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VIA EMAIL AND OVERNIGHT MAIL

Neil J. Rosini, Esq.
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RE: Messrs. Bill Moyer and Michael Winship's Defamatory Statements Against Robert E. Murray and Murray Energy Corporation in the October 17, 2013 Article Titled "Yes, Virginia, There is a Santa Claus – Campaign Cash"

Dear Mr. Rosini,

Your October 29, 2013 letter, like the defamatory statements contained in the article at issue, is not factual. We welcome and accept your invitation to more specifically describe the false and defamatory statements contained in the article and to explain the gaping disconnect between these statements and the "seemingly irrefutable evidence" that you claim to have uncovered. I assure you that Mr. Murray has no interest in stifling "accurate reporting," but I can also assure you that your client's article is most undeserving of that label. It was the intent of Messrs. Moyer and Winship to demonize Mr. Murray and present him in a bad light.

First, Murray Energy Corporation ("Murray Energy") is not "big coal," as claimed in the article. Rather, Murray Energy is a family-owned, privately-held company, and Mr. Murray is a private citizen. Use of the term "big coal" to describe Murray Energy not only mischaracterizes the nature of the company, but also carries a negative connotation that places the company in a false and defamatory light before the public.

Second, Murray Energy, contrary to the assertion in the article, has never been cited for a health or safety violation. The citations you reference in your letter were instead entered against independently-operated subsidiaries of Murray Energy. But even disregarding the article's demonstrably false attribution of these citations to Murray Energy, the article's assertion that these citations show that the company has "often been

fined for endangering the health and safety of its miners” is very misleading. As Messrs. Moyers and Winship would have noted had they any interest in accurately reporting the facts, the safety records and violation histories of Murray Energy’s independently-operated subsidiaries actually compare very favorably to national averages in the coal industry.

Indeed, our Subsidiary Companies routinely overturn about fifty percent (50%) of the citations issued by inspectors from the federal regulatory agency. Furthermore, Murray Energy maintains the best fire prevention programs in our industry, as well as some of the strongest mine rescue teams in the Country. You clients were willfully blind to these facts, as they never bothered to ask nor, apparently, did they perform any cursory research on the issue. This is not the kind of reporting that the public deserves.

The fact of the matter is that safety has always been the top priority of Murray Energy, which your clients completely ignored. Indeed, Mr. Murray strives, on a daily basis, to do everything possible to protect and improve the safety of his miners. The article, however, unfairly and falsely paints him as reckless and uncaring, even a menace. Indeed, the only thing that is “demonstrably true,” to use your words, is that Moyers and Winship were intent on smearing the good names of Mr. Murray and Murray Energy in the service of their larger hatchet-job against Virginia gubernatorial candidate Ken Cuccinelli. The First Amendment provides no protection for such a baseless attack on a private individual.

The article’s allegation that Mr. Murray “was discovered insisting that employees contribute time and money” to certain political candidates “or else” is similarly slanted to mislead the public and demonize him. The letter you cite only contained a vigorous plea to managers for assistance—not insistence. And there was never any “or else” content, as Messrs. Moyers and Winship called it. They fabricated this as if there were some sort of job threat. This could not be further from the truth. Further, Mr. Murray has never known whether an employee has given at his request, and he never wants to know.

Further, your citation to the article “Coal Miner’s Donor” – which similarly presented a misleading and false portrayal of Mr. Murray’s business practices – only reinforces the fact that your client was completely disinterested in independently reporting the truth and sought merely to recycle someone else’s defamatory statements. That article only relied on anonymous sources, and none of the purported quotes actually substantiate that any threats or coercion regarding jobs or pay actually took place. And, there never was.

We trust that your client is sincere in its wish to correct the patent inaccuracies in the article. Accordingly, we ask that your client publish the contents of this letter, or a mutually agreeable synopsis of it, on their website www.billmoyers.com. If this is not agreeable to your client, Mr. Murray and Murray Energy are fully prepared to present this matter to a court.

Please advise as to your client's choice on the matter.

Sincerely,

MURRAY ENERGY CORPORATION

A handwritten signature in blue ink, reading "Gary M. Broadbent, Esq.", with a stylized flourish at the end.

Gary M. Broadbent
Assistant General Counsel
and Media Director