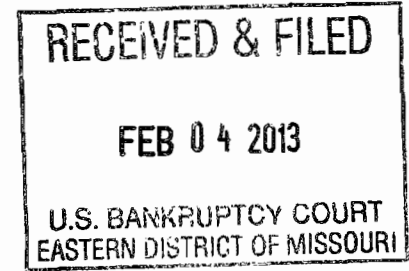


Robert L. Tying

517 Rumbach

Jasper, IN 47546-3557



January 24, 2013

The Honorable Kathy A. Surratt-States
Thomas F. Eagleton U.S. Courthouse
111 South 18th Street 4th Fl
St. Louis, MO 63102

C: UMWA International Union
c/o Patriot Campaign
18354 Quantico Gateway Drive Ste 200
Triangle, VA 22172-1779

RE: Case No. 12-51502

I am a retired coal miner. I worked 42 years for Peabody Coal Company at the Lynnville Indiana mine. I worked a number of years prior to my qualifying time at Peabody for Sentry-Royalty.

I respectfully request the court to consider the following in the adjudication of the above referenced matter now coming before the court.

I, and many others, never worked a day for Patriot. I completed my qualifying services under a contract between the UMWA International Union and Peabody Company as ratified in good faith by the members- specifically Local 9926- as a result of collective bargaining. In the doing, employees received a lower rate of pay per hour in various classifications conditioned on the provision of healthcare and retirement benefits.

Our contribution of labor, skills, and services resulted in the timely, consistent delivery of coal the company sold at a profit and distributed between owners and stockholders. Current economy, technology, and marketability notwithstanding.... the workers have delivered as contracted.

Any decision to vacate the company's responsibility under these agreements would rob retirees of the return on a life of work performed in good faith and reward the unscrupulous efforts of Peabody, via a shell company, to avoid its contractual obligations. This company is no stranger to the courts and has managed to prevail in many instances over workers, and peoples.

Pg 2 of 3
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I appeal to your honor's sense of right to weigh here the difference between what is legal vs. what is just.

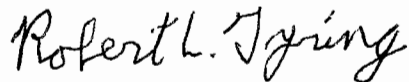
If the company prevails, thousands of retirees and the widows of those deceased as well as many about to retire will suffer certain demise in diminished quality of life, mental anguish, and reduction or elimination of access to medical care, continuing, and palliative care. These consequences then would impact the resources and services provided under entitlements bringing additional burden to a system already taxed to meet the needs of an aging populace.

Should a company with a published prospectus that touts the company's high dividend potential be allowed to shed its responsibility to the very labor that contributed so critically to its success?

We did our jobs, we paid our taxes and our dues; we served our country delivering the energy resources that power the world. By our labor and our sacrifices we've enriched this economy, this country, and this company. We are proud to have contributed.

But pride doesn't put food on the table and it won't pass for legal tender at the doctor's office, the assessor's office, or the pharmacy. As laborers, the hourly wage and benefits is all we net for the risks we take in performing assignments in the presence of the dangers and exposures of the coal mines. I urge you, within your capacity, to consider the truth of the matter and work to preserve and protect the full faith and honor of a document referred to as a "contract".

Respectfully



Robert L. Tying

Robert L. Tyring
517 Rumbach Ave
Jasper IN 47546

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

The Honorable Kathy A. Surratt-States
Thomas F. Eagleton U.S. Courthouse
111 South 18th Street 4th Fl
St. Louis, MO 63102

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