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**UPPER BIG BRANCH SECURITY CHIEF CHARGED WITH ADDITIONAL COUNT OF MAKING
FALSE STATEMENT TO MSHA INVESTIGATIVE TEAM**

*Federal Grand Jury Returns Superseding Indictment Adding Third Count; Stover Previously Charged in February with
Two Felonies in Connection with UBB Mine Investigation*

CHARLESTON, W.Va. – The U.S. Attorney's Office for the Southern District of West Virginia today announced that Hughie Elbert Stover, 59, of Clear Fork, Raleigh County, West Virginia, has been charged with making materially false statements to the federal Mine Safety and Health Administration (MSHA) in that agency's investigation of the April 2010 explosion at Massey Energy Company's Upper Big Branch Mine (UBB).

Stover is Chief of Security at UBB and at least two other Massey operations. He previously was charged in February 2011 with two other felonies: obstructing justice by concealing documents, and making materially false statements to federal agents in the criminal investigation of events at UBB. Today, a federal grand jury in Charleston returned a superseding indictment that adds a third count to these two previous charges. The new count alleges that Stover made false statements in a sworn deposition before the MSHA team investigating the explosion's cause. That MSHA investigation is separate from the criminal investigation.

The newly alleged false statements concern the same question as the statements charged in the February 2011 indictment: whether UBB personnel received advance notice from security guards when MSHA inspectors were coming into the mine. According to the superseding indictment, Stover told members of the MSHA investigative team that security guards under his supervision were forbidden from announcing the arrival of MSHA inspectors, even though the truth was that Stover himself directed guards to make those announcements.

"The MSHA investigators probing the UBB explosion are doing vitally important work — work that promises to save many lives in the years ahead," said U.S. Attorney Booth Goodwin. "Anyone who tries to deceive those investigators dishonors the memories of the men lost at UBB and puts every miner in America at risk. We have zero tolerance for that kind of callous, criminal behavior."

The charges against Stover result from an investigation by the Federal Bureau of Investigation and the Department of Labor's Office of Inspector General, with assistance from MSHA Special Investigators detailed to the criminal probe.

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