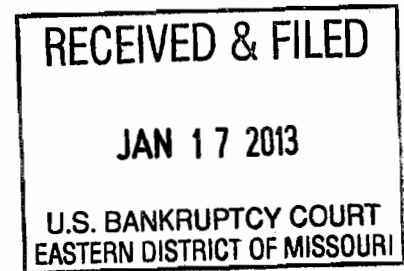


James & Kelly Smith  
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January 14, 2013

The Honorable Kathy A. Surratt-States  
Re: Case No. 12-51502  
Thomas F. Eagleton U. S. Courthouse  
111 South 10<sup>th</sup> Street, 4<sup>th</sup> Floor  
St. Louis, MO 63102

Re: Patriot Coal Corporation Bankruptcy

Dear Judge States:

I am a 61 year old retired coal miner who retired from Peabody Coal Company. I am writing this letter to let you know what a hardship it would be on me and my family if I were to lose my pension and my health benefits. I am no longer able to work due to serious health problems. I just had a heart attack in November, 2012. I also have a seizure disorder, high blood pressure, diabetes, sleep apnea, neuropathy in both feet and lower legs, suffer from severe depression (which has gotten worse after losing my son who died in a car accident when he was only 18 years old), and had 18 inches of my colon taken out because of pre-cancer in my stomach. Because of these life threatening conditions, I must take many medications. They are listed, as follows: Lisinopril, Pantoprazole, Janument, Cymbalta, Amlodipine, Aspirin, Fiber, Carvedilol, Clopidogrel, Eplerenone, Furosemide, Glimepiride, Potassium, Lamotrigine, Crestor, Zolpidem, Klonopin and Seroquel. I have listed these medications so that you will see that I would not even be able to purchase my necessary medications. Without these medications I probably would not live long.

I am not asking for a handout. I worked long and hard for Eastern Associated Coal Company, which sold to Peabody, which sold to Patriot. I was not only promised wages in return for working for them, but also promised benefits and a pension plan to take care of me and my family after I retired. Now that I am old and unable to work because of health issues (many of which I acquired because of the mining industry), I am told that there may come a day when I may no longer receive the pension and benefits that were promised to me. Even if I went out and tried to get a job, do you think that any company would hire someone of my age and medical condition? Even the prospect of losing my pension and benefits has caused me and my wife much grief, worry and anxiety. My wife comes to me often and asks what are we going to do if you lose your pension and benefits? What can I tell her? I don't know what we

would do. Just worrying about losing my pension and benefits could cause me to have another heart attack.

Judge States, you are in a position to see to it that companies like Patriot and Peabody do not shed their contractual obligations to pensioners and their families. We are asking for your much needed help. Please consider what would happen to thousands of pensioners and their families if Patriot is able to get away with this. It would have devastating consequences for all of us. Many of us would not be able to pay for our homes, utilities, food, clothing, gas, medical bills, prescriptions, etc...

Judge States, there is something else that I would like you to consider. If Patriot is able to get away with this, every other company in the United States will follow suit. What would happen in the United State if that was to happen? Just think about it. There could be a civil war in our United States. Our economy is already in a bad situation. This would make it so much worse. There would be thousands of people who would not be able to make ends meet. Who would pick up the tab for unpaid medical bills, mortgages, utilities, etc... that could not be paid. We need your help Judge States.

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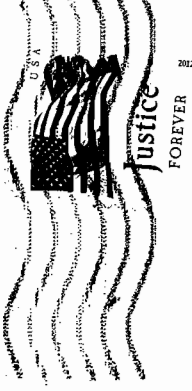
Thanking you in advance for your much needed help, I am

Sincerely yours,

  
James Smith

JS/ks

James & Kelly Smith  
5730 Ripley Road  
Cottageville, WV 25239



CHARLES TON WV 251  
15 JAN 2013 PM 3:1

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CLERK, US BANKRUPTCY COURT  
EASTERN DISTRICT  
ST. LOUIS, MISSOURI - MO

The Honorable Kathy A. Surratt-States  
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