

SO ORDERED

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

Apr 08, 2013

Kathy A. Surratt - States

KATHY A. SURRATT-STATES
Chief United States Bankruptcy Judge

In re:

PATRIOT COAL CORPORATION, *et al.*,

Debtors.¹

Chapter 11

Case No. 12-51502-659

(Jointly Administered)

Hearing Date:

April 23, 2013 at 11:00 a.m.

(prevailing Central Time)

Hearing Location:

Courtroom 7 North

Re: ECF Nos. 416, 3445, 3446

**DEBTORS' MOTION FOR LEAVE TO EXCEED THE PAGE LIMITATION IN THEIR
OBJECTION TO MOTION OF CERTAIN INTERESTED SHAREHOLDERS FOR
ENTRY OF AN ORDER DIRECTING THE APPOINTMENT OF AN
OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS PURSUANT TO
BANKRUPTCY CODE § 1102(a)(2)**

¹ The Debtors are the entities listed on Schedule 1 attached to the Objection. The employer tax identification numbers and addresses for each of the Debtors are set forth in the Debtors' chapter 11 petitions.

Patriot Coal Corporation (“**Patriot**”) and its affiliated debtors (collectively, the “**Debtors**”), by and through their undersigned attorneys, hereby submit this motion for an Order pursuant to Local Bankruptcy Rule 9004(C) granting the Debtors leave to exceed the Court’s page limitation in their Objection (the “**Objection**”)² to the Motion of Certain Interested Shareholders for Entry of an Order Directing the Appointment of an Official Committee of Equity Security Holders Pursuant to 11 U.S.C. § 1102(a)(2) [ECF No. 416] (the “**Motion**”). In support of this motion, the Debtors state as follows:

1. The Interested Shareholders’ Motion, filed on August 27, 2012, exceeds the page limitation imposed by Local Bankruptcy Rule 9004(C). Since that time, the Interested Shareholders have requested a number of documents, which the Debtors have provided. The parties have also prepared expert reports, and conducted witness interviews and depositions. (*See* Declaration of Amelia T.R. Starr in Support of the Debtors’ Objection to Motion of Certain Interested Shareholders for Entry of an Order Directing the Appointment of an Official Committee of Equity Security Holders Pursuant to Bankruptcy Code § 1102(a)(2).)

2. The Debtors have made every effort to comply with the applicable page limitation. However, given the highly technical issues involved and the extent of discovery conducted in this matter, the Debtors are unable to adequately respond to the Interested Shareholders’ arguments in fifteen pages.

3. The Debtors respectfully request leave to exceed the Court’s page limitation by 22 pages.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Objection.

WHEREFORE, for the foregoing reasons, the Debtors respectfully request leave to exceed the applicable page limitation by 22 pages in their Objection, and for such other relief as the Court deems just and proper.

Dated: March 29, 2013
New York, New York

Respectfully submitted,

DAVIS POLK & WARDWELL LLP

/s/ Amelia T.R. Starr

Amelia T.R. Starr
Marshall S. Huebner
Brian M. Resnick
Christopher Lynch
450 Lexington Avenue
New York, New York 10017
Telephone: (212) 450-4000
Facsimile: (212) 607-7983

*Counsel to the Debtors
and Debtors in Possession*

-and-

BRYAN CAVE LLP
Lloyd A. Palans, #22650MO
Brian C. Walsh, #58091MO
Laura Uberti Hughes, #60732MO
One Metropolitan Square
211 N. Broadway, Suite 3600
St. Louis, Missouri 63102
Telephone: (314) 259-2000
Facsimile: (314) 259-2020

*Local Counsel to the Debtors
and Debtors in Possession*