

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. 3763

**DEBTORS' MOTION FOR LEAVE TO EXCEED THE PAGE LIMITATION
IN THEIR OMNIBUS REPLY TO OBJECTIONS TO DEBTORS'
SECOND MOTION FOR AN ORDER EXTENDING DEBTORS' EXCLUSIVE
PERIODS WITHIN WHICH TO FILE A PLAN OF REORGANIZATION
AND SOLICIT VOTES THEREON**

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 omnibus reply to the objections to the Second Exclusivity Motion [ECF No. 3763] (the “**Exclusivity Reply**”).² In support of this motion, the Debtors state as follows:

1. The Exclusivity Reply responds to arguments raised in five separate objections to the Exclusivity Motion filed by the U.S. Bank National Association [ECF

¹ The Debtors are the entities listed on Schedule 1 to the Debtors’ Second Motion for an Order Extending Debtors’ Exclusive Periods Within Which to File a Plan of Reorganization and Solicit Votes Thereon [ECF No. 3498] (the “**Exclusivity 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 Exclusivity Reply.

No. 3665], the Official Committee of Unsecured Creditors [ECF No. 3669], the United Mine Workers [ECF No. 3670], Aurelius Capital Management, LP, and Knighthead Capital Management, LLC [ECF No. 3673] and the Wilmington Trust Company [ECF No. 3679].

2. Rather than file 5 reply briefs of fifteen pages each, the Debtors are filing a single reply brief of 18 pages in response to all of the objections. Given the significant interests at stake and the importance of the relief requested in the Exclusivity Motion, additional pages were required to fully articulate the Debtors' positions.

3. The Debtors respectfully request leave to exceed the applicable page limitation by 3 pages.

WHEREFORE, for the foregoing reasons, the Debtors respectfully request leave to exceed the applicable page limitation by 3 pages in their Exclusivity Reply, and for such other relief as the Court deems just and proper.

Dated: April 21, 2013
New York, New York

Respectfully submitted,

DAVIS POLK & WARDWELL LLP

/s/ Marshall S. Huebner

Marshall S. Huebner

Damian S. Schaible

Brian M. Resnick

Michelle M. McGreal

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*