



October 1, 2012

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

CC: Cecil E. Roberts, UMWA International President

Dear Judge Chapman,

My name is Lyndell Martin and I worked for Peabody Coal Company in their underground coal mines for over 23 years of my life. Virtually all of this time was spent working in hazardous and unhealthy conditions which included breathing in coal and rock dust. I have worked in confined areas in which I was unable to stand in an upright position for hours on end. The noise from high speed machinery has contributed to my having to wear hearing aids in both ears. While working for Peabody, I have suffered broken bones, burns, back injuries, cuts and have been knocked unconscious. I was required to work swing shifts which often resulted in my being unable to see my children five days of the week. Incidentally, swing shift work has been shown to take years off the lives of those of us who have been subjected to it.

Then I was transferred to another mine and for five of my twenty-three years working for Peabody Coal Company, I drove 90 miles EACH WAY to get to work, and put in an eight to ten hour shift on top of that. Needless to say, I had very little time left to spend with my family or have any kind of social life. When the drive became unbearable, I had to rent an apartment and live ninety miles from my wife and children five to six days a week. All of this has taken a great toll on my health and my family.

When the mine I was transferred to closed due to our U.S. governments acid rain legislation, I took my Peabody retirement with the promise that my wife and I would have a pension and health benefits for the remainder of our lives. Then Peabody sold us out to Patriot Coal and, now, just a few years later, we are faced with the possibility of losing both my pension and our health care benefits. I suffer with diabetes, high blood pressure and high cholesterol, all of which require me to have regular and ongoing care from my doctor. In addition I have been prescribed lifelong medications that cost nearly \$500 a month. My wife also requires expensive medicines over and above the cost of mine. How would I pay for this without my pension check and my health benefits? I desperately need my promised retirement benefits to pay our bills and keep my wife and I with food on our table and a roof over our heads.

Had I known Peabody/Patriot were going to try and take our benefits, I would never have agreed to work in the terrible conditions I was subjected to for so many years of my life.

We are all depending on you, Judge Chapman, to protect us and to protect that which was promised to us in return for our years of labor and the detriment to our health... In many cases, the loss of our very lives.

In conclusion Judge Chapman, Peabody/Patriot Coal entered into binding contracts with us and I hope you will see to it that they are not allowed to take away or reduce our hard earned pensions and health care benefits. I worked 23 years of my life for Peabody Coal Company, and not a single day for Patriot Coal. Peabody's selling off of our benefits is unconscionable. They are a thriving company and well able to pay what they promised to us. I beg you to not let them get away with taking away our hard earned and well deserve pensions and health care. I hope you will to respond to my letter personally.

Sincerely,



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