



**GREAT LAKES**

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MAY 22 2013

U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI

May 13, 2013

Kathy A. Surratt – States, Chief Judge  
Thomas F. Eagleton U.S. Courthouse  
111 South 10<sup>th</sup> Street, 4<sup>th</sup> Floor  
Saint Louis, MO 63102

RE: Case #12-51502

Honorable Chief Judge Surratt – States,

Circle K operates a convenience store in Fairview, West Virginia (Store 4008).

Recently, we have been presented a petition to sign and return to the United Mine Workers of America Union entitled “Community Call for Fairness at Peabody/Arch/Patriot Coal”. The Region Manager of the Union, Nick Lonetti, has informed us that over 200 local businesses in the Fairview, West Virginia area have signed and returned the petition to the Union. Rather than sign the petition; Circle K is electing to write this letter briefly outlining the impact on local businesses that a decision adversely impacting the current and retired miners could have.

The specific store listed above, is located very close to an active coal mine. The customers we serve on a weekly basis include thousands of active and retired coal miners in the community. The financial viability of our store is largely dependent on the patronage of this population. The union informed us that between 1800-2000 active miners, and 22,500 retired miners, will be impacted by the court’s decision. The business risks that we face are two-fold:

- 1) If the miner’s disposable income is significantly adversely impacted by the case ruling, the overall community and our business will suffer.
- 2) If we are identified as a local business that does not recognize the importance of the mining population and support it as a vibrant contributor to the economy, we believe we are at risk as well.

Circle K operates numerous stores throughout West Virginia and the U.S. - including Missouri. Circle K has no political motivation in this matter, and frankly, acknowledges that the specific facts in this case are largely unknown to us. However, each of our stores is extraordinarily dependent on the local communities support and patronage. For that reason, we respectfully request that as the court deliberates the matter before it, consideration be given to local businesses like Circle K whose financial viability is dependent on the economic health and stability of the communities we serve.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Novak', written over a horizontal line.

Mark Novak  
Director of Human Resources

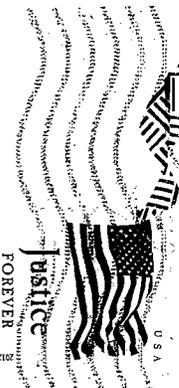
Circle K Great Lakes Division  
935 East Tallmadge Ave  
Akron, Ohio 44310

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CLERK OF BANKRUPTCY COURT  
EASTERN DISTRICT  
ST. LOUIS, MISSOURI - 63102

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Thomas F. Eagleton U.S. Courthouse  
Attn: Honorable Chief Judge Surratt-States  
111 South 10th Street, 4th Floor  
Saint Louis, MO 63102

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