

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

In re:

PATRIOT COAL CORPORATION, *et al.*,

Debtors.

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

PATRIOT COAL CORPORATION, *et al.*,

Plaintiffs,

-against-

**PEABODY HOLDING COMPANY, LLC and
PEABODY ENERGY CORPORATION,**

Defendants.

**Adversary Proceeding
No. 13-04204-659**

SUMMARY OF EXHIBITS

The following exhibits (the “**Exhibits**”) referenced in the Memorandum of Law in Support of Plaintiffs’ Motion for a Preliminary Injunction Pursuant to 11 U.S.C. § 105(a) (the “**Memorandum**”) will be served on the Court, the office of the U.S. Trustee, counsel to the administrative agents for the Debtors’ postpetition lenders, and Peabody¹ (collectively, the “**Service Parties**”). Copies of the Exhibits will be made available at

¹ Capitalized terms used but not otherwise defined herein have the meanings assigned to such terms in the Memorandum.

www.patriotcaseinformation.com/exhibits.php and will be made available for inspection at the hearing.

- Exhibit A: A true and correct copy of the Subpoena, propounded by Peabody on Patriot on or about August 7, 2013 in connection with Lowe v. Peabody holding Co., No. 12-cv-06925 (S.D. W.V.).
- Exhibit B: A true and correct copy of the Rule 2004 subpoena the Fiduciaries propounded on Peabody on June 10, 2013.
- Exhibit C: A true and correct copy of Peabody's June 20, 2013 objections to the Fiduciaries' Rule 2004 subpoena.
- Exhibit D: A true and correct copy of Peabody's responses and objections to the document requests propounded on it by the plaintiffs in Lowe, which were attached as Exhibit 2 to the Lowe plaintiffs' motion to compel Peabody's production of documents.
- Exhibit E: A true and correct copy of Peabody's opposition to the Lowe plaintiffs' motion to compel Peabody's production of documents in the Lowe action.

Dated: New York, New York
September 3, 2013

Respectfully Submitted,

DAVIS POLK & WARDWELL LLP

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