

**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)

Hearing Date: June 24, 2014

Hearing Time: 10:00 a.m. Central

Location: Courtroom 7-N, St. Louis

REORGANIZED DEBTORS' THIRTY-FOURTH OMNIBUS OBJECTION TO CLAIMS
(Monsanto Plaintiffs Claims)

Patriot Coal Corporation and its affiliated debtors (collectively, the “**Reorganized Debtors**”), pursuant to 11 U.S.C. § 502 and Fed. R. Bankr. P. 3007, respectfully file this Thirty-Fourth Omnibus Objection to Claims (the “**Objection**”). In support of this Objection, the Reorganized Debtors show the Court as follows:

Relief Requested

1. By this Objection, the Reorganized Debtors object to the claims listed on Exhibit A attached hereto (collectively, the “**Claims**”) because the Reorganized Debtors do not have any liability to the claimants on account of the Claims, as discussed below. The Reorganized Debtors request entry of an order, pursuant to Section 502 of the Bankruptcy Code and Fed. R. Bankr. P. 3007, disallowing the Claims.

2. **Parties receiving this Objection should locate their names on the attached exhibit.** Any response to this Objection should include, among other things, (i) an appropriate caption, including the title and date of this Objection; (ii) the name of the claimant, both the EDMO and GCG claim numbers of the claim that the Reorganized Debtors are seeking to disallow, and a description of the basis for the amount claimed; (iii) a concise statement setting

forth the reasons why the Court should not sustain this Objection, including, but not limited to, the specific factual and legal bases upon which the claimant relies in opposing this Objection; (iv) copies of any documentation and other evidence which the claimant will rely upon in opposing this Objection at a hearing; and (v) the name, address, telephone number and facsimile number of a person authorized to reconcile, settle or otherwise resolve the claim on the claimant's behalf. A claimant that cannot timely provide such documentation and other evidence should provide a detailed explanation as to why it is not possible to timely provide such documentation and other evidence.

Jurisdiction

3. This Court has jurisdiction over this Objection under 28 U.S.C. § 1334. Venue of this proceeding is proper pursuant to 28 U.S.C. § 1409. This is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).

4. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

Background

5. Ninety-nine of the Reorganized Debtors filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code on July 9, 2012 in the United States Bankruptcy Court for the Southern District of New York.

6. On December 19, 2012, these Reorganized Debtors' cases were transferred to the United States Bankruptcy Court for the Eastern District of Missouri [Dkt. No. 1789].

7. The bar date for filing proofs of claim against these Reorganized Debtors was December 14, 2012 [Dkt. No. 1388].

8. On March 1, 2013, the Court entered its Order Establishing Procedures for Claims Objections [Dkt. No. 3021].

9. Reorganized Debtors Brody Mining, LLC and Patriot Ventures LLC filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code on September 23, 2013 in this Court. The bar date for filing proofs of claim against these Debtors was October 24, 2013.

10. On December 18, 2013, the Court confirmed the Debtors' Fourth Amended Plan of Reorganization (the "**Plan**") [Dkt. No. 5169]. The Effective Date of the Plan occurred on December 18, 2013.

Objection and Argument

11. The Reorganized Debtors object to the Claims identified on Exhibit A, incorporated herein by reference, because the Debtors have no liability in connection with these Claims.

12. The Claims concern the alleged harm caused to each claimant or his or her property by a "chemical waste dump on Manila Creek, WV." The basis of GCG Claims Nos. 2257, 2258, 2259, 2260, 2262, 2263, 2264, 2265, 2266, 2267 and 2268 (collectively, the "**Property Claims**") is the alleged "contamination of claimant's property," and the basis of the remaining Claims (collectively, the "**Personal Injury Claims**") is the personal injury allegedly suffered by the claimant.

13. The Reorganized Debtors believe that all the Claims concern the same transaction and occurrence or series of transactions and occurrences, which were the subject of a number of lawsuits filed against debtor Apogee Coal Company LLC ("**Apogee**"), Monsanto Company ("**Monsanto**") and a number of other defendants for alleged exposure to dioxins produced at a former chemical plant in Nitro, West Virginia and dioxin-contaminated waste allegedly dumped and incinerated at a dump site known as the Manila Creek landfill. These lawsuits include:

- (a) *Robert C. Carter v. Monsanto Chemical Company, Solution, Inc., the City of Nitro, Amherst Coal Company, Arch of West Virginia, Inc., Arch of Illinois, Inc., and Apogee Coal Company*, Civil Action No. 00-C-300, Circuit Court of Putnam County, West Virginia, a class action filed on behalf of owners of property adjoining Manila Creek alleging the contamination of their property (the “**Carter Class Action**”);
- (b) *Allen et al. v. Monsanto Co., Pharmacia Corp., Azko Nobel Chemicals, Inc.; Akzo Nobel Services, Inc., Akzo Chemicals, Inc., Flexsys America Co., Flexsys America L.P., Flexsys International, L.P. and Flexsys International Co.*, Civil Action No. 04-C-065, Circuit Court of Putnam County, West Virginia, a class action filed on behalf of current owners of property and persons who resided, worked full time or attended school full time in one or more of the communities surrounding the former chemical plant in Nitro, West Virginia beginning in 1949, for alleged damage to property and injury to health (the “**Bibb Class Action**”); and
- (c) Numerous individual lawsuits filed against Monsanto, Apogee and additional defendants in the Circuit Court of Putnam County, West Virginia for personal injury allegedly caused by exposure to dioxin-contaminated waste from the plant in Nitro, West Virginia and the Manila Creek landfill (the “**Personal Injury Actions**” and, together with the Carter Class Action and the Bibb Class Action, the “**Lawsuits**”).

14. To the extent Apogee was named in the Lawsuits, Apogee was alleged to be liable as the successor to a company that owned and/or controlled the Manila Creek landfill, and is fully indemnified by Monsanto in connection with the claims asserted in the Lawsuits.

15. Each of the Lawsuits has been dismissed or definitively resolved and, accordingly, the Debtors have no liability in respect of the Claims. The Carter Class Action was voluntarily dismissed by the plaintiffs on December 29, 2009. On January 20, 2012, the plaintiffs in the Bibb Class Action, the plaintiffs in the Personal Injury Actions and Monsanto, by their respective counsel, entered into a memorandum of understanding (the “MOU”) to comprehensively settle the Bibb Class Action and the Personal Injury Actions. Pursuant to the MOU, Apogee does not have any liability with respect to the Personal Injury Actions or the Bibb Class Action.

16. Each of the Personal Injury Action settlements was made contingent on court approval of the settlement of the Bibb Class Action and the exhaustion of appeals with respect thereto. The settlement in the Bibb Class Action was approved by the Circuit Court of Putnam County, West Virginia on January 25, 2013, and all appeals were exhausted on May 2, 2014 when those challenging the settlement failed to apply to the Supreme Court for a rehearing of their petition for a writ of certiorari. The effective date of the Personal Injury Action settlements and the Bibb Class Action occurred on May 5, 2014. Therefore, it has been determined with finality that Apogee does not have any liability with respect to the Lawsuits.

17. Because Apogee does not have any liability with respect to the Lawsuits, and because the Claims provide no other basis for liability, the Claims should be disallowed.

WHEREFORE, the Reorganized Debtors respectfully request that this Court:

- (a) disallow the Claims; and
- (b) grant such other and further relief as is just and proper.

Dated: May 27, 2014
New York, New York

Respectfully submitted,

DAVIS POLK & WARDWELL LLP

/s/ Michelle M. McGreal

Marshall S. Huebner

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New York, New York 10017

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Counsel to the Reorganized Debtors

EXHIBIT A

CLAIMANT NAME	DEBTOR NAME	GCG CLAIM NO.	ED MO CLAIM NO.	AMOUNT	CLAIM PRIORITY
HERMAN ARTHUR C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2299	3226-1	\$1,000,000.00	UNSECURED
DOROTHY BAILES C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2268	3687-1	\$250,000.00	UNSECURED
DOROTHY BAILES C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2309	2746-1	\$1,000,000.00	UNSECURED
DOROTHY BAILES, PERSONAL REPRESENTATIVE OF THE ESTATE OF HUSTON BAILES, DECEASED C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2298	2747-1	\$1,000,000.00	UNSECURED
RANDY BAILES C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2266	3689-1	\$250,000.00	UNSECURED
ROY BAILES C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2267	3688-1	\$250,000.00	UNSECURED
ROY BAILES, PERSONAL REPRESENTATIVE OF THE ESTATE OF DENISE BAILES, DECEASED C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2311	3227-1	\$1,000,000.00	UNSECURED
LOIS BAILEY C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2289	3228-1	\$1,000,000.00	UNSECURED
ROBERT CARTER C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2265	3690-1	\$250,000.00	UNSECURED
SHIRLEY CHANCEY C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2264	3691-1	\$250,000.00	UNSECURED

CLAIMANT NAME	DEBTOR NAME	GCG CLAIM NO.	ED MO CLAIM NO.	AMOUNT	CLAIM PRIORITY
TAMMY CHANCEY C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2269	3229-1	\$1,000,000.00	UNSECURED
MICHAEL J. DORSEY, JR., AS PERSONAL REPRESENTATIVE OF THE ESTATE OF SANDRA DORSEY, DECEASED C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2278	3230-1	\$1,000,000.00	UNSECURED
JENNIFER DROUT, EXECUTRIX OF THE ESTATE OF JEAN LAMBERT C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2263	3693-1	\$250,000.00	UNSECURED
JENNIFER S. DROUT, PERSONAL REPRESENTATIVE OF THE ESTATE OF JEAN LAMBERT C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2294	3231-1	\$1,000,000.00	UNSECURED
LAWRENCE ECHOLS C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2262	3694-1	\$250,000.00	UNSECURED
GARY FISHER C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2305	2748-1	\$1,000,000.00	UNSECURED
WILLIAM GIBSON C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2273	2749-1	\$1,000,000.00	UNSECURED
DEBORA GILMORE C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2313	2750-1	\$1,000,000.00	UNSECURED
LEO HARRAH C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2291	2751-1	\$1,000,000.00	UNSECURED
DELBERT HAWLEY C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2312	3232-1	\$1,000,000.00	UNSECURED

CLAIMANT NAME	DEBTOR NAME	GCG CLAIM NO.	ED MO CLAIM NO.	AMOUNT	CLAIM PRIORITY
GARY E. HEDRICK, PERSONAL REPRESENTATIVE OF THE ESTATE OF JANE HEDRICK, DECEASED C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2295	3233-1	\$1,000,000.00	UNSECURED
RAMONA HICKMAN C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2281	3234-1	\$1,000,000.00	UNSECURED
ELMA L. HORNISH, PERSONAL REPRESENTATIVE OF THE ESTATE OF ESTALEE HORNISH, DECEASED C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2307	3235-1	\$1,000,000.00	UNSECURED
GARY W. HUGHES, PERSONAL REPRESENTATIVE OF THE ESTATE OF RUBY HUGHES, DECEASED C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2270	2752-1	\$1,000,000.00	UNSECURED
ROBERT HUMPHREY C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2260	3695-1	\$250,000.00	UNSECURED
STEPHANIE JOHNSTON C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2276	3236-1	\$1,000,000.00	UNSECURED
PURVIS KING C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2282	2753-1	\$1,000,000.00	UNSECURED
TERRY LANHAM C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2275	3237-1	\$1,000,000.00	UNSECURED
LESLIE, PERSONAL REPRESENTATIVE OF THE ESTATE OF JOHN OAKES, DECEASED OAKES C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2292	3243-1	\$1,000,000.00	UNSECURED

CLAIMANT NAME	DEBTOR NAME	GCG CLAIM NO.	ED MO CLAIM NO.	AMOUNT	CLAIM PRIORITY
LEONARD LETT C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2290	2754-1	\$1,000,000.00	UNSECURED
CARLOS LUIKART, PERSONAL REPRESENTATIVE OF THE ESTATE OF RUBY LUIKART, DECEASED C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2279	2755-1	\$1,000,000.00	UNSECURED
ELLEN MANN C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2308	2756-1	\$1,000,000.00	UNSECURED
OLIN MCCLANAHAN C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2259	3696-1	\$250,000.00	UNSECURED
OLIN MCCLANAHAN C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2283	2757-1	\$1,000,000.00	UNSECURED
ROBERT MCCLANAHAN C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2280	3238-1	\$1,000,000.00	UNSECURED
LORETTA MILHOAN, PERSONAL REPRESENTATIVE OF THE ESTATE OF HERBERT MILHOAN, DECEASED C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2300	2758-1	\$1,000,000.00	UNSECURED
JOHN MILLER C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2271	3239-1	\$1,000,000.00	UNSECURED
GWENDOLYN MORRIS C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2301	3240-1	\$1,000,000.00	UNSECURED
BARBARA MUCK C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2316	2759-1	\$1,000,000.00	UNSECURED

CLAIMANT NAME	DEBTOR NAME	GCG CLAIM NO.	ED MO CLAIM NO.	AMOUNT	CLAIM PRIORITY
JOHNNIE D. MUCK, PERSONAL REPRESENTATIVE OF THE ESTATE OF JOHN R. MUCK, DECEASED C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2293	3241-1	\$1,000,000.00	UNSECURED
JOHNNIE D MUCK, PERSONAL REPRESENTATIVE OF THE E OF LOUELLA MUCK, DECEASED MUCK C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2287	1466-1	\$1,000,000.00	UNSECURED
LOIS OLIVER C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2288	2760-1	\$1,000,000.00	UNSECURED
DAVID PAINTER C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2315	2761-1	\$1,000,000.00	UNSECURED
DONNA PARKER C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2310	2762-1	\$1,000,000.00	UNSECURED
ARNOLD PERSINGER C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2488	3244-1	\$1,000,000.00	UNSECURED
DAVID PLUMLEY C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2314	2763-1	\$1,000,000.00	UNSECURED
GORDON POTTORFF C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2303	3245-1	\$1,000,000.00	UNSECURED
JAMES PRICE C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2296	2764-1	\$1,000,000.00	UNSECURED
GLORIA PUCKETT C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2304	3246-1	\$1,000,000.00	UNSECURED

CLAIMANT NAME	DEBTOR NAME	GCG CLAIM NO.	ED MO CLAIM NO.	AMOUNT	CLAIM PRIORITY
SHARON PUFFENBARGER C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2277	2765-1	\$1,000,000.00	UNSECURED
WILLIAM SCOTT C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2272	3247-1	\$1,000,000.00	UNSECURED
PHYLLIS SHORT C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2257	3715-1	\$250,000.00	UNSECURED
GALE SUMMERS C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2306	3248-1	\$1,000,000.00	UNSECURED
GUY WILKINSON C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2302	2766-1	\$1,000,000.00	UNSECURED
JACK WOODALL C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2258	3697-1	\$250,000.00	UNSECURED
JACK WOODALL C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2297	2767-1	\$1,000,000.00	UNSECURED
MARY YOUNG, PERSONAL REPRESENTATIVE OF THE ESTATE OF NATCHEE YOUNG, DECEASED YOUNG C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2284	3249-1	\$1,000,000.00	UNSECURED
MICHAEL ZITZELBERGER C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2285	2768-1	\$1,000,000.00	UNSECURED
VADA ZITZELBERGER C/O THE CALWELL PRACTICE LC ATTN STUART CALWEL 500 RANDOLPH STREET CHARLESTON, WV 25302	APOGEE COAL COMPANY, LLC	2274	3250-1	\$1,000,000.00	UNSECURED

EXHIBIT B

**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)

**DECLARATION OF ROBERT L. MEAD IN SUPPORT OF REORGANIZED
DEBTORS' THIRTY-FOURTH OMNIBUS OBJECTION TO CLAIMS**

Robert L. Mead declares, pursuant to 28 U.S.C. § 1746, to the best of his knowledge and based upon the documents available to him, as follows:

1. I am Vice President & Treasurer of Patriot Coal Corporation.
2. I, or my colleagues, have reviewed each of the proofs of claim identified on Exhibits A to the Reorganized Debtors' Thirty-Fourth Omnibus Objection to Claims (the "Claims") in an effort to ascertain the validity of the Claims. I also have requested that legal issues underlying the Claims be reviewed by the Debtors' in-house counsel or bankruptcy counsel.
3. Each of the Claims listed on Exhibit A relates to the same transaction and occurrence or series of transactions and occurrences, which were the subject of a number of lawsuits filed against debtor Apogee Coal Company LLC, Monsanto Company and a number of other defendants for alleged exposure to dioxins produced at a former chemical plant in Nitro, West Virginia and dioxin-contaminated waste allegedly dumped and incinerated at a dump site known as the Manila Creek landfill. Each of these Lawsuits has been dismissed or definitively resolved and, accordingly, the Debtors have no liability in respect of the Claims.

4. The facts set forth in this Declaration are based on my firsthand knowledge as the person responsible for overseeing the Reorganized Debtors' claims reconciliation process, as well as on information provided to me by other employees of the Reorganized Debtors involved in the claims reconciliation process.

5. I declare under penalty of perjury that the foregoing is true and correct. Executed on May 27, 2014.

/s/ Robert L. Mead
Robert L. Mead