

March 9, 2013



The Honorable Kathy A. Surratt-States  
Re: Case No. 12-51502  
Thomas F. Eagleton U.S. Courthouse  
111 South 10<sup>th</sup> Street, 4<sup>th</sup> Floor  
St. Louis, MO 63102

Your Honor,

I know that you must have quite a long list of sob story letters from Arch Minerals, Peabody Coal, and Patriot Coal retirees about the hardships of this bankruptcy. I will try to be fairly brief but I do feel the need to give you my own prospective as well.

My name is Nora Elizabeth Cress, I am now a post-operative transsexual but worked 22 ½ years in and around the coal mines for Arch of Kentucky as a male named Billy Wayne Cress. I took an early retirement as per provisions in our contract at that time from Arch of Kentucky, a subsidiary of Arch Minerals, due to them shutting down all mines in our district in 1998. After which time I began my transition in earnest and completed it in October 1999.

The entire time I worked for Arch Minerals we took less in hourly pay in all our contract negotiations so that we would have medical coverage when we retired and needed it the most! I am still legally married to my spouse of 28 years, Lolita, and the loss of our medical coverage would hurt her much worse than myself due to her having had APL Leukemia in 1994. She has now been in remission since December 1994 but we still have to go to the doctor every 3 months for blood work to make sure the leukemia hasn't come back and to keep track of what all the medicines she has had to take since getting out of the hospital. Most of what she is on tends to damage the kidneys and liver and has to be monitored closely.

I knew when Arch Minerals moved all their retiree liabilities over to Magnum Coal that they were trying to get a few degrees of separation between themselves and us then they were going to try to dump us. When Peabody spun off Patriot Coal, then Patriot bought out Magnum AND assumed all their liabilities I knew it would only be a short time before Patriot would end up filing bankruptcy and they would make their play to get out of their contractual agreements and get rid of all their retiree liabilities! My thoughts about Arch Minerals have been vindicated, much to my regret, with these bankruptcy proceedings. Ma'am I never worked the first shift for Magnum Coal nor Patriot Coal, ALL the contracts I've ever worked under have been for Arch Minerals and they were the company that I retired from! Arch Minerals and Peabody Coal are the ones who should be held liable for the retiree benefits that THEY made so much money from over the years and throughout numerous UMW Contracts!!

I have also read recently that the Patriot Coal executives are patting themselves on the back for doing such a good job of running Patriot into the ground that they want to reward themselves with millions of dollars in bonuses!! This reminds me of the banking executives doing much the same after the savings and loan fiasco.

In closing I would like to say that the Patriot Coal bankruptcy is the end result of Arch Minerals and Peabody Coal's concerted efforts to use their workers at lower wages by promising benefits after

retirement. All the while KNOWING that they would do everything in their power to keep from honor those contractual commitments!

Your Honor, please don't let Patriot Coal and its parent companies, Arch Minerals and Peabody Coal destroy so many of their hard working retiree's lives just to satisfy their own corporate greed!

Thank you very much for taking your time and attention to read my letter your honor!

Sincerely,

Nora Elizabeth Cress



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