

**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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EASTERN ROYALTY LLC f/k/a EASTERN :
ROYALTY CORP., :
: Plaintiff, :
: :
v. : Adv. Pro. No. 12-01786 (SCC)
: :
BOONE EAST DEVELOPMENT CO., :
PERFORMANCE COAL CO., AND NEW :
RIVER ENERGY CORP., :
: Defendants. :
: :
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NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF PAPERS

PLEASE TAKE NOTICE that Cleary Gottlieb Steen & Hamilton LLP hereby appears in the above-captioned case pursuant to Rule 9010(b) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") as counsel to Boone East Development Co., Performance Coal Co., and New River Energy Corp., and requests, pursuant to Bankruptcy Rules 2002, 9007, and 9010 and sections 102(1), 342, and 1109(b) of chapter 11, title 11 of the United States Code (the "Bankruptcy Code"), that all notices given or required to be given in this case and all papers served or required to be served in this case be given to and served upon the undersigned at the following office address, telephone numbers and e-mail address:

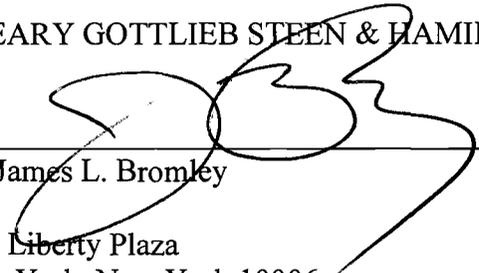
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This Notice of Appearance and Request for Service of Papers shall not be deemed to be a waiver of the above-named parties-in-interest's right (1) to have final orders in non-core matters entered only after de novo review by a District Court Judge, (2) to trial by jury in any proceeding so triable in this case or any case, controversy, or proceeding related to this case, (3) to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, or (4) to any other rights, claims, actions, setoffs, or recoupments to which the above-named party-in-interest is or may be entitled, in law or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments the above-named party-in-interest expressly reserves.

Dated: New York, New York
September 7, 2012

Respectfully submitted,

CLEARY GOTTlieb STEEN & HAMILTON LLP

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