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

2014 MAY 19 AM 10:50
CLERK
BANKRUPTCY COURT
EASTERN DISTRICT
OF LOUISIANA-MISSOURI

In re:

PATRIOT COAL CORPORATION, et al.,

Debtors.

Chapter 11

Case No. 12-51502-659

(Jointly Administered)

Hearing Date: May 20, 2014

Hearing Time: 10:00 a.m. Central

Location: Courtroom 7-N, St. Louis

REPLY TO REORGANIZED DEBTORS' EMAIL IN SUPPORT OF
OBJECTION TO ADMINISTRATIVE CLAIM OF FIDELITY PENSION PLAN TRUST

Response

Attached is a Email sent to me on 5/9/2014 by the Fidelity Investment firm pertaining to a time critical document not mailed directly to the pension plan but to an uninvolved third party which received it on 2/21/2014 with regard to a court action issued more than two months earlier on 12/19/2013. As the Email states the mailing contained a document pertaining to a secured claim, which designation was provided to Fidelity by the debtor so that Fidelity's record would be a duplicate of how the claim was listed on the debtors' Court Claims Register, that is a secured claim.

Delaying the mailing of a time critical document for two months, then sending it to an uninvolved third party so that it was not received by the Pension Plan until 3/5/2014 and containing a threat that the Pension Plan's secured claim would be disallowed in its entirety if it was not received by the debtors claims agent by 3/7/2014 was a malicious abuse of process.

The Pension Plan is protected from such abuse by the Bankruptcy Abuse Consumer Protection Act of 2005 and 11 USC para 1114(a).

If the Pension Plan does not receive the full amount of its secured claim in the amount of \$216,500.00, a suit will be filed in Federal Court Newark New Jersey seeking treble damages from all parties involved based upon the malicious conduct that the Pension Plan has experienced in this bankruptcy matter.

With regards to Wilmington Trust acting as an indenture trustee, as I was told by Steven Cimalare, Vice-President of Wilmington Trust, they are not involved in that capacity any longer. See the enclosed article which explains what happened to Wilmington Trust. The debtor should have disclosed this material information but it did not.

As for the Administrative Claim Form, each Bankruptcy Court District has its own claim form but they are all essentially the same. You check off the appropriate claim status at the bottom of the form and that determines your status in the case. That is what has happened in every case which I have been involved including this case. It is not decided by the bond classification. Neither the Pension Plan or any uninvolved third party ever received a copy of any June 2013 order pertaining to the Pension Plan's claim. That was confirmed to me in my 11/22/2014 conversation with A Kevin Stein of GCG Claims, Lake Success NY.

As the sole owner of the Pension Plan I am fully eligible to appear pro se in the matter under the Pro Se Rules of the NYC Southern District Bankruptcy Court and if the Claim Order is not signed by the St Louis District Court on its merits, then a Change of Venue in the interest of justice for a full hearing of matter under oath is justified.

The counsel for the debtors reply of 5/12/2104 cites Court Docket No. 4 at paragraph 19 which contains two crucial words to the matter. The word unsecured does not apply to the Pension Plan's secured claim. The word guaranteed does apply to the Pension Plan's secured claim.

For these reasons the claim should be granted and the objection overruled.

This is to advise the Court that I am filing a request with the Office of Chief Justice John Roberts of the United States Courts for a formal investigation of what I consider to be abusive conduct that has taken place in this matter outside of the Courtroom.

I am also filing a complaint with the United States Department of Justice pertaining to an Abuse of Process pursuant to 11 USC para 727 and 18 USC para 157.

As such, the Court may rule to stay the matter until the investigation and complaint are addressed.

Dated: May 16, 2014
Mahwah New Jersey

Respectfully submitted,



MICHAEL FENNELL
Fidelity Pension Plan Trust

I certify that I served by First Class Mail this date a
copy of this reply to:

BRYAN CAVE LLP
One Metropolitan Square
211 N. Broadway, Suite 3600
St. Louis, Missouri 63102

From: Fidelity
To: Michael J. Fennell
Topic:
Subject: Request for Information <<#570050-6861443#>>
Date: 05/09/2014 4:05 PM

Dear Mr. Fennell:

This email is in reference to the Fidelity Investments Non-Prototype account ending in 6807. Fidelity's 3rd party vendor Broadridge received the bankruptcy mailing materials for cusip 70336TAC8, Patriot Coap Corp Secured Note, on February 21, 2014. They then mailed the materials on February 24, 2014 to client's that had a record date of December 19, 2013.

I hope this information is helpful and I am sorry for any inconvenience. If you have any questions or further concerns, feel free to contact any Fidelity representative at 800-544-6666 or send us an email at any time. We appreciate your business.

Sincerely,

Eric Eppinghoff
Client Service Specialist

Fidelity Brokerage Services LLC, Members NYSE, SIPC.

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Sincerely,

Eric Eppinghoff
Client Service Specialist

Fidelity Brokerage Services LLC, Members NYSE, SIPC.

570050-6861443#>>

Wednesday, April 23, 2014

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Joseph N. DiStefano

POSTED: THURSDAY, NOVEMBER 14, 2013, 11:20 AM

The Inquirer

M&T Bank Corp., Buffalo, expects it may still have to pay "\$0 to \$70 million"

to cover costs and damages from ongoing federal investigations of who killed Wilmington Trust Co., more than two years after M&T took over Delaware's largest bank, which collapsed after lending a billion dollars to downstate Delaware developers and others who didn't pay it back.

M&T has earned more than \$120 million a month in profits so far this year, so it can absorb the hit, if it has to. But former Wilmington Trust officials are still under a cloud:

Since the wreck, and in contrast to some other and larger late-2000s bank failures, Delaware federal prosecutor Charles Oberly has filed criminal charges against both former mid-level Wilmington Trust lenders and some of the bank's developer-clients. But Oberly, like other federal prosecutors, has stopped short of going after the million-dollar executives and directors who presided over the bank's collapse -- though they are blamed in shareholder lawsuits grinding their way through Delaware courts. (See federal Judge Jed Rakoff's speech earlier this week scorching Obama's Justice Department for failing to prosecute bank bosses.)

Here's what M&T says about the status of further investigations in its new Form 10-Q quarterly report to the SEC:

Investigative and Litigation Matters

M&T's Wilmington Trust Corporation ("Wilmington Trust") subsidiary is the subject of certain governmental investigations arising from actions undertaken by Wilmington Trust prior to M&T's acquisition of Wilmington Trust and its subsidiaries...

About This Blog

PhillyDeals posts raw drafts and updates of Joseph N. DiStefano's columns and stories about Philly-area finance, investment, commercial real estate, tech, hiring and public spending, which he's been writing since 1989, mostly for the Philadelphia Inquirer.

DiStefano studied economics, history and a little engineering at Penn, taught writing at St. Joe's, and has written the book Comcasted, more than a thousand columns, and thousands of articles, and raised six children with his wife, who is a saint.

Reach Joseph N. at JoeD@phillynews.com or 215 854 5194.



Joseph N. DiStefano

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| Product Description | Sale Unit Qty Price | Final Price |
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| SAINT LOUIS MO 63102 Zone-5 First-Class Mail Large Env .40 oz. Expected Delivery: Mon 05/19/14 | | \$1.19 |

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