

Jack B. Phelps
8039 Harpeth Glen Trace
Henderson, Ky 42420
January 14, 2013

The 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

I, Jack B. Phelps worked for Peabody
for 41 years.

I retired from Peabody in 2003 four
years prior to the "Spin Off." I never
worked for Patriot!

Peabody is using the "Bankrup Court" to
eliminate our "Health Care and our "Retirement."

Peabody's plan was to let Patriot fail.

I am 70 yrs old, losing my "Health
Care" and "Retirement." This is going to
be very hard to handle.

"The American Dream" has turned into
a "American Nightmare!" The "Golden"
years are not to shiny!

Con't

8039 Harpeth Glen Trace
Henderson, Ky 42420
January 14, 2013

Peabody was the only and last
company I worked for.

I am not asking for anymore than
what they promised.

Sincerely,
Jacob B. Phelps



PEABODY ENERGY

P.O. Box 148
1100 State Route 175 South
Graham, KY 42344
(270) 338-5701
Fax (270) 338-5355

September 22, 2003

Mr Jack B. Phelps
5418 US Hwy 60 West
Owensboro, KY 42301

Dear Mr Phelps,

RE: EMPLOYMENT HISTORY
SS# [REDACTED]

This is in response to your employment history request.

The employment records of Peabody Coal Company, a Delaware Corporation, and/or the employment records of predecessor companies, in the possession of Peabody Coal Company reflect the following:

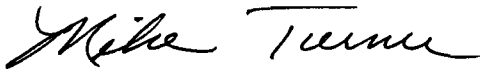
LOCATION	CLASSIFICATION	DATES
Homestead	Track Labor	01/15/63
Laid Off		10/21/63
Jasonville Shop	Welder	07/12/67
Lynnville	Labor	04/09/68
Squaw Creek	Labor	06/27/68
Lynnville	Labor	10/02/68
Laid Off		12/30/68
Homestead	Welder	10/06/69
	Dozer Operator	10/20/69
Laid Off		11/07/69
Universal	Olier	03/02/70
	Groundman	07/07/80
	Dozer Operator	09/14/81
	Groundman	05/23/83
	Grader Operator	04/27/84
	Loader Operator	01/14/85
	Oiler	03/26/87
	Loader Operator	03/28/87
	Oiler	04/04/88
	Mechanic	10/01/91
Laid Off		03/30/94
Hawthorn	Endloader Operator	08/22/94
	Grader Operator	07/07/97
Laid Off		12/18/99

**Camp 9
Laid Off
Gibraltar**

**Gob Truck Driver
Endloader Operator
Dozer Operator**

**04/04/00
10/23/00
01/22/01
08/08/01
To Present**

Respectfully,




Mike Turner
Employee Relations Representative

Bollmeier Construction Co.

200 E. Spring Street Marissa, Illinois 62257 (618) 295-3600

All work was done for: Peabody

December 31, 1992

Subject: Jack B. Phelps


TO WHOM IT MAY CONCERN:

This is to verify the employment of the above referenced subject by Bollmeier Construction Co. He was employed as a operator on the following listed job(s) for the period(s) indicated. All work under the jurisdiction of the UMWA.

Midland Elec. Coal Co., Mecco Mine, Victoria, IL
December 16, 1963 thru October 17, 1964

Peabody Coal Co., Hawthorn Mine, Carlisle, IN
November 25, 1964 thru March 13, 1965

Squaw Creek Coal Co., Booneville, IN
April 5, 1965 thru August 17, 1965

Peabody Coal Co., Lynnville Mine, Lynnville, IN
February 8, 1966 thru June 27, 1967

BOLLMETER CONSTRUCTION CO.

Stan Triefenbach
Stan Triefenbach
Office Manager

k1045 BC-KY-PeabodySpinoff 05-16 0474

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By TIM HUBER

AP business writer with Gleaner staff reports

CHARLESTON, W.Va. — Peabody Energy has decided how it's getting out of Appalachia and western Kentucky.

The St. Louis-based coal company intends to package its Kentucky and West Virginia coal mining operations into a separate public company called Patriot Coal Co. and distribute its shares to Peabody stockholders, according to a Securities and Exchange Commission filing.

The filing fills in some of the details on a plan that Peabody, the world's largest coal company, unveiled in April. Peabody wants out of Appalachia to focus on faster-growing areas such as Asia, Australia and the western United States.

Peabody's departure from the region is seen by some as a symptom of problems faced by the coal industry in Appalachia.

"That's telling people ... it's harder to mine coal in the areas of the thinner seams," said Bill Caylor, president of the Kentucky Coal Association.

West Virginia and Kentucky face the bulk of new safety initiatives adopted after a series of mining deaths in 2006, including the Sago Mine explosion that killed 12 men Jan. 2, 2006.

On paper, Patriot shapes up as a relatively small, unionized coal company focused on West Virginia and western Kentucky. Approximately 61 percent of its 2,500 employees are members of the United Mine Workers of America.

SEC documents say Patriot will have about 19 mines and eight preparation plants in West Virginia and Kentucky. It also would have a 30 percent stake in a partnership that leases a coal export terminal in Virginia.

In 2006, those operations sold 24.3 million tons of coal, of which 77 percent was steam coal used for electricity generation and 23 percent was Appalachian coking coal for steel production. Patriot will have approximately 1.4 billion tons of proven and probable coal reserves.

The western Kentucky operations employ 859 people in Henderson and Union counties. They include the Highland and Dodge Hill mine and prep plants, both in Union County, and the Patriot and Freedom mines and Bluegrass prep plant in eastern Henderson County.

(There is also the idled Big Run mine in Ohio County, but the SEC filing indicated that operation is

expected to be sold this month.)

The Highland Mine, with 350 employees, is the company's only union mine in western Kentucky. While union miners in Appalachia recently signed a five-year labor contract, the Highland Mine contract is negotiated separately and expires this Dec. 31.

The western Kentucky mines sold 9 million tons of coal in 2006. Patriot will control 866 million tons of reserves in the Illinois Basin, of which 137 million tons are assigned to current mines.

A Peabody Energy spokeswoman last month said the company intends to keep the coal reserves associated with the Thoroughbred power plant and mining complex it has proposed to build in Muhlenberg County.

A Peabody spokesman did not immediately return a phone call on Wednesday.

~~Had the company been in business~~ last year, Patriot would have lost \$10.2 million on revenue of \$1.15 billion, according to the filing. However, Peabody has agreed to make payments that would have made the new company profitable by about \$77.4 million.

~~Besides picking up retiree health care liabilities, Peabody has agreed to pay Patriot a premium for coal sold under a sales agreement, according to the filing.~~

The company would be based in St. Louis and headed by Chief Executive Richard Whiting. The 52-year-old is a longtime Peabody executive who has been executive vice president and chief marketing officer since May 2006. Whiting, a West Virginia University alum, also is Peabody's former president and chief operating officer, as well as a former board member.

Patriot would pay Whiting \$700,000 a year under a three-year contract. He'd also receive \$5.9 million worth of restricted stock that would vest over time.

Shareholders would receive one share of the new company for each 10 shares of Peabody, according to the filing. A date for the distribution of about 26.5 million shares of stock has not been set.

Peabody said it expects the transaction will be tax-free for stockholders, and has asked the Internal Revenue Service for a ruling to that effect. But the company said it will proceed with the spin-off only if it receives a favorable ruling from the IRS and a favorable opinion from the accounting firm of Ernst and Young LLC.

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8039 Harpath Glen Trace
Henderson, Ky 42420

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



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