

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

PATRIOT COAL CORPORATION., *et al.*,
Debtors.

Chapter 11 Cases
Case No. 12-12900 (SCC)

(Jointly Administered)

STATE OF NEW YORK,
COUNTY OF NEW YORK.

AFFIDAVIT OF SERVICE
BY FIRST CLASS MAIL

JOHN D. DELANEY, being duly sworn, says: that I am over the age of eighteen years, and am not a party herein, and reside in Jersey City, New Jersey and that on the 18th day of December, 2012, I served a true copy of the following:

NOTICE OF WITHDRAWAL

upon all parties consenting to service through the Court's CM/ECF system and upon parties hereinafter named at the places hereinafter stated by depositing the same, properly enclosed in post-paid, properly addressed wrappers, into the exclusive care and custody of a U.S. Post office depository maintained and controlled by the U.S. Post Office for delivery by first class mail to said parties at their last known addresses given below:

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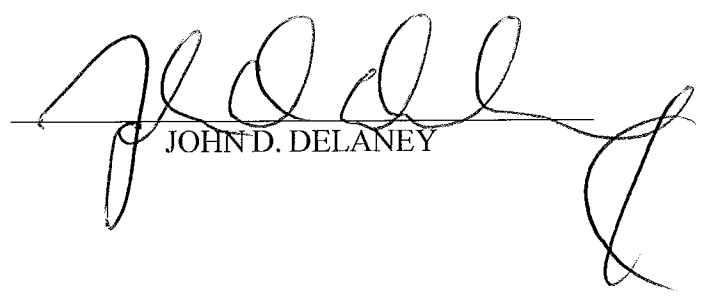
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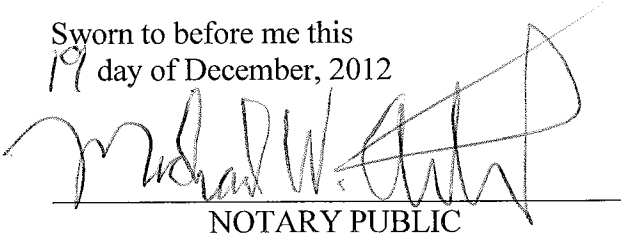
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JOHN D. DELANEY

Sworn to before me this
19 day of December, 2012



NOTARY PUBLIC

MICHAEL W. ANTONIVICH
Notary Public, State of New York
No. 01AN4762190
Qualified in Nassau County
Commission Expires June 30, 2014

Hearing Date: To Be Determined

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PLEASE TAKE NOTICE, that the Motion of Rudd Equipment Company (“Rudd”) for entry of an Order: (i) compelling debtors Patriot Coal Corporation and Grand Eagle Mining, LLC to assume or reject executory contracts pursuant to 11 U.S.C. § 365; and/or (ii) lifting the automatic stay to compel the aforementioned debtors to turnover equipment that Rudd rented to them [Docket No. 1646], is hereby withdrawn without prejudice.

Dated: New York, New York
December 18, 2012

ZEICHNER ELLMAN & KRAUSE LLP

BY: 

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