

To: HON. KATHY A. Surratt - States  
RE: CASE No. 12-51502

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MAR 01 2013

U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI

HON. Judge Surratt - States,

May I start by saying I for one do not envy you in your task to sort out all the details that go along with this case, nor do I doubt your sound judgement and character. The decisions before you are historic at the least in that they shall not only impact the people directly involved by this case, but also thousands of coal workers with other companies that are not unified. However it is understood that you must also obey the laws of our country, no matter the repercussions.

Every coal miner in this country can relate to another's stories no matter where they may be from. Much like our service members can of trips abroad no matter what branch of service they may hail. The two have more similarities than you may ever know,

AND I HOPE THIS MAY GIVE YOU SOME INSITE AS TO WHO THE PEOPLE ARE AND WHAT DRASTIC CHANGES THESE PEOPLE WILL ENDURE BASED SOULY ON YOUR DECISIONS.

Your Honor, you may or may not know the full history behind Peabody, ARCH and Patriot, but I will try to be brief on my story. Years back Peabody agreed to pay retirement benefits to its workers along with health insurance for spouses of deceased miners. In 2007 Peabody spun off Patriot Coal and started to put all of its union labor in this company. I am bewildered at this transparency. In retrospect I wonder, how does a parent make promises it doesn't plan to keep to its children? Peabody, ARCH and Patriot are doing just that. Why would they make an agreement to do this and not follow through. Naturally they could not see what the future holds any more than any other person, but they did and now they should have to keep their promise. The people who worked all of their lives for them have and made these companies fortunes of plenty.

Your Honor, I do work for PATRIOT and AM ALSO A U.M.W.A MEMBER. I HAVE FIRST HAND EXPERIENCE OF WHAT A LIFE IN THE COAL MINES CAN DO TO THE PEOPLE WHO WORK FOR THESE COMPANIES. IF NOT FOR THESE WORKERS, WE MIGHT NOT HAVE HAD LIGHTS IN OUR HOMES OR HEAT IN OUR STOVES.

IN CLOSING, I RESPECT THE FACT THAT ALONG WITH YOUR CONSCIENCE YOU MUST ALSO ABIDE BY THE LAWS OF OUR COUNTRY.

I AM CERTAIN YOU WILL MAKE THE BEST DECISION YOU ARE ALLOWED IN ORDER TO HELP THESE PEOPLE TO KEEP WHAT THEY WERE PROMISED. I WISH YOU PIECE OF MIND IN THE DIFFICULT TASK YOU FACE.

WITH ALL DUE RESPECT,

Sincerely,

David W. Brashear

David W. BRASHEAR.

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EASTERN DISTRICT  
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HON. KATHY A. SURREAT - STATES  
RE: CASE NO. 12-51502  
THOMAS F. EAQLETON U.S. COURT HOUSE  
111 S. 10<sup>TH</sup> ST. 4<sup>TH</sup> FLOOR  
ST. LOUIS, MO 63102

