

Witness Copy

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NORTH CAROLINA

TO:

North Carolina Department of Environment and Natural Resources
Attn: Custodian of Records

SUBPOENA TO TESTIFY BEFORE GRAND JURY

SUBPOENA FOR:

[X] PERSON [X] DOCUMENT(S) OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

Table with 2 columns: PLACE (Terry Sanford Federal Building, 310 New Bern Avenue, Raleigh, North Carolina) and COURTROOM (Room 628). Includes DATE AND TIME (11/7-8/07; 9:00 am).

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

SEE ATTACHMENT.

Prior to appearing before the grand jury, you may provide the requested documents to the agent serving the subpoena, or by certified mail, to Special Agent Chuck Stuber, Federal Bureau of Investigation, 5511 Capital Center Drive, Suite 460, Raleigh, NC 27606, telephone number 919-854-2401.

THIS SUBPOENA SHALL REMAIN IN EFFECT UNTIL YOU ARE GRANTED LEAVE TO DEPART BY THE COURT OR BY AN OFFICER ACTING ON BEHALF OF THE COURT. TO AVOID BEING AWAY FROM YOUR HOME UNNECESSARILY, PLEASE CALL KELLY RAINS, AT THE U.S. ATTORNEYS OFFICE, AT 1-800-538-1564 OR LOCAL 919-856-4002, TO DETERMINE THE DATE AND TIME YOU ARE REQUIRED TO APPEAR, OR FOR ANY OTHER ASSISTANCE YOU MAY NEED.

Please see additional information on reverse.

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

Table with 2 columns: CLERK (DENNIS P. IAVARONE, CLERK OF COURT) and DATE (11/02/07). Includes signature of Jacquita D. Jones.

Table with 2 columns: This subpoena is issued on application of the United States of America (2006R00846(16)) and NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY (AUSA DENNIS M. DUFFY, 310 NEW BERN AVENUE, RALEIGH, NC 27601). Includes signature of Dennis M. Duffy.

* If not applicable, enter "none".

ATTACHMENT TO GRAND JURY SUBPOENA
North Carolina Department of Environmental and Natural Resources
(Grand Jury Session - Raleigh, NC, November 7-8, 2007)

INTRODUCTION

1. For purposes of this subpoena duces tecum, the term "Relevant Parties" refers to any and all of the following:

1. Agri Ethanol Products;
2. David Lee Brady, a/k/a Dave Brady;
3. Steve Brady;
4. DFI Group, Inc.;
5. Electric Motor Shop;
6. Robin Fleming;
7. Barry Lee Green;
8. Michael Anthony Grimm;
9. William R. Horton;
10. Boyce A. Hudson;
11. North Carolina Northeast Partnership, a/k/a North Carolina's Northeast Partnership;
12. Gardner Payne;
13. James Albert Perry, Jr., a/k/a Jim Perry;
14. James E. R. Ratledge;
15. Terry Ruse;
16. Richard Glen Watson, a/k/a Rick Watson;
17. Thomas J. Wilson;
18. WR Energy Partners;
19. Jane Wright; and
20. Thomas Richard Wright, Jr., a/k/a Ricky Wright.

2. Unless otherwise specified, the time period in question is January 1, 2002, through to the present.

DOCUMENTS

ORIGINALS of the following documents (whether on paper, microfilm, computer, or other electronic medium) in your custody, or subject to your control:

1. All documents relating to communications (including, without limitation, communications via e-mail, U.S. mail, courier delivery) between you (either directly or indirectly) and any of the Relevant Parties.
2. All documents relating to communications (including, without limitation, communications via e-mail, U.S. mail, courier delivery) pertaining of the

Relevant Parties.

3. All documents relating to permits and licenses applied for with NC-DENR by any of the Relevant Parties.
4. All documents relating to permits and licenses issued to any of the Relevant Parties, including, without limitation, permits and licenses relating to the construction and operation of an ethanol production facility.
5. All documents relating to procedures for issuing permits and licenses in connection with the construction and operation of an ethanol production facility.
6. All personnel records relating to any of the Relevant Parties.