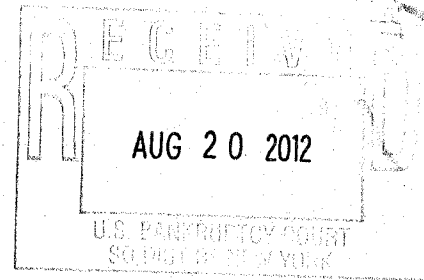


**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re: Patriot Coal Corporation, et. al.
Debtor

Case No. 12-12900 (SCC)
Chapter 11
(Jointly Administered)



NOTICE

The Commonwealth of Kentucky, Energy and Environment Cabinet, Department for Natural Resources (hereinafter "DNR"), through counsel, in compliance with the August 20, 2012 Motion Joinder deadline for the United Mine Workers of America (hereinafter "UMWA") Motion of the United Mine Workers of America to Transfer the Case to the Southern District of West Virginia (hereinafter "UMWA's Motion") (ECF No. 116 and amended by ECF No. 127) and Argonaut Insurance Company, Indemnity National Insurance Company, US Specialty Insurance, and Westchester Fire Insurance Company (hereinafter "Sureties") Motion to Transfer Jointly Administered Cases to Southern District of West Virginia (hereinafter "Sureties Motion"). (ECF No. 287), states the following.

1. On July 9, 2012, the Debtors commenced a voluntary case under Chapter 11 of Title 11 of the United States Code with this Court.
2. On July 18, 2012 (amended on July 19, 2012), the UMWA filed its Motion. On August 7, 2012, the Sureties filed their Motion.
3. The DNR is the governmental authority responsible for the regulation of surface coal mining in the Commonwealth of Kentucky under KRS 350 *et seq.*
4. On August 15, 2012, the undersigned counsel mailed to this Court a Motion *Pro Hac Vice* in order to allow representation of the DNR in the above-styled case. Because it is such a short time since counsel has moved the Court for admission, said motion is still pending before the Court.
5. This Court has set a deadline for Motion Joinder with the UMWA's and Sureties' motions of Monday, August 20, 2012, at 4:00 p.m.

6. Out of an abundance of caution to meet the August 20, 2012 deadline and with due respect for the Court the DNR hereby files this Notice pending the Court's granting of counsel's Motion *Pro Hac Vice*. Furthermore, the DNR respectfully requests an ECF Service Exemption Request to allow it to file this document.

7. Although the DNR is not joining either Motion it believes that the Sureties and UMWA have properly presented to the Court the law governing why this case should be transferred to the Southern District of West Virginia. Furthermore, the DNR supports the transfer of this matter to the U.S. Bankruptcy Court for the Southern District of West Virginia.

8. If this Court grants counsel's Motion *Pro Hac Vice* the DNR would like to file a short supplemental memorandum that summarizes the facts of this case in more detail with regards to the Debtors' mining activities in Kentucky. The DNR will not set forth any additional legal arguments in a supplemental memorandum.

Respectfully filed,

/s/ Michael P. Wood

MICHAEL P. WOOD

Commonwealth of Kentucky

Department for Natural Resources

#2 Hudson Hollow

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Dated: 8/17/2012

Filed by:

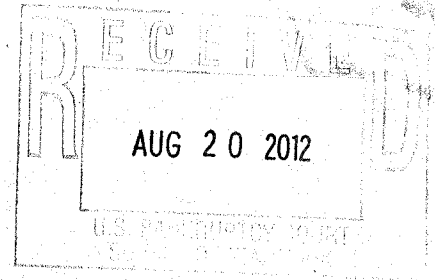
MICHAEL P. WOOD

Commonwealth of Kentucky

Department for Natural Resources

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CERTIFICATE OF SERVICE

I, Michael P. Wood, hereby certify that on the 17th day of August, 2012, a true and accurate copy of the foregoing **NOTICE** was mailed, postage pre-paid, to the following:

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United States Bankruptcy Court
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Dated: 8/17/2012

Filed by:

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Commonwealth of Kentucky
Department for Natural Resources