

Dear Ms. Chapman,

My name is Jared Stephen Shumate and I am the eldest, 34 years old, of two children with my sister Jessica Peck being 4 years my junior. I write this letter on behalf of my Father Stephen D. Shumate and my Mother Christine A. Shumate due to their inability to do so themselves. I have not referred to you by your title and station in life because that is not the tone I wish to convey with this communication unto you today. I appeal to you as one human being to another in the hopes that you will use your position in life to do the right thing from one human being to another. You are in a position to make a decision that will affect this family in ways that I know no one would want to have happen to someone they love or care about. If the situations were reversed, and I was sitting where you are and you were sitting where we are, I would do anything in my power to find a way to stop what could happen from happening. I know your time is precious, and I thank you in advance for taking the time to read this letter, so I will keep this as brief as possible.

My parents are disabled and not because they want to be. They are not lazy nor do they feel they are entitled to anything. But what could be taken from them is a privilege that they paid into and was promised to them being secure by the company my Father worked for. I could go on and on about their laundry list of conditions but I will simply include that in an attached list that you will find after this letter. For now, the overview is sufficient to illustrate our situation. Mom was stricken with a terminal illness back in 1997 that eventually ended her career in 2006. She was in and out of the hospital and suffered so much trying to work that the closest I have ever seen someone come to what she did in dedication to her job is a cancer patient who manages to keep a job while receiving treatment; that was the level of suffering she went through before she gave up her career after 20 years with the same State Park. Dad was injured in one of the worst mining accidents of 2003 and it is a miracle he even survived the roof fall and the boulder that landed on his head and rode down his back pinning him to the ground and nearly killing him. He was working with many health issues that would cause most people to switch to an easier career before it happened, however his steadfast dedication to Peabody/Eastern kept him there for 29 years. My parents are only 55 years old and to be disabled when they were in their 40's has been an unending major blow. They didn't choose what happened to them and it was not their fault. They were the model employees who dedicated themselves early in life to one place and stayed at that one job for many years. A person in need of help always found it in their hearts in both professional and personal life from the closest of kin to a perfect stranger. They were always working extra shifts as requested and volunteering for whatever their employer needed done. They are that rare breed of people that are not only to be admired, but walk a walk worthy of the following of all generations behind them; you just don't find many like them anymore. They had gotten us kids through school, helped us get our lives started, and were in their prime. They were in that time in life where they should have been using the highest earning years at the peak of their careers to finish paying a few things off, looking forward to retirement, and had the means from years of dedication to provide a nice retirement. But illness and injury derailed all of that.

Today they are no longer the optimistic bright future people they were before these unfortunate events took place. They rely on my sister and I, their brothers and sisters, and from time to time even my elderly grandmother for help. They have no quality of life and neither of them can perform the most

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basic tasks; they rely on us. They can't even enjoy their grandkids the way most grandparents do since they can't really do anything but sit back and watch without being able to truly do something with them. Dad was injured the very year the first grandkid, my son, came along and from then on to even sit and hold him on his lap or in his arms was a struggle. As the others came along that situation has not changed and the youngest now is a toddler and the simple pleasure of sitting for long periods with your grandchild on your lap is a painful proposition for him.

The mental toll of going from steadfast providers and busy worker bees to a cripple and a terminally ill woman who can't hold your own grandkids long or do much of anything with them but watch them play is even worse than the constant pain they are both in. The mental health issues that have arose along the way due to their physical health issues has slowly had an effect on not only them, but the rest of the family as well as we interact with them constantly to give them the care they need to remain in their own home. But we endure it because without us it is no stretch of the imagination that they would both need to be in an assisted living home; it is simply the reality we live with day in and day out. I could write a book on just the emotional break downs and struggles they deal with alone but let it suffice to say that this is the toughest thing any of us ever dreamed we would have to deal with. You expect to one day take care of your parents the way they did you. But you never think that the two of the most steadfast and successful people you know could be reduced to being crippled, disease stricken, and driven to anxiety and depression so early in life.

The finances are as exhausting and stressful at this moment as anything else we deal with, and not due to mismanagement. My parents have always been wise stewards of their finances with an excellent ability to live within their means, take care of their needs, and save for whatever may come their way. But with medicines, trips out of town to doctors constantly that results in the need for overnight lodging due to their conditions, rising costs of everything, vehicle maintenance, and all the bills that are necessary in life their budget is strapped. And now they face losing Dad's pension and insurance as well. If that takes place; two people who have already had more happen in life than they can handle will be forced to file bankruptcy. They will lose everything they put their steadfast dedication into sticking with that company through thick and thin for; and with all their physical and mental health issues there is no way they will be able to afford the care they need just to maintain their already dire state. They will be forced to live with family or end up in a facility in their 50's to take care of them after years of supporting their God, their country, their family, and putting work first to do so while denying themselves so much for so long to accomplish this.

So, in closing, I ask you Ms. Chapman; is this the way you would want your parents treated if the situation were reversed? From one human being to another I ask you to seriously weigh out the human factors in this. The decision that is made on this matter not only touches the man who worked for this company, it touches his wife, his adult children and family who see to the tasks that he and his wife simply cannot do, and add more emotional and financial stress to a family that is already past the breaking point of what most of us can endure. The right thing is never easy, wrong things tend to be easy and are never worth the human cost, and we are in your hands praying you do the right thing.

*Stephen D. Shumate* 10-10-12

List of Medical Conditions and Ailments:

Stephen D. Shumate:

While working, prior to his disabling accident, he suffered from:

Plantar fasciitis- Making it extremely painful even with treatment, to stand and do his job.

Degenerative Disc Disease- Keeping him in chronic pain day in and day out while at work or during leisure activities.

Arthritis- Also keeping him in chronic pain day in and day out.

Neck injury- Also keeping him in chronic pain day in and day out due to bulging discs.

Right Knee- Worn out and keeping him in chronic pain day in and day out.

Wrists/Hands- Worn out and restricting his range of motion while creating pain and numbness.

All of these were things he had to contend with that are indeed related to the damp, cold, and miserable conditions he worked in performing brute labor and the injuries he sustained with the company in question; Peabody/Easter/Patriot. He continues to suffer with these problems and they have worsened with age.

Conditions due to the disabling accident or after related to work or worsening of them:

In 2003 he was in a roof fall, one of the worst accidents in the mining industry that year and was a near fatality. A hard heavy boulder, 7 foot long x 4 feet wide, and six to eight inches thick fell out on top of his head. It then rode down his back and pushed him to the ground. This boulder was so thick that it took several men to lift it up just enough for him to have to try and wiggle out from under it himself or die under the pressure. They had no other way to save him than to do it the way they did at that time, resulting in a very risky moving of his body after that kind of injury that has had an effect on his long term issues. He suffered a concussion, compression fractures throughout the 7-9 disc area of his spine, internal bleeding, and his heart was enlarged and bruised.

He was told by the John Schmidt, the number 2 neurosurgeon in the country at the time, that any surgery performed on him was a serious risk and he would probably end up paralyzed and in a wheel chair. Dr. Schmidt said he would not even attempt surgery until such time as he lost control of his bladder and bowels and that it would eventually happen. The injury healed crooked from bottom to top of his spine and arthritis multiplied there and throughout his body due to the injury. His legs go numb while standing and he will simply fall over; it is not safe for him to walk without support or supervision. He has begun losing control of his bladder and his bowels. They installed an electrical stimulator hardwired directly into his spine to try to numb out some of the constant pain he is in, he has been to pain management, and he has been given every pain medicine available. There is no relief for this man and he wishes he had been killed by that rock.

He is right handed, and his right hand has a metal plate in it due to it being worn out as well as carpal tunnel syndrome and has no rotation in that hand nor is it of much use to him. His left hand isn't much better but he has not let them put a metal plate in the left because simple tasks, such as wiping your own butt after defecating, would be impossible. Even though it is already a chore now, he doesn't want to lose what little he has left. His right knee has been worked on 3 times and it is going to need replaced once it needs worked on again, and he is looking at having to do that very soon.

He cannot sit, stand, walk, crouch, stoop, lift, or move about in any way without problems and pain. Due to the area in which he lives they must travel to receive medical care. Drives of an hour and up to keep his and her doctor appointments are not only an adventure but an arduous journey. This is much the same for my Mother, Christine Shumate, and they can't go any farther than from Pineville to Beckley without needing to obtain lodging and/or excessive stops that double and sometimes triple the length of the trip or put an end to it all together. This leaves you having to cancel, reschedule, and try again. These problems not only create a burden just surviving the trip physically, they make everything more complicated and more expensive. They also have to depend on someone else to drive them around on these frequent and longer trips as well as many of the shorter ones.

These conditions have been devastating to this man emotionally. He receives care for anxiety, depression, anger management, and after 30 years of being free of his addiction to alcohol he now attends AA. This man has been destroyed due to the problems he ended up with trying to provide a way of life for his family. These emotional issues have also affected the mental health of all those who interact with him and we all seek the counseling in order to be able to deal with him. Many that can't happen to me, the people that it happens to are weak, or they give up and just do not try and have no fight in them. I used to believe that as well, but the right course of events can drive any person to insanity with little hope of pulling out of it despite ever effort to do so. This man has always been a fighter and couldn't survive what he has working if he wasn't. Weak men do not mine coal for 30 years total like he did; only the toughest mentally and physically do. And this has destroyed even him and is destroying his family as well. I will call this condition a collection of broken hearts and spirits with little help and therefore little hope.

Christine A. Shumate

This is the list of the illness my mother has:

Lupus systemic erythematosus, sjogern's syndrome, renal Failure, renal tubular acidosis, kidney's do not function at 100% and suffers from kidney stones and needs annual blasting, osteoporosis, degenerative disc disease, chronic cystitis of bladder, diverticulitis, chronic bronchitis, chronic obstructive pulmonary disease (she have never smoked a day in her life this is a result of her conditions, and fibromyalgia. I could write a novel on what she goes through because with her being attacked the entire autoimmune disease family, her exterior being attacked, her organs being attacked, her secretions glands do not work, and on and on she suffers from everything you can think of. She is always sick, has had to have a hip replaced due to the medications used to fight these problems, and has no life. She needs constant care and is a dead woman without insurance to cover her medicines and treatments that are very expensive. Unlike cancer, finding treatment without insurance is impossible. If she loses her insurance in this case; the person who rules in favor of that and the people who made the decisions who led to that case being needed will be responsible for the early demise of my mother. This is not me making an angry or off collar heart tug, this is simply me stating the facts so you can understand them.

Both my mother and my father suffer from osteoarthritis and arthritis throughout their bodies. They both spend the majority of their time sick and needing help or needing help going to doctors, that is their life. On average here is their doctor's trip routine on average and sometimes it is more: Charleston WV twice a month, Lewisburg WV 2-4 times per year with the average stay of a week, Beckley WV 20 times per month, Wake Forest/Baptist University Hospitals about every other year, and Morgantown about every two years. And that is their life and has been year after year since being disabled and gradually increased to it before becoming disabled. Both Mom and Dad have had several close calls with their problems and medicines that caused an accident, health issue, or reaction with them that nearly resulted in death. And that is their lives and all of us that are in their life helping them fight this.

Jared Stephen Shumate, in proxy for Mr. and Mrs. Stephen D. Shumate, with my father signing off on the letter itself and me writing them; they orated to me what they wanted brought out and I have given it at their request. I have done so willingly and attest to you that everything contained herein is true and accurate.

Have a good day and God Bless,



10-12-12

Jared Stephen Shumate