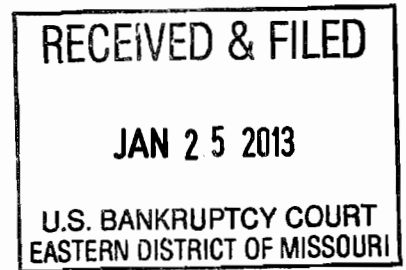


Terry Newsome
5245 Pond Fork Road
Madison, WV 25130

January 22, 2013



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

Re: Case No. 12-51502

Dear Judge Surratt-States:

Thank you, Your Honor, for taking the time to read my letter. It is very difficult to write a letter that will impact my entire future. Please let me explain the devastation Peabody/Patriot's actions are causing me and my wife as well as the other retirees who gave their health for the company.

During my 35+ years working for EACC/Peabody/Patriot, I have had many injuries from working underground. I was diagnosed with black lung and awarded 10%. I suffered back injuries which are treated regularly with injections at a pain clinic. I have had a hernia, a broken foot and nose, numerous finger injuries, and numerous contusions to various parts of my body. I live in constant pain. Also, I take Humira shots which are very expensive for psoriatic arthritis. I recently had four heart stents.

It would be a tremendous hardship on my wife and I to pay for these medications that we thought would be provided with our retiree benefits. Peabody/Patriot needed me to mine its coal and give up my health in the process. I need Peabody/Patriot to remember its promise to retiree benefits. I need the American judicial system to hold Peabody/Patriot responsible for creating a bogus company to dump the burden of its retirees into. Please make Peabody/Patriot keep its promises to the men and women who sacrificed their health for Peabody's wealth.

I have attached a copy of the 30 year service certificate given to me by Peabody. What a monumental day. I had reached the goal of being able to retire anytime I chose after having the 30 years. For decades I had sacrificed my health working in an underground mine; however, the constant promise of health care and pension benefits for my wife and me for the rest of my life gave me security that I would have the care needed for my sacrificed health. Soon after this special day, my benefits and I were in the hand of what they call Patriot Coal.

Peabody has neither hidden nor denied their attempt to side-step their responsibilities. To put \$617 million retiree debt into an unstable Patriot Coal was almost genius. However, this is the age of information and numbers do not lie. Peabody/Patriot owes us what we worked for and I believe justice will prevail in our American courts. Peabody believes it has so much power that

they could not possibly lose this decision, but I feel what Jesus felt when Pilate said to him, "Knowest thou not that I have power to crucify thee and have power to release thee?" Jesus said, "Thou couldest have no power at all against me, except it were given thee from above: therefore, he that delivered me unto thee hath the greater sin." Peabody delivered me unto the totally incapable hands of Patriot Coal and therefore I believe they still have the responsibility for the benefits I was promised.

It is heart-breaking to work for EACC/Peabody/Patriot for over 35 years and no longer have the security I was promised for more than three decades. I love my wife, and for years took comfort in knowing that she would have benefits in the event I died. It breaks my heart to feel like I have let her down.

My father also worked for EACC/Peabody. He retired after 40 years as a dedicated employee. He is now 82 and my mother is 80. Our visits are consumed with anxiety and fear of losing their benefits and I am helpless to comfort them. He does not deserve to be faced with such worry at this time in his life.

In my heart, I must be comforted with the words of Jesus when he was betrayed. He told his betrayers, "This is your hour and the power of darkness." They thought they had condemned Jesus to death, but He arose from the dead three days after this in victory over those powers of darkness. This gives me hope that evil does not always win. I pray the UMWA rises in victory after all Peabody's dark efforts.

There is no way Peabody can wipe this dirt off their hands. Instead of being a respectable company that honored its employees, Peabody will be remembered as the most vile and hideous employer of all time. Peabody knew that Patriot had no chance of success and I believe it was never intended to succeed. I'm thankful I still live in an area where you can shake a man's hand and that is your word of honor. I am proud to have lived among and known hundreds of hard-working coal miners whose names the executives at Peabody/Patriot are not even worthy to speak.

I don't trust Peabody/Patriot to do the right thing. I do have faith in our justice system and while America is watching this, may they receive hope by witnessing the victory of a true underdog. America has seen enough retiree bashing.

Your Honor, our future is now in your hands. I pray the Court will hold Peabody responsible for the benefits promised to its retirees. May God bless you and may God bless the UMWA.

Sincerely,

A handwritten signature in black ink that reads "Terry Newsome". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Terry Newsome
Enclosure

Terry Newsome
5245 Pond Fork Road
Madison, WV 25130

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

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