

## DONALD & DONNA DIEHL

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JAN 17 2013

U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI

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

Dear Honorable Kathy A. Surratt-States,

I am writing in response to the Pending Patriot Coal Bankruptcy Case.

Some 5 years ago when Peabody Coal "dumped" all of its holdings of retired and current miners into what they now call Patriot Coal, we knew it was not a good thing. We knew at some point in time Patriot would try to rid themselves of all the promises Peabody made to retirees, concerning pensions and medical coverage which is by far their biggest expense. Never mind that this would effect thousands of present miners, retirees and widows. They do not care about these people, they just want out.

My husband, Donald, who is now 77, worked for 20 years at Peabody Camp # 2 in Union County, KY. Not a long time when some have worked 30, 40 or even 50 years, but he was in his 40's when he started mining on January 2<sup>nd</sup> 1973. He was out of a job and needed one desperately. We were thrilled that he had gotten a job with Peabody.

During his years at Peabody, he worked on the Belt Line, Pinner Operator, Truss Bolter, Shuttle Car Operator, Shooter (dynamite) and anything else that was asked of him. All of this work was done at the Face. It is a hard and dangerous way to make a living, but the thought that when he reached retirement age he would have a pension and medical coverage for the rest of his life for himself as well as for me. This made up for everything he had to endure back then.

Peabody Coal closed Camp # 2 in December 1991. He had planned on working another 10 years at least, but with the mine closing, it was impossible. He could not find a good job because of his age. He was in his late 50's. He worked at several odd jobs until he was able to get on at Wal-Mart in the Hunting/Sporting Goods, Automotive Departments. He worked some 4 years there. It did not pay much, but it helped us when we needed it.

We felt we were blessed that we had his medical coverage. He started a wood working shop as a hobby in a small shop behind the house, something he had always wanted to do. He worked on our vehicles, done all the yard work, which consisted of planting grass, flowers, vegetables and mowing. It was therapeutic for him and he loved it.

He is now 77 years old with major health problems: Parkinson's Disease, COPD, he has had a heart attack and 2 stints put in, high blood pressure, and cancer. The insurance already doesn't want to pay for his Parkinson's medicine. He spends most of his days in his recliner or on the couch. He is unable to do some of the easiest tasks that he used to do.

I have just recently retired from Earle C. Clements Job Corps after 31 years. It was time for me to be home with Don as his health has deteriorated so much that at times he has "flare-ups" where he needs around the clock attention. And of course, I have to take him to and from doctor visits.

I have also developed health problems: heart, diabetes, high blood pressure, which all runs in my

family.

We are both on Medicare and Social Security and are making it comfortably with his small pension and the insurance from Patriot and United Health Care.

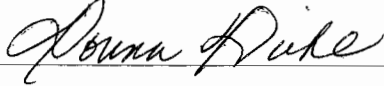
We were told at first by UMWA officials that since he retired under the 1974 Coal Act, that he would not be affected by this bankruptcy. We have since learned that Patriot can ask the Judge to include payments that are made to the 1974 Coal Act even though it was a contract made between Peabody Coal and UMWA and made into law through the House of Representatives and the Senate.

Losing Don's pension and insurance would be catastrophic for us. I would have to find a job in order to pay for the insurance and then hire someone to help take care of him. Not many employers would want to hire someone who would have to be off so much to take care of their family plus hiring someone would defeat the purpose of working. We think it would be better for me to be here with him. I know he would like me here instead of someone else.

I know a lot of miners and their families have it a lot worse than we do and some don't have as much, but this is our story and what it will do to us.

Sincerely,

Donna Diehl

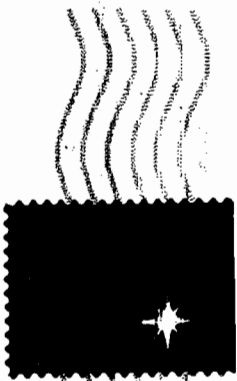
A handwritten signature in cursive script that reads "Donna Diehl". The signature is written in black ink and is positioned below the typed name. A horizontal line is drawn across the page just below the signature.

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