

Pg 1 of 1
8039 Harpeth Glen Trace
Henderson, Ky 42420
October 04, 2012

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

I, Jack B. Phelps worked for Peabody Coal Co. 41 years.

I retired from Peabody Coal in 2003, four years before the "Spin Off." I never worked for Patriot Coal.

I think Peabody's plan was to load Patriot Coal all of their liabilities and let it go bankrupt and then dump people like me and then buy it back.

I am being treated medically for:

- (1) Melanoma
- (2) Heart Problems
- (3) Hearing Loss

I and my spouse, Brenda were told we would have "Life Time Health Care and Retirement."

Sincerely,
Jack B. Phelps
Brenda K. Phelps

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10/4/12