

# National Coal takes Katuah Earth First! to Court

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2005

The National Coal Company (NCC) has filed a Strategic Lawsuit Against Public Participation (SLAPP) against five Knoxville, Tennessee environmental activists associated with Katuah Earth First! (KEF!) NCC is demanding over \$7,000 and a permanent injunction banning the five from ever contacting them or coming on their property.

NCC claims the five have been calling, emailing, and faxing the company, in addition to disrupting their electronic communication systems. NCC's employees lied and claimed that protesters carried "bludgeons" and blocked traffic at a small protest in Fall 2004. They also claim to have been verbally threatened by callers and emails and deluged with Internet messages, faxes, and phone calls.

National Coal recently purchased mineral rights, equipment, and permits for the disastrous mountaintop removal project at Zeb Mountain in Campbell County, Tenn. They also plan more destructive surface mining on over 100,000 acres in east Tennessee and southeastern Kentucky.

Activists have been non-violently protesting mountaintop removal with peaceful legal protests at the NCC offices in West Knoxville, including distributing information on how to contact NCC and object to destructive mountaintop removal coal mining. Information on the planned ecological destruction came from the company's website: [www.nationalcoal.com](http://www.nationalcoal.com).

The SLAPP lawsuit is designed to make activists afraid to exercise their first amendment rights on issues like mountaintop removal. None of the activists ever called, faxed or emailed National Coal, and they did not threaten anyone with violence. KEF! is known for its non-violent track record for doing activism in Southern Appalachia.

The company has acquired assistance from a high powered law firm due to the incompetence of their lying, whining, corporate attorney. But the activists are ready to fight back and have their own legal help. The recovering forests of central and southern Appalachia are some of the most biologically diverse temperate forests in the world. With their potential destruction, one of the greatest environmental and human rights catastrophes in American history is now underway.

In the coalfields of Appalachia, individuals, families, and entire communities are being driven off their land by flooding, landslides, and blasting resulting from mountaintop removal coal mining. Mountaintop removal coal mining is a relatively new type of procedure that involves clear cutting native hardwood forests, using dynamite to blast away 800 to 1000 feet of mountaintop, and then dumping the debris into nearby valleys forever burying streams.

Meanwhile, communities near these mining sites are forced to contend with continual blasting from mining operations that can take place up to 300 feet from their homes and operate 24 hours a day, air pollution from dust and debris, and the threat of floods that have left hundreds dead and thousands homeless. Appalachia has become the energy sacrifice zone of the eastern US.

America's access to cheap electricity is dependent upon the destruction of nature and culture in Appalachia. KEF! is committed to stop the practice of mountaintop removal and other forms of destructive strip mining and to protect Southern Appalachia's natural and cultural heritage.

For more information, or to send funds for legal support contact: Katuah Earth First! P.O. Box 16309 Knoxville, TN 37996, email: [katuah@riseup.net](mailto:katuah@riseup.net), For photos and more information on mountaintop removal coal mining, please see the following: [www.ohvec.org](http://www.ohvec.org).

If you would like to express your outrage at mountain top removal, contact: National Coal Corporation, Phones: (865) 769-3749, 690-6900, Fax: 691-9982 Email: [info — at — nationalcoal — dot — com](mailto:info@nationalcoal.com), [investorrelations — at — nationalcoal — dot — com](mailto:investorrelations@nationalcoal.com), [sales — at — nationalcoal — dot — com](mailto:sales@nationalcoal.com), [jdavis — at — nationalcoal — dot — com](mailto:jdavis@nationalcoal.com). National Coal is headquartered at: 8915 George Williams Rd., Knoxville, TN 37923

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