

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**In re**  
**PATRIOT COAL CORPORATION, *et al.*,**  
**Debtors.<sup>1</sup>**

**Chapter 11**  
**Case No. 12-51502-659**  
**(Jointly Administered)**

**Hearing Date:**  
**September 24, 2013**  
**10:00 a.m. (Prevailing Central**  
**Time)**

**Hearing Location:**  
**Courtroom 7 North**

**PRELIMINARY NOTICE OF MATTERS SCHEDULED FOR HEARING ON  
SEPTEMBER 24, 2013 AT 10:00 A.M.**

Location of Hearing: United States Bankruptcy Court  
Eastern District of Missouri  
Thomas F. Eagleton United States Courthouse  
111 S. 10th Street  
St. Louis, Missouri 63102  
Courtroom 7 North  
September 24, 2013 at 10:00 a.m. (Prevailing Central Time)

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<sup>1</sup> The Debtors are the entities listed on Schedule 1 attached hereto. The employer tax identification numbers and addresses for each of the Debtors are set forth in the Debtors' chapter 11 petitions.

**A. MAIN CASE:**

1. Certain Debtors' Motion for Entry of an Order Pursuant to 11 U.S.C. §§ 363(b) and 105(a) and Fed. R. Bankr. P. 9019(a) Approving Settlement with the ACE Companies [ECF No. 4618]

*Related Document*

- (a) Motion to Expedite Certain Debtors' Motion for Entry of an Order Pursuant to 11 U.S.C. §§ 363(b) and 105(a) and Fed. R. Bankr. P. 9019(a) Approving Settlement with the ACE Companies [ECF No. 4619]

Status: This matter is going forward on an uncontested basis.

2. Motion of the Debtors for Entry of an Order Pursuant to Section 363 of the Bankruptcy Code and Bankruptcy Rule 9019 Approving Settlement and Amendment to Equipment Lease and Authorizing Exercise of Early Buyout Option as Modified Therein [ECF No. 4455]

*Related Document*

- (a) Declaration of No Objections Regarding Docket No. 4455 [ECF No. 4661]

Status: This matter is going forward on an uncontested basis.

3. Application and Motion for Entry of Stipulated Order Authorizing the Official Committee of Unsecured Creditors to Retain H5 as Ordinary Course Professionals [ECF No. 4624]

*Related Document*

- (a) Motion for Expedited Hearing on Application and Motion for Entry of Stipulated Order Authorizing the Official Committee of Unsecured Creditors to Retain H5 as Ordinary Course Professionals [ECF No. 4625]

Status: This matter is going forward on an uncontested basis.

4. Third Supplemental Application of the Debtors for Authority to Expand the Scope of Employment and Retention of Ernst & Young LLP as Independent Auditor to the Debtors *Nunc Pro Tunc* to August 14, 2013 [ECF No. 4564]

*Related Document*

- (a) Third Supplemental Declaration in Support of Employment and Retention of Ernst & Young LLP [ECF No. 4565]

Status: This matter is going forward on an uncontested basis.

5. Motion of Patriot Coal Corporation, Patriot Leasing Company LLC and Catenary Coal Company, LLC for Authorization to Assume Certain Equipment Leases Pursuant to 11 U.S.C. § 365 [ECF No. 4439]

*Related Document*

- (a) Declaration of No Objections Regarding Docket Nos. 4439, 4576 and 4577 [ECF No. 4653]

Status: This matter is going forward on an uncontested basis. A proposed stipulation and order was submitted to the Court on September 18, 2013.

6. Motion of the Debtors and the Official Committee of Unsecured Creditors for Leave to Conduct Discovery of Arch Coal, Inc. Pursuant to Rule 2004 [ECF No. 4576]

*Related Document*

- (a) Declaration of No Objections Regarding Docket Nos. 4439, 4576 and 4577 [ECF No. 4653]

Status: This matter is going forward on an uncontested basis. A proposed stipulated order was submitted to the Court on September 19, 2013.

7. Debtors' Fourteenth Omnibus Objection to Claims (Wrong Debtor or Otherwise Inconsistent with Books and Records) [ECF No. 4526]

*Responses*

- (a) Response of Industrial Contracting of Fairmont, Inc., Industrial Resources, Inc., Salem Electric Company and West Virginia Electric Industries, Inc to the Fourteenth and Fifteenth Omnibus Objection to Claims Dated August 23, 2013 [ECF No. 4638]

Status: This matter is going forward on an uncontested basis except as to the claims listed below. The hearing on the following claims is adjourned to October 22, 2013 at 10:00 a.m. (prevailing Central Time):

- (b) Green Leaf Services of Beckley LLC, E.D. Mo. Claim No. 415; GCG Claim No. 421
  - (c) Lincoln Leasing Co., Inc., E.D. Mo. Claim Nos. 1785, 1786; GCG Claim Nos. 2777, 2778
  - (d) West Virginia Electric Industries, Inc., E.D. Mo. Claim No. 3980; GCG Claim No. 3976
  - (e) Corky Wells Electric Inc., E.D. Mo. Claim Nos. 1568, 3633; GCG Claim No. 2247, 1537
8. Debtors' Fifteenth Omnibus Objection to Claims (Redundant Claims) [ECF No. 4527]

*Responses*

- (a) Response of Industrial Contracting of Fairmont, Inc., Industrial Resources, Inc., Salem Electric Company and West Virginia Electric Industries, Inc to the Fourteenth and Fifteenth Omnibus Objection to Claims Dated August 23, 2013 [ECF No. 4638]
- (b) Response of Alpha Engineering Services, Inc. to Debtors' Fifteenth Omnibus Objection to Claims as Redundant Claim [ECF No. 4643]
- (c) Response to Debtors' Fifteenth Omnibus Objection to Claims [filed by Environmental Resources Management Consulting Company] [ECF No. 4652]

Status: This matter is going forward on an uncontested basis except as to the claims listed below. The hearing on the following claims is adjourned to October 22, 2013 at 10:00 a.m. (prevailing Central Time):

- (d) Alpha Engineering Services, Inc., E.D. Mo. Claim No. 948-2; GCG Claim No. 4065
- (e) CSX Transportation, Inc., E.D. Mo. Claim No. 3647; GCG Claim No. 3583
- (f) Environmental Resources Management Consulting, E.D. Mo. Claim No. 2044; GCG Claim No. 3097
- (g) Industrial Contracting of Fairmont, Inc., E.D. Mo. Claim Nos. 3966, 3968, 3970; GCG Claim Nos. 3983, 3980, 3984

- (h) West Virginia Electric Industries, Inc., E.D. Mo. Claim Nos. 3982, 3983; GCG Claim Nos. 3981, 3983
  - (i) Salem Electric Company, E.D. No. Claim No. 3979, GCG Claim No. 3981
9. Debtors' Sixteenth Omnibus Objection to Claims (Paid and Satisfied) [ECF No. 4528]

Status: This matter is going forward on an uncontested basis.

**B. ADVERSARY PROCEEDINGS:**

**Patriot Coal Corporation, et al. v. Peabody Holding Company, LLC and Peabody Energy Corporation [Adv. Proc. No. 13-04204]**

1. Notice and Plaintiffs' Motion for a Preliminary Injunction Pursuant to 11 U.S.C. § 105(a) [ECF No. 3]

*Related Documents*

- (a) Memorandum of Law in Support of Plaintiffs' Motion for a Preliminary Injunction Pursuant to 11 U.S.C. § 105(a) [ECF No. 4]
- (b) Summary of Exhibits [ECF No. 5]
- (c) Declaration of John E. Lushefski in Support of Plaintiffs' Motion for a Preliminary Injunction Pursuant to 11 U.S.C. § 105(a) [ECF No. 6]
- (d) The Debtors' Motion for Leave to Exceed the Page Limitation in their Memorandum of Law in Support of their Motion for a Preliminary Injunction Pursuant to 11 U.S.C. § 105(a) [ECF No. 7]

*Objection*

- (e) Objection of Peabody Energy Corporation and Peabody Holding Company, LLC to the Debtors' Motion for a Preliminary Injunction Pursuant to 11 U.S.C. § 105(a) [ECF No. 16]

Status: This matter is going forward.

**C. ADJOURNED MATTERS:**

1. Debtors' Motion for Authorization to (i) Assume or (ii) Reject Unexpired Leases of Nonresidential Real Property [ECF No. 1995]

*Objections*

- (a) STB Ventures, Inc.'s Objection to Debtors' Motion for Authorization to (i) Assume or (ii) Reject Unexpired Leases of Nonresidential Real Property [ECF No. 2061]
- (b) Objection of Arch Coal, Inc., Ark Land Company, Ark Land KH, Inc. and Allegheny Land Company to Debtors' Motion for Authorization to (i) Assume or (ii) Reject Unexpired Leases of Nonresidential Real Property [ECF No. 2068]

Status: Adjourned to October 22, 2013 at 10:00 a.m. (prevailing Central Time).

2. Michelin North America, Inc.'s Motion for Leave to Amend Its Proof of Claim or, in the Alternative, for Extension of the Deadline to Timely File Claim Under Bankruptcy Code Section 503(b)(9) in the Case of Debtor Patriot Coal Services, LLC, Case No. 12-52102 [ECF No. 4445]

Status: Adjourned to October 22, 2013 at 10:00 a.m. (prevailing Central Time).

3. Debtors' Third Omnibus Objection to Claims [ECF No. 3992]

*Related Document*

- (a) Amended Order Adjourning in Part and Sustaining in Part Debtors' Third Omnibus Objection to Claims [ECF No. 4216]

Status: The following claim objection will be continued to October 22, 2013 at 10:00 a.m. (prevailing Central Time):

- (b) Pocahontas Land Corporation, E.D. Mo. Claim Nos. 1367, 1368, 1369; GCG Claim Nos. 2095, 2096, 2097

4. Debtors' Fifth Omnibus Objection to Claims [ECF No. 4181]

*Related Document*

- (a) Order Sustaining Debtors' Fifth Omnibus Objection to Claims [ECF No. 4376]
- (b) Supplemental Order on Debtors' Fifth Omnibus Objection to Claims [ECF No. 4506]

*Responses*

- (c) Creditor, Continental Bank's, Response to the Debtor's Fifth Omnibus Objection to Claims 2304/3674 [ECF No. 4312]
- (d) Creditor David Cox's Response to the Debtor's Fifth Omnibus Objection to Claim 1788-1/2785 [ECF No. 4313]

Status: The following claim objections are adjourned to October 22, 2013 at 10:00 a.m. (prevailing Central Time):

- (e) Ohio Department of Job and Family Services, E.D. Mo. Claim No. 2300-1; GCG Claim No. 3670
- (f) Hulin H. Cook, Jr., E.D. Mo. Claim Nos. 3257 and 3299; GCG Claim Nos. 3725 and 3726
- (g) David Cox, E.D. Mo. Claim Nos. 1787, 1788, 1787-1; GCG Claim Nos. 2783, 2785, 2784
- (h) Continental Bank, E.D. Mo. Claim No. 2304; GCG Claim No. 3674

5. Debtors' Tenth Omnibus Objection to Claims [ECF No. 4331]

*Related Document*

- (a) Order Sustaining Debtors' Tenth Omnibus Objection to Claims [ECF No. 4507]

Status: The following claim objection is adjourned to October 22, 2013 at 10:00 a.m. (prevailing Central Time):

- (b) Nancy Smith, E.D. Mo. Claim No. 3958; GCG Claim No. 4022

6. Debtors' Omnibus Objection to Claims of Norfolk Southern Railway Company [ECF No. 4525]

Status: This matter is being adjourned to October 22, 2013 at 10:00 a.m. (prevailing Central Time).

Dated: September 19, 2013  
New York, New York

Respectfully submitted,

DAVIS POLK & WARDWELL LLP

*/s/ Michelle M. McGreal*

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-and-

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*Local Counsel to the Debtors  
and Debtors in Possession*

**SCHEDULE 1**  
(Debtor Entities)

1. Affinity Mining Company
  2. Apogee Coal Company, LLC
  3. Appalachia Mine Services, LLC
  4. Beaver Dam Coal Company, LLC
  5. Big Eagle, LLC
  6. Big Eagle Rail, LLC
  7. Black Stallion Coal Company, LLC
  8. Black Walnut Coal Company
  9. Bluegrass Mine Services, LLC
  10. Brook Trout Coal, LLC
  11. Catenary Coal Company, LLC
  12. Central States Coal Reserves of Kentucky, LLC
  13. Charles Coal Company, LLC
  14. Cleaton Coal Company
  15. Coal Clean LLC
  16. Coal Properties, LLC
  17. Coal Reserve Holding Limited Liability Company No. 2
  18. Colony Bay Coal Company
  19. Cook Mountain Coal Company, LLC
  20. Corydon Resources LLC
  21. Coventry Mining Services, LLC
  22. Coyote Coal Company LLC
  23. Cub Branch Coal Company LLC
  24. Dakota LLC
  25. Day LLC
  26. Dixon Mining Company, LLC
  27. Dodge Hill Holding JV, LLC
  28. Dodge Hill Mining Company, LLC
  29. Dodge Hill of Kentucky, LLC
  30. EACC Camps, Inc.
  31. Eastern Associated Coal, LLC
  32. Eastern Coal Company, LLC
  33. Eastern Royalty, LLC
  34. Emerald Processing, L.L.C.
  35. Gateway Eagle Coal Company, LLC
  36. Grand Eagle Mining, LLC
  37. Heritage Coal Company LLC
  38. Highland Mining Company, LLC
  39. Hillside Mining Company
  40. Hobet Mining, LLC
  41. Indian Hill Company LLC
  42. Infinity Coal Sales, LLC
  43. Interior Holdings, LLC
  44. IO Coal LLC
  45. Jarrell's Branch Coal Company
  46. Jupiter Holdings LLC
  47. Kanawha Eagle Coal, LLC
  48. Kanawha River Ventures I, LLC
  49. Kanawha River Ventures II, LLC
  50. Kanawha River Ventures III, LLC
- KE Ventures, LLC
  - Little Creek LLC
  - Logan Fork Coal Company
  - Magnum Coal Company LLC
  - Magnum Coal Sales LLC
  - Martinka Coal Company, LLC
  - Midland Trail Energy LLC
  - Midwest Coal Resources II, LLC
  - Mountain View Coal Company, LLC
  - New Trout Coal Holdings II, LLC
  - Newtown Energy, Inc.
  - North Page Coal Corp.
  - Ohio County Coal Company, LLC
  - Panther LLC
  - Patriot Beaver Dam Holdings, LLC
  - Patriot Coal Company, L.P.
  - Patriot Coal Corporation
  - Patriot Coal Sales LLC
  - Patriot Coal Services LLC
  - Patriot Leasing Company LLC
  - Patriot Midwest Holdings, LLC
  - Patriot Reserve Holdings, LLC
  - Patriot Trading LLC
  - PCX Enterprises, Inc.
  - Pine Ridge Coal Company, LLC
  - Pond Creek Land Resources, LLC
  - Pond Fork Processing LLC
  - Remington Holdings LLC
  - Remington II LLC
  - Remington LLC
  - Rivers Edge Mining, Inc.
  - Robin Land Company, LLC
  - Sentry Mining, LLC
  - Snowberry Land Company
  - Speed Mining LLC
  - Sterling Smokeless Coal Company, LLC
  - TC Sales Company, LLC
  - The Presidents Energy Company LLC
  - Thunderhill Coal LLC
  - Trout Coal Holdings, LLC
  - Union County Coal Co., LLC
  - Viper LLC
  - Weatherby Processing LLC
  - Wildcat Energy LLC
  - Wildcat, LLC
  - Will Scarlet Properties LLC
  - Winchester LLC
  - Winifrede Dock Limited Liability Company
  - Yankeetown Dock, LLC