

UNITED STATES DISTRICT COURT

FOR _____ DISTRICT OF _____ KANSAS _____

TO: CHIEF EXECUTIVE OFFICER OR
CUSTODIAN OF RECORDS OF
WESTERN RESOURCES AND
WESTAR ENERGY AND ANY
SUBSIDIARY CORPORATION OF
EITHER ENTITY

SUBPOENA TO TESTIFY BEFORE GRAND JURY

SUBPOENA FOR:
 PERSON 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.

PLACE Frank Carlson Federal Building 444 SE Quincy, Room 290 Topeka, KS 66683	COURTROOM Room 290 <hr/> DATE AND TIME October 9, 2002 at 8
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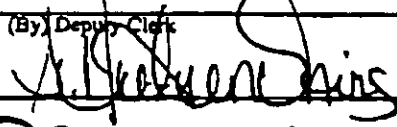
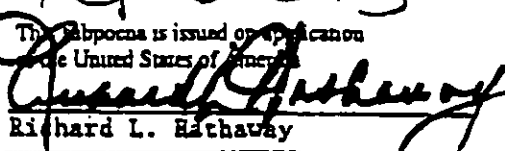
YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

See Attachment "A"

IMPORTANT: Please contact our Legal Assistant at the U.S. Attorney's Office in Topeka, Kansas, at (785) 295-2850 a few days before the scheduled date to verify the exact date and time you are required to appear.

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.

CLERK RALPH L. DeLOACH (By) Deputy Clerk 	DATE September 17, 2002
This subpoena is issued on application of the United States of America  Richard L. Hathaway	NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY Richard L. Hathaway, Senior Litigation Counsel 444 SE Quincy-Rm 290, Topeka, KS 66683 (785) 295-2850

* If not applicable, enter "none"

RETURN OF SERVICE ⁽¹⁾		
RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (PRINT NAME)		
SERVED BY (PRINT NAME)		TITLE
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER ⁽²⁾		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.</p>		
Executed on	_____ DATE _____	_____ SIGNATURE OF SERVER _____
		_____ ADDRESS OF SERVER _____
ADDITIONAL INFORMATION		

(1) As to who may serve a subpoena and the manner of its service see Rule 17(d), Federal Rules of Criminal Procedure, or Rule 45(c), Federal Rules of Civil Procedure.

(2) "Fees and mileage need not be tendered to the witness upon service of a subpoena issued on behalf of the United States or an officer or agency thereof (Rule 45(c), Federal Rules of Civil Procedure; Rule 17(d), Federal Rules of Criminal Procedure) or on behalf of certain indigent parties and criminal defendants who are unable to pay such costs (28 USC 1825, Rule 17(b) Federal Rules of Criminal Procedure)".

(1) As to who
preparer.
(2) Dates and re
43(6). From
be available to

ATTACHMENT "A" WESTERN RESOURCES, WESTAR ENERGY, et al.

This subpoena is directed to the Chief Executive Officer or custodian of records of Western Resources and Westar Energy and any subsidiary corporations of either entity:

1) For January of 1999 to present provide all logs or records, however described which show the use of the airplanes and describe the trips taken, purpose of the trips, names of pilot[s] flying the airplane[s] and passenger[s] aboard the airplane[s]. Provide the name[s], and title[s] of all individuals responsible to responding to this portion of the subpoena.

2) For January of 1999 to present provide all company policy or policies for use of the airplane, and any corporate resolutions or bylaws or any other document[s] however described, which governs the use of the airplane, and who may use it, and under what circumstances it may be used. Provide the name[s], and title[s] of all individuals responsible to responding to this portion of the subpoena.

3) For January of 1999 to present provide all 1099's or billings that have been provided to any individual for personal use of the airplane. Provide the name[s], and title[s] of all individuals responsible to responding to this portion of the subpoena.

4) For January of 1999 to present provide the name[s] and titles[s] of all individuals responsible for issuing 1099's.

5) For January of 1999 to present provide copies of all audits performed, whether by inside or outside audit firms or personnel, concerning the use of corporate aircraft. Provide the name[s], and title[s] of all individuals responsible to responding to this portion of the subpoena.

6) Video tapes of the annual shareholder meetings from 1995 to the present. Provide the name[s], and title[s] of all individuals responsible to responding to this portion of the subpoena.