

# UNITED STATES BANKRUPTCY COURT

EASTERN

DISTRICT OF

MISSOURI

**In re** Patriot Coal Corporation,

**Debtor(s)**

Bankruptcy Case No.  
12-51502-659

Patriot Coal Corporation,  
Heritage Coal Company LLC,

**Plaintiff(s)**

**Chapter**  
**11**

Peabody Holding Company, LLC,  
Peabody Energy Corporation,

**Defendant(s)**

Adversary Proceeding No.  
13-04067-659

All documents regarding this matter must be identified by both Adversary and Bankruptcy Case numbers

## SUMMONS AND NOTICE OF PRE-TRIAL CONFERENCE IN AN ADVERSARY PROCEEDING

YOU ARE SUMMONED and required to submit a motion or answer to the complaint which is attached to this summons to the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall submit a motion or answer to the complaint within 35 days.

Address of Clerk  
United States Bankruptcy Court  
Thomas F. Eagleton Courthouse, 111 S. Tenth Street, Floor 4  
St. Louis, MO 63102

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

Name and Address of Plaintiff's Attorney  
Elliot Moskowitz  
450 Lexington Avenue  
New York, NY 10017 (212) 450-4000

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

YOU ARE NOTIFIED that a pre-trial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place.

Address United States Bankruptcy Court Thomas F. Eagleton Courthouse 111 S. Tenth Street St. Louis, MO 63102	Courtroom 7-North
	Date and Time April 23, 2013 10:00 AM

**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**



Dana C. McWay

Clerk of the Bankruptcy Court

By: John J. Howley Jr.  
Deputy Clerk

CERTIFICATE OF SERVICE

I, \_\_\_\_\_, certify that service of this summons  
(name)

and a copy of the complaint was made \_\_\_\_\_ by:  
(date)

- Mail service: Regular, first class United States mail, postage fully pre-paid, addressed to:
  
- Personal Service: By leaving the process with defendant or with an officer or agent of defendant at:
  
- Residence Service: By leaving the process with the following adult at:
  
- Certified Mail Service on an Insured Depository Institution: By sending the process by certified mail addressed to the following officer of the defendant at:
  
- State Law: The defendant was served pursuant to the laws of the State of \_\_\_\_\_, as follows: [Describe briefly] (name of state)

If service was made by personal service, by residence service, or pursuant to state law, I further certify that I am, and at all times during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made.

Under penalty of perjury, I declare that the foregoing is true and correct.

\_\_\_\_\_ Date

\_\_\_\_\_ Signature

Print Name
Business Address
City State Zip