

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re:) **Chapter 11**
) **Case No. 12-51502-659**
PATRIOT COAL CORPORATION, et al.,) **(Jointly Administered)**
)
Debtors.)

**RESPONSE OF C&A CUTTERHEAD, INC. TO
CLAIM OBJECTION FILED BY DEBTOR**

Now comes C&A Cutterhead, Inc. (“C&A”), through its undersigned counsel, and for its response to the Debtors’ Fifth Omnibus Objection to Claims (Docket # 4181) and Notice of Claim Objection issued by Patriot (collectively the “Objection”) respectfully states as follows:

1. C&A timely filed its Proof of Claim, being designated as EDMO/DCG Claim # 2850-1/804 asserting an administrative expense priority claim pursuant to 11 U.S.C. § 503(b)(9) in the amount of \$2,440.00 (the “Claim”). A true copy of the Claim is attached hereto as Exhibit A.

2. By filing the Claim, C&A introduced prima facie evidence that the claim is both valid and accurate. The Debtor cannot shift the burden to prove the validity of the Claim without providing evidence showing that the Claim is not accurate. Unless the Debtor successfully shifts the burden to C&A and C&A fails to satisfy the burden, the C&A Claim must prevail. *In re Nejedlo*, 324 B.R. 697, 699 (Bankr. E.D. Wis. 2005).

3. On February 27, 2013, the Debtor filed a Report (the “Report”) stating that the Claim had been paid as its sole ground for disallowance of the Claim. Pursuant to its Response

to the Report (Docket # 3315) filed on March 19, 2013, C&A confirmed that it had not received payment upon the Claim or otherwise for amounts asserted in the Claim.

4. The sole grounds cited in the Objection are that the priorities asserted in the Claim are inconsistent, in whole or in part, with the nature of the parties' obligations and requirements for secured or priority status. The Objection seeks to reduce the 503(b)(9) administrative expense priority portion of the Claim to \$1,610.00 and allow the remaining balance (\$830.00) as a general unsecured claim. No grounds exist to support the Objection and/or the relief sought by the Debtor.

WHEREFORE, C&A Cutterhead Company respectfully requests that the Court overrule the Objection, that the Claim be deemed allowed in full as entitled to administrative expense priority pursuant to 11 U.S.C. § 503(b)(9) together with such other and further relief as is proper and just.

Respectfully submitted,

JENKINS & KLING, P.C.

By: /s/ Peter D. Kerth
Peter D. Kerth # 31682 MO
150 North Meramee Avenue, Suite 400
St. Louis, MO 63105
(314) 721-2525
(314) 721-5525 (facsimile)
pkerth@jenkinsklings.com

Attorneys for CNA Cutter, LLC

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the above and foregoing was served via electronic filing in the CM/ECF system of the U.S. Bankruptcy Court, Eastern District of Missouri upon all parties to this case requesting service by electronic filing and via facsimile transmission and United States Mail, postage prepaid, on the following parties on the 15th day of July, 2013.

Debtors:

Patriot Coal Corporation
12312 Olive Boulevard, Suite 400
St. Louis, Missouri 63141
Facsimile: (314) 275-3626

Debtor's Notice and Claims Agent:

Patriot Coal Corporation
c/o GCG, Inc.
PO Box 9898
Dublin, Ohio 43017
Facsimile: (855) 687-2627

Counsel to the Debtors:

Attn: Michelle M. McGreal, Esq.
 Brian M. Resnick, Esq.
Davis Polk & Wardwell, LLP
450 Lexington Avenue
New York, New York 10017
Facsimile: (212) 607-7983

Attn: Lloyd A. Palans, Esq.
 Brian C. Walsh, Esq.
Bryan Cave LLP
211 North Broadway, Suite 3600
St. Louis, Missouri 63102
Facsimile: (314) 259-2020

Counsel to the Committee:

Attn: Thomas Moers Mayer
Adam C. Rogoff, Esq.
Gregory G. Plotko, Esq.
Kramer Levin Naftalis & Fankel LLP
1177 Avenue of the Americas
New York, New York 10036
Facsimile: (212) 715-8000

Attn: Gregory D. Willard, Esq.
Angela L. Schisler, Esq.
Carmody MacDonald PC
120 South Central Avenue
St. Louis, Missouri 63105-1705
Facsimile: (314) 854-8660

United States Trustee:

Office of the United States Trustee
111 South Tenth Street
Suite 6353
St. Louis, Missouri 63102
Facsimile: (314) 539-2990

/s/ Peter D. Kerth

Peter D. Kerth
150 N. Meramec Avenue, Suite 400
St. Louis. MO 63105

01039200
 PCX0216236184
 Modified B 10 (GCG) (12-11)

12-51502 Claim 2850-1 Filed 07/15/13 Main Document Pg 1 of 12

UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

You may only check one Debtor box. If you have a claim against multiple Debtors listed below you must complete a separate proof of claim form for each such Debtor.

Name of Debtor:	Case No.	Name of Debtor:	Case No.	Name of Debtor:	Case No.
<input type="checkbox"/> Affinity Mining Company	12-12902	<input type="checkbox"/> Eastern Royalty, LLC	12-12936	<input type="checkbox"/> Patriot Coal Sales LLC	12-12969
<input type="checkbox"/> Apogee Coal Company, LLC	12-12903	<input type="checkbox"/> Emerald Processing, L.L.C.	12-12937	<input type="checkbox"/> Patriot Coal Services LLC	12-12970
<input type="checkbox"/> Appalachia Mine Services, LLC	12-12904	<input type="checkbox"/> Gateway Eagle Coal Company, LLC	12-12938	<input type="checkbox"/> Patriot Leasing Company LLC	12-12971
<input type="checkbox"/> Beaver Dam Coal Company, LLC	12-12905	<input type="checkbox"/> Grand Eagle Mining, LLC	12-12939	<input type="checkbox"/> Patriot Midwest Holdings, LLC	12-12972
<input type="checkbox"/> Big Eagle, LLC	12-12906	<input type="checkbox"/> Heritage Coal Company LLC	12-12940	<input type="checkbox"/> Patriot Reserve Holdings, LLC	12-12973
<input type="checkbox"/> Big Eagle Rail, LLC	12-12907	<input type="checkbox"/> Highland Mining Company, LLC	12-12941	<input type="checkbox"/> Patriot Trading LLC	12-12974
<input type="checkbox"/> Black Stallion Coal Company, LLC	12-12908	<input type="checkbox"/> Hillside Mining Company	12-12942	<input type="checkbox"/> PCX Enterprises, Inc.	12-12899
<input type="checkbox"/> Black Walnut Coal Company	12-12909	<input type="checkbox"/> Hobet Mining, LLC	12-12943	<input type="checkbox"/> Pine Ridge Coal Company, LLC	12-12975
<input type="checkbox"/> Bluegrass Mine Services, LLC	12-12910	<input type="checkbox"/> Indian Hill Company LLC	12-12944	<input type="checkbox"/> Pond Creek Land Resources, LLC	12-12976
<input type="checkbox"/> Brook Trout Coal, LLC	12-12911	<input type="checkbox"/> Infinity Coal Sales, LLC	12-12945	<input type="checkbox"/> Pond Fork Processing LLC	12-12977
<input type="checkbox"/> Catenary Coal Company, LLC	12-12913	<input type="checkbox"/> Interior Holdings, LLC	12-12946	<input type="checkbox"/> Remington Holdings LLC	12-12978
<input type="checkbox"/> Central States Coal Reserves of Kentucky, LLC	12-12914	<input type="checkbox"/> IO Coal LLC	12-12947	<input type="checkbox"/> Remington II LLC	12-12979
<input type="checkbox"/> Charles Coal Company, LLC	12-12916	<input type="checkbox"/> Jarrell's Branch Coal Company	12-12948	<input type="checkbox"/> Remington LLC	12-12980
<input type="checkbox"/> Cleaton Coal Company	12-12917	<input type="checkbox"/> Jupiter Holdings LLC	12-12949	<input type="checkbox"/> Rivers Edge Mining, Inc.	12-12981
<input type="checkbox"/> Coal Clean LLC	12-12918	<input type="checkbox"/> Kanawha Eagle Coal, LLC	12-12950	<input type="checkbox"/> Robin Land Company, LLC	12-12982
<input type="checkbox"/> Coal Properties, LLC	12-12919	<input type="checkbox"/> Kanawha River Ventures I, LLC	12-12951	<input type="checkbox"/> Sentry Mining, LLC	12-12983
<input type="checkbox"/> Coal Reserve Holding Limited Liability Company No. 2	12-12920	<input type="checkbox"/> Kanawha River Ventures II, LLC	12-12952	<input type="checkbox"/> Snowberry Land Company	12-12984
<input type="checkbox"/> Colony Bay Coal Company	12-12921	<input type="checkbox"/> Kanawha River Ventures III, LLC	12-12953	<input type="checkbox"/> Speed Mining LLC	12-12985
<input type="checkbox"/> Cook Mountain Coal Company, LLC	12-12922	<input type="checkbox"/> KE Ventures, LLC	12-12954	<input type="checkbox"/> Sterling Smokeless Coal Company, LLC	12-12986
<input type="checkbox"/> Corydon Resources LLC	12-12923	<input type="checkbox"/> Little Creek LLC	12-12955	<input type="checkbox"/> TC Sales Company, LLC	12-12987
<input type="checkbox"/> Coventry Mining Services, LLC	12-12924	<input type="checkbox"/> Logan Fork Coal Company	12-12956	<input type="checkbox"/> The Presidents Energy Company LLC	12-12988
<input type="checkbox"/> Coyote Coal Company LLC	12-12925	<input type="checkbox"/> Magnum Coal Company LLC	12-12957	<input type="checkbox"/> Thunderhill Coal LLC	12-12989
<input type="checkbox"/> Cub Branch Coal Company LLC	12-12926	<input type="checkbox"/> Magnum Coal Sales LLC	12-12958	<input type="checkbox"/> Trout Coal Holdings, LLC	12-12990
<input type="checkbox"/> Dakota LLC	12-12927	<input type="checkbox"/> Martinka Coal Company, LLC	12-12959	<input type="checkbox"/> Union County Holdings, LLC	12-12991
<input type="checkbox"/> Day LLC	12-12928	<input type="checkbox"/> Midland Trail Energy LLC	12-12960	<input type="checkbox"/> Union County Coal Co., LLC	12-12991
<input type="checkbox"/> Dixon Mining Company, LLC	12-12929	<input type="checkbox"/> Midwest Coal Resources II, LLC	12-12961	<input type="checkbox"/> Viper LLC	12-12992
<input type="checkbox"/> Dodge Hill Holding JV, LLC	12-12930	<input type="checkbox"/> Mountain View Coal Company, LLC	12-12962	<input type="checkbox"/> Weatherby Processing LLC	12-12993
<input type="checkbox"/> Dodge Hill Mining Company, LLC	12-12931	<input type="checkbox"/> New Trout Coal Holdings II, LLC	12-12963	<input type="checkbox"/> Wildcat Energy LLC	12-12994
<input type="checkbox"/> Dodge Hill of Kentucky, LLC	12-12932	<input type="checkbox"/> Newtown Energy, Inc.	12-12964	<input type="checkbox"/> Wildcat, LLC	12-12995
<input type="checkbox"/> EACC Camps, Inc.	12-12933	<input type="checkbox"/> North Page Coal Corp.	12-12965	<input type="checkbox"/> Will Scarlet Properties LLC	12-12996
<input type="checkbox"/> Eastern Associated Coal, LLC	12-12934	<input type="checkbox"/> Ohio County Coal Company, LLC	12-12966	<input type="checkbox"/> Winchester LLC	12-12997
<input type="checkbox"/> Eastern Coal Company, LLC	12-12935	<input checked="" type="checkbox"/> Panther LLC	12-12967	<input type="checkbox"/> Winifrede Dock Limited Liability Company	12-12998
		<input type="checkbox"/> Patriot Beaver Dam Holdings, LLC	12-12898	<input type="checkbox"/> Yankeetown Dock, LLC	12-12999
		<input type="checkbox"/> Patriot Coal Company, L.P.	12-12968		
		<input type="checkbox"/> Patriot Coal Corporation	12-12900		

NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.

PROOF OF CLAIM

Name of Creditor (the person or other entity to whom the Debtor owes money or property): C & A CUTTER HEAD, INC. Check this box to indicate that this claim amends a previously filed claim.

Name and address where notices should be sent:
 C & A CUTTER HEAD, INC.
 PO BOX 5207
 CHILHOWIE, VA 24319

Court Claim Number:

 (If known)

Telephone number: 276 646 5548
 E-mail: pcampbell@longwall.com

Original Claim Filed on: _____

Name and address where payment should be sent (if different from above):
 FILED - 0804
 U.S. BANKRUPTCY COURT - SOUTHERN DISTRICT OF NEW YORK
 PATRIOT COAL CORPORATION
 12-12900 (GCG)

Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.

Your Claim Is Scheduled As Follows:



If an amount is identified above, you have a claim scheduled by the Debtor as shown. (This scheduled amount of your claim may be an amendment to a previously scheduled amount.) If you agree with the amount and priority of your claim as scheduled by the Debtor and you have no other claim against the Debtor, you do not need to file this proof of claim form, EXCEPT AS FOLLOWS: If the amount shown is listed as DISPUTED, UNLIQUIDATED, or CONTINGENT, a proof of claim MUST be filed in order to receive any distribution in respect of your claim. If you have already filed a proof of claim in accordance with the attached instructions, you need not file again.

1. Amount of Claim as of Date Case Filed (July 9, 2012): \$ 2440.00
 (See instruction #1)

If all or part of the claim is secured, complete item 4.
 If all or part of the claim is entitled to priority, complete item 5.
 Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.

2. Basis for Claim: Goods Sold

3. Last four digits of any number by which creditor identifies Debtor: _____
 (See instruction #3)

3a. Debtor may have scheduled account as: _____
 (See instruction #3a)

3b. Uniform Claim Identifier (optional): _____
 (See instruction #3b)

4. **Secured Claim (See instruction #4)**
 Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.

Nature of property or right of setoff: Real Estate Equipment Other
 Describe: _____
 Value of Property: \$ _____
 Annual Interest Rate _____% Fixed or Variable
 (when case was filed)

Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ _____
 Basis for perfection: _____
 Amount of Secured Claim: \$ _____
 Amount Unsecured: \$ _____

5. **Amount of Claim Entitled to Priority under 11 U.S.C. § 507 (a).** If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount. (See instruction #5)

Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B).
 Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507 (a)(7).
 Wages, salaries, or commissions (up to \$11,725*) earned within 180 days before the case was filed or the Debtor's business ceased, whichever is earlier - 11 U.S.C. § 507 (a)(4).
 Taxes or penalties owed to governmental units - 11 U.S.C. § 507 (a)(8).
 Contributions to an employee benefit plan - 11 U.S.C. § 507 (a)(5).
 Other - Specify applicable paragraph of 11 U.S.C. § 507 (a)().

Amount entitled to priority: \$ _____

*Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.

6. **Claim Pursuant to 11 U.S.C. § 503 (b)(9).** (See instruction #6) Indicate the amount of your claim arising from the value of any goods received by the Debtor within 20 days before July 9, 2012, the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of the Debtor's business. Attach documentation supporting such claim. \$ 2,440.00

7. **Credits.** The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #7)

8. **Documents:** Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. If the claim is secured, box 4 has been completed, and redacted copies of documents providing evidence of perfection of a security interest are attached. (See instruction #8, and the definition of "redacted".)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain: _____

9. **Signature:** (See instruction #9)
 Check the appropriate box.

I am the creditor I am the creditor's authorized agent. (Attach copy of power of attorney, if any.) I am the trustee, or the Debtor, or its authorized agent. (See Bankruptcy Rule 3004.) I am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name: Paul Campbell
 Title: Manager
 Company: C & A Cutter Head, Inc
 Address and telephone number (if different from notice address above): _____
 Signature: Paul Campbell (Date) 11/19/12

Telephone number: _____ e-mail: _____

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

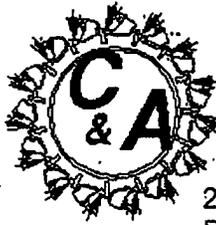
INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the Debtor, exceptions to these general rules may apply. The attorneys for the Debtor and its Court-appointed claims agent, GCG, Inc. ("GCG"), are not authorized to provide you, and are not providing you, with any legal advice.

PLEASE SEND YOUR ORIGINAL, COMPLETED CLAIM FORM AS FOLLOWS: IF BY FIRST CLASS MAIL: Patriot Coal Claims Processing Center, c/o GCG, P.O. Box 9898, Dublin, Ohio 43017-5798. IF BY HAND DELIVERY OR OVERNIGHT MAIL: Patriot Coal Claims Processing Center, c/o GCG, 5151 Blazer Parkway, Suite A, Dublin, Ohio 43017. ANY PROOF OF CLAIM SUBMITTED BY FACSIMILE OR EMAIL WILL NOT BE ACCEPTED.

THE GENERAL BAR DATE IS DECEMBER 14, 2012 AT 5:00 P.M. (PREVAILING EASTERN TIME) AND
 THE GOVERNMENTAL BAR DATE IS JANUARY 21, 2013 AT 5:00 P.M. (PREVAILING EASTERN TIME)

12-51502 Claim 2850-1 Filed 02/27/13 Main Document Pg 3 of 12



CUTTER HEAD INC

212 Kendall Avenue
 P O Box 5207
 Chilhowie, VA--24319
 Phone: (276) 646-5548 Fax: (276) 646-8039

INVOICE

Invoice Number: 4786
 Invoice Date: 06/29/12
 Page: 1

B PANTHER LLC
I SUBSIDIARY OF
L PATRIOT COAL CORP
L P.O. BOX 66823
L ST. LOUIS, MO 63166-6823
 USA

S PANTHER LLC
H SPEED MINE
I 200 REMINGTON COAL LANE
P COAL FORK HOLLOW
 CABIN CREEK, WV 25035
 USA

Sales Ord No: 51049	Taxable: N	Purchase Order: 605097-2210-0007
Order Date: 06/14/12	Pmt Terms: NET 30	Ship Via: J&S DELIVERY
Account Cd: PATRIOT	Shipper No: 926	FOB: CHILHOWIE, VA
Salesperson: 0	Ship Date: 06/29/12	Job Number: 51049

Line	Qty Shipped	Backord	Part Number	Description	Discount	Price	UM	Ext Price
1	20.00	0.00	SC4X8	SA1750 CR 4"X8"X3/4" 1 LAYER SAS GLOBAL	0.00	\$40.0000	EA	\$800.00

Subtotal: \$800.00
 Freight: \$705.00
 Total: \$1,505.00

12-51502 Claim 2850-1 Filed 02/27/13 Main Document Pg 5 of 12
 PRINT DATE: 06/14/12 08:51 PURCHASE ORDER ORDER DATE: 06/14/12

INVOICE TO:

SHIP TO:

PANTHER LLC A SUBSIDIARY OF PATRIOT COAL CORPORATION P.O. BOX 66823 ST. LOUIS MO 63166-6823 PHONE: (314) 275-3600	PANTHER LLC SPEED MINE 200 REMINGTON COAL LANE COAL FORK HOLLOW CABIN CREEK WV 25035 ATTN: COAL FORK WAREHOUSE PHONE: (304) 380-0394	PURCHASE ORDER NUMBER PO: 605097-2210-0007 <small>THIS NUMBER MUST APPEAR ON ALL INVOICES, SHIPPING NOTICES, BILLS OF LADING, PACKING SLIPS, PACKAGES AND CORRESPONDENCE.</small>
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VENDOR ADDRESS:

C & A CUTTER HEAD, INC.
 PO BOX 5207
 CHILHOWIE VA 24319
 FAX: 1-276-646-3999

TERMS: MUTUALLY DEFINED
 INVOICE DATE
 NET IN 30 DAYS
 FRT CHARGES: PREPAID BUT CHARGED TO
 FOB:
SHIP VIA.....
 TRANS METHOD: SUPPLIER TRUCK

LINE NO.	UNIT	QUANTITY ORDERED	DESCRIPTION	UNIT PRICE
LN 1	EA	20	SERVICE *66748 SERVICE OFFSITE FABRICATION 4"X6"X3/4" PLATE HARD FACE 1-LAYER REQUIRED: NEXT SCHEDULED DELIVERY *** END OF PURCHASE ORDER ***	

-SC
SA1750CR 3x4 x 3/4
SA1750CR 4x6 x 3/4

3x4 x 3/4 = 15 P/N SC3x4

PAGE 1 OF 1

*SEND ORIGINAL INVOICE SHOWING OUR PURCHASE ORDER NUMBER WITH ORIGINAL BILL OF LADING OR SHIPPING RECEIPT AND COPY OF PREPAID FREIGHT BILL. *THIS PURCHASE ORDER IS SUBJECT TO TERMS AND CONDITIONS SET FORTH ON www.patriotcoal.com/index.php?view=purchase-orders&p=2&s=66 WHICH MAY CHANGE WITHOUT NOTICE TO SELLER AND WILL BE MODIFIED FROM TIME TO TIME.	TOTAL AMOUNT
--	--------------

PLEASE DIRECT QUESTIONS TO THE PURCHASING CONTACT LISTED BELOW

NAME	TELEPHONE	FAX NUMBER
------	-----------	------------

FROM: HOWARD MCCORMICK (304) 380-0394 (304) 595-1750



12-51502 Claim 2850-1 Filed 02/27/13 Main **PACKING LIST**

CUTTER HEAD INC.

212 KENDALL AVENUE
 PO BOX 5207
 CHILHOWIE, VA 24319-5207
 PHONE: (276) 646-5548 FAX: (276) 646-3999

Shipper No: 926
 Ship Date: 06/29/12
 Page: 1

B PANTHER LLC
I SUBSIDIARY OF
L PATRIOT COAL CORP
L P.O. BOX 66823
 ST. LOUIS, MO 63166-6823
 USA

S PANTHER LLC
H SPEED MINE
I 200 REMINGTON COAL LANE
P COAL FORK HOLLOW
 CABIN CREEK, WV 25035
 USA

Sales Order No: 51049
 Order Date: 06/14/12
 Cust Code: PATRIOT
 Job Number: 51049

Purchase Order: 605097-2210-0007
 Ship Via: J&S DELIVERY
 FOB: CHILHOWIE, VA
 Salesperson: 0

Line	Part Number	Description	Bin Loc	Qty Orig Ordered	Qty Ship To Date	Qty on Backorder	Qty This Shipment	Qty Act Shipped
1	SC4X ⁶	SA1750 CR 4" ⁶ X8" ⁶ X3/4" 1 LAYER	CH3-1	20.00	0.00	0.00	20.00	<u>20</u>

Ray L. Allen

Total Weight:	Freight: J+S	Date Filled: 6-29-12
Total Cubic Ft:	Insurance:	Filled By: AC

12-51502 Claim 2850-1 Filed 02/27/13 Main Document Pg 7 of 12



CUTTER HEAD INC.

212 KENDALL AVENUE
 PO BOX 5207
 CHILHOWIE, VA 24319-5207
 PHONE: (276) 646-5548 FAX: (276) 646-3999

INVOICE

Invoice Number: 4787
 Invoice Date: 06/28/12
 Page: 1

B PANTHER LLC
I SUBSIDIARY OF
L PATRIOT COAL CORP
L P.O. BOX 66823
L ST. LOUIS, MO 63166-6823
 USA

S PANTHER LLC
H SPEED MINE
I 200 REMINGTON COAL LANE
P COAL FORK HOLLOW
 CABIN CREEK, WV 25035
 USA

Sales Ord No: 51054	Taxable: N	Purchase Order: 570722-2210-0023
Order Date: 06/28/12	Pmt Terms: NET 30	Ship Via: FEDEX FREIGHT
Account Cd: PATRIOT	Shipper No: 934	FOB: CHILHOWIE, VA
Salesperson: 0	Ship Date: 06/28/12	Job Number: 51054

Line	Qty Shipped	Backord	Part Number	Description	Discount	Price	UM	Ext Price
1	6.00	0.00	BLCA-200	BLOCK,CA-200	0.00	\$135.0000	EA	\$810.00

Subtotal:	\$810.00
Freight:	\$125.00
Total:	\$935.00

12-51502 Claim 2850-1 Filed 02/27/13 Main Document Pg 8 of 12
 PRINT DATE: 06/20/12 06:36 PURCHASE ORDER ORDER DATE: 06/20/12

INVOICE TO:

SHIP TO:

PANTHER LLC
 A SUBSIDIARY OF
 PATRIOT COAL CORPORATION
 P.O. BOX 66823
 ST. LOUIS MO
 63166-6823
 PHONE: (314) 275-3600

PANTHER LLC
 SPEED MINE
 200 REMINGTON COAL LANE
 COAL FORK HOLLOW
 CABIN CREEK WV 25035
 ATTN: COAL FORK WAREHOUSE
 PHONE: (304) 380-0394

PURCHASE ORDER NUMBER
 PO: 570722-2210-0023
THIS NUMBER MUST APPEAR ON ALL INVOICES, SHIPPING NOTICES,
 BILLS OF LADING, PACKING SLIPS, PACKAGES AND CORRESPONDENCE.

VENDOR ADDRESS:

C & A CUTTER HEAD, INC.
 PO BOX 5207
 CHILHOWIE VA 24319
 FAX: 1-276-646-3999

TERMS: MUTUALLY DEFINED
 INVOICE DATE
 NET IN 30 DAYS
 FRT CHARGES: SERVICE FREIGHT, NO CHARGE
 FOB:
SHIP VIA.....
 TRANS METHOD: SUPPLIER TRUCK

LINE NO.	UNIT	QUANTITY ORDERED	DESCRIPTION	UNIT PRICE
LN 1	EA	6	CA CUT CA200 HOLDER BIT REQUIRED: NEXT SCHEDULED DELIVERY *** END OF PURCHASE ORDER ***	135.00

PAGE 1 OF 1

*SEND ORIGINAL INVOICE SHOWING OUR PURCHASE ORDER NUMBER WITH ORIGINAL BILL OF LADING OR SHIPPING RECEIPT AND COPY OF PREPAID FREIGHT BILL. *THIS PURCHASE ORDER IS SUBJECT TO TERMS AND CONDITIONS SET FORTH ON www.patriotcoal.com/index.php?view=purchase-orders&p=2&s=66 WHICH MAY CHANGE WITHOUT NOTICE TO SELLER AND WILL BE MODIFIED FROM TIME TO TIME.	TOTAL AMOUNT
	810.00

PLEASE DIRECT QUESTIONS TO THE PURCHASING CONTACT LISTED BELOW

NAME	TELEPHONE	FAX NUMBER
------	-----------	------------

FROM: HOWARD MCCORMICK

(304) 380-0394

(304) 595-1750

51054



12-51502 Claim 2850-1 Filed 02/27/13 Main Document Pg 9 of 12

002743

STRAIGHT BILL OF LADING
 ORIGINAL - NOT NEGOTIABLE

Shipper No. _____

Carrier No. _____

Date **6-28-12**

FedEx

(Name of Carrier)

(SCAC)

TO: Consignee Panther Speed Mine	FROM: Shipper C & A CUTTER HEAD, INC.
Street 200 Remington Coal Lane	Street 212 Kendall Ave. - P.O. Box 5207 (276) 646-5548
Destination Coal Fork Hollow Zip Code 25035	Origin Chilhowie, VA Zip Code 24319
Vehicle Number Cabin Creek, WV	U.S. DOT Hazmat Reg. Number _____

No Shipping Units	HM	Kind of Packaging, Description of Articles, Special Marks and Exceptions	Weight (Subject to Correction)	RATE	CHARGES
1		pallet w/ (6) CA-200 Blocks	130 [#]	50	

Driver signature acknowledges receipt of freight only. Terms & Conditions of the Carrier's Tariffs apply.

203558727-1



ARRIVE

DEPART

REMIT C.O.D. TO: ADDRESS	COD Amt: \$	C.O.D. FEE: PREPAID <input type="checkbox"/> \$ COLLECT <input type="checkbox"/> \$
Note - Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding \$ _____ per _____	Subject to Section 7 of the conditions, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement: The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges. (Signature of Consignor)	TOTAL CHARGES: \$ FREIGHT CHARGES: PREPAID <input type="checkbox"/> Check box if charges are to be collected

RECEIVED, subject to the classifications and lawfully filed tariffs in effect on the date of the issue of this Bill of Lading, the property described above in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated above which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery or said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed as to each carrier of all or any of said property over all or any portion of said route to destination and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the bill of lading terms and conditions in the governing classification on the date of shipment.
Shipper hereby certifies that he is familiar with all the bill of lading terms and conditions in the governing classification and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

SHIPPER C & A CUTTER HEAD, INC.	CARRIER EXFE
PER Art Cj 6-28-12	PER KLETRON 1763211
EMERGENCY RESPONSE TELEPHONE NUMBER	DATE DSK 06/28/12 X3903

Monitored at all times the Hazardous Material is in transportation including storage incidental to transportation (§172.604)
 BLCC-602-3 PRINTED IN U.S.A.
 * Mark with an "X" to designate Hazardous Material as defined in the Department of Transportation Regulations governing the transportation of hazardous materials. The use of this column is an optional method for identifying hazardous materials. See 49 CFR Part 172, Subpart I, Section 172.101 for details. Also, when shipping hazardous materials, the Department's Classification Requirements Manual and the Department's Hazardous Materials Regulations must be indicated on the bill of lading unless a specific exemption from such requirements is provided in the Regulations.

Total Weight: 130[#]	Freight: FedEx	Date Filled: 6-28-12
Total Cubic Ft:	Insurance:	Filled By: AC



DELIVERY RECEIPT



Freight Bill 2035587271 R0

2200 FORWARD DRIVE
 HARRISON, AR 72601

fedex.com 1.866.393.4585

Ship Date 06/28/2012	Bill of Lading
P.O.	Shipper Reference
Origin KPT	Destination CRW

Consignee PANTHER LLC 200 REMINGTON COAL LANE SPEED MINE CABIN CREEK WV 25035 US	Trailer # X1697	Shipper C & A CUTTER HEAD 212 KENDALL AVE CHILHOWIE VA 24319 US
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FedEx Freight Priority

DRIVER COPY

PIECES	HT	WT	DESCRIPTION	WT(LBS)	NMFC	PCF CLASS	RATE	TOTAL CHARGES
1			FABRICATED METAL PARTS FUEL SURCHG LTL SHPT22.00% DISC AMT/MIN CHG FLR APPL	130		050		

** ANY ADDITIONAL SERVICES MAY RESULT IN ADDITIONAL CHARGES **

1 1 PREPAID - WILL INVOICE SHIPPER 130

ACCESSORIAL SERVICES PERFORMED:
 INSIDE DELIVERY SORT & SEGREGATE DETENTION
 RESIDENTIAL-LIMITED ACCESS LIFT GATE OTHERS

WILL INVOICE RESPONSIBLE PARTY

Delv. Driver & #: *Chris Taylor #31090*

Date: *6-29-12* Arrive: *346* Depart: *356*

Customer Requirements/Appointment Instruction

of Skids: *1* # of Pcs: OS&D #:

Shipment received in apparent good order with wrap intact unless otherwise noted.

Received by: *[Signature]* *6-29-12*

Over Damage Short Wrap Broken Exceptions:

J. Selby

FIRST CLASS

C&A Cutter Head Inc
P.O. Box 5207
Chilhowie, VA 24319

Patriot Coal Claims Processing Center
c/o GCG, Inc.
P.O. Box 9898
Dublin, OH 43017-5798

