

January 16, 2013

The Honorable Kathy A. Surratt-States  
Thomas F. Eagleton U.S. Courthouse  
111 South 10 St, 4 floor  
St Louis, MO 63102

RECEIVED & FILED  
JAN 22 2013  
U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI

Hear Judge Surratt-States

I am writing concerning the Bankruptcy Hearing of Patriot Coal Co.

First my husband worked for our health benefits. I desperately need mine now more than ever, I am not very mobile, am on a walker, live alone, have had 4 major back surgeries, with all 5 lumbers fused & 3 in upper back. Also 2 years ago I had open heart surgery. I'm on 2 Blood Pressure Medications, Plavix, Cholesterol Med, Aspirin & others. I am also 82 almost 83 and don't need this stress.

My husband never worked for Patriot Coal Co. He retired at the end of 1987, He worked for W. A. Kimbaley, underground from 1947 to 1950. & Louisville Gas & Electric, Cherry Hill, underground - 1950 to 1955; and at Gibraltar Coal Co. AMAX. Peabody Coal - 1955 to 1978 Strip Miner, Macermon Mines - Peabody coal Co. - 1978 to 1987. Strip Miner.

I am asking you to help me widows by not letting Peabody, Patriot & Arch out of their promise and responsibility. Thank you for listening.

My husband was financial Secretary of Local 1092 - Gibraltar for 14 yrs.

Patricia W. Spicer

The Los Angeles Times on Tuesday printed a poll that said more than one-fifth of registered voters would vote for Perot in a three-way race for president with President Bush and Democrat Bill Clinton.

... made his fortune in the computer services business, founding Electronic Data Systems Inc. in 1961. His work on behalf of U.S. prisoners of war in Vietnam first brought him the national spotlight.

April-1-1992

# Judge will set company costs for miners' health benefits

Associated Press

ABINGDON, Va. — A federal judge on Wednesday will set the amount of coal company contributions necessary to maintain health benefits for 120,000 retired miners and dependents.

U.S. District Judge Glen Williams will take the action because the participants failed to agree on an amount by March 27, the judge's deadline.

Williams on Monday extended his temporary order protecting the health benefits while he prepares an injunction that will prohibit the suspension of benefits until the completion of a trial in another federal court.

Williams extended his order so his injunction could include the increased contributions and address a motion to dismiss two attorneys who filed a class-action lawsuit on behalf of the retired miners.

The United Mine Workers union and the Bituminous Coal Operators Association want the attorneys removed because their fees were paid by a group of nonunion coal companies working to defeat legislation to bail out the insurance funds with an industrywide tax.

The BCOA has 14 member members but negotiates union contracts for about 300 other coal companies that contribute to the insurance funds.

The funds' trustees said a complete bailout would require BCOA contributions to increase from \$2.17 to \$5.03 per man-hour for the 1950 Benefit Trust and from 33 cents to 91 cents for the 1974 Benefit Trust.

BCOA attorney William Poff said the contribution increases should be about half of that proposed by the trustees, who operate independently of the companies and the union.

The 10-day extension Monday was the second Williams has granted. The initial temporary restraining order was issued on March 4.

Trustees of two health funds of the United Mine Workers had planned to halt benefits by mid-April because the funds are about \$140 million in the red.

The health care was promised to miners in a 1946

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'The BCOA is made up of very sophisticated and prosperous companies that certainly have the professional and financial means to meet all their obligations and satisfy the needs of these people.'

**Scott Rotruck**

Maryland Coal Operators Association member

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agreement with the federal government, in exchange for allowing increased mechanization in the coalfields.

But many of the retired miners used to work for companies that are no longer in business and not contributing to the trusts. As the number of people applying for benefits increases while health care costs rise, the trusts' losses mount.

A trial over the contract clause that guarantees the health benefits is scheduled to begin June 22 in Washington, D.C.

In the meantime, Congress has passed legislation that would have imposed an industrywide tax on coal producers and transferred money from a solvent UMW pension fund to bail out the two funds. The legislation was vetoed by President Bush.

Private Benefits Alliance, a group of nonunion companies opposed to the industrywide tax, criticized the BCOA for failing to reach an agreement on the contribution rate.

"The BCOA is made up of very sophisticated and prosperous companies that certainly have the professional and financial means to meet all their obligations and satisfy the needs of these people," said Scott Rotruck of the Maryland Coal Operators Association.

## Truckers scramble to apply for licenses

By Allen G. Breed

Thanks to Congress, anyone who "The majority of them standing in

# Miners win guarantee of benefits

*Bill signed by Bush restores trusts' stability, places burden of retirees' care on coal firms*

BY BILL MCKELWAY  
TIMES-DISPATCH STAFF WRITER

Tens of thousands of union coal miners, many of them fatally weakened from lung diseases and broken from years of work in the country's most dangerous profession, won a new guarantee of health benefits yesterday after years of congressional wrangling.

The new health benefit package, part of a national energy package signed yesterday by President Bush, will restore financial stability to ailing health benefit trusts and will place long-term responsibility on union coal companies to care for their retirees going back to 1950.

"This represents the single biggest victory

ways depended on; I didn't see how they could ever take it away," said Altizer, a widower with black lung disease.

The new payment provisions use money from healthy union pension funds and from funds used to restore previously mined lands to keep the health funds solvent.

But the most far-reaching provisions kick in requirements making both current and former signatory companies to union contracts responsible for their retirees dating back to 1950.

The provision, according to some coal analysts, will cost one of Virginia's largest coal companies, Pittston Coal Group Cos. Inc., up to \$8 million a year.

Richmond-based A.T. Massey Coal Inc. also is expected to be paying millions in additional costs.

Pittston, which precipitated much of the concern over retiree health care when it terminated health benefits to its retirees in 1988, also will lose key concessions it won from the union when the two settled their 10-

for the United Mine Workers in 50 years," UMW President Richard Trunka said yesterday in a news release.

"Because of it, 220,000 men and women will live longer, happier and healthier lives."

Nearly 10,000 retired union miners and their family members in Virginia are affected, and thousands of new retirees will benefit in coming years.

"When I heard about it on television all I could say was, 'Praise the Lord,'" said 70-year-old James Altizer yesterday in Bishop.

Altizer, who joined hundreds of other miners in a march on Washington this past spring protesting the potential cutoff of the health care benefits, worked for Consolidation Coal Co. for 40 years before retiring in 1983.

"My [health] card is something that I al-

*"This represents the single biggest victory for the United Mine Workers in 50 years."*

RICHARD TRUNKA  
UMWA PRESIDENT

month strike in early 1990.

Union miners had threatened to shut down coal mines across the country earlier this year when the trust funds, close to insolvency, set a date for suspending health benefits.

The collapse was averted when a federal judge in Abingdon ordered union coal companies to increase payments into the trusts.

The retiree health care bill had been sought for more than three years by Sen.

John D. Rockefeller IV, D-W.Va., who called the bill the most important legislation of his political career.

The legislation "forces big business to live up to its word," said Ron Carey, president of International Brotherhood of Teamsters.

Carey was referring to promises by the unionized coal industry a half-century ago to guarantee health benefits for life to retired miners and their families.

March - 19 - 1992

## STATE/REGION

# Judge blocks suspension of miner benefits

By David Reed

Associated Press

ABINGDON, Va. — A federal judge said the government and the coal industry must keep a 46-year-old promise that retired miners and dependents will have lifetime health insurance, even if funding is short.

U. S. District Judge Glen Williams on Tuesday blocked the suspension of benefits to 120,000 elderly miners and miners' widows. He gave a group of coal companies and the United Mine

Workers 10 days to agree on contribution increases from the companies that would keep the benefits program running for the next several months.

However, he said the government ultimately is responsible for closing the estimated \$40 million deficit in the two United Mine Workers' insurance trust funds.

"If Congress is so wimpy and weak that it is swayed by a lowly district court judgment, which may give

temporary relief to a few elderly and widows and fails to act on a long-term solution to the problem, then in this court's view Congress never intended to act in the first place," he said.

A Senate-House committee is considering a bailout bill sponsored by Sen. Jay Rockefeller, D. W. Va.

Williams issued a temporary restraining order last month forbidding the funds' trustees from cutting off benefits. On Tuesday, he said the

benefits must continue until a trial on the matter, set to begin June 22 in Washington.

The two insurance funds were established after President Truman ordered a federal takeover of the coal mines to halt a strike in 1946. They have gone into the red as lifetime care has continued to retirees whose former employers went out of business or dropped out of the union health plan.

# United Mine Workers of America

RICHARD L. TRUMKA  
INTERNATIONAL PRESIDENT



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UNITED MINE WORKERS' BUILDING  
900 FIFTEENTH STREET, N. W.  
**Washington, D.C.**  
20005

*To all retired members of the United Mine Workers of America*

Greetings:

We are writing today to inform you that the historic promise made by the federal government to retired Mine Workers in 1946 has finally been kept in full. On Saturday, Oct. 24, 1992, the President of the United States signed into law a bill that guarantees UMWA retirees' health benefits for life.

Many of you remember the day when John L. Lewis went to the White House to sign the agreement which created the UMWA Welfare and Retirement Fund. You also remember that the operators have continually tried to renege on their commitment to our retirees.

During the term of the 1974 contract, the operators actually cut off health benefits to our retirees for the first time. In the 1977-78 negotiations, they established a system which held pensioners' health benefits hostage during every contract strike. Then, in the 1980s, our battles got even tougher.

Hundreds of coal companies went out of business, victims of the anti-coal, anti-labor policies of the Reagan and Bush administrations. Unscrupulous operators abandoned their commitment to our retirees. Fewer and fewer coal companies ended up paying for more and more retirees.

The situation looked bleak. Even our allies and supporters doubted that the UMWA could save retiree health care without massive reductions in benefits and coverage. But, thanks to you and thousands of other UMWA members, our union was able to do what no other union has ever done: secure passage of a federal law that guarantees retiree health care for life.

**Never again will unscrupulous operators be able to renege on their commitment to retiree health benefits. By law, they must pay for those benefits as long as they are in business.**

**Never again will our enemies be able to argue for a reduction in retiree health benefits. By law, those benefits are guaranteed at their present levels for life.**

Our union has won a great victory, a victory that belongs to the entire organization, and especially to the tens of thousands of UMWA members who volunteered their time, energy and talents to help win this fight.

Without your solidarity, our union would not have been able to place retiree health care on the national agenda. Without your support, UMWA health care legislation would never have passed the U.S. Senate and the U.S. House of Representatives. Without your commitment, we could never have forced the most anti-labor administration since Herbert Hoover to sign a law guaranteeing our retirees health care for life.

But new challenges loom on the horizon, challenges which will determine, in large part, whether our organization will survive and prosper during the 1990s.

In the November 3 election, the future of our union and our nation are up for grabs. Don't be fooled by the polls or by talk of an easy victory. No election is over until the last vote is counted. Today's front runner could become tomorrow's loser if we don't work to support those candidates who will effectively represent our organization. Your involvement and participation in this election is critical.

Your involvement and support are just as vital to our union's ability to negotiate new contracts for the vast majority of our members in 1993. By any measure, these negotiations will be among the toughest our union has faced in recent history. Coal prices are depressed, the economy is in a shambles, and the industry will view any division in our ranks as a sign of weakness. If the coal operators smell blood, they will attack.

We urge you to attend your local union meetings, get involved, and prepare for the coming battles. In 1991 and 1992, we united the entire organization to win federally guaranteed retiree health care. If we continue to stand together, we can win equally impressive victories in the voting booth and at the bargaining table in 1992 and 1993.

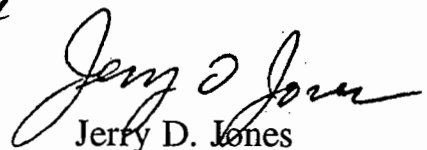
Fraternally yours,



Richard L. Trumka



Cecil E. Roberts



Jerry D. Jones

# United Mine Workers of America

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INTERNATIONAL PRESIDENT



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April 28, 1995

## TO ALL ROCKEFELLER PENSIONERS RECEIVING HEALTH BENEFITS UNDER COMPANY PLANS:


Under the Coal Industry Retiree Health Benefit Act, your health benefits are guaranteed for life. The UMWA is proud to have played a role in your entitlement to lifetime benefits. I am writing to you now to urge your cooperation in aiding us to contain costs and improve service, while not affecting your health care benefits.

As you may know, medical costs are increasing substantially. In recognition of that fact, the Rockefeller Act permits the benefit plan to be designed so that medical care is delivered in cost-effective ways. The UMWA has agreed with BCOA that its companies may use Participating Provider Lists (PPLs) in their plans -- just as they currently do for their active employees and pensioners who are not covered by the Rockefeller Act. These PPLs are lists of hospitals, physicians, pharmacies and other providers that have agreed to cooperate with us to provide benefits under your plan. Each PPL has been approved by an independent expert, who reviewed the list of doctors to ensure that beneficiaries will have reasonable access to qualified providers. Providers may later be added to the list.

On behalf of the UMWA, I strongly encourage you to utilize the doctors and other providers from the PPL established under your plan. Your hospital and doctor benefits remain the same, and your co-pays for these benefits have not increased.

In the next few weeks, you will be receiving notification from the plan of how your PPL will work. I urge you to work with your plan in using the PPL, so that all of us can do our part to contain health care costs.

Fraternally,

  
Richard L. Trumka



U M W Health Plan

New Testament figure's remains found/

UK football team beefing up/

Printed in part on recycled newsprint

OWENSBORO

Printed with soy ink

# Messenger-Inquirer

VOL. 118 NO. 227

FRIDAY, AUGUST 14, 1992

35¢

## Trumka confident health plan will pass

### UMW president says bill will assure retired miners of uninterrupted health care

By Lori Eckenberger

MORGANFIELD — Walter Peavler retired from the Island Creek coal mines in Muhlenberg County in 1983. As a member of the United Mine Workers for the last nine years, he has been confident of his health care benefit.

"I would rather lose my pension than I would my health care," the Greenville resident said.

Peavler and about 200 other people gathered Thursday at the Earle C. Clements Job Corps Center in Morganfield to hear Richard Trumka, the international president of the United Mine Workers.

Trumka, a native of Nemacolin, Pa., has been president of the union for 10 years and was in town to attend a district conference. Most of his address centered on health care benefits for miners.

Legislation attached to a national energy bill will continue the health benefits of retired UMW members — some who worked for companies no longer involved in mining.

About 220,000 pensioned union workers and widows will benefit from the bill if passed by Congress.

"I feel absolutely confident right now that we'll have this bill done by mid-September, the end of September or

early October," Trumka said.

The bill guarantees benefits for the life of the retired miner or the miner's spouse, he said. In the past during strikes, retirees' benefits have been interrupted.

"If there is a nationwide strike, your health care will not be cut off as it was in the past," Trumka said. "For the first time we are able to say to you that your health care is absolutely secure."

The bill will cover people who retire as late as Oct. 1, 1994. Any company that signed a UMW contract as far back as 1950 will be responsible for its retired miners' benefits.

Future spending will be partially controlled with managed health care benefits.

The bill also calls for the UMW to receive \$70 million a year from funds currently going into the abandoned min-

es reclamation act.

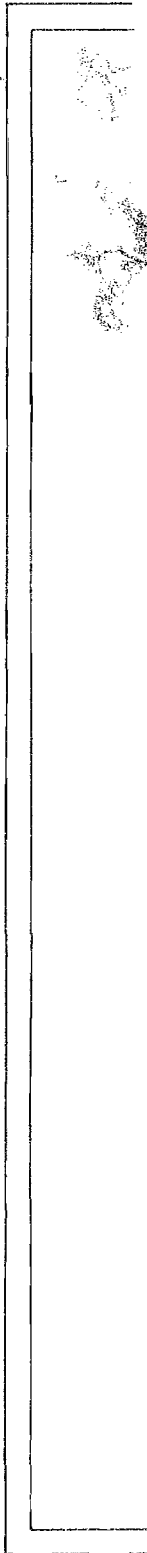
After Oct. 1, 1994, the union will have to negotiate for retiree benefits just like every other benefit, Trumka said. Because of the legislation being considered, 220,000 fewer people will have to worry about losing benefits, he said.

If the legislation had not been successful, Trumka said the union would have had a major struggle come Feb. 1, 1993. He said the industry had said it would not provide benefits for retirees and widows after that time.

"That doesn't mean that these negotiations aren't going to be tough. They'll be plenty tough," he said. "We're dealing with an industry that's in a tremendous state of change."

See **Trumka Back Page**

## She may be a little girl.





January - 12 - 2013

# Rockefeller to retire from Senate

**JOHN RABY  
AND VICKI SMITH**  
ASSOCIATED PRESS

CHARLESTON, W.Va.

— After nearly three decades in the U.S. Senate, Democrat Jay Rockefeller of West Virginia said Friday he was ready to retire, calling his unrelenting fight to protect the nation's coal miners one of his proudest achievements.

But in the waning days of his political career, the industry has grown hostile, with coal companies and their conservative allies accusing the five-term senator of being out of touch for defending clean-air regulations and other policies they claim imperil the future of mining.

Rockefeller was also lambasted for support of President Barack Obama's health care overhaul as the president became ever more unpopular in West Virginia.

Rockefeller's retirement puts the seat held by Democrats since 1958 in jeopardy for the party, and well-

liked Republican U.S. Rep. Shelley Moore Capito has already vowed to run in 2014.

Though her prospects are uncertain, Capito won a seventh term last fall with about 70 percent of her district's vote, and



**Sen. Jay Rockefeller**

the state is growing slightly more Republican: The GOP picked up 11 seats last fall in the state Legislature, and two of the three U.S. House seats are now held by Republicans.

At 75, Rockefeller said he wanted to focus on his family and called his decision entirely personal.

"Public service demands and very much deserves nothing less than every single thing that you have to bring to bear," Rockefeller said.

"And that's what I have given it. I've been driven to make life better for people here. That's not a slogan for me. It's the truth. And an obsession."

The peak of his career, he said, may have come in 1992, when he threatened to keep the Senate in session over Christmas break if they didn't pass legislation preserving retirement benefits for miners and their families. It passed, he said, and a nationwide strike was averted.

"In that fight, and so many others, I've been proud to stand with the working men and women of America," he said.

"I know the coal companies are going after me," Rockefeller added. "I can live with that, because I know that I am fighting every day for coal miners."

## JACKSON

FROM THE FRONT PAGE

third-degree assault charges were dismissed so Jackson could be sent for treatment to Central State Hospital in Louisville.

Jackson was indicted

that was schizophrenia, that prevented him from appreciating the nature of wrongfulness of his actions or conforming his behavior to the standard of the law."

Jackson receives four medications, some more than once daily, and has to be regularly monitored for side effects

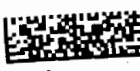
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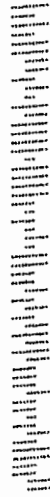
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Spicer

Patricia Spicer  
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The Honorable Kathy A. Surratt - States  
 Re: Case No. 12-51502  
 Thelma A. Engleton U.S. Courthouse  
 111 South 10th St. 4th floor  
 St. Louis, Missouri 63102

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