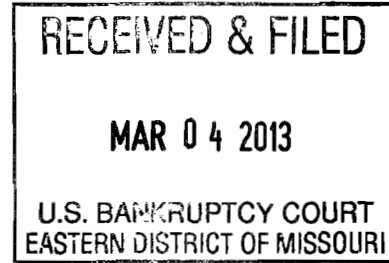


January 21, 2013

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



Your Honor,

This letter is written on behalf of my deceased father, Armando Massaroni (1921 – 2007), who worked in the coal fields of West Virginia for 30 years, and his 86 year old widow, Lena Massaroni, who continues to be completely dependent upon my father's savings and benefits that he earned. She currently resides with my husband and me, so we know a great deal about her health and financial situation.

Working in the mines is not an easy profession. It carries a rather weighty risk to life, limb and overall health. But, at least during my father's time, coal miners were paid enough that the otherwise poor in Appalachia could earn a decent living. The benefits sealed the deal. Workers were guaranteed good healthcare for themselves and their families for life in exchange for their labor in less than desirable conditions – conditions that could result in illness or death from such specters as black lung or mine explosion. It was a risk that workers took in order to gain the reward of a modicum of security.

We feel used and let down by the various iterations of this coal company. My father drove an hour each way to work for 30 years in all conditions to provide for his family. He gave his all for us thinking that the coal company would fulfill its obligations. The real irony is that company-paid doctors had repeatedly denied dad's black lung filings, stating that his x-rays did not show any indication of the disease. Yet, his death certificate clearly shows that black lung contributed to his death.

Should Patriot Coal be allowed to dissolve its obligation in bankruptcy, all my father's careful retirement planning will be futile. Once mom's savings are gone, she will become another statistic who is dependent upon an already overextended government. Her health care quality will most likely go from excellent to fair at best. In addition, any dissolution of health care will shift a burden onto our family and may place us in the uncomfortable position of having to make difficult monetary choices about our own future retirement versus the quality of health care that mom will receive in her golden years. We are already giving of our time and home in caring for my elderly mother. But, this puts us in a place that was unexpected and unplanned as Patriot Coal is casting their obligations off in our direction.

Justice demands that promises be kept and that the balance sheet take into account more than just assets and liabilities. Patriot Coal should be forced to count the human cost of its broken promises rather than, as UMW President Cecil Robert alleges, "*brag about getting those liabilities off their balance sheets.*" The cost of dissolution will not accrue solely to the workers and retirees, but also to their families and even the American taxpayer. The decision that is made will have a financial and emotional impact on many more than those covered by the benefits.

Thank you for your careful consideration of this matter.

Respectfully,

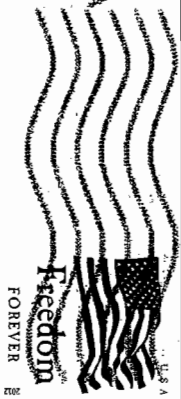


Lisa L. Simmons (for Armando & Lena Massaroni)

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