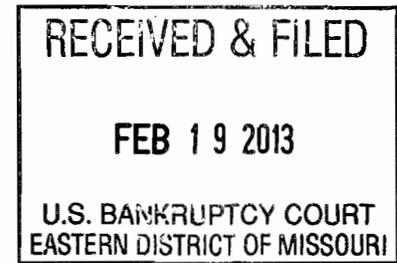


February 13, 2013

The Honorable Kathy A Surratt-States
RE: Case No 12-51502
Thomas F Eagleton U. S Courthouse
111 South 10th St, 4th Floor
St Louis, MO 63102



Your Most Honorable Judge,

I'm sure by now you have received numerous letters from retired miners or widows of those miners and their many medical needs that will create financial devastation if they were to lose their health care benefits promised to them by Peabody Energy and Arch Coal. Please don't allow these coal corporations to make a mockery of those men and women that only wanted to provide for their families, and in return be able to retire with dignity and have a sense of security that their health care needs would be met.

My husband and I would also experience a hardship if this was to occur but we are asking you to look at the reason this has happened and determine if you believe the actions by Peabody Energy and Arch Coal to be honorable or strictly driven by greed and also determine if they should be held accountable for promises made and contractual agreements signed as well as enactments made with the signing of the Krug-Lewis Agreement of 1946 and the Coal Act by Congress in 1992.

Of the 8,350 retirees who last worked for a Peabody subsidiary, 7,620 (91.3%) never worked a day for Patriot Coal. Of the 2,283 retirees who last worked for Arch subsidiaries, 2,118 (92.8%) never worked a day for Patriot Coal. Why would Patriot Coal assume a \$1 Billion liability for health care benefits of miners that never worked for them? Because they knew the day would come when they could also attempt to release themselves of that obligation and erase that liability off their balance sheet! Peabody Energy and Arch Coal's intentions are clearly obvious. Patriot Coal was created to fail. A corporation envisioned by executives to wipe out their obligation to provide health care to miners that risked their lives every day and sacrificed their health to make those companies what they have become.

During a most profitable time for the coal mining industry other coal companies were booming and able to treat their employees to picnics, parties and bonuses. In 2011, Peabody Energy and Arch Coal reported net incomes of \$957.5 million and \$141.7 million respectively while Patriot Coal reported a net loss of \$139.1 million. Patriot Coal was created to fail and to allow Peabody Energy, Arch Coal and Patriot Coal the means to shirk their obligations and promises.

Please consider all the information you have before you but also put yourself in the steel-toed boots of all those miners and ponder how devastating your decision could be to thousands of them. Thank you for your time and consideration of this matter.

Sincerely,



Sam and Teresa Harkins
Greenville, KY

Sara and Teresa Harkins
217 Crittenden Dr
Greenville, KY 42345

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EASTERN DISTRICT
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