

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

In Re: PATRIOT COAL CORPORATION, *et al.*,

Case No. 12-51502-659

(Jointly Administered)

The Honorable Kathy A. Surratt-States



Greetings, Your Honor.

My name is Frank Johnson and I am a current shareholder of Patriot Coal (more than 50,000 shares, but less than 100,000) and I am writing in to file an appeal to the court as there was no annual shareholder meeting held. We have no defense or anyone to fight for our rights. If the stock gets canceled, we lose all our money and savings.

Per the By-Laws:

“For nominations or other business to be properly brought before an annual meeting by a stockholder pursuant to clause (3) of paragraph (B) of these By-Laws, the stockholder must have given timely notice thereof in writing to the Secretary of the Corporation, and, in the case of business other than nominations, such other business must be a proper matter for stockholder action. To be timely, a stockholder’s notice shall be delivered to the Secretary at the principal executive offices of the Corporation not less than ninety (90) days nor more than one hundred and twenty (120) days prior to the first anniversary of the preceding year’s annual meeting; provided, however, that in the event that the date of the annual meeting is advanced by more than twenty (20) days, or delayed by more than seventy (70) days, from such anniversary date, notice by the stockholder to be timely must be so delivered not earlier than one hundred and twenty (120) days prior to such annual meeting and not later than the close of business on the later of the ninetieth (90th) day prior to such annual meeting or the tenth (10th) day following the day on which public announcement of the date of such meeting is first made. Such stockholder’s notice shall set forth (1) as to each person whom the stockholder proposes to nominate for election or re-election as a director all information relating to such person that is required to be disclosed in solicitations of proxies for election of directors, or is otherwise required, in each case pursuant to Regulation 14A under the Securities Exchange Act of 1934, as amended (the “Exchange Act”), including such person’s written consent to being named in the proxy statement as a nominee and to serving as a director if elected; (2) as to any other business that the stockholder proposes to bring before the meeting, a brief description of the business desired to be brought before the meeting, the reasons for conducting such business at the meeting and any material interest in such business of such stockholder and the beneficial owner, if any, on whose behalf the proposal is made; and (3) as to the stockholder giving the notice and the beneficial owner, if any, on whose behalf the nomination or proposal is made (a) the name and address of such stockholder, as they appear on the Corporation’s books, and of such beneficial owner and (b) the class and number of shares of the Corporation which are owned beneficially and of record by such stockholder and such beneficial owner.”

I would like to exercise my rights, as a shareholder, to examine the books and records of the

corporation. Both of these rights, annual meeting and books/records, are shareholders' rights under the Delaware Statute. Since Patriot Coal is a DE Corporation, the laws of the State of Delaware prevail.

As a shareholder, I believe I have many rights, even in Bankruptcy, to be able to get some sort of representation. Since Equity Committee has been denied several times, we have every right to be at the negotiation table when the Plan Of Reorganization is to be formed.

The CEO of Patriot Coal has recently announced via Press Release the following statement:

“Patriot remains committed to a fair outcome for our stakeholders, while securing the necessary savings to successfully emerge as a long-term coal producer,” concluded Hatfield.

The definition of “stakeholders” can be interpreted in many ways. I am asking that if this definition means it also includes “shareholders”.

Simply put, we would like our voice heard at the table to ensure our stock is not obliterated.

I thank you for your time, Your Honor.

Dated: August 28th, 2013

Respectfully submitted,



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