subscribed and sworn to before me this 2 day of March, 2011.

BLONDIE JOHNSON
Notary Public

My Commission Expires: 11-09-2014