

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

**In re:**

**PATRIOT COAL CORPORATION, *et al.*,**

**Debtors.**

**Chapter 11**

**Case No. 12-51502-659**

**(Jointly Administered)**

Related to Docket No. 5425

**STIPULATION AND ORDER REGARDING  
OBJECTION TO CLAIMS OF ALPHA ENGINEERING SERVICES, INC.**

Patriot Coal Corporation and its affiliates (collectively, the “Debtors” or the “Reorganized Debtors”) and Alpha Engineering Services, Inc. (“Alpha”) hereby stipulate and agree as follows:

1. On March 21, 2014, the Debtors filed their Objection to Claims Filed by Alpha Engineering Services, Inc. [Docket No. 5425] (the “Objection”). Capitalized terms not defined in this Stipulation have the meanings assigned to them in the Objection.

2. The Reorganized Debtors and Alpha now stipulate and agree as follows:

(a) Claim No. 460-2 (GCG Claim No. 4064) shall be allowed as a secured claim in the amount of \$214,010.28 against Debtor Kanawha Eagle Coal, LLC. Claim No. 459-1 (GCG Claim No. 524) shall be allowed as a secured claim in the amount of \$34,715.12 against Debtor Panther LLC (together, the “Secured Claims”). The Reorganized Debtors shall pay \$175,000.00 in full satisfaction of such Secured Claims on or before July 1, 2014 either via wire transfer or, in the event that the Reorganized Debtors are unable to effectuate such transfer, via check sent on July 1, 2014 for delivery on July 2, 2014. Upon entry of this Stipulation and Order by the Court and payment of

\$175,000.00 to Alpha, the balance of the Secured Claims shall be disallowed. Alpha shall retain the mechanics' liens securing such Secured Claims but shall not enforce its rights under such mechanics' liens unless the Reorganized Debtors fail to make such payment when due. Within ten (10) business days after receipt of such payment, Alpha shall file releases of such mechanics' liens.

(b) The following Claim shall be allowed as a general unsecured claim in the amounts specified:

(i) Claim No. 458-1 (GCG Claim No. 523): \$13,171.67

(c) All other Claims identified in the Objection shall be disallowed.

(d) Within ten (10) business days after the entry of this Stipulation and Order by the Court, Alpha shall file releases of the mechanics' liens securing the Claims identified in Paragraphs (b) and (c).

3. The Objection is hereby SUSTAINED IN PART and OVERRULED IN PART, as described above.

4. The Clerk of the Court and the Reorganized Debtors' claims agent are hereby directed to reflect the allowance and disallowance of the Claims, as specified above, in their respective records.

5. The agreement incorporated in this Stipulation is in full and complete satisfaction of any and all claims, of whatever kind, between and among the Debtors and Alpha.

  
KATHY A. SURRATT-STATES  
Chief United States Bankruptcy Judge

DATED: May 21, 2014  
St. Louis, Missouri  
jjh

STIPULATED AND AGREED TO  
THIS 20th DAY OF MAY, 2014:

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