

Aaron L. Hammer, Esq.
Sugar Felsenthal Grais & Hammer LLP
30 N. LaSalle Street, Suite 3000
Chicago, IL 60602
Telephone: (312) 704-9400
Facsimile: (312) 372-7951
ahammer@SugarFGH.com

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

In re:) Chapter 11
)
) Case No. 12-12900 (SCC)
PATRIOR COAL CORPORATION, *et al.*,)
) (Jointly Administered)
)
Debtors.)

**NOTICE OF APPEARANCE AND
REQUEST FOR SERVICE OF NOTICES AND DOCUMENTS**

PLEASE TAKE NOTICE that, pursuant to Rule 9010(b) of the Federal Rules of Bankruptcy Procedure (the “*Bankruptcy Rules*”) and section 1109(b) of title of 11 of the United States Code (the “*Bankruptcy Code*”), Aaron L. Hammer of the law firm of Sugar Felsenthal Grais & Hammer LLP (“*SugarFGH*”) hereby enters an appearance as counsel for Mercer (US), Inc. and Mercer Health & Benefits LLC (“*Mercer*”) in the above-captioned chapter 11 cases (the “*Bankruptcy Cases*”).

PLEASE TAKE FURTHER NOTICE that, pursuant to Bankruptcy Rules 2002, 3017, 4001, 9001 and 9010, and sections 342 and 1109(b) of the Bankruptcy Code, Mercer hereby requests that all documents filed with the Bankruptcy Court, all notices given or required to be given in the Bankruptcy Cases, and all papers served or required to be served in any adversary proceeding, be given and served upon the following, and that appropriate entry thereof be made on the Clerk’s matrix in this Bankruptcy Cases:

Aaron L. Hammer, Esq.
Sugar Felsenthal Grais & Hammer LLP
30 N. LaSalle Street, Suite 3000
Chicago, IL 60602
Telephone: (312) 704-9400
Facsimile: (312) 372-7951
ahammer@SugarFGH.com

PLEASE TAKE FURTHER NOTICE that this request includes not only the notices and papers referred to in the Bankruptcy Rules and Bankruptcy Code provisions specified above, but also includes, without limitation, all orders, notices, hearing dates, applications, motions, petitions, requests, complaints, demands, replies, answers, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, courier service, hand delivery, telephone, telegraph, telex, facsimile transmission, electronic mail or otherwise that affect or seek to affect in any way any rights or interests of any unsecured creditor or party-in-interest in these Bankruptcy Cases, with respect to, without limitation, the Debtors, any secured creditors or other party-in-interest.

PLEASE TAKE FURTHER NOTICE that Mercer intends that neither this Notice of Appearance nor any later appearance, pleading, claim, or suit shall waive: (i) the right of Mercer to have final orders and non-core matters entered only after *de novo* review by a District Court Judge; (ii) the right of Mercer to trial by jury in any proceedings so triable in these Bankruptcy Cases or any case, controversy, or proceeding related to these Bankruptcy Cases; (iii) the right of Mercer to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal; or (iv) any other rights, claims, actions, defenses, set-offs or recoupments to which Mercer is or may be entitled.

Dated: November 7, 2012

**SUGAR FELSENTHAL
GRAIS & HAMMER LLP**

/s/ Aaron L. Hammer

Aaron L. Hammer, Esq. (NY # 4759080)
30 N. LaSalle St., Ste. 3000
Chicago, IL 60602
Telephone: 312-704-9400
Facsimile: 312-372-7951

*Counsel for Mercer (US), Inc. and
Mercer Health & Benefits, LLC*