

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re:

PATRIOT COAL CORPORATION, *et al.*,

Debtors.

**PATRIOT COAL CORPORATION and
HERITAGE COAL COMPANY,**

Plaintiffs,

v.

**PEABODY HOLDING COMPANY, LLC and
PEABODY ENERGY CORPORATION,**

Defendants.

Chapter 11

**Case No. 12-51502-659
(Jointly Administered)**

**Adversary Proceeding
No. 13-04067-659**

**Objection Deadline:
April 22, 2013 at 4:00 p.m.
(prevailing Central Time)**

**Hearing Date:
April 29, 2013 at 10:00 a.m.
(prevailing Central Time)**

**Hearing Location:
Courtroom 7-North**

**NOTICE OF HEARING ON DEFENDANTS' MOTION TO DISMISS
PLAINTIFFS' COMPLAINT**

PLEASE TAKE NOTICE, Defendants Peabody Holding Company, LLC and Peabody Energy Corporation have filed a motion to dismiss the complaint filed by Plaintiffs Patriot Coal Corporation and Heritage Coal Company in the above captioned proceeding (the "Motion to Dismiss").

PLEASE TAKE FURTHER NOTICE, a hearing on the Motion to Dismiss is scheduled for **April 29, 2013 at 10:00 a.m.** (prevailing Central Time) in Courtroom 7-North of the Thomas F. Eagleton U.S. Courthouse, 111 S. Tenth Street, Seventh Floor, St. Louis, Missouri 63102.

**WARNING: ANY RESPONSE OR OBJECTION TO THE MOTION TO DISMISS
MUST BE FILED WITH THE COURT BY 4:00 P.M. (PREVAILING CENTRAL TIME)
ON APRIL 22, 2013 AND PROMPTLY SERVED UPON THE UNDERSIGNED.
FAILURE TO FILE A TIMELY RESPONSE MAY RESULT IN THE COURT
GRANTING THE RELIEF REQUESTED PRIOR TO THE HEARING DATE.**

Dated: April 12, 2013

Respectfully submitted,

/s/ Steven N. Cousins

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