

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

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

RESPONSE TO DEBTORS' FIFTEENTH OMNIBUS OBJECTION TO CLAIMS
(REDUNDANT CLAIMS)

Environmental Resources Management Consulting Company, LLC (“ERMC”) has received notice of the Fifteenth Omnibus Objection to Claims (the “Objection”) filed by Patriot Coal Corporation and its affiliated debtors (the “Debtors”) on August 23, 2013. (R. 4527). Through the Objection, the Debtors seek to disallow one of ERMC’s claims, GCG No. 3097 and EDMO No. 2044-1. With this claim, ERMC sought \$39,133.10 for professional services rendered. The Debtors object to this claim on the grounds that it is redundant to GCG No. 3098 and EDMO No. 2046-1.¹

ERMC submits that the claim listed is valid and responds to preserve its rights to recover. In support, ERMC relies upon the invoice documentation submitted with its proof of claim and attached hereto. ERMC has had preliminary conversations with Debtors’ counsel in hopes of reaching a resolution, and so ERMC files this response out of an abundance of caution to protect its ability to present its arguments to this Court should no resolution be reached with undersigned counsel authorized on ERMC’s behalf. ERMC will supplement this response as necessary.

WHEREFORE, ERMC respectfully requests that this Court:

- (a) allow the Claim in the stated amount of \$39,133.10; and
- (b) grant such other and further relief as is just and proper.

¹ There appears to be confusion in the record as to the current stated “value” of the claims in GCG No. 3098 and EDMO No. 2046-1.

Dated: September 17, 2013
Lexington, Kentucky

Respectfully submitted,

DINSMORE & SHOHL LLP

/s/ Ellen Arvin Kennedy, Esq.

Ellen Arvin Kennedy, Esq. (KY# 88347)

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DSBankruptcy@dinsmore.com

**COUNSEL FOR ENVIRONMENTAL
RESOURCES MANAGEMENT CONSULTING
COMPANY, LLC**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served this the 17th day of September 2013, electronically in accordance with the method established under this Court's ECF System, upon all parties in the electronic filing system in this bankruptcy proceeding.

/s/ Ellen Arvin Kennedy, Esq.

**COUNSEL FOR ENVIRONMENTAL
RESOURCES MANAGEMENT CONSULTING
COMPANY, LLC**

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UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

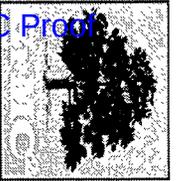
You may only check one Debtor box. If you have a claim against multiple Debtors listed below you must complete a separate proof of claim form for each such Debtor.

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 checked="" 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 Coal Co., LLC	12-12991
<input type="checkbox"/> Day LLC	12-12928	<input type="checkbox"/> Midland Trail Energy LLC	12-12960	<input type="checkbox"/> Viper LLC	12-12992
<input type="checkbox"/> Dixon Mining Company, LLC	12-12929	<input type="checkbox"/> Midwest Coal Resources II, LLC	12-12961	<input type="checkbox"/> Weatherby Processing LLC	12-12993
<input type="checkbox"/> Dodge Hill Holding JV, LLC	12-12930	<input type="checkbox"/> Mountain View Coal Company, LLC	12-12962	<input type="checkbox"/> Wildcat Energy LLC	12-12994
<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, LLC	12-12995
<input type="checkbox"/> Dodge Hill of Kentucky, LLC	12-12932	<input type="checkbox"/> Newtown Energy, Inc.	12-12964	<input type="checkbox"/> Will Scarlet Properties LLC	12-12996
<input type="checkbox"/> EACC Camps, Inc.	12-12933	<input type="checkbox"/> North Page Coal Corp.	12-12965	<input type="checkbox"/> Winchester LLC	12-12997
<input type="checkbox"/> Eastern Associated Coal, LLC	12-12934	<input type="checkbox"/> Ohio County Coal Company, LLC	12-12966	<input type="checkbox"/> Winifred Dock Limited Liability Company	12-12998
<input type="checkbox"/> Eastern Coal Company, LLC	12-12935	<input type="checkbox"/> Panther LLC	12-12967	<input type="checkbox"/> Yankeetown Dock, LLC	12-12999
		<input type="checkbox"/> Patriot Beaver Dam Holdings, LLC	12-12898		
		<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): ENVIRONMENTAL RESOURCE MANAGEMENT CONSULTING, LLC		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.	<p>Your Claim Is Scheduled As Follows:</p> <p>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.</p>
Name and address where notices should be sent: Environmental Resource Management Consulting, LLC c/o Ellen Arvin Kennedy, Esq. Dinsmore & Shohl LLP 250 West Main Street, Suite 1400 Lexington, KY 40504		Court Claim Number: (If known)	
Telephone number: (859) 425-1000 E-mail: ellen.kennedy@dinsmore.com		Original Claim Filed on:	
Name and address where payment should be sent (if different from above): Telephone number: E-mail:		<input type="checkbox"/> 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.	
<p>1. Amount of Claim as of Date Case Filed (July 9, 2012): \$ <u>39,133.10</u></p> <p>(See instruction #1)</p> <p>If all or part of the claim is secured, complete item 4.</p> <p>If all or part of the claim is entitled to priority, complete item 5.</p> <p><input type="checkbox"/> 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.</p>			
<p>2. Basis for Claim: <u>Professional Services (See Purchase Order attached hereto.)</u></p> <p>(See instruction #2)</p>			
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)	



**ENVIRONMENTAL RESOURCES MANAGEMENT
CONSULTING COMPANY, LLC**

Client Invoice Aging

Environmental Resources

Sort order: Client
Date basis: Invoice date
Unpaid Invoices Only
Limit projects by: No limit
Includes all activity types
Includes finance charges

Aging as of: 10/31/2012

Wednesday, December 12, 2012

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Invoice #	Invoice Date	Invoice Description	Invoice Amount	Days Past Due	Current Balance	Original Balance
Parlot Coal, LLC						
066-000-0001 TRI Reports	07-03-12	Invoice	4,634.95		5,547.50	33,585.60
090-001-0002 Baxter PO No. 526917-2440	07-03-12	Invoice	440.00		4,634.95	4,634.95
090-001-0003 Toll Plaza PO No. 526917-2440	07-03-12	Invoice	440.00		440.00	440.00
090-002-0001 851-5005 MI 17 Freedom Coal- Permanent Impoundment PO 627307-2450	07-03-12	Invoice	2,262.50		8,080.00	8,080.00
090-003-0001 EPA UIC- Highland Mine Permit #9 & # 11 Seam PO 618498-2115	07-03-12	Invoice	18,367.40		6,255.00	6,255.00
160-30	08-01-12	Check	-1,440.00		1,825.00	1,825.00
160-31	08-01-12	Check	-1,440.00		2,120.00	142.50
160-32	08-01-12	Check	-1,440.00		3,560.00	3,560.00
160-33	08-01-12	Check	-1,440.00		-1,440.00	-1,440.00
160-34	08-01-12	Check	-1,440.00		2,677.50	15,689.90
160-35	08-01-12	Check	-1,440.00		11,483.40	11,483.40
160-36	08-01-12	Check	-1,440.00		737.50	737.50
160-37	08-01-12	Check	-1,440.00		3,469.00	3,469.00
160-38	08-01-12	Check	-1,440.00		13,113.31	13,113.31
160-39	08-01-12	Check	-1,440.00		-10,435.81	-10,435.81
090-003-0002 EPA- UIC Surface Permit for Slurry Injections#9 & #11 PO 618498-2115	06-07-12	Invoice	5,348.25		750.00	4,598.25
158-79	06-07-12	Invoice	1,825.00		1,825.00	1,825.00
158-20	07-03-12	Invoice	2,773.25		2,773.25	2,773.25
158-29	08-01-12	Invoice	4,301.25		4,301.25	4,301.25
160-29	08-01-12	Check	-3,551.25		-3,551.25	-3,551.25
Report Total			39,133.10		0.00	5,547.50
						33,585.60