

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

In re:

PATRIOT COAL CORPORATION, *et al.*,

Debtors.

Chapter 11

Case No. 12-12900 (SCC)

(Jointly Administered)

**DECLARATION AND DISCLOSURE STATEMENT OF H. BRETT
STONECIPHER, ON BEHALF OF FOGLE KELLER PURDY, PLLC, f/k/a
FERRERI & FOGLE, PLLC**

H. Brett Stonecipher, declares and says:

1. I am an attorney and a member of Fogle Keller Purdy, PLLC f/k/a Ferreri & Fogle, PLLC, located at 333 Guthrie Street, Suite 203, Louisville, Kentucky 40202 (the "**Firm**").

2. Patriot Coal Corporation and its subsidiaries that are debtors and debtors in possession in the above referenced proceedings (collectively, the "**Debtors**") have requested that the Firm provide legal services to the Debtors, and the Firm has consented to provide those services.

3. The Firm may have performed services in the past and may perform services in the future, in matters unrelated to these chapter 11 cases, for persons that are claimants or other parties in interest in the Debtors' chapter 11 cases. The Firm does not perform services for any such person in connection with these chapter 11 cases.

4. Neither I nor any partner or associate of the Firm, insofar as I have been able to ascertain, holds or represents any interest adverse to the Debtors or their estates with respect to the matters on which the Firm is to be employed.

5. Neither I nor any partner or associate of the Firm has agreed to share or will share any portion of the compensation to be received from the Debtors with any person other than partners and associates of the Firm.

6. The Debtors owe the Firm \$11,003.77 for prepetition services.

7. The Firm is conducting further inquiries regarding its retention by any creditors of the Debtors, and upon conclusion of that inquiry, or at any time during the period of its employment, if the Firm should discover any facts bearing on the matter described herein, the Firm will supplement the information contained in this Declaration.

8. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this Declaration was executed on August 10, 2012.



H. Brett Stonecipher

Patriot Coal Corporation, et al.
Chapter 11 Case No. 12-12900 (SCC)

RETENTION QUESTIONNAIRE

TO BE COMPLETED BY PROFESSIONALS EMPLOYED BY PATRIOT COAL CORPORATION, *et al.* (the “**Debtors**”)

DO NOT FILE THIS QUESTIONNAIRE WITH THE COURT.
RETURN IT FOR FILING BY THE DEBTORS TO:

Davis Polk & Wardwell LLP
450 Lexington Avenue
New York, New York 10017
Attn: Marshall S. Huebner and Brian M. Resnick

All questions **must** be answered. Please use “none,” “not applicable,” or “N/A,” as appropriate. If more space is needed, please complete on a separate page and attach.

1. Name and address of firm:

Fogle Keller Purdy, PLLC / f/k/a Ferreri & Fogle, PLLC

Date of retention: October, 2011 _____

2. Brief description of services to be provided:

Legal services – defense of Federal Black Lung Claims _____

3. Arrangements for compensation (hourly, contingent, etc.)
hourly _____
(a) Range of hourly rates (if applicable): \$120/hr – partner; \$115/hr associate;
\$70/hr paralegal _____
(b) Estimated average monthly compensation based on prepetition retention (if
firm was employed prepetition):
\$5,000.00 _____
4. Prepetition claims against any of the Debtors held by the firm:
Amount of claim: \$11,003.77
Date claim arose: October, 2011 _____
Source of claim: Legal services. _____
5. Prepetition claims against any of the Debtors held individually by any
of the firm's attorneys:
Name: N/A _____
Status: N/A _____
Amount of claim: \$ N/A _____
Date claim arose: N/A _____
Source of claim: N/A _____
6. Stock of any of the Debtors currently held by the firm:
Kind of shares: N/A _____
No. of shares: N/A _____
7. Stock of any of the Debtors currently held individually by any of the firm's
attorneys:
Name: N/A _____
Status: N/A _____
Kind of shares: N/A _____
No. of shares: N/A _____

8. Disclose the nature and provide a brief description of any interest adverse to the Debtors or to their estates for the matters on which the firm is to be employed.

We represent Patriot Coal and associated companies with respect to numerous federal black lung claims filed by previous employees. Claimants are seeking statutory federal black lung benefits for which Patriot is self-insured. _____

9. Name of individual completing this form.

H. Brett Stonecipher, Esq. _____