

October 06, 2012

Kurt Gartner  
7266 Urbain Road  
Mulkeytown, IL 62865

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

Re: Patriot Coal Acquisition of Arch Minerals and Life-changing Decisions

Dear Judge Chapman,

I am a 56-years-old, former employee of Arch Minerals. I started coal mining at the age of twenty-two. I worked for Old Ben Coal Company in West Frankfort, Illinois for almost sixteen years. My wife and I have been married for thirty-four years and we have a 31-year-old daughter and enjoy a 5-month-old grandson. During my employ with Old Ben, they were bought by Zeigler Coal Company. In 1993, after that purchase, the mine was operational for three more years. After that purchase my fellow employees and I were involved in a UMWA contract strike for approximately seven months. After the contract was finally signed, and with no advanced warning, ninety-plus employees were immediately laid off. They planned to completely shut down the mine following the active longwall section being completed.

After being laid off – and then the almost immediate shutting down of the mine – I enrolled in the Medical Laboratory Technology vocational program at Rend Lake Junior College in Ina, Illinois to train for a new career. In December 1994, after completing my second semester of school and earning a place on the President's List, I had the opportunity to return to mining and work for Arch Minerals. It was a very difficult decision and, since my wife has suffered a variety of spinal problems since 1985 (some being severe and have required laminectomies as well as two spinal fusions), after much discussion and thought, the opportunity to achieve twenty years mining as a UMWA member was chosen. This meant I would have earned health insurance for my spouse and me for life. This was *extremely* important then, as it is now, since my wife has such complicated spinal issues. The Arch mine closed in December 1999 after I had -- fortuitously -- worked almost twenty-one cumulative years in a UMWA coal mine.

When I lost the job with Arch Coal, I was fortunately able to find further employment. Unfortunately, as the result of all these years of very physical work, I have also developed spinal problems. I have five bulging lumbar discs (two pressing on nerves) and have already had one surgery to clear the foramen to try to give me some relief. Due to this, I sometimes have severe pain in my lower back, buttocks, leg, and foot. I am uncertain if I can work another two months let alone additional years. My wife is now permanently disabled and has not been able to work for over six years.

October 09 2012

1230 ...  
1230 ...  
1230 ...

The Honorable ...  
One ...  
Government ...  
New York ...

the ... of ... and ...

I am a 30-year-old former employee of ... I started ...  
of twenty-five ... I worked for ...  
... my wife and I have been ...  
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... my wife and I have been ...

After being laid off ... and then ...  
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All this above information prefaces my point. I have made ***life-altering decisions solely based on the promises made to my me by the coal companies.*** Please, Judge Chapman, rule that they must uphold their responsibilities earned by UMWA employees after twenty years of very difficult, physical work. Peabody and Arch Coal knew exactly what they were doing when they created Patriot Coal. It is very good for them but horrible for those of us who were promised pensions and health insurance coverage for life. I never worked for Magnum or Patriot Coal. That "purchase" was made long after they shut down the Conant Mine where I worked. Magnum and Patriot Coal either merged or Patriot took the helm.

If I had known the parent company Peabody (along with Arch Coal), was going to perpetrate this type of business scam and I would possibly *not* receive the benefits promised, I would have made very different decisions and finished my education and now would, most likely, be working in a hospital laboratory.

Please, *please*, Your Honor, don't let wealthy coal companies and their attorneys rob us of the benefits we earned, were promised, and rightly have coming to us.

Very Sincerely,

*Kurt Gartner*

Kurt Gartner

cc: Cecil Roberts, UMWA International President  
Steve Earle, UMWA Intl. District 12 Vice President

All the time in relation to assist my father I have made life-saving decisions... I never worked for Magnum or Patriot Coal. That purchase was... I worked Magnum and Patriot... Patriot look the same...

It is known my parent company (along with Arch Coal) was going to... I would have made very different decisions and finished my education and... working in a hospital laboratory...

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Very Sincerely,  
Robert A. Jones  
Vice President

Steve Burt, UMW District 12 Vice President  
Local President, UMW International President