

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

Apr 21, 2014

Kathy A. Surratt - States
KATHY A. SURRATT-STATES
Chief United States Bankruptcy Judge

In re:

PATRIOT COAL CORPORATION, *et al.*,

Debtors.¹

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

Re: ECF No. 4798

**DEBTORS' MOTION FOR LEAVE TO EXCEED THE PAGE LIMITATION
IN THEIR THIRD MOTION FOR AN ORDER (i) APPROVING DISCLOSURE
STATEMENT; (ii) APPROVING SOLICITATION AND NOTICE MATERIALS;
(iii) APPROVING FORMS OF BALLOTS; (iv) ESTABLISHING SOLICITATION
AND VOTING PROCEDURES; (v) ESTABLISHING PROCEDURES FOR
ALLOWING AND ESTIMATING CERTAIN CLAIMS FOR VOTING
PURPOSES; (vi) SCHEDULING A CONFIRMATION HEARING AND
(vii) ESTABLISHING NOTICE AND OBJECTION PROCEDURES**

Patriot Coal Corporation and its subsidiaries that are debtors and debtors in possession in these proceedings (collectively, the “**Debtors**”), by and through their undersigned counsel, hereby respectfully submit this motion (the “**Motion**”) for an order pursuant to rule 9004(C) of the Local Rules of the Bankruptcy Court for the Eastern District of Missouri granting the Debtors leave to exceed the Court’s page limitation in the Debtors’ Motion for Entry of Order (i) Approving Disclosure Statement; (ii) Approving Solicitation and Notice Materials; (iii) Approving Forms of Ballots; (iv) Establishing Solicitation and Voting Procedures; (v) Establishing Procedures for Allowing and Estimating Certain Claims for Voting Purposes; (vi) Scheduling a Confirmation Hearing and (vii) Establishing Notice and Objection Procedures [ECF No.

¹ The Debtors are the entities listed on Schedule 1 to the Disclosure Statement Motion. The employer tax identification numbers and addresses for each of the Debtors are set forth in the Debtors’ chapter 11 petitions.

4798] (the “**Disclosure Statement Motion**”).² In support of this Motion, the Debtors state as follows:

1. Generally speaking, the Disclosure Statement Motion must (i) describe the legal standards under which the Disclosure Statement should be approved, (ii) describe the legal standards applicable to solicitation procedures and materials, (iii) describe the proposed solicitation materials and procedures, including procedures for allowing and estimating certain claims for voting purposes, to the Court and to the Debtors’ creditor constituencies and (iv) justify the determination of various dates and deadlines. Each of these items warrants ample discussion in the Disclosure Statement Motion, as the Court and the Debtors’ creditors must have the opportunity to evaluate the Debtors’ disclosures and the process by which the Debtors intend to solicit votes on the Plan.

2. The Debtors have made every effort to comply with the applicable page limitation. However, given the breadth, complexity and importance of the issues involved, the Debtors are unable to adequately provide the Court and other parties in interest with sufficient background on, and explanation of, the materials and standards discussed in the Disclosure Statement Motion in fifteen pages. Additional pages were required to fully articulate the Debtors’ positions.

3. The Debtors respectfully request leave to exceed the applicable page limitation by 14 pages.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Disclosure Statement Motion.

WHEREFORE, for the foregoing reasons, the Debtors respectfully request leave to exceed the applicable page limitation by 14 pages in their Disclosure Statement Motion, and for such other relief as the Court deems just and proper.

Dated: October 16, 2013
New York, New York

Respectfully submitted,

DAVIS POLK & WARDWELL LLP

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