

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:

PATRIOT COAL CORPORATION, *et al.*,

Debtors.¹

Chapter 11
Case No. 12-51502-659
(Jointly Administered)

Re: ECF No. 3675

**DEBTORS' MOTION FOR LEAVE TO EXCEED THE PAGE LIMITATION
IN THEIR OBJECTION TO THE MOTION OF AURELIUS CAPITAL
MANAGEMENT, LP AND KNIGHTHEAD CAPITAL MANAGEMENT, LLC
FOR ENTRY OF AN ORDER, PURSUANT TO 11 U.S.C. §§ 105(a) AND 1104(a)
DIRECTING THE APPOINTMENT OF A CHAPTER 11 TRUSTEE**

Patriot Coal Corporation and its subsidiaries that are debtors and debtors in possession in these proceedings (collectively, the “**Debtors**”), by and through their undersigned counsel, hereby respectfully submit this motion for an order pursuant to rule 9004(C) of the Local Rules of the Bankruptcy Court for the Eastern District of Missouri granting the Debtors leave to exceed the Court’s page limitation in their objection (the “**Objection**”) to the Motion of Aurelius Capital Management, LP and Knighthead Capital Management, LLC for Entry of an Order, pursuant to 11 U.S.C. §§ 105(a) and 1104(a) Directing the Appointment of a Chapter 11 Trustee [ECF No. 3423] (the “**Trustee Motion**”).² In support of this motion, the Debtors state as follows:

1. The Debtors have made every effort to comply with the applicable page

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

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

limitation. However, given the length of the Trustee Motion, which exceeded the applicable page limitation by 7 pages, as well as the complexity of the issues involved, the Debtors are unable to adequately respond to the Trustee Motion in fifteen pages. Given the significant interests at stake and the dramatic nature of the relief requested in the Trustee Motion, additional pages were required to fully articulate the Debtors' positions.

2. The Debtors respectfully request leave to exceed the applicable page limitation by 9 pages.

WHEREFORE, for the foregoing reasons, the Debtors respectfully request leave to exceed the applicable page limitation by 9 pages in their Objection, and for such other relief as the Court deems just and proper.

Dated: April 16, 2013
New York, New York

Respectfully submitted,

DAVIS POLK & WARDWELL LLP

/s/ Brian M. Resnick

Marshall S. Huebner

Brian M. Resnick

Damon P. Meyer

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*