

RECEIVED & FILED  
MAR 04 2013  
U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI

Dear Honorable Kathy A. Surratt-States,

I would like to share with you my thoughts concerning the court case number 12-51502, an issue between Patriot Coal /Peabody and the United Mine Workers of America. As I am writing this letter, I see my husband sitting on the couch breathing very heavily from having 25 % black lung. He knows that this disease will eventually cost him his life because it is progressively getting worse....eventually he will be on an inhaler and later oxygen. Where did he acquire this black lung? He worked 35 years in the coal mines under Bethlehem, Consol and Peabody Coal Companies. He like his fellow miners worked for these companies to provide a way of life for their wives and children.

Coal miners have always had a difficult way of life if you check the history of the early mining companies with its workers. Coal miners have had to stand strong together to achieve what was due to them and the main reason in most cases was for safety regulations to make it safe for them to work in a dangerous situation such as underground mining. Coal companies have not complied to safety regulations and as a result many coal mining accidents have occurred because of the companies not operating under safety codes set up by the state and federal government. This is a known fact even to the present day.

So, why do men and women work in the coal industry? They do this work trusting that the coal companies will provide a way of life for them and then in return they will provide economic profits by mining the coal for the companies. This is an agreement made between the coal miners and their employees. This agreement is in effect beyond the number of years the miner works for the company to the time in which the miner retires. This agreement had been successful until Peabody Coal Company and Patriot Coal decided to break the agreement.

My husband worked 35 years in the coal mining industry and retired under Peabody Coal Company. About 5 years ago we received a letter stating that we would no longer have our health benefits from Peabody but Patriot Coal instead. We were not given a choice simply told this is the way it would be. Patriot Coal would continue providing the same benefits as Peabody did. This worked fine for us until Patriot Coal filed bankruptcy and as a result our health benefits are in jeopardy.

Please understand, my husband did not work one day for Patriot Coal. The company was formed after he retired from Peabody Coal. That is why we are having difficulty understanding why we can lose our benefits when Peabody Coal is flourishing financially and we question why our benefits were ever placed with Patriot Coal. Our conclusion is that Peabody wanted to be released of their obligation to us through the agreement.

Coal miners have a strong brotherly bond. We love each other. When one miner is having difficulty financially, other miners help feed their families and care for them. Coal miners also have a strong simple humble faith in God. They pray together. Their families pray to God every day that when the miners go to work that God would protect them and keep them safe in the dangerous underground conditions. They work for these companies because they believe in good faith that the companies will keep their agreement with them that is in the contract. This is a covenant with them that neither sides unethically breaks so that the miners and the companies can both be successful.

Now because of greed, Peabody has broken this contract. Peabody is using Patriot Coal as a means to get rid of the excessive baggage (health benefits for retirees and their families) so they can make more profit. Why did Patriot Coal just not form its own entity? Why did the retirees benefits have to go to Patriot Coal instead of staying with Peabody? These are questions that my husband and I do not understand. Peabody is able to financially fulfill these obligations to my husband.

This has become a moral and ethical issue. My husband did a full days work for each company where he worked including Peabody. He faithfully put in 12,775 days of his life and 102,200 hours probably more with his agreement to the company. He was told in return that he and I would receive health benefits upon retirement until our deaths. He was also told that he would receive full benefits for his black lung in his later years when it got worse. Now, we are told that none of this will happen because of the lack of morals on Peabody Coal. Peabody Coal Company chose to use my husband and then when the company was finished with him, just abandon him and not care about the promise or agreement that was man.

My husband does not want to go on any entitlement program issued by the government but us like many other retirees may have to go that route if we have to pay for our health benefits. We are on a fixed income and having to pay additional monies for our health benefits will make it difficult for us. His parents came to the United States from Mexico in the late 1800's. They reared 10 children, 6 boys and 4 girls and lived by the standards set up by the United States. All the boys served in active military for the United States. My husband was taught a strong faith in God. He was taught to treat people fairly and equally, be honest, trustworthy, be compassionate of others, help others and uphold the values established by his parents. These are good strong values that all people should have. Many of the retirees have followed the same path. The share holders and CEOs of Peabody do not have these values. They do not care about the "little man" who worked faithfully for them. Instead they would rather get rid of him and continue making their big profits.

Coal mining has been the backbone of our country. It is still a necessity in our country and overseas. If the companies are allowed to do what Peabody has done, there will be no more coal mining because they will not have workers for the industry. No one wants to work for a dishonest, unethical company. If one company can spin off and make another company and send all the health benefits of retirees with it and then the second company claim bankruptcy, other companies and do the same thing. Peabody does not care about its retirees.

As I said earlier, I am sitting here watching the effects of black lung on my husband. He cannot walk long distances any more. Even when he walks short distances, he has to stop and rest. He is having more difficulty breathing. To add to his physical condition as a result for working in the coal mines, he now has an additional mental stress of worrying about his future and my future. He was so contented to know that he had done well with his life by providing for his wife and family and now he is not sure that will happen. My husband is 82 years old and additional mental stress as you know affects the physical condition of anyone.

We ask that you consider what I have written to you. We just wanted to let you know our situation and I know that your decision will definitely affect the future in our latter years. We feel very insecure not knowing what the future holds for us. We are confident that you will review all information given to you and make the right decision to help the retirees of Peabody and Patriot Coal Companies.

Sincerely,

*Julian Jacquetz*  
*Charlotte Jacquetz*

*David and Charlotte Jorgens*  
Rt. 3 Box 430B  
Fairmont, WV 26554

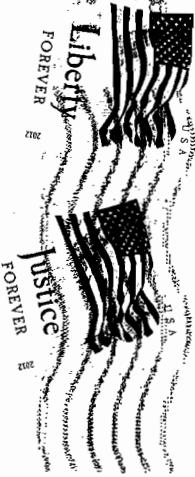
2013 MAR -4 AM 10: 32

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

RECEIVED FILED

CLARKSBURG WV 26302

01 MAR 2013 PM 2



*Honorable Kathy A. Schubert - States*

*Case No. 12-51502*

*Thomas F. Capleton U.S. Courthouse  
111 S. 10th Street 4th Floor*

63102+1125

*St. Louis, Missouri MO 63102*