

UNSWORN DECLARATION OF DAVID B. POLK

In the matter of:

Graham et al. v. Justice Energy, Inc., et al.

I, David B. Polk, of PO Box 10, McCraws, WV 25875, pursuant to 28 U.S.C. § 1476 do hereby solemnly declare the following:

- 1) I was formerly employed by Double-Bonus Coal Co., with my last day of credited service on or about February 28, 2007. On or about that date I retired.
- 2) During my years of service, Double-Bonus Coal Co. was bound by a series of collective bargaining agreements with the United Mine Workers of America. Those collective bargaining agreements included promises by Double-Bonus Coal Co. to provide pension, healthcare, and prescription drug benefits to qualified retirees.
- 3) Under those collective bargaining agreements, and as a result of my credited service at Double-Bonus Coal Co., I qualified for pension, healthcare, and prescription drug benefits. My wife and I are entitled to those benefits during our retirement.
- 4) Double-Bonus Coal Co. has failed to provide the level of healthcare and prescription drug benefits to which my wife and I are entitled.
- 5) Double-Bonus Coal Co. has periodically cut off my medical and prescription drug coverage without warning or explanation. Not knowing if or when I will have medical and prescription drug coverage is a constant concern.
- 6) I need treatment and medication for an abnormal heartbeat and my wife has high cholesterol. We have not kept appointments for medical treatment because we do not have consistent coverage and do not know if the bills will be paid. I know that waiting

on medical treatment can do irreparable harm to my health, but I cannot afford to pay the bills.

I declare under penalty of perjury that the foregoing is true and correct. Executed on:

8-5-19
Date

David B Polk
David B. Polk (Signature)

