

Terry Newsome  
5245 Pond Fork Road  
Madison, WV 25130

October 8, 2012

Honorable Shelley C. Chapman  
One Bowling Green  
Courtroom 621  
New York, NY 10004-1408

Dear Judge Chapman:

I grew up in a coal mining town in southern West Virginia, far away from most everything. My father was a coal miner and as soon as we graduated from high school, my brothers and I followed him as miners. We have 115 years of coal mining work between us.

I am now 56 years old; nearly 36 of those years were spent underground working as a coal miner. Most people don't understand the health sacrifices coal miners make to provide energy. Coal mining jobs are hard and laborious. During my years as a miner, I broke several bones, had two work related surgeries, suffered too many contusions to remember, and, of course, wheeze with black lung. Besides this, I have had two heart surgeries with a total of four stents, fibromyalgia, psoriasis, psoriatic arthritis, and osteoarthritis. Needless to say, I have earned my insurance and the loss of my health care would be devastating at this point in my life.

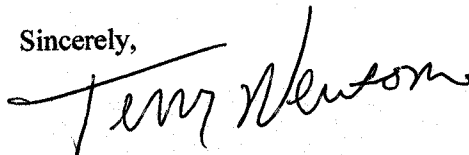
Because the coal mining jobs are so dangerous and most miners retire with lifelong health issues related to mining, the UMWA worked to see that miners were provided as much safety as possible and health insurance for retirees who have 20 years or more mining coal. From the local union president to Cecil Roberts they had a regard for God and prayer that I believe will be rewarded

In 1987 when Peabody bought Eastern Associated Coal, I had no reason to believe they would not fulfill their obligation for my healthcare. The certificate given to me for 30 years of service speaks of their appreciation for my labor. Shortly after I received this recognition, Peabody sold part of their company to Patriot. I did not change jobs. I continued to do my job and never in my wildest dreams thought that Peabody would not honor my retirement insurance. I worked for 35  $\frac{3}{4}$  years with the understanding that when I retired I would receive health insurance for me and my wife.

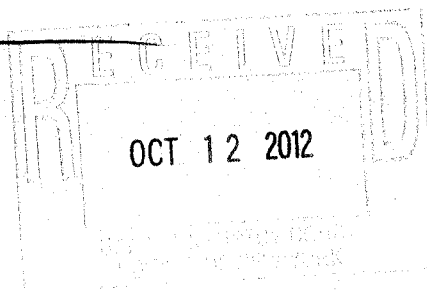
I pray when making your decision that you will think of me and other miners who sacrificed their health for this company. We kept our obligations to them; I pray you hold Peabody/Patriot to its obligations to us.

Thank you for your time and consideration

Sincerely,



Terry Newsome



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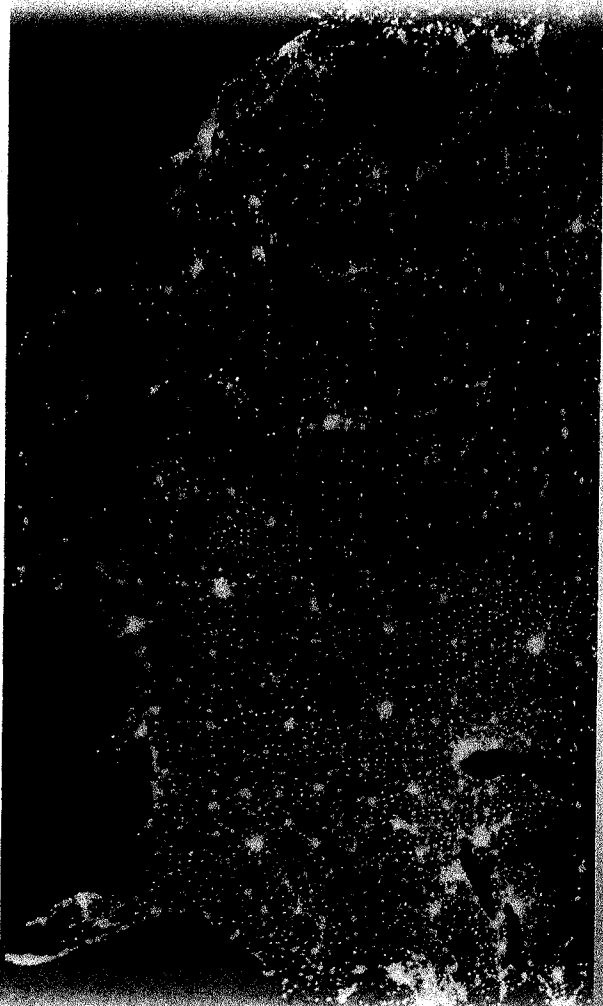
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# *In Recognition of Service*

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**Peabody**



**BTU**

OUR MISSION: To be a worldwide supplier of low-cost energy, which contributes to economic prosperity and a better quality of life.

***Terry L. Newsome***

*30 Years of Service and Dedication*

*January 21, 2005*

Thank you for your many years of dedicated service. You are a member of the best team in the industry, whose actions have helped Peabody continue to succeed in our mission. On behalf of the Peabody family, allow me to extend our sincere appreciation and thanks in recognition of your service and achievements.

*Mr. Newsome*

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