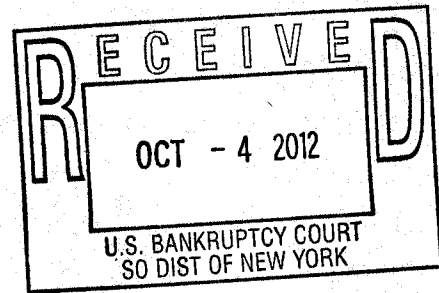


The Honorable Shelley C. Chapman
One Bowling Green
Courtroom 621
New York, New York 10004-1408



The Honorable Shelley C. Chapman,

I am Charles V. Bess, one of Patriot Coal's retirees. I am writing to you in order to have Peabody, Arch and Patriot bankruptcy hearing moved to Charleston West Virginia.

West Virginia is where we worked, retired, died and made billions for the company.

I am a retired miner of 24 ½ years from Eastern Associated Coal and Peabody. I retired under the 1974 Pension Plan. My brother-in-law, Jackie Butler and I were both young men when we went to work at Affinity, in our early twenties.

We have been involved in mine explosions, rib roll outs, cave in and have even had to carry out a few of our brothers out of the mines with injuries. We have worked in 38" of coal at Affinity mines. My brother-in-law, Jackie is 6'2" and his back is scared from hitting roof bolts while crawling in and out of the front section. Jackie was the miner man, the one that cuts the coal most of his life.

We used all the safety procedures and equipment that the company provided and still got sick. I too have scars and I was only 5'10". I worked as an electrician for the company most of my time in the mines.

I worked all the overtime when asked about working over. I could work because we were putting three kids through college. My wife and I did not want our kids to owe a college loan for 20 years.

I have arthritis, messed up shoulders, bad back, high blood pressure, stomach problems and had to have two hernia operations while I worked at Affinity. I had prostate cancer nine years ago. I have remained cancer free for the last six years, Thank God. As a result of radiation treatment my bladder and kidneys were damaged. I have medicine that I take every day to empty my bladder and control my urination. I have pain pills and patches for my back and shoulders in order to make it through the day.

I can not work like I did. My children and grandchildren do the work for me. Things like cutting grass, weed eating, carrying items, moving or lifting items for me are only a few things that they help me with on a daily basis. They also help my brother-in-law, Jackie.

Jackie is in worst shape than me. He can not walk a short distance without being out of breath and I can. Jackie has to ride a four wheeler to our house which is only 500 feet from his house.

My wife, Nancy Bess is retired from Fayette County Board of Education. She worked as a Special Education bus aide, Supervision Aide, and a job coach. She has rheumaty arthritis in her feet and hands, high blood pressure, back and stomach problems and ulcerated colitis. She takes medication daily for these problems.

When Patriot sent us a letter stating that they had bought Peabody out and had taken over our insurance, my wife said, give them three years and they will file bankruptcy and get rid of us. I did not believe it, but it took a few years more and she was right.

If my wife could see what was happening at that time, then I would hope that you can see what kind of companies they are and send them back to Charleston West Virginia to face their responsibility to the miners that made billions for the company.

I have awards hanging on the wall for production of coal and Susan B. Anthony silver dollars for breaking production records. We did our part for the company, now they need to live up to theirs. In West Virginia coal miners worked as if we were family. We worked together for family and company. We gave them our best and I think that they should be responsible for their part now.

I think you for your time and trouble in this matter.

Sincerely yours,

Charles Bess

Charles Bess.