

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In Re: : Chapter 11
: :
PATRIOT COAL CORPORATION, et al., : Case No. 12-12900 (SCC)
: :
Debtors. : Jointly Administered
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**ORDER GRANTING MOTION (1) AUTHORIZING INSURER'S PAYMENT OF
SETTLEMENT AMOUNT AND (2) GRANTING RELATED RELIEF**

Upon the Motion (the "Motion") [ECF Docket No. 551] of National Union Fire Insurance Company of Pittsburgh, PA ("National Union") to authorize National Union to make the Settlement Payment¹ pursuant to the Employment Practices Liability Insurance Policy (the "Policy") related to the Lawsuit; and the Motion having been served in accordance with the Order Establishing Certain Notice, Case Management and Administrative Procedures entered in these jointly administered cases [ECF Docket No. 84]; and there being no responses or other objections filed in response to the Motion; and the Court having reviewed the Motion pursuant to 11 U.S.C. §§ 362(d), 541(a) and 105(a), and Fed. R. Bankr. P. 4001(a) and 9014, it is hereby:

ORDERED that the Motion is granted as set forth herein; and it is further

ORDERED that the automatic stay imposed by 11 U.S.C. § 362(a) is hereby lifted solely to enable National Union to remit the Settlement Payment and dismiss the Lawsuit pursuant to (i) the MOU and (ii) the Policy; and it is further

¹ Unless otherwise defined herein, all capitalized terms shall have the meanings ascribed to such terms in the Motion.

ORDERED that, pursuant to the Policy, any amount paid as authorized by this Order shall reduce the aggregate limit of liability under the Policy by such amount; and it is further

ORDERED that any defense costs paid by National Union in connection with the Lawsuit and in accordance with the Policy shall, pursuant to the Policy, reduce the aggregate limit of liability under the Policy by the amount of such costs; and it is further

ORDERED that, other than as set forth herein, nothing in this Order shall constitute (1) a waiver, modification or limitation of the Debtors' or National Union's rights, remedies and defenses under the Policy or (2) a finding that any amounts are due and owing under the Policy; and it is further

ORDERED that this Order shall take effect immediately.

Dated: October 10, 2012
New York, New York

/s/ Shelley C. Chapman
HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE