

TO JUDGE KATHY SUTTATT - STATES

4-21-13  
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APR 25 2013

U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI

YOUR Honor:

MY NAME IS JOHN HERBERT HENDERSON,  
AGE 57, MARRIED TO MY HIGH SCHOOL SWEETHEART  
CINDY. WE HAVE 2 CHILDREN AND 3 GRAND  
KIDS. I BEGAN WORKING FOR PEABODY COAL CO.  
AT THE AGE OF 22. I DID NOT SEEK  
EMPLOYMENT WITH PEABODY, RATHER IT  
WAS A PHONE CALL FROM A PEABODY  
SUPERVISOR, STATING THAT HE HAD LEARNED  
THAT I HELD A TOW BOAT LICENSE. HE  
FURTHER EXPLAINED HOW PEABODY'S EAGLE  
DOCK WAS IN URGENT NEED OF A BOAT  
PILOT TO KEEP THEIR COAL LOADING FACILITY  
OPERATING. I WAS AT THAT TIME WORKING  
9 HOURS A DAY 6 DAYS A WEEK ON THE  
SMITHLAND KY. LOCK & DAM PROJECT, AND  
INFORMED HIM THAT I DID NOT NEED  
A JOB. AFTER PERSISTANT URGING, I  
AGREED TO TAKE A LOOK AT THEIR  
BOAT AND OPERATION. WHAT PEABODY OFFERED  
ME WAS 8 HOURS A DAY, 5 DAYS A  
WEEK, AND CLOSE TO 2 DOLLARS LESS  
ON THE HOUR. WHY WOULD I EVEN

CONSIDER THEIR OFFER? THE PEABODY SUPERVISOR HIGHLY POINTED OUT THAT THE LOCK AND DAM PROJECT WOULD BE COMPLETED IN A FEW YEARS AND I WOULD THEN BE LOOKING FOR ANOTHER JOB. HE THEN ASKED ME "HOW DOES 20 YEARS OF EMPLOYMENT, A PENSION, AND HEALTH CARE FOR ME AND MY WIFE FOR LIFE SOUND"? EVEN AT THE AGE OF 22, I KNEW PEOPLE WHO HAD RETIRED WITH A PENSION FROM THE MILITARY AND VARIOUS OTHER COMPANIES. I FIGURED THE OFFER WAS WORTH TALKING TO MY WIFE AND OUR PARENTS ABOUT. TO BE HONEST, THE HEALTH CARE PROMISE REALLY DIDN'T MEAN THAT MUCH TO ME AT THAT TIME. AFTER ALL, WE WERE IN OUR EARLY 20'S, TEN FEET TALL AND BULLET PROOF. AFTER TALKING IT OVER, WE DECIDED THAT DESPITE THE LOWER WAGE, THE 20 YEARS OF EMPLOYMENT PLUS A PENSION WITH HEALTH CARE WAS THE RIGHT MOVE.

FAST FORWARD TO TODAY, I'M 57 AND HAVE WEATHERED 3 LAYOFFS AND 4 RECALLS TO PEABODY. EACH TIME I CAME RUNNING BACK TO PEABODY, I

QUIT BETTER PAYING JOBS. WHY? WELL, WE ARE IN OUR 50'S AND OUR BULLET PROOF BODIES ARE WELL OUT FROM UNDER WARRANTY. SUDDENLY, THE PROMISED HEALTH PROVISION THUMPS DOLLARS PER HOUR. MY LAST RECALL FROM PEABODY'S PANEL WAS TO "PATRIOT COAL" WHICH HAPPENS TO LOOK JUST LIKE PEABODY. I HAVE THE SAME EMPLOYEE NUMBER THAT I HAD WHEN I FIRST HIRED ON WITH PEABODY IN 1979. THE PEABODY LOGO ON SIGNS AND EQUIPMENT HAS BEEN MASKED WITH SPRAY PAINT OR STICKERS, BUT A QUICK LOOK AT REGISTRATION DOCUMENTS, REVEALS THAT OWNERSHIP STILL BELONGS TO PEABODY. SO WHY THE DISGUISE? THE ANSWER WAS MADE CLEAR, ONCE I REALIZED THAT PATRIOT~~®~~ IS SIMPLY A STONE FRONT FOR PEABODY, BEING USED IN AN ATTEMPT TO BACK OUT ON THEIR PENSION AND HEALTH CARE PROMISE. IF THIS HOCUS POCUS IS ALLOWED, PEABODY WILL REAP MILLIONS OF DOLLARS AND THE PROMISED DREAMS OF THOUSANDS OF WORKERS WILL VANISH. USING FINANCIAL ENGINEERING TECHNIQUES, DEPLOYED BY HIGH PAID LAWYERS, PEABODY IS ATTEMPTING

THIS SLEIGHT OF HAND IN THE  
BANKRUPTCY COURTS. THE CONCEPT WAS  
EASY ENOUGH. CREATE A "NEW" COMPANY  
OUT OF PEABODY'S WORST DIVISIONS,  
NON-PRODUCTIVE PROPERTIES, DEPLETED COAL  
RESERVES, LAND THAT REQUIRES HIGH  
RECLAMATION COSTS, WORN OUT EQUIPMENT,  
AND OH YES, Toss in MILLIONS OF DOLLARS  
OF LIABILITY JUST FOR A KICKER. TALK  
ABOUT A LEAD BALLOON! NOW JUST LOAD  
IT UP WITH DEBT AND VOILA, INSTANT  
BANKRUPTCY! WILL CORPORATE GREED SUCCEED  
IN ROBBING WORKERS OF THEIR EARNED BENEFITS?  
ARE THE LIKES OF BETSIE MADOFF, ENRON,  
AND OTHER CORPORATE PIRATES BECOMING  
THE NORM? IS THIS NOW A NATION  
WHERE THE PEOPLE WHO HAVE NEVER HAD  
THEIR HANDS DIRTY, THEIR LUNGS POISONED,  
OR THEIR BODIES BROKEN, REAP THE BENEFITS  
OF THOSE WHO HAVE? ARE THESE PEOPLE  
WHO WILL WALK AWAY WITH 6 FIGURE  
RETIREMENT PACKAGES, REALLY THE ONES  
ON WHO'S BACK BUILT PEABODY COAL INTO  
ONE OF THE LARGEST COMPANIES IN  
THE WORLD? HAS CORPORATE GREED  
AND PIRACY BY A FEW DESTROYED THE

AMERICAN DREAM OF MANY? ARE  
SILVER TONGUED LAWYERS ALLOWED TO  
MANIPULATE THE ~~COURTS~~ COURTS IN ORDER  
TO FACILITATE THE RAPE OF WORKING MEN  
AND WOMEN'S BENEFITS? THE LAST TIME  
I LOOKED, THIS WAS STILL AMERICA. THIS  
SCHMADIE IS NOT THE AMERICAN WAY.  
NOT NO, BUT HELL NO! PEABODY IS  
NOT BROKE! ONLY THE MIRAGE THEY CREATED.  
THE LINES ARE ALREADY FORMING.  
OTHER COMPANIES, NOT JUST COAL COMPANIES  
ARE WATCHING TO SEE IF THEY TOO CAN  
PULL OFF THE GRAND ILLUSION. THE  
AMERICAN WORKERS AND THEIR FAMILIES ARE  
ALSO WATCHING IN FEAR AND DISBELIEF THAT  
ALL THEIR WORKING YEARS OF A PROMISED AND EARNED  
DECENT RETIREMENT MAY END WITH THE  
SOUND OF A GAVEL.

I THANK YOU FOR YOUR TIME AND MAY GOD  
BLESS YOU AND YOURS.

WITH RESPECT

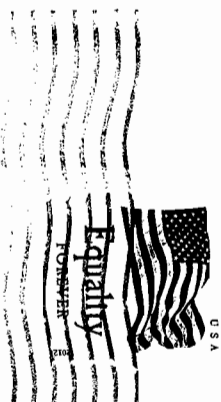
John Sherbert Stenderon

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CLERK, US BANKRUPTCY COURT  
EASTERN DISTRICT  
ST. LOUIS, MISSOURI-MR

*The Honorable Kathy A. Stewart - States  
Re: case No. 12-51502  
Thomas F. Egerton U. S. Courthouse  
111 South 10th Street, 4th Floor  
St. Louis, Missouri 63102*



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