

Leonardo Trivigno  
James Gadsden  
Carter Ledyard & Milburn LLP  
2 Wall Street  
New York, New York 10005  
Tel. No.: (212) 732-3200  
Fax No.: (212) 732-3232

-and-

Steven L. Thomas  
West Virginia State Bar # 3738  
Kay Casto & Chaney PLLC  
Post Office Box 2031  
Charleston, West Virginia 25327-2031  
Telephone: (304) 345-8900  
Fax: (304) 345-8909

*Counsel for Phillips Machine Service, Inc.*

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

**In re:**

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

**Debtors.**

**Chapter 11**

**Case No. 12-12900 (SCC)**

**(Jointly Administered)**

**AMENDED NOTICE BY KANAWHA SCALES  
& SYSTEMS, INC. PURSUANT TO 11 U.S.C. SECTION 546(b)(2)**

**PLEASE TAKE NOTICE** that, pursuant to Section 546(b)(2) of the United States Bankruptcy Code, Kanawha Scales & Systems, Inc. has filed its Notices of Lien pursuant to West Virginia Code §§38-2-31 and 38-2-32, for work or labor performed for certain subsidiaries of Patriot Coal Corporation within one month of the petition date as follows:

1. Notice of Lien Pursuant To West Virginia Code §38-2-31 to Panther, LLC for work performed on June 18, 2012, in the amount of \$1,517.50. A copy of this Notice of Lien is attached hereto and made a part hereof as Exhibit A.

2. Notice of Lien Pursuant To West Virginia Code §38-2-31 to Midland Trail Energy LLC, for work performed on July 5, 2012, in the amount of \$680.70. A copy of this Notice of Lien is attached hereto and made a part hereof as Exhibit B.

3. Notice of Lien Pursuant To West Virginia Code §38-2-31 to Hobet Mining, LLC for work performed on June 16, 2012, in the amount of \$1,445.65. A copy of this Notice of Lien is attached hereto and made a part hereof as Exhibit C.

4. Notice of Lien Pursuant To West Virginia Code §38-2-31 to Black Stallion Coal Co, LLC for work performed on June 15, 2012, in the amount of \$710.92, and for work performed on June 29, 2012, in the amount of \$1,387.35. A copy of this Notice of Lien is attached hereto and made a part hereof as Exhibit D.

5. Notice of Lien Pursuant To West Virginia Code to Eastern Associated Coal for work performed at various times from June 15, 2012 to July 6, 2012, in the combined amount of \$7,997.22. A copy of this Notice of Lien is attached hereto and made a part hereof as Exhibit E.

6. Attached hereto as Exhibit F is a spreadsheet which summarizes the service dates and invoice dates for all work performed by Kanawha Scales & Systems, Inc. for subsidiaries of Patriot Coal from June 8 to July 8, 2012, by subsidiary name, invoice number, invoice date and service date.

7. The Notices of Lien described in paragraphs 1-5 hereof were filed with the clerk of the county commission of the county in which such work was performed, within ninety days of the service dates, pursuant to W.Va. Code §31-2-32. This Notice is filed pursuant to 11 U.S.C.

§546(b)(2), in lieu of commencement of a suit in chancery pursuant to West Virginia Code §38-2-34.

8. This Notice Pursuant to 11 U.S.C. §546(b)(2) was served by facsimile transmission on (i) the Debtors at (314) 275-3626, (ii) the Debtors' proposed notice and claim agent, GCG, Inc., at (855) 687-2627, and (iii) counsel to the Debtors, Davis Polk & Wardwell LLP to (212) 607-7983, on October 2, 2012.

Dated: Charleston, West Virginia  
October 2, 2012

s/Steven L. Thomas  
Steven L. Thomas  
West Virginia State Bar # 3738  
Kay Casto & Chaney PLLC  
Post Office Box 2031  
Charleston, West Virginia 25327-2031  
Telephone: (304) 345-8900  
Fax: (304) 345-8909

-and-

Leonardo Trivigno  
Carter Ledyard & Milburn LLP  
2 Wall Street  
New York, New York 10005  
Tel. No.: (212) 732-3200  
Fax No.: (212) 732-3232

*Counsel for Kanawha Scales & Systems, Inc.*

NOTICE OF LIEN PURSUANT TO W.VA. CODE § 38-2-31

TO: PANTHER, LLC

Notice is hereby given, in accordance with the laws of the State of West Virginia, including without limitation W.Va. Code §§38-2-10 and 38-2-31, that the undersigned, after allowing all credits, claims a lien to secure the payment of the sum of One Thousand Five Hundred Seventeen and 50/100 dollars (\$1,517.50) upon work performed for Panther, LLC in Kanawha County, West Virginia, upon all real estate and personal property of such company. Such work was performed on the following date at the following cost:

<u>Invoice Number</u>	<u>Date of Work Performed</u>	<u>Invoiced Value of Work</u>
1222729	6/18/12	\$1,517.50

Given under my hand this 24th day of September, 2012

KANAWHA SCALES & SYSTEMS, INC.

By: Steven L. Thomas  
STEVEN L. THOMAS

Its: Attorney

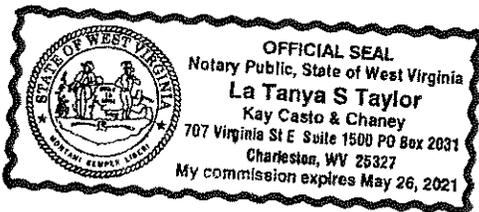
MECHLN 61 303  
 Recorded In Above Book and Page  
 09/26/2012 02:33:26 PM  
 Vera J. McCormick  
 County Clerk  
 Kanawha County, WV  
 Deed Tax 0.00  
 Recording Fee 11.00  
 TOTAL 11.00

STATE OF WEST VIRGINIA  
COUNTY OF KANAWHA,

STEVEN L. THOMAS, being first duly sworn, upon his oath says that the statements contained in the foregoing notice of lien are true, as he verily believes.

Taken, subscribed and sworn to before me this 24th day of September, 2012.

My commission expires May 26, 2021



La Tanya S. Taylor  
NOTARY PUBLIC

(This instrument was prepared by Steven L. Thomas, Attorney at Law, KAY CASTO & CHANEY PLLC, P.O. Box 2031, Charleston, West Virginia 25327.)



KAY CASTO & CHANEY (DOCX)

NOTICE OF LIEN PURSUANT TO W.VA. CODE § 38-2-31

TO: MIDLAND TRAIL ENERGY, LLC

Notice is hereby given, in accordance with the laws of the State of West Virginia, including without limitation W.Va. Code §§38-2-10 and 38-2-31, that the undersigned, after allowing all credits, claims a lien to secure the payment of the sum of Six Hundred Eighty and 70/100 dollars (\$680.70) upon work performed for Midland Trail Energy, LLC in Kanawha County, West Virginia, upon all real estate and personal property of such company. Such work was performed on the following date at the following cost:

<u>Invoice Number</u>	<u>Date of Work Performed</u>	<u>Invoiced Value of Work</u>
1222654	7/05/12	\$ 680.70

Given under my hand this 24<sup>th</sup> day of September, 2012

KANAWHA SCALES & SYSTEMS, INC.

By: Steven L. Thomas  
STEVEN L. THOMAS

Its: Attorney

MECHLN 61 304  
 Recorded In Above Book and Page  
 09/26/2012 02:34:41 PM  
 Vera J. McCormick  
 County Clerk  
 Kanawha County, WV  
 Deed Tax 0.00  
 Recording Fee 11.00  
 TOTAL 11.00

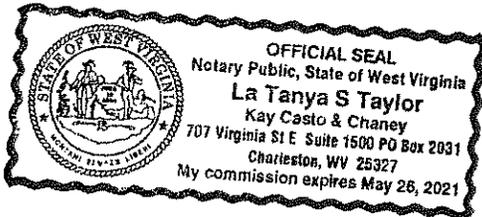
STATE OF WEST VIRGINIA

COUNTY OF KANAWHA,

STEVEN L. THOMAS, being first duly sworn, upon his oath says that the statements contained in the foregoing notice of lien are true, as he verily believes.

Taken, subscribed and sworn to before me this 24<sup>th</sup> day of September, 2012.

My commission expires May 26, 2021



La Tanya S. Taylor  
NOTARY PUBLIC

(This instrument was prepared by Steven L. Thomas, Attorney at Law, KAY CASTO & CHANEY PLLC, P.O. Box 2031, Charleston, West Virginia 25327.)



KAY CASTO & CHANEY (BOX)

Doc ID: 001586330001 Type: LIE  
Recorded: 09/26/2012 at 12:54:44 PM  
Fee Amt: \$11.00 Page 1 of 1  
Boone County Clerk  
Gary W. Williams County Clerk  
BK 30 Pg 696

NOTICE OF LIEN PURSUANT TO W.VA. CODE § 38-2-31

TO: HOBET MINING LLC

Notice is hereby given, in accordance with the laws of the State of West Virginia, including without limitation W.Va. Code §§38-2-10 and 38-2-31, that the undersigned, after allowing all credits, claims a lien to secure the payment of the sum of One Thousand Four Hundred Forty Five and 65/100 dollars (\$1,445.65) upon work performed for Hobet Mining LLC in Boone County, West Virginia, upon all real estate and personal property of such company. Such work was performed on the following date at the following cost:

Return to: Steven Thomas, Esq.  
P.O. Box 2031  
Charleston, WV 25327

<u>Invoice Number</u>	<u>Date of Work Performed</u>	<u>Invoiced Value of Work</u>
1222716	6/16/12	\$1,445.65

Given under my hand this 24<sup>th</sup> day of September, 2012

KANAWHA SCALES & SYSTEMS, INC.

By: Steven L. Thomas  
STEVEN L. THOMAS

Its: Attorney

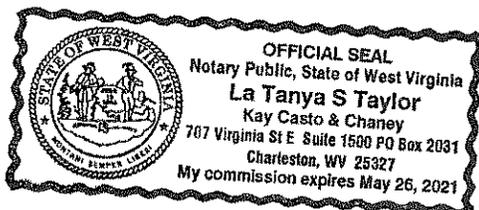
STATE OF WEST VIRGINIA

COUNTY OF KANAWHA,

STEVEN L. THOMAS, being first duly sworn, upon his oath says that the statements contained in the foregoing notice of lien are true, as he verily believes.

Taken, subscribed and sworn to before me this 24<sup>th</sup> day of September, 2012.

My commission expires May 26, 2021



La Tanya S. Taylor  
NOTARY PUBLIC

(This instrument was prepared by Steven L. Thomas, Attorney at Law, KAY CASTO & CHANEY PLLC, P.O. Box 2031, Charleston, West Virginia 25327.)

STATE OF WEST VIRGINIA, Boone County  
Commission Clerk's Office  
09/26/2012. The foregoing Judgment  
together with the certificate of its  
acknowledgment, was this day presented  
in said office and admitted to record.  
Treas: [Signature] Clerk



BK 30 pg 695  
Doc ID: 001586320001 Type: LIE  
Recorded: 09/26/2012 at 12:53:39 PM  
Fee Amt: \$11.00 Page 1 of 1  
Boone County Clerk  
Gary W. Williams County Clerk

NOTICE OF LIEN PURSUANT TO W.VA. CODE § 38-2-31

TO: BLACK STALLION COAL CO LLC

Notice is hereby given, in accordance with the laws of the State of West Virginia, including without limitation W.Va. Code §§38-2-10 and 38-2-31, that the undersigned, after allowing all credits, claims a lien to secure the payment of the sum of Two Thousand Ninety Eight and 27/100 dollars (\$2,098.27) upon work performed for Black Stallion Coal Co LLC in Boone County, West Virginia, upon all real estate and personal property of such company. Such work was performed on the following date at the following cost:

*Return to: Steven Thomas, Esq.  
P.O. Box 2031  
Charleston, WV 25327*

<u>Invoice Number</u>	<u>Date of Work Performed</u>	<u>Invoiced Value of Work</u>
1222719	6/15/12	\$ 710.92
1222757	6/29/12	\$1,387.35

Given under my hand this 24th day of September, 2012

KANAWHA SCALES & SYSTEMS, INC.

By: *Steven L. Thomas*  
STEVEN L. THOMAS

Its: Attorney

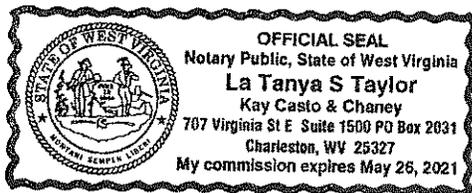
STATE OF WEST VIRGINIA

COUNTY OF KANAWHA,

STEVEN L. THOMAS, being first duly sworn, upon his oath says that the statements contained in the foregoing notice of lien are true, as he verily believes.

Taken, subscribed and sworn to before me this 24th day of September, 2012.

My commission expires May 26, 2021



*LaTanya S. Taylor*  
NOTARY PUBLIC

STATE OF WEST VIRGINIA, Boone County  
Commission Clerk's Office  
09/26/2012 The foregoing judgment  
together with the certificate of its  
acknowledgment, was this day presented  
in said office and admitted to record.  
Tesse: *Kay Casto & Chaney* Clerk

(This instrument was prepared by Steven L. Thomas, Attorney at Law, KAY CASTO & CHANEY PLLC, P.O. Box 2031, Charleston, West Virginia 25327.)



Doc ID: 001586310001 Type: LIE  
Recorded: 09/26/2012 at 12:51:11 PM  
Fee Amt: \$11.00 Page 1 of 1  
Boone County Clerk  
Gary W. Williams County Clerk  
BK 30 Pg 694

**NOTICE OF LIEN PURSUANT TO W.VA. CODE § 38-2-31**

**TO: EASTERN ASSOCIATED COAL**

Notice is hereby given, in accordance with the laws of the State of West Virginia, including without limitation W.Va. Code §§38-2-10 and 38-2-31, that the undersigned, after allowing all credits, claims a lien to secure the payment of the sum of Seven Thousand Nine Hundred Ninety Seven and 22/100 dollars (\$7,997.22) upon work performed for Eastern Associated Coal in Boone County, West Virginia, upon all real estate and personal property of such company. Such work was performed on the following date at the following cost:

<u>Invoice Number</u>	<u>Date of Work Performed</u>	<u>Invoiced Value of Work</u>
1222720	6/15/12	\$ 808.42
1222677	6/08/12	\$ 559.95
1222732	6/18 & 6/19/12	\$1,779.35
T12485	6/11/12	\$2,477.57
1222751	6/22/12	\$ 659.17
1222752	6/21/12	\$ 561.67
1222753	6/21/12	\$ 245.17
1222728	6/18/12	\$ 905.92

Given under my hand this 24<sup>th</sup> day of September, 2012

**KANAWHA SCALES & SYSTEMS, INC.**

By: Steven L. Thomas  
STEVEN L. THOMAS

Its: Attorney

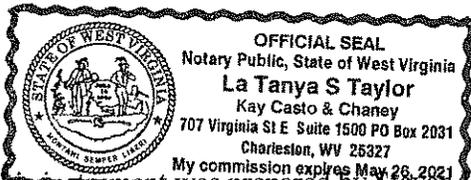
STATE OF WEST VIRGINIA

COUNTY OF KANAWHA,

STEVEN L. THOMAS, being first duly sworn, upon his oath says that the statements contained in the foregoing notice of lien are true, as he verily believes.

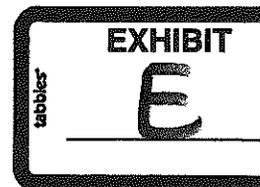
Taken, subscribed and sworn to before me this 24<sup>th</sup> day of September, 2012.

My commission expires May 26, 2021



LaTanya S. Taylor  
NOTARY PUBLIC

(This instrument was prepared by Steven L. Thomas, Attorney at Law, KAY CASTO & CHANEY PLLC, P.O. Box 2031, Charleston, West Virginia 25327.)



STATE OF WEST VIRGINIA, Boone County  
Commission Clerk's Office  
09/26/2012 The foregoing Judgment  
together with the certificate of its  
acknowledgment, was this day presented  
in said office and admitted to record.  
Tessie [Signature] Clerk

Return to: Steven Thomas, Esq.  
P.O. Box 2031  
Charleston, WV 25327

Patriot Coal Corporation Bankruptcy

Service work performed from 6/8/2012-7/8/2012

	Invoice date		Service date
Midland Trail	1222654 not invoiced	\$ 680.70	7/5/2012
Panther Coal	1222729 7/18/2012	\$ 1,517.50	6/18/2012
Black Stallion Coal Co LLC	1222719 7/2/2012	\$ 710.92	6/15/2012
	1222757 7/10/2012	\$ 1,387.35	6/29/2012
Eastern Associated Coal	1222720 6/15/2012	\$ 808.42	6/15/2012
	1222677 6/22/2012	\$ 559.95	6/8/2012
	1222732 7/23/2012	\$ 1,779.35	6/18 & 6/19/2012
	T12485 6/25/2012	\$ 2,477.57	6/11/2012
	1222751 7/6/2012	\$ 659.17	6/22/2012
	1222752 7/6/2012	\$ 561.67	6/21/2012
	1222753 7/6/2012	\$ 245.17	6/21/2012
	1222728 7/6/2012	\$ 905.92	6/18/2012
Hobet Mining LLC	1222716 7/10/2012	\$ 1,445.65	6/16/2012
		\$ 13,739.34	