

The Honorable Shelley C. Chapman
One Bowling Green
Courtroom 621
New York, New York 10004-1408



Your Honor:

I worked for Peabody Coal Co. I had over 29 years in the Mines. I worked in the Mines because of the benefits that I received and was to receive for life. I had a couple of opportunities to leave the mines but I stayed for the benefits. First I'd like to say that I never worked for or did I ever step foot on Patriot property. When I first heard the news that Peabody had formed Patriot Coal I told my wife that I believed that they did that to Bankrupt Patriot and get rid of all there obligations to the retirees. And I was not shocked when I heard of the Bankruptcy. At the time of the forming of Patriot I called my District which is 17 And the international (UMWA) and my congressman and told them what I believed was going on. I was retired from Peabody with a Peabody health care card along with my wife. And all of a sudden I get a Patriot card, a company I never worked for. When I retired Peabody was by contract responsible for my health care not Patriot. As I stated I retired from Peabody, not Patriot. That being said I'd like to tell you about my health Concerns.

I have diabetes which requires 4 shots a day. I have had three heart procedures. I have heart problems. I have had quadruple heart by-pass, another surgery for a stint, and a heart ablation. I have also had to have a lung transplant which is the most troubling concern I have. The transplant was due to coal dust. As of right now I take 31 medications a day. The transplant medications some are covered under black lung, but some are not. They don't consider the side effects of rejection medications as part of black lung so my miners insurance pays for them. My medications are very expensive and I have to have a blood test the first Monday of every month for the rest of my life. The last time I saw a bill the blood test were \$600.00. I have to travel To Charlottesville, Va. Every 3 months which cost in travel and doctor bills. I have to see a heart doctor regularly for my heart condition. I have to keep appointments to monitor my diabetes and the problems associated with it. I have a lot of health problems. With out my health care card I feel that someone will be signing my death certificate. I have a lot of bad days and since this I have been depressed and have a lot of concerns about my health care. Also my wife has health problems also she has back problems, thyroid problems and problems with her nerves having to take care of me. I ask that you please consider the fact that I put many years of hard work into the mines and always was told that our benefits were for life. And Peabody signed a contract that said they were responsible for there retirees health care. I think it is a dirty trick they are playing on us and the courts. They are the largest coal producer in the U.S. and they can easily afford to take care of there retirees. My health care is my life. Peabody should be responsible for the retiree's, they signed the contract. They should not be allowed the for a smaller company on there own with the sole purpose of getting rid of there obligations. It makes me wonder what America is coming to. My life is dependent on my health care and without it I think I am doomed. They might as well be the ones signing my death certificate along with a lot of others. Thank you.

Thank You:

Russell E. Hoge Jr.