

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

ROBIN LAND COMPANY, LLC,

Plaintiff,

v.

STB VENTURES, INC., *et al.*

Defendants.

Adv. Pro. No. 12-04355-659

**WITHDRAWAL OF STB VENTURES, INC.'S MOTION
(I) UNDER BANKRUPTCY CODE § 365(D)(3) TO COMPEL ROBIN LAND
COMPANY TO PAY PART OR ALL OF THE POST-PETITION
AMOUNTS DUE UNDER THE STB OVERRIDE AGREEMENT BECAUSE
(A) PAYMENT OF THE STB OVERRIDE IS A CONDITION OF AT LEAST
ONE UNEXPIRED NONRESIDENTIAL REAL PROPERTY LEASE,
AND/OR (B) THE STB OVERRIDE AGREEMENT IS INTEGRATED
WITH TWO UNEXPIRED NONRESIDENTIAL REAL PROPERTY
LEASES, OR IN THE ALTERNATIVE, UNDER BANKRUPTCY CODE
§ 363 TO PROVIDE STB VENTURES ADEQUATE PROTECTION
OF ITS INTERESTS UNDER THE STB OVERRIDE AGREEMENT**

Defendant STB Ventures, Inc. ("STB") hereby withdraws its Motion (I) Under Bankruptcy Code § 365(d)(3) to Compel Robin Land Company to Pay Part or All of the Post-Petition Amounts Due under the STB Override Agreement Because (a) Payment of the STB Override Is a Condition of at Least One Unexpired Nonresidential Real Property Lease, and/or (B) the STB Override Agreement Is Integrated with Two Unexpired Nonresidential Real Property Leases, or (II) In the Alternative, Under Bankruptcy Code § 363 to Provide STB

Ventures Adequate Protection of Its Interests Under the STB Override Agreement [ECF No. 40]. This withdrawal shall be deemed to be converted to a withdrawal with prejudice upon the Effective Date (as such term is defined in that certain Settlement Agreement with Arch dated as of October 23, 2013 and filed with this court as Exhibit A to the Motion of the Debtors for Entry of an Order Pursuant to 11 U.S.C. §§ 363(b) and 105(a) and Fed. R. Bankr. P. 9019(a) Approving the Settlement with Arch Coal, Inc. [ECF No. 4800]).

SHOOK, HARDY & BACON L.L.P.

Dated: November 15, 2013

By: /s/ Todd W. Ruskamp
Todd W. Ruskamp, MO #38625
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Attorneys for Defendant STB Ventures, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 15 day of November, 2013, a true and correct copy of the above and foregoing was served via CM/ECF notification on all parties receiving such notification.

/s/ Todd W. Ruskamp