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*Proposed Counsel to the Debtors  
and Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**In re:**

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

**Debtors.<sup>1</sup>**

**Chapter 11**

**Case No. 12-[ ] (\_\_\_)**

**(Jointly Administered)**

**DEBTORS' MOTION FOR AN ORDER (i) WAIVING REQUIREMENT TO FILE  
LIST OF CREDITORS AND (ii) ESTABLISHING PROCEDURES FOR  
NOTIFYING CREDITORS OF THE COMMENCEMENT  
OF THE DEBTORS' CHAPTER 11 CASES**

Patriot Coal Corporation and its subsidiaries that are debtors and debtors in possession in these proceedings (collectively, the "**Debtors**") respectfully represent:

**Relief Requested**

1. Pursuant to section 105(a) of the Bankruptcy Code, the Debtors seek an order in the form attached hereto as Exhibit A: (a) waiving the requirement to file a list of creditors, co-debtors and parties to executory contracts on the Petition Date as required by section 521(a)(1) of the Bankruptcy Code, Bankruptcy Rule 1007(a)(1), Local

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<sup>1</sup> The Debtors are the entities listed on Schedule 1 attached hereto. The employer tax identification numbers and addresses for each of the Debtors are set forth in the Debtors' chapter 11 petitions.

Bankruptcy Rule 1007-1 and General Orders M-133, M-137, M-138 and M-409 (the “**Standing Orders**”) of the United States Bankruptcy Court for the Southern District of New York (collectively, the “**Notice Rules**”) and (b) authorizing the implementation of certain procedures (the “**Procedures**”) for notifying creditors of the commencement of the chapter 11 cases and of the meeting of creditors to be held pursuant to section 341 of the Bankruptcy Code using a notice substantially in the form annexed hereto as Exhibit B (the “**Notice of Commencement**”). As set forth more fully below, the Procedures establish guidelines for: (i) mailing the Notice of Commencement to creditors and (ii) publishing the Notice of Commencement.

### **Background and Jurisdiction**

2. On July 9, 2012 (the “**Petition Date**”), each Debtor commenced with this Court a voluntary case under chapter 11 of title 11 of the United States Code (the “**Bankruptcy Code**”). The Debtors are authorized to operate their businesses and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

3. Contemporaneously herewith, the Debtors have filed a motion requesting joint administration of their chapter 11 cases pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”).

4. Additional information about the Debtors’ businesses and the events leading up to the Petition Date can be found in the Declaration of Mark N. Schroeder, Patriot Coal Corporation’s Senior Vice President and Chief Financial Officer, which is incorporated herein by reference.

5. The Court has subject matter jurisdiction to consider this matter pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b) and may

be determined by the Bankruptcy Court. Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

### **The List of Creditors**

6. Pursuant to the Notice Rules, a chapter 11 petition must ordinarily be accompanied by a list containing the name and address of each entity included or to be included on certain of the Debtors' schedules of assets and liabilities or executory contracts and unexpired leases. The Debtors have, however, filed a motion to retain and employ GCG, Inc. (the "**Notice and Claims Agent**") as notice and claims agent in these chapter 11 cases. The request to retain the Notice and Claims Agent is made pursuant to (a) 28 U.S.C. § 156(c), which empowers the Court to use outside facilities or services for the provision of notices and other administrative information to parties in interest so long as the costs of the services are paid for out of the assets for the estate and (b) M-409, which requires the retention of an approved claims and noticing agent in a case having one thousand or more creditors and/or equity security holders.<sup>2</sup> Under the Procedures, and pursuant to section 342(a) of the Bankruptcy Code and Bankruptcy Rules 2002(a) and (f), as soon as practicable after the Petition Date, the Debtors will furnish their consolidated list of creditors to the Notice and Claims Agent so that the Notice and Claims Agent may mail the Notice of Commencement to the creditors on such list. Creditors will be notified of the commencement of these chapter 11 cases through their receipt of the Notice of Commencement.

7. Given that the Notice and Claims Agent will receive a list of creditors and will use the list to furnish the Notice of Commencement to creditors, filing a list of

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<sup>2</sup> The Debtors also intend to file a separate application to retain GCG, Inc., pursuant to section 327(a) of the Bankruptcy Code, to perform certain duties outside the scope of 28 U.S.C. §156(c).

creditors will serve no useful purpose. Pursuant to the Standing Orders, the Debtors have conferred with the Clerk of the Court (the “**Clerk**”) and have been instructed by the Clerk not to file a list of creditors. The Clerk has instructed the Debtors to provide the list of creditors to the Notice and Claims Agent as proposed herein. As a result of the foregoing, the Notice Rules should be waived.

**The Proposed Procedures for  
Serving the Notice of Commencement**

**A. Mailing Notice of Commencement to Creditors**

8. Bankruptcy Rule 2002(a) provides, in relevant part, that “the clerk, or some other person as the court may direct, shall give the debtor, the trustee, all creditors and indenture trustees at least 21 days’ notice by mail of: the meeting of creditors under § 341 or § 1104(b) of the Code.” Furthermore, Bankruptcy Rule 2002(f) provides that notice of the order for relief shall be sent by mail to all creditors.

9. In light of the requirement to notify parties in interest of the commencement of these chapter 11 cases and the meeting of creditors, the Debtors seek authority to have the Notice and Claims Agent undertake the mailing of the Notice of Commencement to creditors at least 21 days before the meeting of creditors to be held pursuant to section 341 of the Bankruptcy Code (the “**Section 341 Meeting**”).

**B. Notice of Commencement by Publication**

10. In addition to mailing the Notice of Commencement to the Debtors’ creditors, the Debtors propose to publish, at least 21 days before the date on which the Section 341 Meeting is to be held, the Notice of Commencement substantially in the form of the notice annexed hereto as Exhibit B (a) once in each of the following publications: *The Wall Street Journal, National Edition*; *St. Louis Post Dispatch*, a St. Louis, Missouri newspaper; *Charleston Gazette/Charleston Daily Mail*, a Charleston, West Virginia

newspaper; *Gleaner*, a Henderson County, Kentucky newspaper; *Evansville Courier and Press*, a Union County, Kentucky newspaper, *The Dominion Post*, a Morgantown, West Virginia newspaper; *The Register Herald*, a Beckley, West Virginia newspaper; *Times West Virginian*, a Fairmont, West Virginia newspaper and *The Southern Illinoisan*, a Carbondale, Illinois newspaper, and (b) on the website to be established by the Notice and Claims Agent and the Debtors' website. The Debtors are confident that these publications will be most likely to reach those creditors who may not have received notice by mail.

**Implementing the Procedures is in the Best Interests  
of the Debtors and their Estates and Creditors**

11. As discussed above, the Debtors will furnish a list of creditors to their Notice and Claims Agent. Shortly after the commencement of these chapter 11 cases, and, in any event, at least 21 days before the date on which the Section 341 Meeting is to be held, the Notice and Claims Agent will (a) mail the Notice of Commencement to all creditors on the Debtors' list of creditors and (b) publish the Notice of Commencement as set forth above. *See* 28 U.S.C. § 156(c). Contemporaneously herewith, the Debtors have filed separate motions to authorize special procedures relating to various aspects of the Debtors' cases. These motions address the provision of notice to those parties whose interests may be affected by such procedures.

12. The proposed combination of notice by mail and publication (as well as the press and internet attention these chapter 11 cases will receive) will ensure that creditors in various locations throughout the world receive prompt notice of the commencement of these chapter 11 cases.

13. As discussed above, in addition to mailing the Notice of Commencement to those parties listed on the Debtors' list of creditors, the Debtors will publish the Notice

of Commencement. The Court has authority under Bankruptcy Rule 2002(l) to “order notice by publication if it finds that notice by mail is impracticable.” Publication of the Notice of Commencement is the most practical method by which to notify those creditors who do not receive the Notice of Commencement by mail, and other creditors and parties in interest of the commencement of these chapter 11 cases, and will ensure an efficient use of estate resources.

14. Section 105(a) of the Bankruptcy Code empowers the Court to “issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title.” The Debtors submit that implementation of the Procedures is appropriate in these chapter 11 cases to provide adequate notice and is within the Court’s equitable powers under section 105 of the Bankruptcy Code.

15. Courts have routinely granted the relief requested herein relating to the mailing of the Notice of Commencement by the notice and claims agent. *See, e.g., In re Pinnacle Airlines Corp.*, Case No. 12-11343 (REG) (Bankr. S.D.N.Y. Apr. 3, 2012); *In re Eastman Kodak Co.*, Case No. 12-10202 (ALG) (Bankr. S.D.N.Y. Jan. 19, 2012); *In re Hostess Brands, Inc.*, Case No. 12-22052 (RDD) (Bankr. S.D.N.Y. Jan 12, 2012); *In re AMR Corp.*, Case No. 11-15463 (SHL) (Bankr. S.D.N.Y. Nov. 30, 2011); *In re Dynege Holdings, LLC*, Case No. 11-38111 (CGM) (Bankr. S.D.N.Y. Nov. 15, 2011); *In re Archbrook Laguna Holdings LLC*, Case No. 11-13292 (SCC) (Bankr. S.D.N.Y. July 12, 2011); *In re Star Tribune Holdings Corp.*, Case No. 09-10244 (RDD) (Bankr. S.D.N.Y. Jan. 16, 2009); *In re Lehman Brothers Holdings Inc.*, Case No. 08-13555 (JMP) (Bankr. S.D.N.Y. Sept. 16, 2008); *In re Frontier Airlines Holdings, Inc.*, Case No. 08-11298 (RDD) (Bankr. S.D.N.Y. Apr. 11, 2008); *In re PLVTZ, Inc.*, Case No. 07-13532 (REG) (Bankr. S.D.N.Y. Nov. 9, 2007); *In re Dana Corp.*, Case No. 06-10354 (BRL) (Bankr.

S.D.N.Y. Mar. 6, 2006); *In re Delta Air Lines, Inc.*, Case No. 05-17923 (PCB) (Bankr. S.D.N.Y. Sep. 16, 2005); *In re Tower Auto.*, Case No. 05-10578 (ALG) (Bankr. S.D.N.Y. Feb. 3, 2005); *In re Loral Space & Commc'ns Ltd*, Case No. 03-41710 (RDD) (Bankr. S.D.N.Y. Jul. 15, 2003); *In re Acterna Corp.*, Case No. 03-12837 (BRL) (Bankr. S.D.N.Y. May 6, 2003); *In re WorldCom, Inc.*, Case No. 02-13533 (ALG) (Bankr. S.D.N.Y. Jul. 21, 2002); *In re Enron Corp.*, Case No. 01-16034 (Bankr. S.D.N.Y. Dec. 3, 2001).

16. Finally, the proposed Procedures are beneficial to the Debtors' estates and to the Debtors' creditors because they provide actual notice to all of the Debtors' creditors in an efficient and cost-effective manner.

#### **Notice**

17. No trustee, examiner or creditors' committee has been appointed in these chapter 11 cases. The Debtors have served notice of this Motion on (a) the Office of the United States Trustee for the Southern District of New York, (b) those creditors holding the five largest secured claims against the Debtors' estates on a consolidated basis, (c) those creditors holding the 50 largest unsecured claims against the Debtors' estates on a consolidated basis, (d) attorneys for the administrative agents for the Debtors' proposed postpetition lenders, (e) the Internal Revenue Service, (f) the Securities and Exchange Commission, (g) the United States Environmental Protection Agency and (h) the United States Attorney's Office for the Southern District of New York.

#### **No Previous Request**

18. No previous request for the relief sought herein has been made by the Debtors to this or any other court.

WHEREFORE, the Debtors respectfully request that the Court grant the relief  
requested herein and such other and further relief as is just and proper.

Dated: New York, New York  
July 9, 2012

By: /s/ Damian S. Schaible

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*Proposed Counsel to the Debtors  
and Debtors in Possession*

**SCHEDULE 1**  
(Debtor Entities)

1. Affinity Mining Company
2. Apogee Coal Company, LLC
3. Appalachia Mine Services, LLC
4. Beaver Dam Coal Company, LLC
5. Big Eagle, LLC
6. Big Eagle Rail, LLC
7. Black Stallion Coal Company, LLC
8. Black Walnut Coal Company
9. Bluegrass Mine Services, LLC
10. Brook Trout Coal, LLC
11. Catenary Coal Company, LLC
12. Central States Coal Reserves of Kentucky, LLC
13. Charles Coal Company, LLC
14. Cleaton Coal Company
15. Coal Clean LLC
16. Coal Properties, LLC
17. Coal Reserve Holding Limited Liability Company No. 2
18. Colony Bay Coal Company
19. Cook Mountain Coal Company, LLC
20. Corydon Resources LLC
21. Coventry Mining Services, LLC
22. Coyote Coal Company LLC
23. Cub Branch Coal Company LLC
24. Dakota LLC
25. Day LLC
26. Dixon Mining Company, LLC
27. Dodge Hill Holding JV, LLC
28. Dodge Hill Mining Company, LLC
29. Dodge Hill of Kentucky, LLC
30. EACC Camps, Inc.
31. Eastern Associated Coal, LLC
32. Eastern Coal Company, LLC
33. Eastern Royalty, LLC
34. Emerald Processing, L.L.C.
35. Gateway Eagle Coal Company, LLC
36. Grand Eagle Mining, LLC
37. Heritage Coal Company LLC
38. Highland Mining Company, LLC
39. Hillside Mining Company
40. Hobet Mining, LLC
41. Indian Hill Company LLC
42. Infinity Coal Sales, LLC
43. Interior Holdings, LLC
44. IO Coal LLC
45. Jarrell's Branch Coal Company
46. Jupiter Holdings LLC
47. Kanawha Eagle Coal, LLC
48. Kanawha River Ventures I, LLC
49. Kanawha River Ventures II, LLC
50. Kanawha River Ventures III, LLC
51. KE Ventures, LLC
52. Little Creek LLC
53. Logan Fork Coal Company
54. Magnum Coal Company LLC
55. Magnum Coal Sales LLC
56. Martinka Coal Company, LLC
57. Midland Trail Energy LLC
58. Midwest Coal Resources II, LLC
59. Mountain View Coal Company, LLC
60. New Trout Coal Holdings II, LLC
61. Newtown Energy, Inc.
62. North Page Coal Corp.
63. Ohio County Coal Company, LLC
64. Panther LLC
65. Patriot Beaver Dam Holdings, LLC
66. Patriot Coal Company, L.P.
67. Patriot Coal Corporation
68. Patriot Coal Sales LLC
69. Patriot Coal Services LLC
70. Patriot Leasing Company LLC
71. Patriot Midwest Holdings, LLC
72. Patriot Reserve Holdings, LLC
73. Patriot Trading LLC
74. PCX Enterprises, Inc.
75. Pine Ridge Coal Company, LLC
76. Pond Creek Land Resources, LLC
77. Pond Fork Processing LLC
78. Remington Holdings LLC
79. Remington II LLC
80. Remington LLC
81. Rivers Edge Mining, Inc.
82. Robin Land Company, LLC
83. Sentry Mining, LLC
84. Snowberry Land Company
85. Speed Mining LLC
86. Sterling Smokeless Coal Company, LLC
87. TC Sales Company, LLC
88. The Presidents Energy Company LLC
89. Thunderhill Coal LLC
90. Trout Coal Holdings, LLC
91. Union County Coal Co., LLC
92. Viper LLC
93. Weatherby Processing LLC
94. Wildcat Energy LLC
95. Wildcat, LLC
96. Will Scarlet Properties LLC
97. Winchester LLC
98. Winifrede Dock Limited Liability Company
99. Yankeetown Dock, LLC

## **Exhibit A**

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**In re:**

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

**Debtors.<sup>1</sup>**

**Chapter 11**

**Case No. 12-[ ] (\_\_\_)**

**(Jointly Administered)**

**ORDER (i) WAIVING REQUIREMENT TO FILE LIST OF CREDITORS AND  
(ii) ESTABLISHING PROCEDURES FOR NOTIFYING CREDITORS OF THE  
COMMENCEMENT OF THE DEBTORS' CHAPTER 11 CASES**

Upon the motion (the “**Motion**”)<sup>2</sup> of Patriot Coal Corporation and its subsidiaries that are debtors and debtors in possession in these proceedings (collectively, the “**Debtors**”) for waiver of the requirement to file a list of creditors and for authority to establish procedures for notifying creditors of the commencement of their chapter 11 cases pursuant to sections 105(a), 342(a) and 521(a)(1) of the Bankruptcy Code, Bankruptcy Rules 1007(a), 2002(a), (f), and (l) of the Bankruptcy Rules, Local Bankruptcy Rule 1007-1 and General Orders M-133, M-137, M-138 and M-409 (the “**Standing Orders**”) as more fully described in the Motion; and upon consideration of the Declaration of Mark N. Schroeder, Patriot Coal Corporation’s Senior Vice President and Chief Financial Officer, filed in support of the Debtors’ first-day pleadings; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant

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

<sup>2</sup> Unless otherwise defined herein, each capitalized term shall have the meaning ascribed to such term in the Motion.

to 28 U.S.C. §§ 157 and 1334 and Standing Order M-61 Referring to Bankruptcy Judges for the Southern District of New York Any and All Proceedings Under Title 11, dated July 10, 1984 (Ward, Acting C.J.) as amended by Standing Order M-431, dated February 1, 2012 (Preska, C.J.); and consideration of the Motion and the requested relief being a core proceeding the Bankruptcy Court can determine pursuant to 28 U.S.C. § 157(b); and due and proper notice of the Motion having been provided to (a) the Office of the United States Trustee for the Southern District of New York, (b) those creditors holding the five largest secured claims against the Debtors' estates on a consolidated basis, (c) those creditors holding the 50 largest unsecured claims against the Debtors' estates on a consolidated basis, (d) attorneys for the administrative agents for the Debtors' proposed postpetition lenders, (e) the Internal Revenue Service, (f) the Securities and Exchange Commission, (g) the United States Environmental Protection Agency and (h) the United States Attorney's Office for the Southern District of New York; and it appearing that no other or further notice need be provided; and the relief requested in the Motion being in the best interests of the Debtors and their estates and creditors; and the Court having reviewed the Motion and having held a hearing with appearances of parties in interest noted in the transcript thereof (the "**Hearing**"); and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the Motion is hereby granted as set forth herein; and it is further

ORDERED that the requirement under section 521(a)(1) of the Bankruptcy Code, Bankruptcy Rule 1007(a)(1), Local Bankruptcy Rule 1007-1 and the Standing Orders to

file with the petitions a list containing the name and address of certain creditors, counterparties to executory contracts and unexpired leases and co-debtors is waived *provided* that this waiver does not affect the Debtors' obligations to file schedules of executory contracts and unexpired leases and co-debtors pursuant to section 521 of the Bankruptcy Code or Bankruptcy Rule 1007; and it is further

ORDERED that the Debtors, as soon as practicable after the commencement of their chapter 11 cases, will furnish the list of creditors to GCG, Inc. (the "**Notice and Claims Agent**"), upon the Court's authorization to engage the Notice and Claims Agent; and it is further

ORDERED that the Debtors, with the assistance of the Notice and Claims Agent, are directed to mail notice of the commencement of these chapter 11 cases and of the Section 341 Meeting (the "**Notice of Commencement**") to all creditors on the Debtors' list of creditors at least 21 days prior to the date on which the Section 341 Meeting is to be held; and it is further

ORDERED that the form of Notice of Commencement, substantially in the form of notice annexed to the Motion as Exhibit B, is approved; and it is further

ORDERED that Debtors shall cause publication of the Notice of Commencement, in various publications listed in the Motion, in substantially the form of notice annexed to the Motion as Exhibit B, at least 21 days prior to the date on which the Section 341 Meeting is to be held. Such form and manner of publication notice is hereby approved and authorized pursuant to Bankruptcy Rule 2002(1); and it is further

ORDERED that all forms of notice provided by the Motion are reasonably calculated to inform interested parties of these chapter 11 cases; and it is further

ORDERED that this Court retains jurisdiction regarding all matters arising from  
or related to the implementation of this Order; and it is further

ORDERED that notice of the Motion as provided therein shall be deemed good  
and sufficient notice of such Motion.

Dated: New York, New York  
\_\_\_\_\_, 2012

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UNITED STATES BANKRUPTCY JUDGE

## **Exhibit B**

## UNITED STATES BANKRUPTCY COURT, SOUTHERN DISTRICT OF NEW YORK

**In re**  
**PATRIOT COAL CORPORATION, et al.,<sup>1</sup>**  
**Debtors.**

**Chapter 11 Case No:**  
**12-\_\_\_\_\_ (\_\_\_\_)**

**Notice Of Chapter 11 Bankruptcy Case,  
Meeting Of Creditors & Deadlines**

On July 9, 2012 (the "Petition Date"), Patriot Coal Corporation and certain of its affiliates and subsidiaries (collectively, the "Debtors") filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (as amended, the "Bankruptcy Code"), in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court").

You may be a creditor of the Debtors. **This Notice lists important deadlines.** You may want to consult an attorney to protect your rights. **You are not being sued or forced into bankruptcy.** All documents filed with the Bankruptcy Court, including the Debtors schedules of assets and liabilities and statements of financial affairs, will be available for inspection at the Bankruptcy Court Clerk's office or by (a) accessing the Bankruptcy Court's website, [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov), (b) contacting the Bankruptcy Court Clerk's office by telephone at 212-668-2870 or by mail at One Bowling Green, New York, NY 110004-1408, (c) by contacting the Debtors' notice and claims agent, GCG, Inc. ("GCG"), via telephone at 877-600-6531 or by mail at Patriot Coal Corporation, c/o GCG, Inc. P.O. Box 9898, Dublin, OH 43017-5798 or (d) by accessing the website maintained by GCG at [www.PatriotCaseInfo.com](http://www.PatriotCaseInfo.com). Note that a PACER password is needed to access documents on the Bankruptcy Court's website (a PACER password may be obtained by accessing the PACER website, [www.pacer.gov](http://www.pacer.gov)) or by calling the Pacer Service Center at 1-800-676-6856 or 210-301-6440. **NOTE:** The staff members of the Bankruptcy Court Clerk's Office, the Office of the United States Trustee and GCG cannot give legal advice.

**Attorneys for Debtors**

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**DATE, TIME, AND LOCATION OF MEETING OF CREDITORS  
PURSUANT TO BANKRUPTCY CODE SECTION 341(a)**

\_\_\_\_\_, 2012 at \_\_\_\_:\_\_\_\_ .m. (prevailing Eastern Time) Office of the United States Trustee for the Southern District of New York, 80 Broad Street, Fourth Floor

**Deadline To File A Proof Of Claim:**

None at this time. When the Bankruptcy Court sets a claims deadline, you will be notified and provided a Proof of Claim form by mail.

**Creditors May Not Take Certain Actions:**

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the Debtors and the Debtors' property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Common examples of prohibited actions by creditors are contacting the Debtors to demand repayment, taking action against the Debtors to collect money owed to creditors or to take property of the Debtors, and starting or continuing collection actions, foreclosure actions, or repossessions. Consult a lawyer to determine your rights in this case.

**Address of the Clerk of the Bankruptcy Court:**

Clerk of the United States Bankruptcy Court  
One Bowling Green  
New York, New York 10004  
Telephone Number: (212) 668-2870

Approved by the Clerk of the Bankruptcy Court:

Vito Genna  
Clerk of the Bankruptcy Court

Hours Open: 8:30 a.m. – 5:00 p.m.

Date: [\_\_\_\_\_, 2012]

<sup>1</sup> A list setting forth each Debtor is attached as Schedule 1.

## EXPLANATIONS

Case Management and Administrative Procedures	On the Petition Date, the Bankruptcy Court was asked to enter an Order Approving Notice, Case Management and Administrative Procedures (the "Case Management Order"). The Case Management Order describes the notice and other procedures that apply in these cases. All parties who desire to participate in these cases must follow the procedures set forth therein.
Filing of Chapter 11 Bankruptcy Case	A bankruptcy case under chapter 11 of the Bankruptcy Code (title 11, United States Code) has been filed in this Bankruptcy Court by or against the Debtors listed on Schedule 1, attached hereto, and an order for relief has been entered. Chapter 11 allows a debtor to reorganize or liquidate pursuant to a plan. A plan is not effective unless confirmed by the Bankruptcy Court. You may be sent a copy of the plan and a disclosure statement telling you about the plan, and you might have the opportunity to vote on the plan. You will be sent notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the Debtors will remain in possession of the Debtors' property and may continue to operate any business.
<b>Legal Advice</b>	The staff of the Bankruptcy Court Clerk's office cannot give legal advice. Consult a lawyer to determine your rights in these cases.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the Debtors by telephone, mail, or otherwise to demand repayment; taking actions to collect money or obtain property from the Debtors; repossessing the Debtors' property; and starting or continuing lawsuits or foreclosures.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time, and location listed on the front side. <i>The Debtors' representative must be present at the meeting to be questioned under oath by the United States Trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date specified in a notice filed with the Bankruptcy Court. The Bankruptcy Court, after notice and a hearing, may order that the United States trustee not convene the meeting if the Debtors have filed a plan for which the Debtors solicited acceptances before filing these cases.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this Notice, you can obtain one at any Bankruptcy Court Clerk's office. You may look at the schedules that have been, or will be, filed at the Bankruptcy Court Clerk's office. If your claim is scheduled and is not listed as disputed, contingent, or unliquidated, it will be allowed in the amount scheduled, unless you filed a Proof of Claim or you are sent further notice about the claim. Whether or not your claim is scheduled, you are permitted to file a Proof of Claim. If your claim is not listed at all or if your claim is listed as disputed, contingent, or unliquidated, then you must file a Proof of Claim or you might not be paid any money on your claim and may be unable to vote on a plan. The Bankruptcy Court has not yet set a deadline to file a Proof of Claim. If a deadline is set, you will be sent another notice. A secured creditor retains rights in its collateral regardless of whether that creditor files a Proof of Claim. Filing a Proof of Claim may submit the creditor to the jurisdiction of the Bankruptcy Court, with consequences a lawyer can explain. For example, a secured creditor who files a Proof of Claim may surrender important nonmonetary rights, including the right to a jury trial. <b>Filing Deadline for a Creditor with a Foreign Address:</b> The deadline for filing claims will be set in a later Bankruptcy Court order and will apply to all creditors unless the order provides otherwise. If notice of the order setting the deadline is sent to a creditor at a foreign address, the creditor may file a motion requesting the Bankruptcy Court to extend the deadline. There is no assurance that such a motion would be granted.
Discharge of Debts	Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code § 1141(d). A discharge means that you may never try to collect the debt from the Debtors, except as provided in the plan. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 1141(d)(6)(A), you must start a lawsuit by filing a complaint in the Bankruptcy Court Clerk's office. The Bankruptcy Court Clerk's office must receive the complaint and any required filing fee by any applicable deadline.
Bankruptcy Court Clerk's Office	Any paper that you file in these cases should be filed at the Bankruptcy Court Clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the Debtors' property and debts and the list of the property claimed as exempt, at the Bankruptcy Court Clerk's office.
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in these cases.
Refer To Other Side For Important Deadlines and Notices	

~~SCHEDULE B~~

<b>Debtor</b>	<b>(Other names, if any, used by the Debtor in the past 8 years)</b>	<b>Taxpayer I.D.</b>
Affinity Mining Company		25-1207512
Apogee Coal Company, LLC	Apogee Coal Company; Arch of West Virginia	35-0672865
Appalachia Mine Services, LLC		20-1680233
Beaver Dam Coal Company, LLC	Beaver Dam Coal Company	61-0129825
Big Eagle, LLC	Eagle Corner, LLC; Kanawha Eagle Coal Sales, LLC	54-1985006
Big Eagle Rail, LLC		54-1988672
Black Stallion Coal Company, LLC		20-0657792
Black Walnut Coal Company		68-0541705
Bluegrass Mine Services, LLC	Bluegrass Coal Company	43-1540253
Brook Trout Coal, LLC		26-0004876
Catenary Coal Company, LLC	Catenary Coal Company	43-1515836
Central States Coal Reserves of Kentucky, LLC		20-3960681
Charles Coal Company, LLC	Charles Coal Company	04-2698757
Cleaton Coal Company		43-1887526
Coal Clean LLC	Coal Clean Corporation	31-1488063
Coal Properties, LLC	Coal Properties Corp.	04-2702708
Coal Reserve Holding Limited Liability Company No. 2		43-1922735
Colony Bay Coal Company		55-0604613
Cook Mountain Coal Company, LLC	Cook Mountain Coal Company	55-0732291
Corydon Resources LLC		45-2463790
Coventry Mining Services, LLC		45-0573119
Coyote Coal Company LLC		20-8226141
Cub Branch Coal Company LLC		45-2977278
Dakota LLC		55-0763723
Day LLC		20-0041392
Dixon Mining Company, LLC		62-1872287
Dodge Hill Holding JV, LLC		05-0575436
Dodge Hill Mining Company, LLC		61-1378899
Dodge Hill of Kentucky, LLC		02-0697247
EACC Camps, Inc.		25-0600150
Eastern Associated Coal, LLC	Eastern Associated Coal Corp.	25-1125516
Eastern Coal Company, LLC		20-4099004
Eastern Royalty, LLC	Eastern Royalty Corp.	04-2698759
Emerald Processing, L.L.C.	Emerald Processing, Limited Liability Company	54-1766524
Gateway Eagle Coal Company, LLC		27-4256908
Grand Eagle Mining, LLC	Grand Eagle Mining, Inc.	61-1250622
Heritage Coal Company LLC	Peabody Coal Company; Peabody Coal Company, LLC	13-2606920
Highland Mining Company, LLC	Highland Mining Company	43-1869675
Hillside Mining Company		55-0695451
Hobet Mining, LLC	Hobet Mining, Inc.; Dal-Tex Division of Hobet Mining; Old Hickory Division of Hobet Mining; Sharples Division of Hobet Mining	31-4446083
Indian Hill Company LLC	Indian Hill Company	20-0066123
Infinity Coal Sales, LLC		26-0004884
Interior Holdings, LLC	Interior Holdings Corp.	43-1700075
IO Coal LLC	IO Coal Company, Inc.	55-0769812
Jarrell's Branch Coal Company		73-1625894
Jupiter Holdings LLC		31-1688670
Kanawha Eagle Coal, LLC		54-1969926
Kanawha River Ventures I, LLC		20-0089445
Kanawha River Ventures II, LLC		20-0506578
Kanawha River Ventures III, LLC		20-0506617

<b>Debtor</b>	<b>(Other names, if any, used by the Debtor in the past 8 years)</b>	<b>Taxpayer I.D.</b>
KE Ventures, LLC		54-1985007
Little Creek LLC		20-0041764
Logan Fork Coal Company		73-1625895
Magnum Coal Company LLC	Magnum Coal Company	20-3678373
Magnum Coal Sales LLC		20-4623056
Martinka Coal Company, LLC	Martinka Coal Company	55-0716084
Midland Trail Energy LLC		26-1629024
Midwest Coal Resources II, LLC		20-8080003
Mountain View Coal Company, LLC	Mountain View Coal Company	25-1474206
New Trout Coal Holdings II, LLC		20-5032361
Newtown Energy, Inc.		55-0685209
North Page Coal Corp.		31-1210133
Ohio County Coal Company, LLC	Ohio County Coal Company	20-8080158
Panther LLC		55-0763722
Patriot Beaver Dam Holdings, LLC		90-0858476
Patriot Coal Company, L.P.		61-1258748
Patriot Coal Corporation	Eastern Coal Holding Company, Inc.; Patriot Coal Corporation Midwest	20-5622045
Patriot Coal Sales LLC		26-0232530
Patriot Coal Services LLC		27-3459485
Patriot Leasing Company LLC	Peabody Leasing Company; Patriot Leasing Midwest LLC	20-8819264
Patriot Midwest Holdings, LLC		20-4370400
Patriot Reserve Holdings, LLC	HCR Holdings, LLC	20-3405596
Patriot Trading LLC		26-3247515
PCX Enterprises, Inc.		45-5405016
Pine Ridge Coal Company, LLC	Pine Ridge Coal Company	55-0737187
Pond Creek Land Resources, LLC		75-3058253
Pond Fork Processing LLC	Pond Fork Processing Corporation	55-0782677
Remington Holdings LLC		20-0063793
Remington II LLC		20-0046320
Remington LLC		55-0763721
Rivers Edge Mining, Inc.		43-1898371
Robin Land Company, LLC		20-4090125
Sentry Mining, LLC	Sentry Mining Company	43-1540251
Snowberry Land Company	Knox Energy, LLC; Fort Energy, LLC	43-1721980
Speed Mining LLC	Speed Mining, Inc.	55-0742194
Sterling Smokeless Coal Company, LLC	Sterling Smokeless Coal Company	55-0463558
TC Sales Company, LLC		20-4090162
The Presidents Energy Company LLC		80-0256382
Thunderhill Coal LLC	Thunderhill Coal Company, Inc.	55-0769813
Trout Coal Holdings, LLC		26-0004872
Union County Coal Co., LLC	Union County Coal Co., LLC-1; Union County Coal Co.	74-3096591
Viper LLC		20-0041882
Weatherby Processing LLC	Weatherby Processing Corporation	55-0757147
Wildcat Energy LLC	Highwall Mining, LLC; Highwall Mining, Inc.	55-0779955
Wildcat, LLC		55-0783526
Will Scarlet Properties LLC		45-2233074
Winchester LLC		20-0052628
Winifrede Dock Limited Liability Company		55-0746752
Yankeetown Dock, LLC	Yankeetown Dock Corporation	35-0923438