

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:)	Chapter 11
)	
PATRIOT COAL CORPORATION, <i>et al.</i> ,)	Case Nos. 12-12900
)	(SCC)
Debtors.)	
)	Jointly Administered

**DECLARATION OF ROBERT J. SCARAMOZZINO – IN RESPONSE TO THE
COURT’S REQUEST**

Robert J. Scaramozzino declares pursuant to 28 U.S.C. § 1746:

1. I am the Executive Assistant to Cecil E. Roberts, President of the United Mine Workers of America (“UMWA” or “Union”), and have held this position since January 2012. Prior to my current position, I served as Administrator of the President’s Office for approximately 17 years. Since 1985 I have been employed by the UMWA International Union, and I have been an active member of the UMWA since 1972. In my capacity as the Executive Assistant to the UMWA President, I have been involved in many aspects of the UMWA’s activities related to Patriot’s bankruptcy action.

2. I submit this declaration pursuant to the Court’s request concerning the letters UMWA members have submitted.

3. The facts set forth in this declaration are based on my firsthand knowledge. If called to testify, I would testify competently to the facts set forth in this declaration.

4. In the attached memorandum, mailed on or about September 28, 2012, President Roberts advised our members that they could share their personal stories by submitting a respectful letter to the Court. *See Attachment 1.* We sent this memorandum because the UMWA was being inundated with calls from members about the Patriot bankruptcy. Attorneys from

Kennedy, Jennik & Murray, the Union's outside counsel in this matter, did not draft, review or know about the September 28, 2012 memorandum prior to its distribution. The memorandum was, however, reviewed by the Legal Department of the UMWA prior to its distribution.

5. I understand that, for purposes of the pending venue motions, the UMWA and other parties in this matter stipulated to a limited record at, or shortly before, the Court's September 11, 2012 hearing. I further understand that the letters submitted to the Court in response to the September 28, 2012 memorandum are not a part of that stipulated record.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Triangle, VA, this 24 date of October, 2012.


Robert J. Scaramozzino

ATTACHMENT 1

United Mine Workers of America

CECIL E. ROBERTS
INTERNATIONAL PRESIDENT



TELEPHONE
(703) 291 2420
FAX (703) 291 2451

UNITED MINE WORKERS' HEADQUARTERS
18384 QUANTICO GATEWAY DRIVE, SUITE 200

Triangle, VA

22172 1779

September 28, 2012

MEMORANDUM

TO: UMWA Members (Patriot Local Unions)

FROM: Cecil E. Roberts ^{edA} CER
International President

RE: Patriot Update and Information Request

I am writing to provide you with an update regarding the Patriot Bankruptcy and to ask that you also provide some specific information. To accomplish our goal, I am going to need your assistance and I can assure you that all of this information is critical in helping to preserve your benefits.

The information and requests are as follows:

- On September 11-12, 2012, the Bankruptcy Judge in New York held a hearing on the Change of Venue motion filed by the UMWA and others. At the conclusion of the hearing, the Judge asked that all interested parties submit briefs on October 5, 2012. We expect the Judge to issue her ruling by mid to late October. As soon as she makes her ruling, I will inform you of her decision.
- Even if the Judge rules against moving the case to Charleston, West Virginia, where it rightfully belongs, the UMWA will participate in the bankruptcy proceedings whether it is in New York City or St. Louis.

- We will be asking for volunteers, mostly retirees and widows, to attend the hearings. We need people who are willing to spend one week at a time at the venue location chosen by the Judge. The UMWA will provide transportation, lodging and per diem. You may be contacted to participate.
- Every Monday I will be doing a Robocall (Automatic Telephone Message) to all members to provide you with an update. Calls will be made at approximately 1:00 p.m. and 7:00 p.m. Eastern Time. I was told once the Robocalls begin it will take approximately one and one-half hours to reach all members.
- Enclosed is an "Information Request Form" that I am asking you to please fill out and return to the International Headquarters. For your convenience I have enclosed a self-addressed stamped envelope to return the form. Because of Indiana's state law regarding automatic calls, a special form has been prepared for residents of Indiana.

Returning this form is critical so that we will be able to communicate with you regarding the status of the bankruptcy and your benefits.

- I know that many of you are stricken with some very serious illnesses. It is very important that the Bankruptcy Judge really understands what is at stake and that we put a face on your problem.

I am encouraging members who would like to share your personal story to write the Judge letting her know about your illness and what would happen if you lost your health care. Your personalized story will become part of the permanent public record. I do understand how very angry you are but I ask that any letters be courteous and non-threatening. Letters should be sent to:

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

- The International Union is working to launch a "Corporate Campaign" against Peabody, Arch and Patriot. Details will be provided as this campaign progresses.

- **We are preparing a video regarding our struggle that will be distributed to all Local Unions. The video can be shown at Local Halls, town hall meetings, churches and elsewhere.**

As I previously stated, I am going to need your assistance if we are going to prevail against Peabody, Arch and Patriot. I have always been able to count on your support in the past, and I know I can count on you now. This is our fight and together we will win. May God Bless You and the United Mine Workers of America.

Enclosures

**cc: Daniel J. Kane, International Secretary-Treasurer
Don Barnett, At-Large International Vice President
Donnie Samms, At-Large International Vice President
Steve Earle, International District 12 Vice President
Joe Carter, International District 17 Vice President
Mike Caputo, International District 31 Vice President
Bob Scaramozzino, Executive Assistant to the President
Ron Airhart, Executive Assistant to the Secretary-Treasurer
Gary Trout, Region II Director**

URGENT

Information Request Form

Please Print Clearly

Name: _____

Local Union: _____ District: _____

Address: _____

Phone: _____ Cell: _____

E-Mail Address: _____

NOTE: Phone numbers and e-mail addresses will be kept confidential.

If you hold a position with your Local Union, please state what position: _____

NOTE: Please return this form in the enclosed self-addressed stamped envelope immediately. This information is very important for the UMWA to be able to communicate with you regarding the Patriot Bankruptcy and your benefits.

For Indiana Residents

URGENT
Information Request Form
Please Print Clearly

Name: _____

Local Union: _____ District: _____

Address: _____

Phone: _____ Cell: _____

E-Mail Address: _____

NOTE: Phone numbers and e-mail addresses will be kept confidential.

If you hold a position with your Local Union, please state what position: _____

NOTE: Please return this form in the enclosed self-addressed stamped envelope immediately. This information is very important for the UMWA to be able to communicate with you regarding the Patriot Bankruptcy and your benefits. By returning this form, we understand that you are authorizing the UMWA to use an automatic dialing system to call you.