

**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: July 23, 2013

Related to Docket No. 4181

**STIPULATION AND ORDER REGARDING MODIFICATION
OF CLAIMS OF ELECTRO-MECHANICAL CORPORATION**

Patriot Coal Corporation and its subsidiaries that are Debtors in these jointly-administered cases (collectively, the “Debtors”) and Electro-Mechanical Corporation (the “Creditor”) hereby stipulate and agree as follows.

1. On June 20, 2013, the Debtors filed their Fifth Omnibus Objection to Claims (Wrong Debtor or Otherwise Inconsistent with Books and Records) [Docket No. 4181] (the “Objection”). Capitalized terms not defined herein have the meanings set forth in the Objection.
2. In the Objection, the Debtors proposed to modify Claim Nos. 144 and 3675 (GCG Claim Nos. 139 and 1987), which were filed by the Creditor. The Debtors objected to Claim No. 144 on the ground that the claim had been filed against the wrong debtor and with the wrong priority and to Claim No. 3675 on the ground that the claim asserted the wrong amount and wrong priority.
3. The Objection is **SUSTAINED IN PART AND DENIED IN PART** as to Claim No. 144. Claim No. 144 is hereby modified to assert an administrative expense priority claim pursuant to 11 U.S.C. § 503(b)(9) in the amount of \$515,105.00, and an unsecured claim in the amount of \$1,000.00, which claims are deemed **ALLOWED** without further action or filing by

the Creditor against Debtor Eastern Associated Coal LLC. The Clerk of the Court and the Debtors' claims agent are hereby directed to reflect the foregoing modification of Claim No. 144 in their respective records.

4. The Objection SUSTAINED IN PART AND DENIED IN PART as to Claim No. 3675. Claim No. 3675 is hereby modified to an unsecured claim in the amount of \$17,980.99, which is deemed ALLOWED without further action or filing by the Creditor. The Clerk of the Court and the Debtors' claims agent are hereby directed to reflect this modification of Claim 3675 in their respective records.

5. Nothing in this Order shall affect any other claims addressed in the Objection.


KATHY A. SURRATT-STATES
Chief United States Bankruptcy Judge

DATED: September 3, 2013
St. Louis, Missouri
jjh

STIPULATED AND AGREED TO
THIS 28th DAY OF AUGUST, 2013:

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