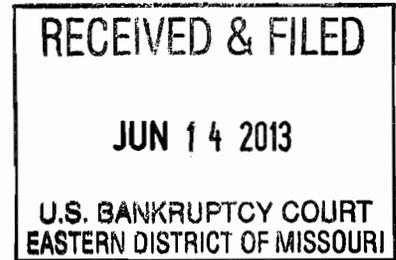


June 6, 2013



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

Dear Judge Surratt-States:

I am writing to you in reference to your recent judgment and ruling for the Patriot Coal Company. I hope this letter actually does reach your eyes and is not thrown to the wayside by any of your assistants.

Even though it is too late for you to reconsider your decision, I pray that someday you will truly see the horrible impact that your decision will affect the thousands of us involved. May of us are retired and/or disabled and have given most of our lives to help form and make these companies prosperous. I personally have never worked a day for Patriot Coal Company, but I did work 31½ years for Peabody Coal with the promise of a small pension and medical insurance for what time I may have left on this earth.

When I retired it was not because I wanted to but because of my declining health, mostly due to the working conditions in the coal mines. When I lose my medical insurance and retirement pension, which probably will not be long now, I will have no other recourse but to fall back on State or Federal assistance. This is not something I take lightly. I am a proud man. At one time, proud to be a coal miner. Not now.

I hold no bitterness towards you, even though I think your decision was extremely unfair and bias. I am sure you followed the "law" to the "T" and the "Company" came through with no responsibilities for any of its employees. Even though it took these men and women to get them where they are today, rich and with no conscience, the "Company" will survive. Some of us may not.

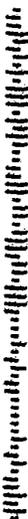
I do pray that you will think of this letter the next time you have to make a ruling on a case that affects so many people's lives. Maybe, just maybe, there can be a compromise somewhere for others that this ruling will also affect in the near future. Be guaranteed that now since this "Company" received a free slate on their responsibilities, others will follow. Greed has that effect on people.

Sincerely with prayers,

Scotty H. Smith

The Honorable Kathy A Surratt-States
Thomas F. Eagleton U.S. Courthouse
111 South 10th Street, 4th Floor
St. Louis, MO 63102

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