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NEWS RELEASE

WHITNEY BENEFITS, INC.

The United States Court of Federal Claims has awarded Whitney Benefits and Peter Kiewit Sons' Co. compound interest on their judgment for the sum of \$60,296,000.00. In its original opinion issued in 1989, the Court found that Plaintiffs had suffered a taking of their property, a large tract of minable coal as a result of the government's enactment of the Surface Mining Control and Reclamation Act. After the opinion was affirmed on appeal, the Plaintiffs filed a motion for clarification of the judgment asking the Court to decide whether simple or compound interest was allowed. The recent ruling holds that the Plaintiffs are entitled to receive interest compounded annually. The parties are given 60 days to prepare a stipulation as to the amount of interest due.

Dorothy King, President of Whitney Benefits, states that the final outcome of the case is still uncertain. The government has moved under Claims Court rules to vacate the judgment or alternatively for a new trial. Those motions are pending in the Court of Federal Claims. Rulings on the motions and the compound interest award may be appealed to the Federal Circuit Court.