

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

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In re : **Chapter 11**
: **Case No. 12-51502-659**
PATRIOT COAL CORPORATION, *et al.*, : **(Jointly Administered)**
: **(Jointly Administered)**
Debtors. :
----- X
EASTERN ROYALTY LLC f/k/a EASTERN :
ROYALTY CORP., :
Plaintiff, : **Adv. Pro. No. 12-04353-659**
v. :
BOONE EAST DEVELOPMENT CO., :
PERFORMANCE COAL CO., AND NEW :
RIVER ENERGY CORP., :
Defendants. :
----- X

**APPELLANT'S ELECTION THAT APPEAL
BE HEARD BY THE UNITED STATES DISTRICT COURT**

Appellants, Boone East Development Co., Performance Coal Co., and New River Energy Corp., hereby elect, pursuant to 28 U.S.C. § 158(c)(1)(A), to have this appeal heard by the United States District Court for the Eastern District of Missouri.

Dated: November 27, 2013

/s/ David A. Sosne
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UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In Re:) Chapter 11
) Case No. 12-51502-659
PATRIOT COAL CORPORATION,) Jointly Administered
<i>et al.</i> ,) Honorable Kathy Surratt-States
_____ Debtors.)
)
EASTERN ROYALTY LLC)
f/k/a EASTERN ROYALTY CORP.,)
) Adv. Proc. No. 12-04353-659
Plaintiffs,)
v.)
)
BOONE EAST DEVELOPMENT CO.,)
PERFORMANCE COAL CO. and)
NEW RIVER ENERGY CORP.,)
)
_____ Defendants.)

CERTIFICATE OF SERVICE

I, David A. Sosne, hereby certify that on the 27th day of November, 2013, I served a copy of the Appellant’s Election That Appeal Be Heard by the United States District Court, upon the Appellees and all CM/ECF participants via the electronic filing system.

SUMMERS COMPTON WELLS LLC

Date: November 27, 2013

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