

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

In re:

PATRIOT COAL CORPORATION, *et al.*,

Debtors.

Chapter 11

Case No. 12-51502-659

(Jointly Administered)

Hearing Date: August 20, 2013

Hearing Time: 10:00 a.m. Central

Location: Courtroom 7-N, St. Louis

DEBTORS' TENTH OMNIBUS OBJECTION TO CLAIMS
(No Liability Claims)

Patriot Coal Corporation and its affiliated debtors (the "Debtors"), pursuant to 11 U.S.C. § 502 and Fed. R. Bankr. P. 3007, respectfully file this Tenth Omnibus Objection to Claims (the "Objection"). In support of this Objection, the Debtors show the Court as follows:

Relief Requested

1. By this Objection, the Debtors object to certain claims listed on Exhibit A attached hereto (the "Claims") because the Debtors do not have any liability to the creditors on account of the Claims. The Debtors request entry of an order, pursuant to Section 502 of the Bankruptcy Code and Fed. R. Bankr. P. 3007, disallowing the Claims.

2. **Parties receiving this Objection should locate their names on Exhibit A.** Any response to this Objection should include, among other things, (i) an appropriate caption, including the title and date of this Objection; (ii) the name of the claimant, both the EDMO and GCG claim numbers of the claim that the Debtors are seeking to disallow, and a description of the basis for the amount claimed; (iii) a concise statement setting forth the reasons why the Court should not sustain this Objection, including, but not limited to, the specific factual and legal

bases upon which the claimant relies in opposing this Objection; (iv) copies of any documentation and other evidence which the claimant will rely upon in opposing this Objection at a hearing; and (v) the name, address, telephone number and facsimile number of a person authorized to reconcile, settle or otherwise resolve the claim on the claimant's behalf. A claimant that cannot timely provide such documentation and other evidence should provide a detailed explanation as to why it is not possible to timely provide such documentation and other evidence.

Jurisdiction

3. This Court has jurisdiction over this Objection under 28 U.S.C. § 1334. Venue of this proceeding is proper pursuant to 28 U.S.C. § 1409. This is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).

4. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

Background

5. The Debtors filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code on July 9, 2012 (the "Petition Date") in the United States Bankruptcy Court for the Southern District of New York.

6. On December 19, 2012, the Debtors' cases were transferred to the United States Bankruptcy Court for the Eastern District of Missouri [Dkt. No. 1789].

7. The bar date for filing proofs of claim was December 14, 2012 [Dkt. No. 1388].

8. On March 1, 2013, the Court entered its Order Establishing Procedures for Claims Objections [Dkt. No. 3021].

Objection and Argument

9. The Debtors object to each of the Claims because the Debtors' books and records reflect that the Debtors were not liable to the applicable creditor on account of its asserted Claim as of the Petition Date.

10. Exhibit A identifies each of the Claims. The Debtors have reviewed each of the Claims and have determined that, for the reasons described in further detail on Exhibit A, the Debtors do not have any liability to the creditor on account of the Claim. *See* Declaration of Robert L. Mead, attached hereto as Exhibit B.

11. The Debtors thus request that the Court disallow each of the Claims.

WHEREFORE, the Debtors respectfully request that this Court:

- (a) disallow each of the Claims; and
- (b) grant such other and further relief as is just and proper.

Dated: July 19, 2013
St. Louis, Missouri

Respectfully submitted,
BRYAN CAVE LLP

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-and-

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Exhibit - A - No Liability Claims

Omnibus Objection to Claims

**Patriot Coal Corporation
12-51502 (KSS)**

Note: Claims on the exhibit are sorted in alphabetical order based on the creditor name as listed on proof of claim form.

SEQ NO.	CLAIM(S) TO BE DISALLOWED				
	NAME	GCG CLAIM NO.	ED MO CLAIM NO.	CLAIM AMOUNT	COMMENTS
1	CLARENCE R. PETERS 281 CABELL DRIVE MADISON, WV 25130 Date Filed: 12/14/12 ED MO Date Filed: 02/25/13 Debtor: MIDLAND TRAIL ENERGY LLC	3215	1288-1	Priority: Unliquidated	The termination of annual mine-level incentive payments for 2012 does not generate bankruptcy claims. This is a discretionary program, and Patriot elected to not make payments to employees.
2	COLEMAN D. CARTER JR 1340 DYLAN CIRCLE HENDERSON, KY 42420 Date Filed: 12/11/12 ED MO Date Filed: 02/27/13 Debtor: HERITAGE COAL COMPANY LLC	1551	3255-1	Unsecured: Unliquidated	The termination of annual mine-level incentive payments for 2012 does not generate bankruptcy claims. This is a discretionary program, and Patriot elected to not make payments to employees.
3	DARRIN R. BROWNING PO BOX 426 14600 HOPKINSVILLE ROAD NORTONVILLE, KY 42442 Date Filed: 12/13/12 ED MO Date Filed: 02/27/13 Debtor: HIGHLAND MINING COMPANY, LLC	2166	3266-1	Unsecured: Unliquidated	The termination of annual mine-level incentive payments for 2012 does not generate bankruptcy claims. This is a discretionary program, and Patriot elected to not make payments to employees.
4	JAMES M. FAUNDA 3027 MEADOWLAND DRIVE MORGANTOWN, WV 26508 Date Filed: 11/26/12 ED MO Date Filed: 02/27/13 Debtor: EASTERN ASSOCIATED COAL, LLC	794	3268-1	Unsecured: Unliquidated	The termination of annual mine-level incentive payments for 2012 does not generate bankruptcy claims. This is a discretionary program, and Patriot elected to not make payments to employees.
5	JAMES E. SERGENT 25685 NORTH US HWY 119 CUMBERLAND, KY 40823 Date Filed: 12/08/12 ED MO Date Filed: 02/25/13 Debtor: PATRIOT COAL CORPORATION	1307	1259-1	Priority: \$95,957.22*	Retirement benefit is the responsibility of Arch Coal.
6	JASON AND ANDREA O'NEAL THE CALWELL PRACTICE ATTN DAVID CARRIGER 500 RANDOLPH ST CHARLESTON, WV 25302 Date Filed: 12/13/12 ED MO Date Filed: 02/27/13 Debtor: SPEED MINING, LLC	2248	3000-1	Unsecured: Unliquidated	The Debtors have satisfied their deductible on this creditor's workers' compensation claim, and his remaining recourse is solely against the Debtors' insurance carrier.
7	LOWELL WATSON 315 B D LUCK RD SEBREE, KY 42455 Date Filed: 12/11/12 ED MO Date Filed: 02/27/13 Debtor: OHIO COUNTY COAL COMPANY, LLC	2657	1696-1	Unsecured: \$5,000.00	This obligation was assigned to Dyson Creek Coal Co., a non-debtor. The Debtors have no remaining liability for this claim.
8	LOWELL WATSON 315 BD LUCK RD SEBREE, KY 42455 Date Filed: 12/14/12 ED MO Date Filed: 02/27/13 Debtor: OHIO COUNTY COAL COMPANY, LLC	3087	2015-1	Unsecured: \$5,000.00	This obligation was assigned to Dyson Creek Coal Co., a non-debtor. The Debtors have no remaining liability for this claim.
9	NANCY SMITH 1767 FIELDS CREEK RD WINIFREDE, WV 25214 Date Filed: 04/24/13 ED MO Date Filed: 04/12/13 Debtor: PATRIOT COAL CORPORATION	4022	3958-1	Unsecured: \$83,472.00	Claim resolved as part of settlement with Retiree Committee. Eligible for Non-Union VEBA.

Exhibit - A - No Liability Claims

Omnibus Objection to Claims

**Patriot Coal Corporation
 12-51502 (KSS)**

Note: Claims on the exhibit are sorted in alphabetical order based on the creditor name as listed on proof of claim form.

SEQ NO.	CLAIM(S) TO BE DISALLOWED				
	NAME	GCG CLAIM NO.	ED MO CLAIM NO.	CLAIM AMOUNT	COMMENTS
10	STEVE A. BOLEN 114 SUNSHINE CIRCLE BECKLEY, WV 25801 Date Filed: 12/13/12 ED MO Date Filed: 02/27/13 Debtor: MIDLAND TRAIL ENERGY LLC	2219	3265-1	Unsecured: Unliquidated	The termination of annual mine-level incentive payments for 2012 does not generate bankruptcy claims. This is a discretionary program, and Patriot elected to not make payments to employees.
11	WILLIAM W. EVANS JR 356 WELLS ROAD NORTONVILLE, KY 42442 Date Filed: 12/12/12 ED MO Date Filed: 02/27/13 Debtor: HIGHLAND MINING COMPANY, LLC	1940	3267-1	Unsecured: Unliquidated	The termination of annual mine-level incentive payments for 2012 does not generate bankruptcy claims. This is a discretionary program, and Patriot elected to not make payments to employees.
12	WILLIAM W. OATES 5475 US HWY 62 WEST GREENVILLE, KY 42345 Date Filed: 12/14/12 ED MO Date Filed: 02/27/13 Debtor: OHIO COUNTY COAL COMPANY, LLC	3450	3264-1	Unsecured: Unliquidated	The termination of annual mine-level incentive payments for 2012 does not generate bankruptcy claims. This is a discretionary program, and Patriot elected to not make payments to employees.

* Denotes an unliquidated component.

EXHIBIT B

**IN THE UNITED STATES BANKRUPTCY COURT
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In re:

PATRIOT COAL CORPORATION, *et al.*,

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Chapter 11

Case No. 12-51502-659

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**DECLARATION OF ROBERT L. MEAD IN SUPPORT
OF DEBTORS' TENTH OMNIBUS OBJECTION TO CLAIMS**

Robert L. Mead declares, pursuant to 28 U.S.C. § 1746, to the best of his knowledge and based upon the documents available to him, as follows:

1. I am Vice President & Treasurer of Patriot Coal Corporation (“Patriot”).
2. I, or my colleagues, have reviewed each of the proofs of claim identified on Exhibit A to the Debtors’ Tenth Omnibus Objection to Claims (the “Claims”). With respect to each of these Claims:
 - (a) The Debtors’ books and records reflect that the applicable Debtor was not liable to the creditor for the Claim as of the Petition Date.
 - (b) Exhibit A also includes a more detailed explanation of the Debtors’ determination that the applicable Debtor had no liability to the creditor. This explanation is true and correct to the best of my knowledge, information, and belief.
3. The facts set forth in this Declaration are based on my firsthand knowledge as Vice President & Treasurer of Patriot and the person responsible for overseeing the Debtors’

claims reconciliation process, as well as on information provided to me by other employees of the Debtors involved in the claims reconciliation process.

4. I declare under penalty of perjury that the foregoing is true and correct. Executed on July 18, 2013.

/s/ Robert L. Mead

Robert L. Mead