

SO ORDERED

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

Apr 17, 2013

*Kathy A. Surratt - States*

KATHY A. SURRATT-STATES  
Chief United States Bankruptcy Judge

In re:

PATRIOT COAL CORPORATION, *et al.*,

Debtors.<sup>1</sup>

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**”).<sup>2</sup> In support of this motion, the Debtors state as follows:

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

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<sup>1</sup> 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.

<sup>2</sup> 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

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*Local Counsel to the Debtors  
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In re:  
Patriot Coal Corporation  
Debtor

Case No. 12-51502-kss  
Chapter 11

**CERTIFICATE OF NOTICE**

District/off: 0865-4

User: klom  
Form ID: pdfol

Page 1 of 4  
Total Noticed: 1

Date Rcvd: Apr 18, 2013

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 20, 2013.  
aty +Brian M. Resnick, Davis Polk & Wardwell LLP, 450 Lexington Avenue, New York, NY 10017-3982

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

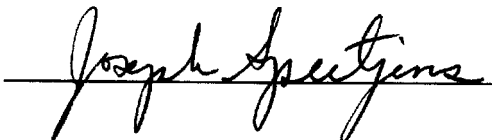
NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 20, 2013

Signature: 

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Total Noticed: 1

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 18, 2013 at the address(es) listed below:

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

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