

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

In Re: ) Chapter 11  
)  
Patriot Coal Corporation, *et al.* ) Case No. 12-51502  
) (Jointly Administered)  
Debtors. )

**FOURTH SUPPLEMENTAL DECLARATION OF GREGORY D. WILLARD  
AND SUPPLEMENTAL STATEMENT PURSUANT TO BANKRUPTCY RULE 2014**

I, Gregory D. Willard, hereby state and declare as follows:

1. I am an attorney at law admitted to practice law in the State of Missouri. I am a shareholder of the law firm of Carmody MacDonald P.C. (“**Carmody MacDonald**”). I am duly authorized to make this fourth supplemental declaration (“**Fourth Supplemental Declaration**”) on behalf of Carmody MacDonald.

2. I submit this Fourth Supplemental Declaration in supplement to Carmody MacDonald's prior retention application (the “**Carmody MacDonald Retention Application**”)<sup>1</sup> filed in the chapter 11 cases (the “**Chapter 11 Cases**”) of the above captioned debtors (the “**Debtors**”),<sup>2</sup> and in furtherance of Carmody MacDonald's ongoing disclosure obligations pursuant to the Court's order authorizing the employment of Carmody MacDonald as local

---

<sup>1</sup> *Application of the Official Committee of Unsecured Creditors of Patriot Coal Corporation, et al., for an Order Authorizing and Approving the Employment and Retention of Carmody MacDonald P.C. as Local Counsel, Nunc Pro Tunc to December 3, 2012* [ECF. No. 1848].

<sup>2</sup> In addition to Patriot Coal Corporation, there are 100 other Debtors in these jointly administered proceedings. A complete list of the Debtors in these Chapter 11 Cases may be found attached hereto as Exhibit B. The employer tax identification numbers and addresses for each of the Debtors are set forth in the Debtors' chapter 11 petitions.

counsel for the Official Committee of Unsecured Creditors.<sup>3</sup> This Fourth Supplemental Declaration supplements and incorporates by reference the disclosures provided in my prior declarations in support of the Carmody MacDonald Retention Application dated December 31, 2012<sup>4</sup>, February 1, 2013<sup>5</sup>, July 25, 2013<sup>6</sup>, and September 13<sup>7</sup> (“**Prior Declarations**”).

3. Unless otherwise stated in this Fourth Supplemental Declaration, I have personal knowledge of the facts set forth.

4. Since the filing of the Prior Declarations, Brody Mining, LLC and Patriot Ventures LLC (the “**New Debtors**”) commenced Chapter 11 cases on September 23, 2013 (. On September 26, 2013, the Court granted Debtors’ Motion for Joint Administration of Brody Mining, LLC, Case No. 13-48727 and Patriot Ventures LLC, Case No. 13-48728 with Lead Case No. 12-51502.<sup>8</sup>

5. In connection with the filing of the New Debtors’ petitions, using the procedures described in the Carmody MacDonald Retention Application, Carmody MacDonald conducted a search of its conflicts database using the names listed on a list provided by the Debtors of the

---

<sup>3</sup> *Order Authorizing and Approving the Retention and Employment of Carmody MacDonald P.C. as Local Counsel to the Official Committee of Unsecured Creditors of Patriot Coal Corporation, Et Al., Nunc Pro Tunc to December 3, 2012* [ECF. No. 2382].

<sup>4</sup> *Exhibit A, Declaration of Gregory D. Willard and Statement Pursuant to Bankruptcy Rule 2014, to Application of the Official Committee of Unsecured Creditors of Patriot Coal Corporation, et al., for an Order Authorizing and Approving the Employment and Retention of Carmody MacDonald P.C. as Local Counsel, Nunc Pro Tunc to December 3, 2012* [ECF. No. 1848].

<sup>5</sup> *First Supplemental Declaration of Gregory D. Willard and Statement Pursuant to Bankruptcy Rule 2014* [ECF. No. 2659].

<sup>6</sup> *Second Supplemental Declaration of Gregory D. Willard and Supplemental Statement Pursuant to Bankruptcy Rule 2014* [ECF. No. 4367].

<sup>7</sup> *Third Supplemental Declaration of Gregory D. Willard and Supplemental Statement Pursuant to Bankruptcy Rule 2014* [ECF. No. 4634].

<sup>8</sup> See Case No. 13-48727, ECF No. 16 and Case No. 13-48728, ECF No. 16.

principal parties in interest in the New Debtors' Chapter 11 cases, which are listed on Exhibit A hereto.

6. The search described above revealed no connections requiring additional disclosure to the Prior Declarations.

7. On or about October 21, 2013, Carmody MacDonald will employ Jaimie Thompson as an attorney. Ms. Thompson is currently employed as an attorney at Lathrop & Gage LLP ("**Lathrop & Gage**"). Lathrop & Gage represents certain lenders to the Debtors. During Ms. Thompson's employment at Lathrop & Gage, she provided legal services to the following companies that are creditors of and/or parties in interest with the Debtors: Renaissance Financial Corporation, GE Capital, First State Bank of St. Charles Missouri, Caterpillar Financial Services Corporation, and Turner Construction Company. I understand that none of the legal services provided by Ms. Thompson for those companies involved the Debtors. Ms. Thompson will be internally screened by Carmody MacDonald from matters related to the Debtors. Carmody MacDonald will continue its previous voluntary recusal from matters in these Chapter 11 proceedings that involve Peabody Energy Corporation and its affiliates.

8. Except as set forth above and in the Prior Declarations, insofar as I have been able to ascertain after diligent inquiry, I do not believe that there is any other connection (as such term is used in Federal Rule of Bankruptcy Procedure 2014(a)) between Carmody MacDonald and the Committee, the Debtors, the New Debtors, creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed by the Office of the United States Trustee.

9. To the extent that any information disclosed herein requires subsequent amendment or modification upon Carmody MacDonald's completion of further analysis or if any

new, material, relevant facts or relationships are discovered, a supplemental declaration on behalf of Carmody MacDonald will be submitted to the Court reflecting such amended or modified information.

Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury under the laws of the United States that, to the best of my knowledge and after reasonable inquiry, the foregoing is true and correct.

Executed on October 14, 2013.

/s/ Gregory D. Willard  
Gregory D. Willard

**CERTIFICATE OF SERVICE**

A true and correct copy of this document was filed on October 14, 2013 using the Court's CM/ECF system which sent a copy to all parties receiving electronic notices in this case.

/s/ Angela L. Schisler  
Angela L. Schisler

**EXHIBIT A**

**Principal Parties in Interest**

New Debtors

Brody Mining, LLC  
Patriot Ventures LLC

Officers and Directors

Charles A. Ebetino, Jr.  
Jacquelyn A. Jones  
Robert L. Mead

Subsidiaries

Rhino Eastern JV Holding Company LLC  
WWMV JV Holding Company LLC

Former Officers, Directors, and Affiliates

Joseph W. Bean  
The Brody Trust  
Anthony Cline  
Clayton Cline  
John E. Lusheski  
Danny Robinette  
Brian Rowe  
Mark N. Schroeder

Secured Creditors

Bank of America, N.A.  
Citibank, N.A.

Largest Unsecured Creditors

Analabs, Inc.  
Industrial Design Products, Inc.  
Mine Safety & Health Administration  
United Bank, Inc.  
Wilmington Trust Company

Former Joint-Venture Parties

American Patriot Mining, LLC  
Ralph L. Ballard, III  
Shawn P. George  
Andrew A. Payne, III  
James K.T. Payne  
Rhino Eastern LLC  
Rhino Energy WV LLC  
RWMV, LLC  
White Stallion Coal LLC  
WWMV, LLC

Significant Taxing Authorities

Internal Revenue Service  
State of West Virginia

**EXHIBIT B**

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