

Steven E. Graul
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January 16, 2013

Honorable Kathy A Surratt-States

After leaving the military in 1971 and returning to my home town of DuQuoin, Il, being married with a daughter, the job that would offer security and a proper living with medical benefits was the coal mining industry. It took until 1973 and many hours of sitting on their doorstep till I was finally hired by Southwestern Coal (Captain Mine). The brothers that owned Southwestern finally sold out to Arch Mineral, one brother had died and family wanted out of the industry, Arch offering their security. For the better part of my 26 year career in the mining industry was under the employment of Arch Mineral. In 1998 because of multiple reasons, Captain Mine ceased operation, no more area to strip. I retired from the mining industry at that time and moved on to other jobs, knowing that my future was taken care of in the retirement of my years with Arch and with the knowledge of medical security.

Many years later, I received a letter from Arch, stating they were selling to Magnum Coal and that all my medical security would not be altered in any way as per contractual obligations. At that time I thought Arch had gone out of business and sold out, come to find out, Arch's stock and value never changed and they were growing in size and mining operations, this raised a question in my mind of, if Arch is still in business then how could they shed their responsibility to me for the years of service to them. This question was never answered. It wasn't very long till Magnum was bought by Patriot, and Magnum no longer existed. Again I became concerned that what was going to happen with Arch's responsibility to me about my benefits. Letters received from Patriot stated that we retired employees from Arch would have no lapse or issues with our medical benefits that we worked for.

Now we come to this point in time, where only after a few years in operation, Chapter 11 is filed by Patriot, threatening my future benefits with medical issues. I am now 65 years of age and as we all know, on medicare, a secondary insurance is mandatory. I worked very hard for 26 years with the knowledge that when this time came for me, I would not have to worry about the future expenses of medical care, I planned my whole retirement on the years with ARCH for this time in my life and now it is being threatened by a company that I DID NOT even retire from.

Now I have many questions on legalities, how can I retire from a company (Arch) with known contractual obligations to me for my years of service, that obligation sold to another company

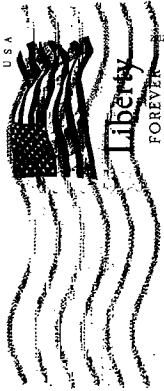
that I have no affiliation with, my parent company still thriving in the industry, but yet now has no obligation to me? What company would come along and BUY obligations from another larger company and expect to make money on supporting these obligations? How can Arch just expect to relieve themselves from their obligations to all that worked for them and now are living on the earned benefits?

Your honor, please, in your findings concerning Arch and Peabody, place the responsibilities of those companies to those employees that gave so many years of service to THEM and not to Patriot, back where it belongs and not allow this to happen to us, it will destroy my retirement and what I planned for. If this is allowed to happen, how about Boeing?? Will they be allowed to sell their obligations to a new, small unknown company only to file bankruptcy and shed their obligations?? This could open doors everywhere for large industries.

Thank you, Steven Gaul

A handwritten signature in cursive script, appearing to read "Steven Gaul". The signature is written in black ink and is positioned below the typed name.

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ST. LOUIS, MISSOURI - MO

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

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