

United States Government

NATIONAL LABOR RELATIONS BOARD, Region 9

John Weld Peck Federal Building

550 Main Street - Room 3003

Cincinnati, Ohio 45202-3271

TELEPHONE: (513) 684-3633

FAX: (513) 684-3946

March 19, 2013

Cobalt Coal Corp. Mining, Inc

Attn: Mr. Mike Crowder

101 Bulldog Lane

Premier, West Virginia 24878

RE: **COBALT COAL CORP. MINING, INC**

Cases 9-CA-09229, 9-CA-095354 and 9-CA-096073

Dear Mr. Crowder:

I am Counsel for the Acting General Counsel in the above captioned cases which is scheduled for hearing on April 23, 2013. It appears that Cobalt Coal Corp. Mining, Inc., (Respondent Employer) has not filed an Answer to the Consolidated Complaint and Compliance Specification that issued on February 25, 2013. The Consolidated Complaint and Compliance Specification and Notice of Hearing were served upon the Respondent Employer at the above address by regular mail on February 25, 2013 and An answer was due March 11, 2013. Accordingly, this is to advise that unless Respondent's Answer is received in the Regional Office **by the close of business on March 25, 2013**, the Region Director, on behalf of the Acting General Counsel will promptly file a Motion for Default Judgment requesting that all allegations of the Consolidated Complaint and Compliance Specification be deemed admitted to be true. Please find enclosed a copy of the Consolidated Complaint and Compliance Specification and Notice of Hearing which explains the requirements for filing an Answer under Sections 102.20 and 102.21 of the Board's Rules and Regulations and the consequences for failing to file an Answer. If you need additional time to file an answer, please submit a written request to the Region prior to March 25, 2013.

In the event you have any other questions please do not hesitate to contact me at (513) 684-3730 or supervisory Field Examiner David Morgan at (513) 684-3643.

Very truly yours,

Julius U. Emetu, II
Field Attorney

EXHIBIT A

Emetu, Julius U.

From: Mike Crowder [mike@cobaltcoalcorp.com]
Sent: Tuesday, March 26, 2013 11:40 AM
To: Emetu, Julius U.
Subject: RE: Cases 9-CA-09229 et al COBALT COAL CORP., MINING, INC
Attachments: Cases 9-CA-092229, 9-CA-095354 and 9-CA-096073-7-Day- Lt.doc; CPT.09-CA-092229.ccpt and comp spec.doc

Mr. Emetu,

In further response to the phone call received from you today, as previously stated to the NLRB on multiple occasions Cobalt Coal Corp Mining, Inc is terribly insolvent and unable to afford council.

I acknowledge receipt of your letter received via email on Tuesday, March 19, 2013.

The corporation does not have money and recent court judgments have been filed against it making matters even worse.

We are unable to provide a qualified legal answer.

Sincerely,
MIKE CROWDER

From: Emetu, Julius U. [mailto:Julius.Emetu@nlr.gov]
Sent: Tuesday, March 19, 2013 11:43 AM
To: Mike Crowder
Subject: Cases 9-CA-09229 et al COBALT COAL CORP., MINING, INC

Mr. Crowder:

Please see attached letter.

Thanks, Julius Emetu, II