

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

In re:  
  
Patriot Coal Corporation, *et. al.*  
  
Debtor(s).

Case No. 12-51502  
Chapter 11  
(Jointly Administered)

**APPELLANT UMWA's DESIGNATION OF THE RECORD ON APPEAL**

Appellant, UMWA, designates the following items for the record on appeal:

DATE ENTERED	DOCKET NO.	DESCRIPTION
6/10/2013		Amended Notice of Appeal with Amended Civil Cover Sheet
6/7/2013		Separate Election
6/7/2013		Notice of Appeal with Civil Cover Sheet
5/29/2013	4081	MEMORANDUM DECISION AND ORDER ON MOTION TO REJECT COLLECTIVE BARGAINING AGREEMENTS AND TO MODIFY RETIREE BENEFITS PURSUANT TO 11 U.S.C. §§ 1113, 1114 OF THE BANKRUPTCY CODE
		<i>Hearing Exhibits</i>
05/08/2013	3944	Hearing Transcript. May 3, 2013.
05/06/2013	3939	Hearing Transcript. May 2, 2013.
05/03/2013	3930	Hearing Transcript. May 1, 2013.
05/03/2013	3927	Hearing Transcript. April 30, 2013.

05/02/2013	3922	Hearing Transcript. April 29, 2013.
05/01/2013	3920	Declaration re: the Debtors and United Mineworkers Of America 1974 Pension Trust and United Mineworkers of America 1993 Benefit Plans Designation of Deposition Testimony of Dale Stover Relating To the Debtors Motion to Reject Collective Bargaining Agreements And To Modify Retiree Benefits Pursuant To 11 U.S.C. §§ 1113, 1114
05/01/2013	3919	Supplemental Declaration of Dale Stover In Support Of The Objection Of The United Mine Workers Of America 1974 Pension Trust And The United Mine Workers Of America 1993 Benefit Plan To The Debtors Motion To Reject Collective Bargaining Agreements And To Modify Retiree Benefits Pursuant To Section 11 U.S.C. §§ 1113, 1114 Filed by Creditors United Mine Workers of America 1974 Pension Trust, United Mine Workers of America 1993 Benefit Plan
04/26/2013	3860	Notice and/The Debtors' and the United Mine Workers of America's Designation of Deposition Testimony Relating to the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114
		Designated deposition transcript excerpts provided pursuant to the parties' designation of testimony for witnesses: Engelhardt, Whiting, Roberts, and Stover
04/23/2013	3798	Omnibus Reply Regarding the Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113 and 1114 Filed by Creditor United Mine Workers of America
04/23/2013	3799 <sup>1</sup>	Reply/Omnibus Reply Memorandum of Law in Further

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<sup>1</sup> Some transcripts of the hearing and briefs, declarations and supporting exhibits (contained in the Trial Exhibits identified below) were filed in redacted form on the public docket, pursuant to Motions to Seal filed by the respective parties, and granted by the Bankruptcy Court, for the purpose of maintaining confidentiality of certain of Debtors' confidential information. With respect to any transcripts or documents docketed in redacted form, complete copies were concurrently filed with the Bankruptcy Court under seal. Similarly, where Trial Exhibits were redacted in light of confidentiality concerns, the Bankruptcy Court was also provided a complete un-redacted copy. In designating the record, the parties intend to maintain confidentiality consistent with that in the Bankruptcy Court so that redacted versions of all designated documents remain available to the public on appeal and sealed/un-redacted copies of all documents

		Support of the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. 1113, 1114 Filed by Debtor Patriot Coal Corporation
04/12/2013	3623	Objection of The United Mine Workers Of America 1974 Pension Trust and the United Mine Workers Of America 1993 Benefit Plan to Debtors Motion To Reject Collective Bargaining Agreements And To Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 of the Bankruptcy Code Filed by Creditors United Mine Workers of America 1974 Pension Trust, United Mine Workers of America 1993 Benefit Plan
04/12/2013	3610	Objection to the Motion to Reject Collective Bargaining Agreements And To Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 Filed by Creditor UMWA
04/05/2013	3543	Order Regarding the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 of the Bankruptcy Code (Participation of other Interested Parties/Joinder of UMWA Funds)
03/14/2013	3219	Memorandum of Law in Support of the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 Filed by Debtor Patriot Coal Corporation
03/14/2013	3214	Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 of the Bankruptcy Code Filed by Debtor Patriot Coal Corporation
		<b>TRIAL EXHIBIT BINDERS</b>
	Joint Exhibit #	<u>DESCRIPTION/DOCUMENT ID</u>
	1	<b>Declaration of Gregory B. Robertson</b> ECF No. 3220

identified herein are available to the Court. Both the public and non-public versions should be transmitted to the District Court.

2	Exhibit to Robertson Decl. # 1. Fourth 1113/1114 Proposal, dated February 27, 2013
3	Exhibit to Robertson Decl. # 2. Third 1113/1114 Proposal, dated February 19, 2013
4	Exhibit to Robertson Decl. # 3. Second 1113/1114 Proposal, dated January 17, 2013
5	Exhibit to Robertson Decl. # 4. Original 1113 Proposal, dated November 15, 2012
6	Exhibit to Robertson Decl. # 5. Original 1114 Proposal, dated November 15, 2012
7	Exhibit to Robertson Decl. # 6. Stipulated Protective Order, dated October 9, 2012
8	Exhibit to Robertson Decl. # 7. UMWA Information Request, dated October 31, 2012
9	Exhibit to Robertson Decl. # 8. Status Reports (with transmittal email), dated December 19, 2012
10	Exhibit to Robertson Decl. # 9. November 15 Presentation to the UMWA, dated November 15, 2012
11	Exhibit to Robertson Decl. # 10. Letter from B. Hatfield to C. Roberts, dated November 15, 2012
12	Exhibit to Robertson Decl. # 11. Original Savings Summary, dated November 15, 2012
13	Exhibit to Robertson Decl. # 12. Original Savings Summary - Revised, dated December 6, 2012
14	Exhibit to Robertson Decl. # 13. UMWA Information Request, dated November 19, 2012
15	Exhibit to Robertson Decl. # 14. Letter from C. Roberts to B. Hatfield, dated November 20, 2012
16	Exhibit to Robertson Decl. # 15. Letter from B. Hatfield to C. Roberts, dated November 21, 2012
17	Exhibit to Robertson Decl. # 16. Patriot Status Report (with transmittal email), dated November 21, 2012
18	Exhibit to Robertson Decl. # 17. Email from A. Rosen to K. Hiltz, dated November 26, 2012

19	Exhibit to Robertson Decl. # 18. Email from E. Moskowitz to A. Rosen, dated December 3, 2012
20	Exhibit to Robertson Decl. # 19. Patriot Status Report (with transmittal email), dated November 28, 2012
21	Exhibit to Robertson Decl. # 20. UMWA Information Request, dated November 30, 2012
22	Exhibit to Robertson Decl. # 21. Letter from C. Roberts to B. Hatfield, dated November 30, 2012
23	Exhibit to Robertson Decl. # 22. Email from J. Mazzotti to A. Rosen, dated December 3, 2012
24	Exhibit to Robertson Decl. # 23. Email from K. Hiltz to A. Rosen, dated December 4, 2012
25	Exhibit to Robertson Decl. # 24. Email from A. Rosen to J. Mazzotti, dated December 4, 2012
26	Exhibit to Robertson Decl. # 25. Email from E. Moskowitz to A. Rosen, dated December 4, 2012
27	Exhibit to Robertson Decl. # 26. Email from A. Traynor to E. Moskowitz, dated December 4, 2012
28	Exhibit to Robertson Decl. # 27. Email from E. Moskowitz to A. Traynor, dated December 4, 2012
29	Exhibit to Robertson Decl. # 28. Email from E. Moskowitz to A. Traynor, dated December 5, 2012
30	Exhibit to Robertson Decl. # 29. PwC Status Reports (with transmittal email), dated December 6, 2012
31	Exhibit to Robertson Decl. # 30. Patriot Status Reports (with transmittal email), dated December 7, 2012
32	Exhibit to Robertson Decl. # 31. Letter from B. Hatfield to C. Roberts, dated December 7, 2012
33	Exhibit to Robertson Decl. # 32. UMWA Information Request, dated December 10, 2012
34	Exhibit to Robertson Decl. # 33. Email from F. Perillo to E. Moskowitz, dated December 10, 2012
35	Exhibit to Robertson Decl. # 34. Letter from C. Roberts to B. Hatfield, dated December 11, 2012

36	Exhibit to Robertson Decl. # 35. Patriot Status Report (with transmittal email), dated December 11, 2012
37	Exhibit to Robertson Decl. # 36. Email from E. Moskowitz to F. Perillo, dated December 12, 2012
38	Exhibit to Robertson Decl. # 37. UMWA Information Request, dated December 12, 2012
39	Exhibit to Robertson Decl. # 38. Email from F. Perillo to E. Moskowitz, dated December 13, 2012
40	Exhibit to Robertson Decl. # 39. UMWA Information Request, dated December 14, 2012
41	Exhibit to Robertson Decl. # 40. Email from E. Moskowitz to F. Perillo, dated December 16, 2012
42	Exhibit to Robertson Decl. # 41. Email from F. Perillo to E. Moskowitz, dated December 17, 2012
43	Exhibit to Robertson Decl. # 42. Email from E. Moskowitz to F. Perillo, dated December 17, 2012
44	Exhibit to Robertson Decl. # 43. Letter from B. Hatfield to C. Roberts, dated December 17, 2012
45	Exhibit to Robertson Decl. # 44. Email from A. Rosen to J. Mazzotti, dated December 21, 2012
46	Exhibit to Robertson Decl. # 45. Letter from C. Roberts to B. Hatfield, dated December 21, 2012
47	Exhibit to Robertson Decl. # 46. Letter from B. Hatfield to C. Roberts, dated December 28, 2012
48	Exhibit to Robertson Decl. # 47. PwC Status Reports (with transmittal email), dated January 2, 2013
49	Exhibit to Robertson Decl. # 48. First UMWA Counterproposal, dated January 8, 2013
50	Exhibit to Robertson Decl. # 49. Patriot Data Request, dated January 11, 2013
51	Exhibit to Robertson Decl. # 50. UMWA Information Request, dated January 15, 2013
52	Exhibit to Robertson Decl. # 51. Patriot Status Report, dated March 1, 2013

53	Exhibit to Robertson Decl. # 52. Patriot Status Report (with transmittal email), dated January 16, 2013
54	Exhibit to Robertson Decl. # 53. Letter from B. Hatfield to C. Roberts, dated January 17, 2013
55	Exhibit to Robertson Decl. # 54. Patriot Status Report (with transmittal email), dated January 30, 2013
56	Exhibit to Robertson Decl. # 55. Letter from C. Roberts to B. Hatfield, dated January 30, 2013
57	Exhibit to Robertson Decl. # 56. Patriot Status Report, dated February 27, 2013
58	Exhibit to Robertson Decl. # 57. Status Report (with transmittal email), dated February 4, 2013
59	Exhibit to Robertson Decl. # 58. Second UMWA Counterproposal, dated February 5, 2013
60	Exhibit to Robertson Decl. # 59. Patriot Status Report (with transmittal email), dated February 8, 2013
61	Exhibit to Robertson Decl. # 60. Letter from B. Hatfield to C. Roberts, dated February 8, 2013
62	Exhibit to Robertson Decl. # 61. Patriot Status Report (with transmittal email), dated February 14, 2013
63	Exhibit to Robertson Decl. # 62. UMWA Information Request, dated February 14, 2013
64	Exhibit to Robertson Decl. # 63. Letter from B. Hatfield to C. Roberts, dated February 19, 2013
65	Exhibit to Robertson Decl. # 64. PwC Status Reports (with transmittal email), dated February 26, 2013
66	Exhibit to Robertson Decl. # 65. Letter from B. Hatfield to C. Roberts, dated February 27, 2013
67	Exhibit to Robertson Decl. # 66. UMWA Information Request, dated February 27, 2013
68	Exhibit to Robertson Decl. # 67. Patriot Status Report, dated March 8, 2013
69	Exhibit to Robertson Decl. # 68. Letter from C. Roberts to B. Hatfield, dated February 28, 2013

70	Exhibit to Robertson Decl. # 69. Patriot Status Report (with transmittal email), dated March 1, 2013
71	Exhibit to Robertson Decl. # 70. PwC Status Report (with transmittal email), dated March 8, 2013
72	Exhibit to Robertson Decl. # 71. Letter from B. Hatfield to C. Roberts, dated March 13, 2013
73	<b>Reply Declaration of Gregory B. Robertson</b> ECF No. 3799
74	Exhibit to Robertson Reply Decl. # 72. Fourth 1113/Fifth 1114 Proposal, dated April 10, 2013
75	Exhibit to Robertson Reply Decl. # 73. Fifth 1113 Proposal, dated April 22, 2013
76	Exhibit to Robertson Reply Decl. # 74. Patriot Status Reports (with transmittal email), dated March 15, 2013 (redacted)
77	Exhibit to Robertson Reply Decl. # 75. Patriot Status Reports (with transmittal email), dated January 4, 2013
78	Exhibit to Robertson Reply Decl. # 76. UMWA Information Request, dated March 19, 2013 (redacted)
79	Exhibit to Robertson Reply Decl. # 77. UMWA Information Request, dated March 20, 2013 (redacted)
80	Exhibit to Robertson Reply Decl. # 78. Analysis Prepared in Response to UMWA Request, dated April 10, 2013
81	Exhibit to Robertson Reply Decl. # 79. Letter from E. Waller to A. Traynor, dated March 25, 2013 (redacted)
82	Exhibit to Robertson Reply Decl. # 80. Email from B. Hatfield to A. Traynor, dated March 27, 2013
83	Exhibit to Robertson Reply Decl. # 81. Third UMWA Counterproposal, dated March 27, 2013
84	Exhibit to Robertson Reply Decl. # 82. Letter from C. Roberts to B. Hatfield, dated March 27, 2013
85	Exhibit to Robertson Reply Decl. # 83. Patriot Status Reports (with transmittal email), dated March 29, 2013 (redacted)

86	Exhibit to Robertson Reply Decl. # 84. Letter from B. Hatfield to C. Roberts, dated April 10, 2013
87	Exhibit to Robertson Reply Decl. # 85. Article from the St. Louis Business Journal, dated April 12, 2013
88	Exhibit to Robertson Reply Decl. # 86. UMWA Information Request, dated April 18, 2013
89	Exhibit to Robertson Reply Decl. # 87. Email from A. Rosen to A. Schlesinger, dated April 20, 2013
90	Exhibit to Robertson Reply Decl. # 88. Letter from J. Goodchild to D. Schaible, dated November 8, 2012
91	Exhibit to Robertson Reply Decl. # 89. Executed Confidentiality Agreement between the Debtors and the 1974 Pension Plan,
92	Exhibit to Robertson Reply Decl. # 90. Executed Confidentiality Agreement between the Debtors and the 1993 Benefit Plan,
93	Exhibit to Robertson Reply Decl. # 91. Letter from J. Goodchild to E. Moskowitz, dated December 6, 2012
94	Exhibit to Robertson Reply Decl. # 92. Letter from E. Moskowitz to J. Goodchild, dated December 11, 2012
95	Robertson Deposition Exh. 1: PwC Summary of Savings dated March 2013 re: Profitability, Liquidity comparison and Analysis of 1113/1114 Ask
96	Robertson Deposition Exh. 2: Debtors' Fifth 1114 Proposal, blackline
97	<b>Declaration of Dale F. Lucha</b>
98	Exhibit to Lucha Decl. # 1A. Wage Rate Savings - Part I
99	Exhibit to Lucha Decl. # 1B. Wage Rate Savings - Part II
100	Exhibit to Lucha Decl. # 1C. Wage Rate Savings - Part III
101	Exhibit to Lucha Decl. # 1D. Wage Rate Savings - Part IV
102	Exhibit to Lucha Decl. # 1E. Wage Rate Savings - Overtime

	103	Exhibit to Lucha Decl. # 2. Healthcare Savings
	104	Exhibit to Lucha Decl. # 3. Extended Healthcare Savings
	105	Exhibit to Lucha Decl. # 4A. Work Rule Savings - Part I
	106	Exhibit to Lucha Decl. # 4B. Work Rule Savings - Part II
	107	Exhibit to Lucha Decl. # 4C. Work Rule Savings - Part III
	108	Exhibit to Lucha Decl. # 4D. Work Rule Savings - Part IV
	109	Exhibit to Lucha Decl. # 5. Summary Quantification of Counterproposal Savings
	110	Exhibit to Lucha Decl. # 6. Assessment of First Counterproposal
	111	Exhibit to Lucha Decl. # 7. Assessment of Second Counterproposal
	112	<b>Reply Declaration of Dale F. Lucha</b>
	113	Exhibit to Lucha Reply Decl. # 8. Letter from C. Sanders to M. Luna, dated April 11, 2013 [Exhibit. 8]
	114	Exhibit to Lucha Reply Decl. # 9. Evaluation of UMWA Counteroffer, dated April 9, 2013
	115	Exhibit to Lucha Reply Decl. # 10. 2011-2012 Safety Statistics
	116	Exhibit to Lucha Reply Decl. # 11A. Ratio of Supervisory to Hourly Employees at All Facilities
	117	Exhibit to Lucha Reply Decl. # 11B. Ratio of Supervisory to Hourly Employees at Union and Non-Union Facilities
	118	Lucha Deposition Exh. 8
	119	<b>Declaration of Paul Huffard</b>
	120	Huffard Expert Materials: "Metallurgical Coal Prices to Back Down from Ultra-High Levels," Daiwa Capital Markets
	121	Huffard Expert Materials: "Prices of Metallurgical and Thermal Coal Fall to Lowest Range," Daiwa Capital Markets

122	Huffard Expert Materials: "Metallurgical Coal Prices Forecasts Raised," Daiwa Capital Markets
123	Huffard Expert Materials: ICAP Energy, Daily Coal Prices
124	Huffard Expert Materials: "BHP, Nippon Q1 coking coal settlement down," Ironoreteam.com
125	Huffard Expert Materials: "Coal Dynamics: Current Trends & 2013 Outlook," Morgan Stanley
126	Huffard Expert Materials: Henry Hub Spot Natural Gas Index SNL
127	Huffard Expert Materials: U.S. EIA Annual Energy Outlook 2013
128	Huffard Expert Materials: U.S. EIA Electric Power Annual 2011
129	Huffard Expert Materials: U.S. EIA Electric Monthly Update, December 2012
130	Huffard Expert Materials: U.S. EIA Today in Energy
131	Huffard Expert Materials: World Steel Association, Steel Statistical Yearbook 2012
132	<b>Reply Declaration of Paul Huffard</b>
133	Huffard Dep. Ex. 1: Printout of 5-year Plan
134	Huffard Dep. Ex. 4: All AIP Participants (Includes Incumbent Compensation Reduction)
135	<b>Declaration of Seth Schwartz</b> (redacted)
136	Schwartz Expert Materials: Argus Coal Daily, U.S. Coal Market Prices
137	Schwartz Expert Materials: U.S. EIA Annual Coal Report 2011
138	Schwartz Expert Materials: U.S. EIA Annual Energy Review 2011
139	Schwartz Expert Materials: U.S. EIA Electric Power Monthly, Dec. 2012
140	Schwartz Expert Materials: U.S. EIA Quarterly Coal

		Report, Oct.–Dec. 2011
	141	Schwartz Expert Materials: U.S. EIA Short-Term Energy Outlook
	142	Schwartz Expert Materials: EIA Weekly Natural Gas Futures Prices
	143	Schwartz Expert Materials: Energy Ventures Analysis, CoalCast, Stockpile Data Report
	144	Schwartz Expert Materials: Energy Ventures Analysis, U.S. Coal Quarterly Financial Report 2012 Q-3
	145	Schwartz Expert Materials: ICAP Energy Coal Prices
	146	Schwartz Expert Materials: Mine Safety and Health Administration Data
	147	Schwartz Expert Materials: Platts International Coal Report Prices
	148	<b>Reply Declaration of Seth Schwartz</b>
	149	Schwartz Reply Decl. Ex. A: Email Subject: Inclusion of certain cost items in SNL Coal Price Forecast
	150	Schwartz Deposition Exh. # 2. Equity Committee Declaration
	151	Schwartz Deposition Exh. # 3. Fourth Quarter 2012 Energy Ventures Analysis, Inc. Quarterly U.S. Coal Report
	152	Schwartz Deposition Exh. # 4. Expert Report of Seth Schwartz
	153	Schwartz Deposition Exh. # 5. One-Page Documents from Energy Ventures Analysis
	154	Schwartz Deposition Exh. # 6. Weighted Average Thermal Coal Pricing Calculations
	155	Schwartz Deposition Exh. # 7. Coal Price to Know Assumptions
	156	Schwartz Deposition Exh. # 8. Excerpt from Akunuri's expert report with chart on percentage of electricity generation by coal and natural gas during different quarters

157	Schwartz Deposition Exh. # 9. Henry Hubb Natural Gas Document
158	<b>Declaration of Thomas Terry</b>
159	<b>Declaration of Bennett Hatfield</b>
160	<b>AMENDED Declaration of Arthur Traynor</b>
161	Amended Traynor Decl. Ex. A. Patriot Coal Corp., Annual Report (Form 10-K) (March 14, 2008).
162	Amended Traynor Decl. Ex. B. Peabody Energy Corp., Current Report (Form 8-K) (Oct. 22, 2007).
163	Amended Traynor Decl. Ex. C. Morgan Stanley, January 23, 2007, "Project Gemini Board Review,"
164	Amended Traynor Decl. Ex. D. NBCWA Individual Employer Plan Liabilities Assumption Agreement; Peabody Energy Corp., Current Report (Form 8-K) (Oct. 22, 2007) Exhibit 10.4.
165	Amended Traynor Decl. Ex. E. Section 9711 Coal Act Liabilities Assumption Agreement; Peabody Energy Corp., Current Report (Form 8-K) (Oct. 22, 2007) Exhibit 10.3.
166	Amended Traynor Decl. Ex. F. UMWA and Peabody Holding Co. Acknowledgement and Assent dated August 13, 14, 2007
167	Amended Traynor Decl. Ex. G. Arch Coal, Inc., Current Report, (Form 8-K), dated January 6, 2006
168	Amended Traynor Decl. Ex. H. Patriot Coal Corp., Quarterly Reports (Form 10-Q) (Aug. 6, 2010).
169	Amended Traynor Decl. Ex. I. Information Concerning Assumption of Retirees
170	Amended Traynor Decl. Ex. J. Additional Information Concerning Assumption of Retirees
171	Amended Traynor Decl. Ex. K. Peabody letter from Richard Navarre to Patriot CEO Richard Whiting dated December 28, 2011, relating to Alcoa and Squaw Creek Allocation, Reimbursement and Settlement.
172	Amended Traynor Decl. Ex. L. Patriot Coal headcount

		data—budgeted,
	173	Amended Traynor Decl. Ex. M. Patriot Coal headcount data—actual figures for December 31, 2012
	174	Amended Traynor Decl. Ex. N. Patriot Coal Presentation to the UMWA, March 4, 2013, prepared by Blackstone.
	175	Amended Traynor Decl. Ex. O. PwC Discussion Materials, February 2013, for 2-15-2013 bargaining meeting, including breakout savings summary.
	176	Amended Traynor Decl. Ex. P. March 14, 2013 letter from UMWA President Roberts to Mr. Hatfield, concerns about lack of VEBA funding and business plan cost estimates
	177	Amended Traynor Decl. Ex. Q. April 9, 2013 email from Art Traynor to Hatfield and Patriot Negotiating Team relating to Hatfield’s March 14, 2013 letter, PwC’s concerns about outstanding documents and sensitivity analysis
	178	Amended Traynor Decl. Ex. R. Cover letter from UMWA President Roberts to Mr. Hatfield enclosing Third Counterproposal dated March 27, 2013
	179	Amended Traynor Decl. Ex. S. UMWA Third Counterproposals “Summary of Savings,” dated March 27, 2013.
	180	Traynor Deposition Ex. # 2: E-mail dated April 18, 2013, from A. Rosen, PwC, to J.Mazzotti, AlixPartners
	181	<b>Declaration of Michael Buckner</b>
	182	Exh. A--Materials Relied on
	183	Exh. B--Black Lung photo
	184	Buckner Deposition Ex. 1: <b>Buckner Declaration</b>
	185	Buckner Deposition Ex. 2: A Brief History of UMWA Health and Retirement Funds
	186	Buckner Deposition Ex. 3: <b>Schwartz Declaration</b>
	187	Buckner Deposition Ex. 4: U.S. Energy Information

		Administration: Annual Coal Report 2011
	188	Buckner Deposition Ex. 5
	189	Buckner Deposition Ex. 6: U.S. Energy Information Administration: Electric Power Monthly Jan 2013
	190	Buckner Deposition Ex. 7: 2011 Gateway Eagle CBA (Sugar Maple)
	191	<b>Declaration of Perry Mandarino</b> with Appendices
	192	Mandarino Deposition Ex. 1. Opinion in American Classic Voyages
	193	Mandarino Deposition Ex. 2. Delaware Court of Chancery Opinion
	194	Mandarino Deposition Ex. 3. Update for Unsecured Creditor's Committee, 12/5/2012
	195	Mandarino Deposition Ex. 4
	196	Mandarino Deposition Ex. 6
	197	Mandarino Deposition Ex. 7. 4/5/2013 Email from T. Mayer to P. Mandarino et al.
	198	Mandarino Deposition Ex. 8
	199	Mandarino Deposition Ex. 9. Ratio of Hourly to Supervisor, Data Room 1.1.11.3
	200	Mandarino Deposition Ex. 10. Patriot Coal Corp. Summary of Savings, 3/1/2013
	201	<i>Mission Iowa Wind Co., and Storm Lake Power Partners I, LLC v. Enron Corp., No. 02-503 (S.D.N.Y. 2003)</i>
	202	<i>In re Summit Global Logistics, Inc., 2008 Bankr. LEXIS 896, No. 08-11566 (Bankr. D. N.J. 2008)</i>
	203	InfoMine U.S.A, Inc., "2012 Survey Results: U.S. Coal Mine Salaries, Wages & Benefits"
	204	<b>Declaration of Srinivas Akunuri</b>
	205	Akunuri Decl. Exh. A: Resume
	206	Akunuri Decl. Exh. B: Complex-Level EBITDAs (Data Room Item 1.2.11.1)

207	Akunuri Decl. Exh. C: Natural Gas Storage Levels (Bcf)
208	Akunuri Decl. Exh. D: Rig Count February 2011 - March 2013
209	Akunuri Decl. Exh. E: Gas Development Projects for LNG
210	Akunuri Decl. Exh. F: Patriot Coal Business Plan Analysis
211	Akunuri Expert Materials: SNL Energy Coal Forecast, Feb. 28, 2013
212	Akunuri Expert Materials: Jodi Shafto, "May natural gas settles at 18-month high at \$4.068/MMBtu," SNL Financial, Mar. 27, 2013.
213	Akunuri Expert Materials: Darren Epps, "Barclays projects 12% increase in coal-fired generation in 2013," SNL Financial, Mar. 27, 2013.
214	Akunuri Expert Materials: Energy Information Administration Henry Hub Gulf Coast Natural Gas Spot Price, Apr. 1, 2003–Mar. 28, 2013.
215	Akunuri Expert Materials: Capital IQ- Henry Hub Natural Gas Prices, Mar. 27, 2013.
216	Akunuri Expert Materials: EDOE/EIA, Energy Information Administration February 2013 Monthly Energy Review.
217	Akunuri Expert Materials: Baker Hughes Rig Count, Mar. 28, 2013.
218	Akunuri Expert Materials: Memo from K. Ramoutar and M. Nash to File Re: Coal Price Forecast Call with Wood Mackenzie, Mar. 19, 2013.
219	Akunuri Expert Materials: Rig Count Spreadsheet
220	Akunuri Dep. Ex. 2: Memorandum dated March 14 2013
221	Akunuri Dep. Ex. 3: Memorandum dated March 19, 2013
222	Akunuri Dep. Ex. 4: Prospects for Coal to Gas Switching in 2013
223	Akunuri Dep. Ex. 5: Valuing the Great Shale Play

	224	Akunuri Dep. Ex. 6: Share of Generation for Electrical Power
	225	Akunuri Dep. Ex. 7: EIA Short Term Energy Outlook
	226	Akunuri Dep. Ex. 8: AICPA, National Oil & Gas Conference, Gas Prices, What's Next
	227	Akunuri Dep. Ex. 9: Tudor Pickering Holt & Co., Industry M & A Trends, Opportunities Outlook.
	228	Akunuri Dep. Ex. 10: LNG's Liquefaction and Export Project
	229	Akunuri Dep. Ex. 11: Liquefaction Project at Cameron LNG
	230	Akunuri Dep. Ex. 12: PowerPoint presentation from Cheniere Energy Website
	231	Akunuri Dep. Ex. 14: Fourth quarter of 2012 EVA report
	232	Akunuri Dep. Ex. 15: First quarter of 2013 EVA report
	233	Akunuri Dep. Ex. 16: Summary Page of Patriot's 5-year business plan
	234	Patriot's Coal Price Forecast by Complex pursuant to its five year plan [Data room 1.2.21]
	235	<b>Declaration of Elliott Cobin</b>
	236	Cobin Expert Materials: Kaiser Family Foundation, What the Actuarial Values in the Affordable Care Act Mean, Apr. 2011.
	237	Cobin Expert Materials: Devon M. Herrick, Unnecessary Regulations that Increase Prescription Drug Costs, National Center for Policy Analysis, Policy Report No. 346, Mar., 2013.
	238	Cobin Expert Materials: Kaiser Family Foundation, Prescription Drug Trends, May 2010.
	239	Cobin Expert Materials: Society of Actuaries Long Term Healthcare Trends Resource Model, Practical Issues for Actuaries, Jan. 2007.
	240	Cobin Expert Materials: Sibson Consulting, Study of Retiree Health VEBAs, Winter 2008.

241	Cobin Expert Materials: Mercer, Health Status Assessment Project, United Mine Workers of American Health and Retirement Funds, Aug. 14, 2009.
242	Cobin Expert Materials: Ellen O'Brien, Retiree Health Care: What Do the New Auto Industry VEBAs Mean for Current and Future Retirees?, AARP Public Policy Institute, Publication #14.
243	Cobin Expert Materials: Buchmueller, DiNardo, and Valletta, Union Effects on Health Insurance Provision and Coverage in the United States, Industrial & Labor Relations Review, ILR School, Cornell University, Vol. 55(4), July 2002.
244	Cobin Expert Materials: Patriot Coal Retiree Medical Liabilities, Mar. 4, 2013 Mercer Response to PwC's Mar. 1, 2013 email.
245	Cobin Expert Materials: Patriot Coal Retiree Paid Claims Data for FAS106 Study
246	Cobin Expert Materials: Patriot 2013 APBO Valuation
247	Cobin Expert Materials: Excerpt containing section on "Liability Assumption Agreements and Administrative Services Agreement"
248	Cobin Expert Materials: Patriot Coal FAS106 data 2009 Q3 spreadsheet
249	Cobin Expert Materials: Patriot Coal - 2013 Results Spreadsheet
250	Cobin Expert Materials: Cobin Dep. Ex. 4
251	Cobin Expert Materials: Society of Actuaries Long Term Healthcare Trends Resources Model, Practical Issues for Actuaries
252	Cobin Dep. Ex. 1: Two-Page Document Printout From the Society of Actuaries Website
253	Cobin Dep. Ex. 2a: Multi-Page Document, SOA Long Term Healthcare Cost Trends Resource Model v. 12.2
254	Cobin Dep. Ex. 2b: Multi-Page Document, SOA Long Term Healthcare Cost Trends Resource Model v. 12.2,

	255	Cobin Dep. Ex. 4: Retired Coal Miners' Health Benefit Funds report dated April 2002
	256	Cecil Roberts Dep. Ex. 1: UMWA Press Release dated Feb. 13, 2013
	257	Declaration of Dale Stover [ECF No. 3623-1]
	258	Stover Decl. Ex. # 2. UMWA 1974 Pension Plan Actuarial Valuation Report
	259	Stover Decl. Ex. # 3/Stover Dep. Ex. 2. UMWA Health and Retirement Funds Letter to Signatory Employers attaching Arbitration Procedures and Definitions of Default
	260	Stover Decl. Ex. # 4: Bargaining Agreements: National Bituminous Coal Wage Agreement--2011 , with Eastern, Heritage, Highland, Hobet, Mountain View, Pine Ridge, Rivers Edge agreements
	261	Stover Decl. Ex. # 5. UMWA 1993 Benefit Plan Trust Document
	262	Stover Dep. Ex. # 3: Funding Improvement Plan
	263	Stover Decl. 2012 Retiree Bonus Account, Ex. # 1: 2007 NBCWA
	264	Stover Decl. by UMWA 2012 Bonus Acct (ECF No. 3624-1)
	265	Richard M. Whiting Deposition Ex. 1: Duff & Phelps PowerPoint Opinion
	266	Whiting Dep. Ex. 2: NBCWA Individual Employer Plan Liabilities Assumption Agreement
	267	Whiting Dep. Ex. 3: Letter regarding Squaw Creek
	268	Whiting Dep. Ex. 4: Patriot Coal 2008 Annual Report, Form 10-K
	269	Whiting Dep. Ex. 5: Excerpt, Patriot Coal Form 10-K for 2010, pages 47 to 54
	270	Whiting Dep. Ex. 6: Excerpt, Patriot Coal Form 10-K for 2012, pages 62-68
	271	Whiting Dep. Ex. 7: Patriot Coal Annual Report, 2007

		Form 10-K
	272	Presentation to the Board of Directors of Peabody Energy Corporation, Solvency Analysis, Oct. 10, 2007
	273	Debtors' Fourth Section 1113 Proposal (Blackline)
	274	Debtors' Fifth Section 1114 Proposal (Blackline)
	275	Patriot Coal Five-Year Business Plan
	276	Highland Collective Bargaining Agreements
	277	Patriot Coal. Corp. 2009 Annual Report, Form 10-K
	278	Patriot Coal. Corp. 2010 Annual Report, Form 10-K
	279	Patriot Coal Corp. 2011 Annual Report, Form 10-K
	280	Patriot Coal Corp. 2012 Annual Report, Form 10-K
	281	D. Ihn email to J. Mazzotti, Mar. 20, 2013, Re: Status Update of UMWA/PwC Data Requests (with attachments)
	282	A. Rosen email to J. Mazzotti, Apr. 10, 2013, Re: Status Update of UMWA/PwC and Patriot requests (with attachments)
	283	Project Marley Operating Model, Jul. 7, 2012.
	284	A. Rosen email to J. Mazzotti, Apr. 18, 2013, Re: Fifth Section 1114 Proposal Diligence Request
	285	UMWA Plans' 1113/1114 Objection, Ex. B: Email correspondence dated March 15, 2013
	286	UMWA Plans' 1113/1114 Objection, Ex. D: J. Goodchild letter to D. Schaible dated 11/8/2012
	287	UMWA Plans' 1113/1114 Objection, Ex. E: E. Moskowitz email to F. Perillo, J. Goodchild dated December 21, 2012
	288	Traynor Dep. Ex. 1: Article: Roberts: Patriot Plan a Step Forward By Company
	289	Stover Decl. (ECF No. 2623-1) Ex. # 1. United Mine Workers Of America 1974 Pension Plan Effective December 6, 1974 Trust document

	290	UMWA's Fourth Counterproposal with summary of savings
	291	Status report on information request, dated 4/22/13
	292	4/24/13 Response to 4/22 status update request
	293	Mazzoti/Alix Partners correspondence re: status update dated 5/2/13
	Union Exh. 1	Akunuri Expert Materials: Wood Mackenzie Coal Market Service, November 2012 Forecasts
	Debtors' Exh. 1	State ex rel. Oregon Pipeline Co. v. Clatsop County, A148770 (Or. Ct. App. Oct. 24, 2012)
	Debtors' Exh. 2	State ex rel. Oregon Pipeline Co. v. Clatsop County, S060904 (Or. Mar. 28, 2012)

Dated this 18<sup>th</sup> day of June, 2013.

s/ Sara J. Geenen  
Frederick Perillo  
Yingtao Ho  
Sara Geenen  
The Previant Law Firm, s.c.  
1555 North RiverCenter Dr., Suite 202  
Milwaukee, WI 53212  
Telephone: 414-271-4500  
Facsimile: 414-271-6308  
[fp@previant.com](mailto:fp@previant.com)  
[yh@previant.com](mailto:yh@previant.com)  
[sjg@previant.com](mailto:sjg@previant.com)

Attorneys for the United Mine Workers  
of America

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

In re:

Patriot Coal Corporation, *et. al.*

Debtor(s).

Case No. 12-51502  
Chapter 11  
(Jointly Administered)

**CERTIFICATE OF SERVICE**

The foregoing Appellant's Designation of the Record on Appeal was filed this day via the Court's ECF system and served upon the Appellee and all CM/ECF participants via the electronic filing system. Copies will additionally be served via electronic mail on the following:

DAVIS POLK & WARDWELL LLP  
450 Lexington Avenue  
New York, NY 10017  
Marshall S. Huebner  
Brian M. Resnick  
[PATRIOT.ROUTING@DPW.COM](mailto:PATRIOT.ROUTING@DPW.COM)

Dated this 18<sup>th</sup> day of June, 2013.

s/ Sara Geenen