

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
EASTERN DISTRICT OF MISSOURI
(ST. LOUIS)**

In Re:)
)
Patriot Coal Corporation,) Bankruptcy No.12-51502
)
Debtor.)

CREDITOR, HAWTHORN BANK'S, RESPONSE
TO THE DEBTOR'S SECOND OMNIBUS OBJECTION
TO AMENDED AND SUPERCEDED CLAIMS

COMES NOW Hawthorn Bank (hereinafter "Bank"), a creditor and party in interest, by and through its attorneys of record, and for its Response to the Claims Objection by the Debtor, states to the Court as follows:

1. Debtor filed an objection to certain claims of Bank, which have been amended during the course of the bankruptcy proceeding.
2. Bank originally filed GCG Claim No. 25 which was also Eastern District of Missouri Claim No. 29 on February 22, 2013 for \$107,204.16.
3. Thereafter, Bank received money for disposition of some collateral securing that Note and filed Amended GCG Claim No. 836 which was Eastern District of Missouri Claim No. 566 on February 25, 2013 for \$87,204.16.
4. Thereafter, Bank received additional proceeds from disposition of collateral and filed Amended GCG Claim No. 3988 and Eastern District of Missouri Claim No. 3965 with an existing balance of \$67,173.84. The surviving claim.
5. The Debtor has filed two separate objections requesting that the Court disallow Eastern District of Missouri Claim No. 29/GCG Claim No. 35 and disallow Eastern District of

Missouri Claim No. 566/GCG Claim No. 836 with surviving Claim Nos. 3965 and 3988 in the amount of \$67,173.84.

6. Bank is agreeable and believes that those claims should be folded into surviving Claims No. 3965/3988 for \$67,173.84 unsecured.

7. Bank consents to that relief.

WHEREFORE, Bank prays that the Court enter an Order indicating that original Claims 29/25 which were subsequently amended as Claims 566/836 be disallowed and have surviving unsecured claims numbers 3965/3988 for \$67,173.84 and that any other claims on behalf of Bank which are filed in the case not be affected by the Court's Order and for such other and further relief as the Court deems just in the premises.

LOWTHER JOHNSON, LLC

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*Attorneys for Creditor,
Hawthorn Bank*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served by electronic notice or by United States Mail, First Class postage prepaid, this 14th day of May, 2013, to:

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/s/ Lee J. Viorel
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