

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

In re:

PATRIOT COAL CORPORATION, *et al.*,

Debtors.¹

Chapter 11

Case No. 12-51502-659

(Jointly Administered)

In re:

BRODY MINING, LLC,

Debtor.

Case No. 13-48727-659

(Joint Administration Proposed)

In re:

PATRIOT VENTURES LLC,

Debtor.

Case No. 13-48728-659

(Joint Administration Proposed)

Hearing Date: September 26, 2013

Hearing Time: 2:00 p.m. Central

Location: Courtroom 7-North

**MOTION OF THE DEBTORS FOR ENTRY OF AN ORDER (I) DIRECTING JOINT
ADMINISTRATION OF CHAPTER 11 CASES PURSUANT TO RULE 1015(b); (II)
MAKING CERTAIN ORDERS AND OTHER PLEADINGS ENTERED OR FILED IN
CHAPTER 11 CASES APPLICABLE TO NEW DEBTORS, ON AN INTERIM BASIS,
PURSUANT TO SECTION 105(a) OF THE BANKRUPTCY CODE; AND (III)
SETTING A HEARING DATE FOR FINAL ENTRY OF RELIEF**

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

NOW COME Patriot Coal Corporation and its subsidiaries that are currently debtors and debtors in possession in these proceedings, which are the entities listed on Schedule 1 attached hereto (collectively, the “**Initial Debtors**”), and Brody Mining, LLC and Patriot Ventures LLC, as debtors and debtors in possession (together, the “**New Debtors**” and, collectively with the Initial Debtors, the “**Debtors**”), and show the Court as follows:

Relief Requested

1. By this motion (the “**Motion**”), the Debtors seek entry of an order² (i) directing joint administration of Case No. 13-48727, filed by Brody Mining, LLC, and Case No. 13-48728, filed by Patriot Ventures LLC, for procedural purposes only, with the above-captioned lead case, pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”); (ii) making certain orders, as set forth in Exhibit A (the “**Initial Debtors’ Orders**”) applicable to the New Debtors in their chapter 11 cases, as applicable, as if the New Debtors were “Debtors” as defined within each such Initial Debtors’ Order, on an interim basis, with Initial Debtors’ Order to be effective as to the New Debtors as of the date of the commencement of their chapter 11 cases (the “**New Debtors’ Petition Date**”) and extending certain deadlines established in the Initial Debtors’ Orders with respect to each of the New Debtors (as more fully described below), pursuant to the Court’s equitable powers under section 105(a) of title

² A copy of the proposed order granting the relief requested in the Motion (the “**Proposed Order**”) will be provided to the Core Parties (as defined below). A copy of the Proposed Order will be made available at www.patriotcaseinfo.com/orders.php.

11 of the United States Code (the “**Bankruptcy Code**”), and (iii) setting a hearing whereby the foregoing relief may be granted on a final basis.

Background and Jurisdiction

2. On July 9, 2012 (the “**Initial Petition Date**”), each Initial Debtor commenced with the United States Bankruptcy Court for the Southern District of New York (the “**SDNY Bankruptcy Court**”) a voluntary chapter 11 case under the Bankruptcy Code. On December 19, 2012, the SDNY Bankruptcy Court entered an order transferring the Initial Debtors’ chapter 11 cases to this Court (the “**Transfer Order**”) [ECF No. 1789].³ Subsequently, each of the New Debtors commenced its chapter 11 case by filing petitions for voluntary relief with this Court on the New Debtors’ Petition Date. The Debtors are authorized to operate their businesses and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. The Initial Debtors’ chapter 11 cases are being jointly administered pursuant to Bankruptcy Rule 1015(b) and the SDNY Bankruptcy Court’s Joint Administration Order entered on July 10, 2012 [ECF No. 30].

3. New Debtor Brody Mining, LLC provides labor for one of the mines at the Debtors’ Wells mine complex in West Virginia. In the ordinary course of its business (and as otherwise permitted under the terms of its debtor in possession financing (the “**DIP Facility**”)), Patriot acquired Brody Mining, LLC in December 2012 so as to secure

³ Pursuant to the Transfer Order, all orders previously entered in these chapter 11 cases remain in full force and effect in accordance with their terms notwithstanding the transfer of venue.

its labor resources. The employees of Brody Mining, LLC are not represented by a union and are thus not affected by the proceedings in these cases regarding the negotiation and approval of new collective bargaining agreements. *See* Affidavit of John E. Lushefski (the “**Lushefski Affidavit**”), attached hereto as Exhibit B.

4. New Debtor Patriot Ventures LLC was historically the Patriot Coal subsidiary that owned most of the joint venture interests held by the Patriot Coal affiliated group. Having recently disposed of such joint venture interests (in one instance, to the other owner of the joint venture and in the other two instances, via contributions of the joint venture interests to wholly-owned subsidiaries), Patriot Ventures LLC now serves as a holding company for certain indirect subsidiaries of Patriot Coal. Patriot Ventures LLC has no employees. *See* Lushefski Affidavit. As required by the DIP Facility, each of the New Debtors is a guarantor thereof.

5. Additional information about the Initial Debtors’ businesses and the events leading up to the Initial Petition Date can be found in (i) the Declaration of Mark N. Schroeder, Patriot Coal Corporation’s Senior Vice President and Chief Financial Officer, and (ii) the Declaration of Paul P. Huffard, Senior Managing Director of Blackstone Advisory Services, L.P., the Debtors’ financial advisors, submitted in connection with the DIP Facility (together, the “**First Day Affidavits**”), which are incorporated herein by reference.

6. The Court has subject matter jurisdiction to consider this matter pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b) and may be determined by the Bankruptcy Court. Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

Basis for Relief

a. Joint Administration of the Debtors' Estates

7. Bankruptcy Rule 1015(b) provides, in relevant part, that if “two or more petitions are pending in the same court by or against . . . a debtor and an affiliate, the court may order a joint administration of the estates.” The Initial Debtors and the New Debtors are “affiliates” as that term is defined under section 101(2) of the Bankruptcy Code because Patriot Coal Corporation is the direct or indirect parent of each of the New Debtors. Accordingly, this Court is authorized to grant the requested relief.

8. Given the provisions of the Bankruptcy Code and the Debtors' affiliation, joint administration of these cases is warranted. Joint administration will avoid the preparation, replication, service, and filing, as applicable, of duplicative notices, applications, and orders, thereby saving the Debtors considerable expense and resources. The financial affairs and business operations of the New Debtors and the Initial Debtors are closely related. Many of the motions, hearings, and orders in these chapter 11 cases will affect each of the New Debtors and their respective estates. The rights of creditors will not be adversely affected, as this Motion requests only administrative, and not substantive, consolidation of the estates. Moreover, each creditor can still file its claim against a particular estate. In fact, all creditors will benefit by the reduced costs that will result from the joint administration of these chapter 11 cases. The Court also will be relieved of the burden of entering duplicative orders and maintaining duplicative files. Finally, supervision of the administrative aspects of these chapter 11 cases by the United States Trustee for Region 13 (the “**U.S. Trustee**”) will be simplified.

Accordingly, the New Debtors respectfully request that the caption of their cases be modified to reflect the joint administration of these chapter 11 cases, as follows:

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

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

PATRIOT COAL CORPORATION, et al.,

Debtors.

9. The Debtors also seek the Court's direction that a notation substantially similar to the following be entered on the docket of each of the New Debtors' chapter 11 cases to reflect the joint administration of these cases:

An Order has been entered in this case directing the procedural consolidation and joint administration of the chapter 11 cases of Affinity Mining Company; Apogee Coal Company, LLC; Appalachia Mine Services, LLC; Beaver Dam Coal Company, LLC; Big Eagle, LLC; Big Eagle Rail, LLC; Black Stallion Coal Company, LLC; Black Walnut Coal Company; Bluegrass Mine Services, LLC; Brody Mining, LLC; Brook Trout Coal, LLC; Catenary Coal Company, LLC; Central States Coal Reserves of Kentucky, LLC; Charles Coal Company, LLC; Cleaton Coal Company; Coal Clean LLC; Coal Properties, LLC; Coal Reserve Holding Limited Liability Company No. 2; Colony Bay Coal Company; Cook Mountain Coal Company, LLC; Corydon Resources LLC; Coventry Mining Services, LLC; Coyote Coal Company LLC; Cub Branch Coal Company LLC; Dakota LLC; Day LLC; Dixon Mining Company, LLC; Dodge Hill Holding JV, LLC; Dodge Hill Mining Company, LLC; Dodge Hill of Kentucky, LLC; EACC Camps, Inc.; Eastern Associated Coal, LLC; Eastern Coal Company, LLC; Eastern Royalty, LLC; Emerald Processing, L.L.C.; Gateway Eagle Coal Company, LLC; Grand Eagle Mining, LLC; Heritage Coal Company LLC; Highland Mining Company, LLC; Hillside Mining Company; Hobet Mining, LLC; Indian Hill

Company LLC; Infinity Coal Sales, LLC; Interior Holdings, LLC; IO Coal LLC; Jarrell's Branch Coal Company; Jupiter Holdings LLC; Kanawha Eagle Coal, LLC; Kanawha River Ventures I, LLC; Kanawha River Ventures II, LLC; 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 Ventures 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; and Yankeetown Dock, LLC. The docket in Case No. 12-51502-659 should be consulted for all matters affecting this case.

10. Additionally, the Debtors seek authority to file the monthly operating reports required by the U.S. Trustee's "Operating Guidelines and Financial Reporting Requirements" with the Initial Debtors and presented in the same form and manner as the reports currently being filed.

b. Application of the Initial Debtors' Orders to the New Debtors

11. The Debtors seek to apply certain of the Initial Debtors' Orders, listed on Exhibit A, attached hereto, to the New Debtors, with modifications to include the New Debtors and to reflect the New Debtors' Petition Date. As to the Initial Debtors' Orders, the Debtors request that:

(a) References to the “Petition Date” in each of the Initial Debtors’ Orders shall be deemed to refer to the New Debtors’ Petition Date, and deadlines and obligations running from the Petition Date shall be calculated accordingly.

(b) Papers required to be served on the United States Trustee shall be sent to Paul A. Randolph and Leonora S. Long, 110 South Tenth Street, Suite 6.353, St. Louis, Missouri 63102. No courtesy copies of papers need be sent to Chambers.

12. As to the Order (i) Prohibiting Utilities From Altering, Refusing or Discontinuing Service, (ii) Deeming Utility Companies Adequately Assured of Future Performance and (iii) Establishing Procedures for Determining Requests for Additional Adequate Assurance [ECF No. 189], the New Debtors request that the relief granted therein be modified so that the Adequate Assurance Deposit Request Deadline as to the New Debtors shall be 21 days from the date of entry of an order on this Motion, and subsequent deadlines shall be calculated accordingly.

13. Section 105(a) of the Bankruptcy Code provides, in relevant part: “The court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title.” 11 U.S.C. § 105(a). Under section 105(a), the Court has expansive equitable powers to fashion any order or decree that is in the interest of preserving or protecting the value of a debtor’s assets. *See, e.g., In re Chinichian*, 784 F.2d 1440, 1443 (9th Cir. 1986) (“Section 105 sets out the power of the bankruptcy court to fashion orders as necessary pursuant to the purposes of the Bankruptcy Code.”); *Bird v. Crown Convenience (In re NAFX, Inc.)*, 864 F.2d 588, 590 (8th Cir. 1988) (“The overriding consideration in bankruptcy . . . is that equitable principles govern”);

Steinberg v. Esposito, 33 B.R. 812, 813 (Bankr. N.D. Ill. 1983) (The “bankruptcy court is vested with great latitude to protect the assets of the debtor’s estate, including the use of equitable remedies . . .”).

14. Entry of an interim order, followed by a final order after any objections have been resolved, directing that the Initial Debtors’ Orders be made applicable to the New Debtors, with the modifications described above, will obviate the need for duplicative notices, motions, applications, affidavits, and orders to be filed in these cases. The New Debtors require the protections and authorizations that are set forth in the Initial Debtors’ Orders to enter chapter 11 in an orderly manner and to maintain their ability to reorganize successfully. The Initial Debtors’ Orders deal with many of the first-day and other matters that most debtors (especially large debtors) must address, such as financing, authority to pay outstanding pre-petition wages, maintenance of cash management systems, and other procedural matters. By proceeding in this manner, the Debtors simply seek to save time and expense for their estates and to reduce the burden on the Court and parties in interest.

15. If the New Debtors had been in a position to commence their chapter 11 cases at the same time as the Initial Debtors, they would have been movants with respect to, and would now have the benefit of, all of the Initial Debtors’ Orders. The New Debtors have been participating in the existing cash management system as non-debtors. Accordingly, there is no net impact upon the Debtors’ cash management and cash flow by now having the New Debtors participate as Debtors. Additionally, the New Debtors will be proponents with the Initial Debtors of the Debtors’ Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code, which was filed on September

6, 2013 [ECF No. 4606]. By proceeding in the manner set forth in this Motion, the Debtors seek to recognize that fact and streamline the motion practice for requesting such relief, while at the same time providing the same requisite facts and justification for such relief as if the New Debtors were filing said motions.

16. The Debtors believe that the relief requested herein is appropriate to carry out the provisions of the Bankruptcy Code. Similar procedures have been authorized in other complex chapter 11 cases. *See In re Lyondell Chemical Co.*, Case No. 09-10023 (REG) (“Interim Order Pursuant to Section 105(a) of the Bankruptcy Code Making Certain Orders and Pleadings Entered or Filed In Chapter 11 Cases of Affiliated Debtors Applicable to Recently Filed Cases” [Docket No. 1658]); *see also In re Lehman Brothers Holdings Inc., et al.*, Case No. 08-13555 (JMP) (Bankr. S.D.N.Y. 2008) [Docket No. 2928]; *In re Delphi Corporation, et al.*, Case No. 05-44481 (RDD) (Bankr. S.D.N.Y. 2005) [Docket No. 404]; *In re Enron Corp., et al.*, Case No. 01-16034 (AJG) (Bankr. S.D.N.Y. 2001) [Docket No. 920].

17. Based upon the foregoing, the Debtors submit that the relief requested herein is essential, appropriate, and in the best interests of the Debtors’ estates and creditors, and therefore, should be granted.

Notice

18. Consistent with the Order Establishing Certain Notice, Case Management and Administrative Procedures entered on March 22, 2013 [ECF No. 3361] (the “**Case Management Order**”), the Debtors will serve notice of this Motion on the Core Parties (as defined in the Case Management Order). All parties who have requested electronic

notice of filings in these cases through the Court's ECF system will automatically receive notice of this Motion through the ECF system no later than the day after its filing with the Court. A copy of this Motion and any order approving it will also be made available on the Debtors' Case Information Website (located at www.patriotcaseinfo.com). A copy of the proposed Order Directing Joint Administration of Chapter 11 Cases and the proposed Order Making Certain Orders Applicable to Additional Debtors will be provided to the Core Parties, and will be available at www.patriotcaseinfo.com/orders.php (the "**Patriot Orders Website**"). These proposed orders may be modified or withdrawn at any time without further notice. If any significant modifications are made to either proposed order, an amended proposed order will be made available on the Patriot Orders Website, and no further notice will be provided. In light of the relief requested, the Debtors submit that no further notice is necessary. Pursuant to paragraph 14 of the Case Management Order, if no objections are timely filed and served in accordance therewith, the relief requested herein may be entered without a hearing.

WHEREFORE, the Debtors respectfully request that the Court:

- (a) direct that the New Debtors' cases be jointly administered with the Initial Debtors' cases under lead Case No. 12-51502-659;
- (b) direct that the caption of the New Debtors' cases be modified to conform to the caption of lead Case No. 12-51502-659;
- (c) direct that the Clerk of the Court enter a notation on the docket of the New Debtors' cases, as described above, reflecting the joint administration of the cases ordered herein;

- (d) authorize the New Debtors to file the monthly operating reports required by the U.S. Trustee's "Operating Guidelines and Financial Reporting Requirements" with the Initial Debtors and in the same form and manner as the reports currently being filed;
- (e) direct that the Initial Debtors' Orders as listed on Exhibit A be applicable to the New Debtors, with the modifications described herein; and
- (f) grant such other and further relief as is just and proper.

Dated: September 23, 2013
St. Louis, Missouri

Respectfully submitted,
BRYAN CAVE LLP

/s/ Laura Uberti Hughes
Lloyd A. Palans, #22650MO
Brian C. Walsh, #58091MO
Laura Uberti Hughes, #60732MO
One Metropolitan Square
211 N. Broadway, Suite 3600
St. Louis, Missouri 63102
(314) 259-2000
Fax: (314) 259-2020

*Local Counsel to the Initial Debtors
and Proposed Counsel to the New Debtors*

-and-

DAVIS POLK & WARDWELL LLP

Marshall S. Huebner
Damian S. Schaible
Brian M. Resnick
Michelle M. McGreal

450 Lexington Avenue
New York, New York 10017
(212) 450-4000
Fax: (212) 607-7983

*Counsel to the Debtors
and Proposed Counsel to the New Debtors*

SCHEDULE 1
(Initial Debtor Entities)

1.	Affinity Mining Company	51.	KE Ventures, LLC
2.	Apogee Coal Company, LLC	52.	Little Creek LLC
3.	Appalachia Mine Services, LLC	53.	Logan Fork Coal Company
4.	Beaver Dam Coal Company, LLC	54.	Magnum Coal Company LLC
5.	Big Eagle, LLC	55.	Magnum Coal Sales LLC
6.	Big Eagle Rail, LLC	56.	Martinka Coal Company, LLC
7.	Black Stallion Coal Company, LLC	57.	Midland Trail Energy LLC
8.	Black Walnut Coal Company	58.	Midwest Coal Resources II, LLC
9.	Bluegrass Mine Services, LLC	59.	Mountain View Coal Company, LLC
10.	Brook Trout Coal, LLC	60.	New Trout Coal Holdings II, LLC
11.	Catenary Coal Company, LLC	61.	Newtown Energy, Inc.
12.	Central States Coal Reserves of Kentucky, LLC	62.	North Page Coal Corp.
13.	Charles Coal Company, LLC	63.	Ohio County Coal Company, LLC
14.	Cleaton Coal Company	64.	Panther LLC
15.	Coal Clean LLC	65.	Patriot Beaver Dam Holdings, LLC
16.	Coal Properties, LLC	66.	Patriot Coal Company, L.P.
17.	Coal Reserve Holding Limited Liability Company No. 2	67.	Patriot Coal Corporation
18.	Colony Bay Coal Company	68.	Patriot Coal Sales LLC
19.	Cook Mountain Coal Company, LLC	69.	Patriot Coal Services LLC
20.	Corydon Resources LLC	70.	Patriot Leasing Company LLC
21.	Coventry Mining Services, LLC	71.	Patriot Midwest Holdings, LLC
22.	Coyote Coal Company LLC	72.	Patriot Reserve Holdings, LLC
23.	Cub Branch Coal Company LLC	73.	Patriot Trading LLC
24.	Dakota LLC	74.	PCX Enterprises, Inc.
25.	Day LLC	75.	Pine Ridge Coal Company, LLC
26.	Dixon Mining Company, LLC	76.	Pond Creek Land Resources, LLC
27.	Dodge Hill Holding JV, LLC	77.	Pond Fork Processing LLC
28.	Dodge Hill Mining Company, LLC	78.	Remington Holdings LLC
29.	Dodge Hill of Kentucky, LLC	79.	Remington II LLC
30.	EACC Camps, Inc.	80.	Remington LLC
31.	Eastern Associated Coal, LLC	81.	Rivers Edge Mining, Inc.
32.	Eastern Coal Company, LLC	82.	Robin Land Company, LLC
33.	Eastern Royalty, LLC	83.	Sentry Mining, LLC
34.	Emerald Processing, L.L.C.	84.	Snowberry Land Company
35.	Gateway Eagle Coal Company, LLC	85.	Speed Mining LLC
36.	Grand Eagle Mining, LLC	86.	Sterling Smokeless Coal Company, LLC
37.	Heritage Coal Company LLC	87.	TC Sales Company, LLC
38.	Highland Mining Company, LLC	88.	The Presidents Energy Company LLC
39.	Hillside Mining Company	89.	Thunderhill Coal LLC
40.	Hobet Mining, LLC	90.	Trout Coal Holdings, LLC
41.	Indian Hill Company LLC	91.	Union County Coal Co., LLC
42.	Infinity Coal Sales, LLC	92.	Viper LLC
43.	Interior Holdings, LLC	93.	Weatherby Processing LLC
44.	IO Coal LLC	94.	Wildcat Energy LLC
45.	Jarrell's Branch Coal Company	95.	Wildcat, LLC
46.	Jupiter Holdings LLC	96.	Will Scarlet Properties LLC
47.	Kanawha Eagle Coal, LLC	97.	Winchester LLC
48.	Kanawha River Ventures I, LLC	98.	Winifrede Dock Limited Liability Company
49.	Kanawha River Ventures II, LLC	99.	Yankeetown Dock, LLC
50.	Kanawha River Ventures III, LLC		

EXHIBIT A

Initial Debtors' Orders to be Made Applicable to New Debtors

	Order	ECF No.
1	Order Authorizing Retention and Appointment of GCG, Inc. as Claims and Noticing Agent for the Debtors Nunc Pro Tunc to the Petition Date	45
2	Order (i) Extending the Time to File Schedules of Assets and Liabilities, Schedules of Current Income and Expenditures, Schedules of Executory Contracts and Unexpired Leases, and Statements of Financial Affairs and (ii) Waiving the Requirements to File Equity Lists and Provide Notice to Equity Security Holders	53
3	Order (i) Granting Administrative Expense Status to Debtors' Undisputed Obligations to Vendors Arising from the Postpetition Delivery of Goods Ordered Prepetition, (ii) Authorizing Debtors to Pay those Obligations in the Ordinary Course of Business and (iii) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers	54
4	Order (i) Prohibiting Utilities From Altering, Refusing or Discontinuing Service, (ii) Deeming Utility Companies Adequately Assured of Future Performance and (iii) Establishing Procedures for Determining Requests for Additional Adequate Assurance	189
5	Final Order Authorizing (i) Debtors to Continue to Use Existing Cash Management System and Maintain Existing Bank Accounts and Business Forms and (ii) Financial Institutions to Honor and Process Related Checks and Transfers	252
6	Final Order Authorizing (i) Debtors to (a) Pay Prepetition Wages, Salaries, Employee Benefits and Other Compensation and (b) Maintain Employee Benefits Programs and Pay Related Administrative Obligations, (ii) Employees and Retirees to Proceed with Outstanding Workers' Compensation Claims and (iii) Financial Institutions to Honor and Process Related Checks and Transfers	253
7	Final Order Authorizing (i) the Debtors to Honor Prepetition Obligations to Customers in the Ordinary Course of Business and (ii) Financial Institutions to Honor and Process Related Checks and Transfers	254

8	Final Order Authorizing (i) Payment of Certain Prepetition Claims of Shippers, Warehousemen and Service Providers and (ii) Financial Institutions to Honor and Process Related Checks and Transfers	255
9	Final Order Authorizing (i) Debtors to Pay Prepetition Obligations Owed to Foreign Creditors and (ii) Financial Institutions to Honor and Process Related Checks and Transfers	256
10	Final Order Authorizing (i) Payment of Certain Prepetition Claims of Critical Vendors and (ii) Financial Institutions to Honor and Process Related Checks and Transfers	257
11	Final Order Authorizing (i) Debtors to Continue and Renew their Liability, Property, Casualty and Other Insurance Programs and Honor All Obligations in Respect thereof and (ii) Financial Institutions to Honor and Process Related Checks and Transfers	258
12	Final Order Authorizing the Debtors to Continue and Renew Surety Bond Program	259
13	Final Order Authorizing (i) Debtors to Pay Certain Prepetition Taxes, Governmental Assessments and Fees and (ii) Financial Institutions to Honor and Process Related Checks and Transfers	260
14	Order to Establish Procedures for Interim Monthly Compensation and Reimbursement of Expenses of Professionals	262
15	Order Authorizing the Debtors to Employ Ordinary Course Professionals, <i>Nunc Pro Tunc</i> to the Petition Date	263
16	Final Order (I) Authorizing Debtors (A) to Obtain Postpetition Financing Pursuant to 11 U.S.C. §§ 105, 361, 362, 364(c)(1), 364(c)(2), 364(c)(3), 364(c)(1) and 364(e) and (B) to Utilize Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection to Prepetition Secured Lenders Pursuant to 11 U.S.C. §§ 361, 362, 363 and 364, Final Order (I) Authorizing Debtors (A) to Obtain Postpetition Financing Pursuant to 11 U.S.C. §§ 105, 361, 362, 364(c)(1), 364(c)(2), 364(c)(3), 364(c)(1) and 364(e) and (B) to Utilize Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection to Prepetition Secured Lenders Pursuant to 11 U.S.C. §§ 361, 362, 363 and 364, as amended pursuant to the Supplemental DIP Financing Order Authorizing, Pursuant to 11 U.S.C. §§ 363 and 364, (i) Amendment to the DIP	275, 4498

	Financing, (ii) Engagement of the First Out DIP Agent in Connection Therewith, (iii) Payment of Fees Related Thereto, and (iv) Waiver of Bankruptcy Rule 6004(h) Stay, entered by the Bankruptcy Court on August 21, 2013, and as each of the foregoing has been or is hereafter modified, amended, supplemented or extended from time to time during the chapter 11 cases.	
17	Final Order Authorizing Debtors to (i) Enter into, Perform under, Roll Over, Adjust, Modify, Settle, Terminate and Engage in Certain Derivative Contracts and (ii) Pledge Collateral under Derivative Contracts	365
18	Final Order Authorizing the Debtors to (i) Enter into and Perform under Coal Sale Contracts in the Ordinary Course of Business and (ii) Establish Certain Procedures with Respect Thereto, as amended by the Amended Final Order Authorizing the Debtors to (i) Enter into and Perform under Coal Sale Contracts in the Ordinary Course of Business and (ii) Establish Certain Procedures with Respect Thereto	369, 3024
19	Order Establishing Procedures for the Rejection of Executory Contracts and Unexpired Leases and for the Abandonment of Personal Property	370
20	Order Approving Expedited Procedures For (i) The Sale of Certain Assets Free and Clear of Liens, and (ii) The Abandonment of Certain of the Debtors' Property	372
21	Final Trading Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Claims against and Interests in the Debtors' Estates	530
22	Order Authorizing and Approving Procedures for Compromise of Certain Claims, Litigations and Causes of Action	2821
23	Order Establishing Procedures for Claims Objections	3021
24	Order Establishing Certain Notice, Case Management and Administrative Procedures	3361
25	Order Authorizing and Approving the Payment of Fees and Reimbursement of Expenses of Potential Rights Offering Backstop Parties	4385