

**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)**

**MONTHLY FEE STATEMENT OF STEPTOE & JOHNSON PLLC FOR  
PROFESSIONAL SERVICES AND DISBURSEMENTS FOR THE PERIOD OF  
NOVEMBER 1, 2012 THROUGH NOVEMBER 30, 2012**

<b>NAME OF APPLICANT:</b>	<b><u>Step toe &amp; Johnson PLLC</u></b>
<b>ROLE IN THE CASE:</b>	Special Counsel for the Debtors
<b>TIME PERIOD:</b>	November 1, 2012 through and including November 30, 2012
<b>CURRENT APPLICATION:</b>	Total Fees Requested: \$24,798.00 80% of Fees Requested: \$19,838.40 Total Expenses Requested: \$1,245.24

1. In accordance with the *Order To Establish Procedures for Interim Monthly Compensation and Reimbursement of Expenses of Professionals* [ECF No. 262] (the “**Interim Compensation Order**”), Steptoe & Johnson PLLC (“**Steptoe & Johnson**”), counsel to the above-captioned debtors and debtors in possession (collectively, the “**Debtors**”), hereby submits its Monthly Statement for Professional Services and Disbursements (the “**Fee Statement**”) for the period of November 1, 2012 through and including November 30, 2012 (the “**Fee Statement Period**”).

2. Pursuant to the Interim Compensation Order, Steptoe & Johnson seeks payment of \$21,083.64, representing (a) 80% of Steptoe & Johnson’s fees for services rendered and (b) 100% of actual and necessary expenses incurred.

3. Attached hereto as “Exhibit A” is a listing of Steptoe & Johnson’s professionals and paraprofessionals (collectively, the “**Steptoe & Johnson Professionals**”), including the hourly rate for each Steptoe & Johnson Professional who rendered services to the Debtors in connection with these chapter 11 cases during the Fee Statement Period and the title, aggregate hours worked and the amount of fees billed by each Steptoe & Johnson Professional.

4. Attached hereto as “Exhibit B” is a schedule specifying the categories of actual and necessary expenses for which Steptoe & Johnson is seeking reimbursement and the total amount for each such expense category.

5. Attached hereto as “Exhibit C” is a summary of the number of hours and amounts billed by Steptoe & Johnson during the Fee Statement Period, organized by matter categories.

Such services included:

- General labor and employment advice;
- General tax advice;
- Administrative litigation in front of the Mine Safety and Health Administration;
- Employment litigation;
- Federal administrative litigation in front of the National Labor Relations Board and the Equal Employment Opportunity Commission;
- State administrative litigation in front of the West Virginia State Human Rights Commission.

6. Attached as “Exhibit D” are the time records of Steptoe & Johnson, which provide a daily summary of the time spent by each Steptoe & Johnson Professional during the Fee Statement Period by matter category.

**NOTICE**

7. Consistent with the procedures described in the Interim Compensation Order, the Debtors will serve this Fee Statement, by hand or overnight delivery, on (i) the Debtors, Patriot Coal Corporation, 12312 Olive Boulevard, Suite 400, St. Louis, Missouri 63141, Attn.: Jacquelyn A. Jones, (ii) the Office of the United States Trustee for the Southern District of New York, 33 Whitehall Street, 21<sup>st</sup> Floor, New York, New York 10004, Attn.: Elisabetta G. Gasparini and Paul K. Schwartzberg, (iii) attorneys for the administrative agent for the Debtors' postpetition lenders, (a) Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, New York 10153, Attn.: Marcia Goldstein and Joseph Smolinsky, and (b) Willkie Farr & Gallagher LLP, 787 Seventh Avenue, New York, New York 10019, Attn.: Margot B. Schonholtz and Ana Alfonso, and (iv) proposed counsel to the official committee of unsecured creditors, Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, New York 10036, Attn.: Adam C. Rogoff, Esq. and Gregory G. Plotko, Esq..

8. 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 this 13th day of December, 2012.

By: /s/ C. David Morrison  
C. David Morrison

STEPTOE & JOHNSON PLLC  
400 White Oaks Boulevard  
Bridgeport, WV 26330-4500  
Telephone: (304) 933-8113  
Facsimile: (304) 933-8776

*Special Counsel for the Debtors*

# **EXHIBIT A**

## **Professionals and Rates**

**I.A. Members / Of Counsel**

<b>Name of Member / Of Counsel</b>	<b>Title</b>	<b>Hourly Rate</b>	<b>Total Hours</b>	<b>Total Fees</b>
C. David Morrison	Member	\$235.00	5.30	1,245.50
Jeffrey K. Phillips	Member	\$220.00	25.20	5,544.00
L. Frederick Williams, Jr.	Member	\$235.00	1.20	282.00
Melanie A. Norris	Of Counsel	\$180.00	0.50	90.00
Michael D. Mullins	Member	\$205.00	0.60	123.00
Robert L. Bailey	Of Counsel	\$190.00	7.50	1,425.00
Sara Hauptfuehrer	Of Counsel	\$205.00	1.50	307.50
W. Henry Lawrence	Member	\$235.00	0.20	47.00
<b>TOTAL MEMBERS and OF COUNSEL:</b>			<b>42.00</b>	<b>\$9,064.00</b>

**II.A. Associates**

<b>Name of Associate</b>	<b>Department</b>	<b>Hourly Rate</b>	<b>Total Hours</b>	<b>Total Fees</b>
Jonathan R. Ellis	Labor	\$160.00	76.60	12,256.00
John "JB" B. McCusky	Labor - MSHA	\$143.00	18.60	2,790.00
W. James O'Brien	Litigation	\$185.00	2.60	481.00
W. James O'Brien	Litigation - MSHA	\$150.00	0.30	45.00
<b>TOTAL ASSOCIATES:</b>			<b>98.10</b>	<b>\$15,572.00</b>

**III.A. Paraprofessionals**

<b>Name of Paraprofessional</b>	<b>Department</b>	<b>Hourly Rate</b>	<b>Total Hours</b>	<b>Total Fees</b>
Natalie N. Williams	Litigation Paralegal	\$90.00	1.40	126.00
M. Leann Smith	Labor Paralegal	\$90.00	0.40	36.00
<b>TOTAL PARAPROFESSIONALS:</b>			<b>1.80</b>	<b>\$ 162.00</b>

# **EXHIBIT B**

## **Expenses**

ACTUAL AND NECESSARY EXPENSES INCURRED BY  
STEP TOE & JOHNSON PLLC ON BEHALF OF THE DEBTORS

<b>CATEGORY of EXPENSES</b>	<b>AMOUNTS</b>
Computer research	4.80
Postage, courier and freight	41.95
Travel	121.26
Office charges	1,031.93
Meals	45.30
<b>TOTAL</b>	<b>\$1,245.24</b>

# **EXHIBIT C**

## **Summary of Project Code**

SUMMARY OF HOURS AND AMOUNTS BILLED  
BY STEPTOE & JOHNSON PLLC

DESCRIPTION	HOURS	AMOUNT
Labor Matters	3.00	660.00
Bishop v. Client, <i>et al.</i>	4.60	690.00
Sales & Severance Tax Audit	1.20	282.00
Hall v. Remington, LLC	0.10	23.50
Lambert, <i>et al.</i> v. MSA, <i>et al.</i> and EACC, <i>et al.</i>	0.60	123.00
Grand Eagle Mining / Cinda Croft EEOC Charge	0.20	47.00
Harris No. 1 Mine (MSHA Case #169061)	0.80	128.00
Highland Mining (MSHA Case #171195)	0.20	44.00
Harris No. 1 Mine (MSHA Case #172226)	0.50	80.00
Grand Eagle Mining (MSHA Case #142097)	0.20	44.00
Freedom Mine Accident Investigation (MSHA Case #195018)	8.90	1958.00
Harris No. 1 Mine (MSHA Case #195547)	0.20	32.00
Federal No. 2 Mine (MSHA Case #205518)	0.50	90.00
Highland Mining (MSHA Case #211084)	4.90	1078.00
Grand Eagle Mining (MSHA Case #218390)	0.10	22.00
Highland 9 Mine (MSHA Case #243492)	9.40	1843.00
Highland 9 Mine (MSHA Case #231678)	7.50	1125.00
Winchester Mine (MSHA Case #241281)	0.10	16.00
Winchester Mine (MSHA Case #243940)	0.10	16.00
Winchester Mine (MSHA Case #232171)	0.60	96.00
Winchester Mine (MSHA Case #249360)	2.40	384.00
Winchester Mine (MSHA Case #238402)	0.50	80.00
Rivers Edge Mine (MSHA Case #256838)	0.60	96.00
Winchester Mine (MSHA Case #251941)	0.80	128.00
Blue Creek No. 2 Mine (MSHA Case #261206)	1.20	192.00
Winchester Mine (MSHA Case #258124)	0.40	64.00
Winchester Mine (MSHA Case #263742)	2.30	368.00
Campbell's Creek No. 7 (MSHA Case #268738)	0.30	48.00
Winchester Mine (MSHA Case #266793)	3.20	512.00
Blue Creek No. 1 Mine (MSHA Case #259990)	0.30	48.00
Highland 9 Mine (MSHA Case #260304)	1.10	242.00
Winchester Mine (MSHA Case #269491)	1.00	160.00

<b>DESCRIPTION</b>	<b>HOURS</b>	<b>AMOUNT</b>
Gateway Eagle Mine (MSHA Case #268444)	6.40	1024.00
Winchester Mine (MSHA Case #275179)	3.50	560.00
Winchester Mine (MSHA Case #272361)	1.40	224.00
Highland 9 Mine (MSHA Case #274746)	3.90	858.00
Freedom Mine (MSHA Case #256455)	0.90	198.00
Black Oak Mine (MSHA Case #276491)	0.20	32.00
Gateway Eagle Mine (MSHA Case #273626)	0.40	64.00
Campbell's Creek No. 7 (MSHA Case #274403)	1.10	176.00
Highland 9 Mine (MSHA Case #269081)	0.10	22.00
Black Oak Mine (MSHA Case #279362)	0.30	48.00
Campbell's Creek No. 7 Mine (MSHA Case #280072)	4.50	720.00
American Eagle Mine (MSHA Case #279828)	0.20	32.00
Gateway Eagle Mine (MSHA Case #281814)	0.20	32.00
Camp 9 Prep Plant (MSHA Case #275500)	0.20	44.00
Black Oak Mine (MSHA Case #285374)	0.10	16.00
American Eagle Mine (MSHA Case #286172)	3.40	544.00
Winchester Mine (MSHA Case #286437)	3.20	512.00
American Eagle Mine (MSHA Case #288468)	4.80	768.00
Federal No. 2 Mine (MSHA Case #288463)	3.80	605.00
Sugar Maple Mine (MSHA Case #285372)	0.80	128.00
Highland 9 Mine (MSHA Case #280351)	0.30	66.00
American Eagle Mine (MSHA Case #284555)	4.90	784.00
Winchester Mine (MSHA Case #292179)	1.40	224.00
Gateway Eagle Mine (MSHA Case #291126)	1.00	160.00
Farley Eagle Mine (MSHA Case #291118)	8.70	1337.00
Campbell's Creek No. 7 Mine (MSHA Case #294266)	7.50	1153.00
Jarvis Discrimination Suit	0.10	22.00
Farley Eagle Mine (MSHA Case #293993)	2.70	423.00
Federal No. 2 Mine (MSHA Case #293992)	2.60	416.00
Dodge Hill Continuous Miner Citations	0.20	44.00
Freedom Mine Notice of Contest (MSHA Case #296918)	0.20	44.00
American Eagle Mine (MSHA Case #296858)	1.80	288.00
Dodge Hill Mine No. 1 (MSHA Case #288592)	0.10	22.00
Black Oak Mine (MSHA Case #288475)	1.30	208.00

<b>DESCRIPTION</b>	<b>HOURS</b>	<b>AMOUNT</b>
Dodge Hill Mine No. 1 (MSHA Case #291263)	0.40	88.00
Campbell's Creek #10 (MSHA Case #299492)	1.00	160.00
Black Oak Mine (MSHA Case #302493)	0.50	80.00
Winchester Mine (MSHA Case #300547)	1.90	304.00
Bankruptcy Matters	3.50	822.50
Highland 9 Mine (MSHA Case #291748)	0.30	66.00
Sugar Maple Mine (MSHA Case #302491)	0.50	80.00
Peerless Rachel Mine (MSHA Case #300803)	0.50	80.00
Eagle Mine (MSHA Case #300794)	2.10	336.00
Camp 9 Prep Plant (MSHA Case #295409)	0.30	66.00
Dodge Hill Mine #1 (MSHA Case #294648)	0.30	66.00
Dodge Hill Mine #1 (MSHA Case #294118)	0.30	66.00
Dodge Hill Mine #1 (MSHA Case #299605)	0.30	66.00
<b>TOTAL HOURS and COMPENSATION REQUESTED:</b>	<b>141.90</b>	<b>\$24,798.00</b>

# **EXHIBIT D**

## **Time Records**

**TIME DETAIL REPORT**

<b>Work Date</b>	<b>Time-keeper</b>	<b>Hours</b>	<b>Narrative</b>
<b>LABOR MATTERS</b>			
11/14/12	S Hauptfuehre	1.50	Telephone conference with Eric Waller re: severance benefits plan and revise same to comply with ERISA
11/28/12	C Morrison	.20	Telephone conference with attorney Waller re: discharging employee in rehab who is not complying with the Rehab Center's instructions
11/28/12	C Morrison	.30	Telephone conference with attorney Waller re: drug testing issues associated with the acquisition of Brody Mining
11/30/12	C Morrison	1.00	Review Brody Mining drug testing policies
TOTAL HOURS:		3.00	

**BISHOP, KERRLIE E. & ALFREDA V. CLIENT, ET AL.**

11/02/12	M Smith	.40	Compare list of settlement cases from plaintiff with our list to determine differences
11/02/12	N Williams	1.40	Compare exhibits and settlement tracking chart to verify plaintiffs' and Medicaid lien amounts
11/02/12	W O'Brien	1.00	Review and send settlement documents form Plaintiffs' counsel's draft response letter regarding review and remaining items to finalize settlement; email to Trigg Salsbery regarding same
11/05/12	W Lawrence	.20	Review letter to Decanio re: steps left; review letter to Eric Waller; emails to Jamie O'Brien re: steps remaining
11/05/12	W O'Brien	.40	Draft email to client with update on settlement and copy of most recent letter to Plaintiffs' counsel with action items; confer with Hank Lawrence regarding same
11/06/12	W O'Brien	.20	Work on email response to client's request for settlement information
11/06/12	W O'Brien	.10	Emails from Plaintiffs' counsel with filings
11/07/12	W O'Brien	.20	Calls with Erin Stankewicz, counsel for co-defendants, regarding approvals of wrongful death settlements and distributions
11/19/12	W O'Brien	.40	Review file and respond to questions from insurance counsel regarding status of settlement issues

**TIME DETAIL REPORT**

<b>Work Date</b>	<b>Time-keeper</b>	<b>Hours</b>	<b>Narrative</b>
11/30/12	W O'Brien	.30	Emails and calls from Plaintiffs' counsel regarding outstanding action items for plaintiffs to complete; confer with Hank Lawrence regarding same
TOTAL HOURS:		4.60	

**SALES & SEVERANCE TAX AUDIT**

11/01/12	L Williams, J	.50	Review of bankruptcy issues in preparation for status conference with Office of Tax Appeals; Telephone conference with David Morrison regarding the same
11/02/12	L Williams, J	.50	Preparation for and participation in status conference regarding severance tax petitions
11/13/12	L Williams, J	.20	Review of information regarding need for bankruptcy court order to continue severance and sales tax audit appeal;
TOTAL HOURS:		1.20	

**HALL, RONNIE V. REMINGTON, LLC**

11/10/12	C Morrison	.10	Review e-mail from Eric Waller re: status of case and respond to him; review his reply
TOTAL HOURS:		0.10	

**LAMBERT, JILL, ET AL. V. MSA, ET AL. & EACC, ET AL.**

11/05/12	M Mullins	.10	Receive and review partial order of dismissal
11/05/12	M Mullins	.30	Review file to prepare for upcoming hearing
11/05/12	M Mullins	.10	Call to plaintiff's counsel regarding upcoming Hearing
11/05/12	M Mullins	.10	Correspondence to plaintiff's counsel again encouraging him to voluntarily dismiss this matter for lack of evidence to support his third party claims
TOTAL HOURS:		0.60	

**GRAND EAGLE MINING / CINDA CROFT EEOC CHARGE**

11/01/12	C Morrison	.10	Telephone conference with attorney Waller re: current status
11/01/12	C Morrison	.10	Draft letter to the EEOC investigator re: current status
TOTAL HOURS:		0.20	

**TIME DETAIL REPORT**

<b>Work Date</b>	<b>Time-keeper</b>	<b>Hours</b>	<b>Narrative</b>
<b>HARRIS NO. 1 - MSHA Case #000169061 WEVA 2009-408</b>			
11/01/12	J Ellis	.20	Email to opposing counsel re: settlement documents on WEVA 2009-410; receive and review proposed settlement documents
11/02/12	J Ellis	.10	Email from attorney Nadia Hafeez filing settlement documents on WEVA 2009-410
11/14/12	J Ellis	.30	Receive and review orders approving settlement of WEVA 2009-409 and WEVA 2009-410; draft email to client re: settlement orders
11/20/12	J Ellis	.20	Emails with client re: citation modifications on WEVA 2009-409
TOTAL HOURS:		0.80	
<b>HIGHLAND MINING - KENT 2009-491 MSHA CASE #171195</b>			
11/01/12	J Phillips	.20	Emails from and to Judge Weisberger's law clerk and solicitor A. Wyatt re: settlement negotiations, settlement conference and evidentiary hearing
TOTAL HOURS:		0.20	
<b>HARRIS NO. 1 - MSHA CASE #000172226 WEVA 2009-729</b>			
11/02/12	J Ellis	.20	Emails with Judge's law clerk re: amended order approving settlement on WEVA 2009-584 to include citation settled in conjunction with WEVA 2009-729
11/09/12	J Ellis	.30	Receive and review order approving settlement of order 6619614 in WEVA 2009-584; draft email to client re: terms of settlement order
TOTAL HOURS:		0.50	
<b>GRAND EAGLE MINING - KENT 2008-785 MSHA CASE #142097</b>			
11/19/12	J Phillips	.20	Letter from solicitor D. Gutierrez with answers to interrogatories
TOTAL HOURS:		0.20	
<b>FREEDOM MINE ACCIDENT INVESTIGATION - MSHA CASE #195018 KENT 2009-1519</b>			
11/02/12	J Phillips	1.80	Attention to settlement negotiations
11/09/12	J Phillips	.60	Work on settlement negotiations
11/14/12	J Phillips	.70	Work on settlement negotiations
11/26/12	J Phillips	5.20	Engage in global settlement negotiations for all Freedom dockets

**TIME DETAIL REPORT**

<b>Work Date</b>	<b>Time-keeper</b>	<b>Hours</b>	<b>Narrative</b>
11/27/12	J Phillips	.60	Work on global settlement negotiations
TOTAL HOURS:		8.90	

**HARRIS NO. 1 - MSHA CASE #000195547 WEVA 2010-11 & 2010-12**

11/13/12	J Ellis	.20	Receive and review revised proposed settlement documents in WEVA 2010-11
TOTAL HOURS:		0.20	

**FEDERAL MINE #2 - WEVA 2010-412 MSHA Case #205518**

11/09/12	M Norris	.30	Exchange of emails with attorney for solicitor and review of proposed motion and order to approve settlement
11/14/12	M Norris	.10	Receive transmittal of motion and proposed order from Solicitor's office to ALJ Harner and email to client contacts re: same
11/26/12	M Norris	.10	Receive entry of Order approving settlement and email to client requesting payment of penalty
TOTAL HOURS:		0.50	

**HIGHLAND MINING - KENT 2010-732 MSHA Case #211084**

11/01/12	J Phillips	1.90	Work on settlement negotiations; draft exhibit list; letter from solicitor A. Wyatt with witness and exhibit list; email from Judge Rae's law clerk re: continuation of trial; draft email to client re: cancellation of trial
11/02/12	J Phillips	.30	Work on settlement negotiations
11/03/12	J Phillips	.50	Work on settlement negotiations
11/06/12	J Phillips	.70	Email from client with pre-shift/on-shift records and belt examination reports; draft disclosure of exhibits
11/09/12	J Phillips	.80	Email from client with coal production reports, operator's manual and pre-shift/on-shift records; draft supplemental disclosure of exhibits; email from solicitor Wyatt with settlement demand; work on settlement negotiations
11/12/12	J Phillips	.10	Emails from and to Maggie palmer (law clerk) re: ALJ conference call
11/14/12	J Phillips	.50	Attend ALJ teleconference; draft email to clients re: new trial date

Pg 19 of 31  
**TIME DETAIL REPORT**

<b>Work Date</b>	<b>Time-keeper</b>	<b>Hours</b>	<b>Narrative</b>
11/19/12	J Phillips	.10	Letter from Judge P. Rae re: trial
<b>TOTAL HOURS:</b>		<b>4.90</b>	

**GRAND EAGLE MINING - KENT 2010-1124 (MSHA Case #218390)**

11/20/12	J Phillips	.10	Letter from Chief Judge Lesnick with assignment of case to ALJ Alan Paez
<b>TOTAL HOURS:</b>		<b>0.10</b>	

**HIGHLAND 9 MINE - KENT 2011-544/545 - MSHA #243492 (Highland Mining)**

11/01/12	R Bailey	7.30	Draft post-hearing brief
11/14/12	R Bailey	.20	Draft post-hearing brief
11/19/12	J Phillips	1.50	Work on post-hearing brief
11/20/12	J Phillips	.40	Finalize Respondent's post-hearing memorandum
<b>TOTAL HOURS:</b>		<b>9.40</b>	

**HIGHLAND 9 MINE - KENT 2010-1632 - MSHA #231678 (Highland Mining)**

11/12/12	J McCuskey	1.40	Drafting updated post trial memorandum
11/12/12	J McCuskey	1.30	Reviewing trial transcript and drafting outline for post trial memorandum
11/15/12	J McCuskey	2.90	Drafting updated post trial memorandum
11/19/12	J McCuskey	1.50	Review and revise motion
11/20/12	J McCuskey	.40	Final revisions to updated memorandum
<b>TOTAL HOURS:</b>		<b>7.50</b>	

**WINCHESTER MINE - WEVA 2011-762 - MSHA #241281 (Remington LLC)**

11/13/12	J Ellis	.10	Email from Tasha Macadam filing settlement documents
<b>TOTAL HOURS:</b>		<b>0.10</b>	

**WINCHESTER MINE - WEVA 2011-908 - MSHA #243940 (Remington LLC)**

11/01/12	J Ellis	.10	Email from attorney Anthony Berry re: settlement documents
<b>TOTAL HOURS:</b>		<b>0.10</b>	

**WINCHESTER MINE - WEVA 2011-196 - MSHA #232171 (Remington LLC)**

11/05/12	J Ellis	.20	Emails from and to Anthony Berry re: settlement documents
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Pg 20 of 31  
**TIME DETAIL REPORT**

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<b>Work Date</b>	<b>Time-keeper</b>	<b>Hours</b>	<b>Narrative</b>
11/08/12	J Ellis	.30	Review proposed settlement documents (substantial revisions required)
11/13/12	J Ellis	.10	Email from Tasha Macadam filing settlement documents
TOTAL HOURS:		0.60	

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**WINCHESTER MINE - WEVA 2011-1338 - MSHA #249360 (Remington LLC)**

11/20/12	J Ellis	1.60	Emails with attorney Eric Johnson re: settlement negotiations; receive and review inspectors' notes; attention to settlement negotiations
11/26/12	J Ellis	.40	Draft settlement counterproposal
11/27/12	J Ellis	.40	Draft written discovery requests
TOTAL HOURS:		2.40	

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**WINCHESTER MINE - WEVA 2011-564 - MSHA #238402 (Remington LLC)**

11/04/12	J Ellis	.20	Email from and to Judge Moran re: settlement Documents
11/08/12	J Ellis	.30	Review proposed settlement documents (substantial revisions required)
TOTAL HOURS:		0.50	

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**RIVERS EDGE MINE - WEVA 2011-2034 - MSHA #256838 (Rivers Edge Mining)**

11/13/12	J Ellis	.30	Receive and review revised proposed settlement documents in WEVA 2011-2034; email from attorney Scott Hecker filing settlement documents
11/16/12	J Ellis	.10	Letter from attorney Scott Hecker re: settlement documents
11/19/12	J Ellis	.20	Receive and review order approving settlement; draft email to client re: order approving settlement
TOTAL HOURS:		0.60	

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**WINCHESTER MINE - WEVA 2011-1686 - MSHA #251941 (Remington LLC)**

11/02/12	J Ellis	.20	Receive and review order of assignment and pre-hearing order
11/20/12	J Ellis	.20	Attention to settlement negotiations

**TIME DETAIL REPORT**

<b>Work Date</b>	<b>Time-keeper</b>	<b>Hours</b>	<b>Narrative</b>
11/27/12	J Ellis	.40	Draft written discovery requests
TOTAL HOURS:		0.80	
<b>BLUE CREEK NO. 2 MINE - WEVA 2011-2211 - MSHA #261206 (Midland Trail Energy)</b>			
11/15/12	J Ellis	1.20	Draft settlement proposal; emails with attorney Anh LyJordan re: settlement negotiations
TOTAL HOURS:		1.20	
<b>WINCHESTER MINE - WEVA 2011-2152 - MSHA #258124</b>			
11/27/12	J Ellis	.40	Draft written discovery requests
TOTAL HOURS:		0.40	
<b>WINCHESTER MINE - WEVA 2011-2418 - MSHA #263742 (Remington LLC)</b>			
11/02/12	J Ellis	1.40	Attention to settlement negotiations; work on settlement counterproposal
11/20/12	J Ellis	.50	Attention to settlement negotiations
11/27/12	J Ellis	.40	Draft written discovery requests
TOTAL HOURS:		2.30	
<b>CAMPBELL'S CREEK NO. 7 - WEVA 2012-86/87 - MSHA #268738</b>			
11/14/12	J Ellis	.30	Receive and review order dismissing WEVA 2012-86; draft email to client re: dismissal Order
TOTAL HOURS:		0.30	
<b>WINCHESTER MINE - WEVA 2012-26 MSHA 266793 (Remington, LLC)</b>			
11/02/12	J Ellis	1.10	Attention to settlement negotiations; work on settlement counterproposal
11/20/12	J Ellis	.20	Attention to settlement negotiations
11/26/12	J Ellis	.10	Email to client re: examination records needed in relating to citation 8122470
11/27/12	J Ellis	1.80	Receive and review examination records for the methane monitor; email to attorney Eric Johnson re: exam records; emails with Eric Johnson re: settlement negotiations; draft written discovery requests
TOTAL HOURS:		3.20	

**TIME DETAIL REPORT**

<b>Work Date</b>	<b>Time-keeper</b>	<b>Hours</b>	<b>Narrative</b>
<b>BLUE CREEK NO. 1 MINE - WEVA 2011-2187 - MSHA #259990</b>			
11/30/12	J Ellis	.30	Receive and review order of assignment; email from Kim Southern re: prior filing of settlement documents
TOTAL HOURS:		0.30	
<b>HIGHLAND 9 MINE - KENT 2011-1359/1360- MSHA #260304 (Highland Mining)</b>			
11/19/12	J Phillips	.90	Engage in settlement negotiations
11/28/12	J Phillips	.20	Emails from and to solicitor Thomas Motzny re: settlement proposals and hearing possibility
TOTAL HOURS:		1.10	
<b>WINCHESTER MINE - WEVA 2012-194 - MSHA #269491 (Remington, LLC)</b>			
11/23/12	J Ellis	.20	Receive and review MSHA's counterproposal
11/26/12	J Ellis	.40	Draft counterproposal to MSHA
11/27/12	J Ellis	.40	Draft written discovery requests
TOTAL HOURS:		1.00	
<b>GATEWAY EAGLE MINE - WEVA 2012-125 - MSHA #268444 (Gateway Eagle Coal)</b>			
11/01/12	J Ellis	4.20	Draft discovery responses; attention to settlement negotiations
11/19/12	J Ellis	.20	Email to client re: pre-shift examination Records
11/29/12	J Ellis	1.80	Draft discovery requests to MSHA; emails with opposing counsel re: discovery issues; emails with Judge's law clerk re: status conference call
11/30/12	J Ellis	.20	Emails with opposing counsel and the judge's law clerk re: status conference call
TOTAL HOURS:		6.40	
<b>WINCHESTER MINE - WEVA 2012-534 &amp; 533 - MSHA #275179 (Remington)</b>			
11/20/12	J Ellis	1.30	Emails with attorney James McClammer re: settlement negotiations on WEVA 2012-534; attention to settlement negotiations on WEVA 2012-534
11/26/12	J Ellis	2.20	Receive and review order of assignment and prehearing order on WEVA 2012-533; receive and review order of assignment and prehearing order on WEVA 2012-534; emails with client: status of settlement negotiations; review additional information received on trucking company

## TIME DETAIL REPORT

Work Date	Time-keeper	Hours	Narrative
			citation
TOTAL HOURS:		3.50	
<b>WINCHESTER MINE - WEVA 2012-466 - MSHA #272361 (Remington LLC)</b>			
11/02/12	J Ellis	.80	Work on settlement proposal
11/20/12	J Ellis	.30	Attention to settlement negotiations
11/26/12	J Ellis	.30	Receive and review order of assignment and prehearing order; draft email to client: pre-hearing deadlines
TOTAL HOURS:		1.40	
<b>HIGHLAND 9 MINE - KENT 2012-442 - MSHA #274746 (Highland Mining)</b>			
11/18/12	J Phillips	.10	Letter from Judge Lesnick with assignment to ALJ William Steele; draft letter to clients re: judge assignment
11/24/12	J Phillips	1.70	Email from solicitor Thomas Motzny re: settlement negotiations; draft settlement proposal
11/25/12	J Phillips	1.70	Work on settlement proposal
11/28/12	J Phillips	.40	Finalize settlement proposal
TOTAL HOURS:		3.90	
<b>FREEDOM MINE - KENT 2011-1213 - MSHA #256455 (Ohio County Coal)</b>			
11/01/12	J Phillips	.10	Email from Judge Alan Paez re: teleconference
11/06/12	J Phillips	.50	Prepare for and attend ALJ teleconference
11/09/12	J Phillips	.20	Emails from Judge A. Paez and his law clerk re: trial and pre-hearing report; draft email to client re: trial
11/14/12	J Phillips	.10	Letter from Judge Paez re: trial and disclosure Deadlines
TOTAL HOURS:		0.90	
<b>BLACK OAK MINE - WEVA 2012-626 - MSHA #276491 (Eastern Associated Coal)</b>			
11/26/12	J Ellis	.20	Receive and review proposed settlement documents
TOTAL HOURS:		0.20	

**TIME DETAIL REPORT**

<b>Work Date</b>	<b>Time-keeper</b>	<b>Hours</b>	<b>Narrative</b>
<b>GATEWAY EAGLE MINE - WEVA 2012-592 - MSHA #273626 (Eastern Associated Coal)</b>			
11/26/12	J Ellis	.30	Receive and review order of assignment and prehearing order; draft email to Judge Lesnick's law clerks re: prior settlement of the case
11/27/12	J Ellis	.10	Email from Robert Olson re: previously filed settlement documents
TOTAL HOURS:		0.40	
<b>CAMPBELL'S CREEK #7 MINE - WEVA 2012-593 - MSHA #274403 (Midland Trail Energy)</b>			
11/28/12	J Ellis	1.10	Emails with attorney Elaine Abdovies re: settlement negotiations; draft settlement proposal to attorney Abdovies
TOTAL HOURS:		1.10	
<b>HIGHLAND #9 MINE - KENT 2012-160/161 - MSHA #269081 (Highland Mining)</b>			
11/14/12	J Phillips	.10	Letter from Judge Lesnick with decision approving settlement; draft email to S. Martin re: order
TOTAL HOURS:		0.10	
<b>Black Oak Mine - WEVA 2012-758 - MSHA #279362 (Eastern Associated Coal)</b>			
11/07/12	J Ellis	.20	Receive and review proposed settlement Documents
11/28/12	J Ellis	.10	Email from Kim Southern re: filing settlement Documents
TOTAL HOURS:		0.30	
<b>CAMPBELL'S CREEK NO. 7 - WEVA 2012-759/760 - MSHA #280072</b>			
11/01/12	J Ellis	2.30	Attention to settlement negotiations
11/13/12	J Ellis	1.60	Emails with client re: potential settlement terms; draft summary of citations and arguments to client
11/19/12	J Ellis	.30	Receive and review proposed settlement documents on WEVA 2012-760
11/28/12	J Ellis	.30	Email from Kim Southern re: filing settlement documents on WEVA 2012-760; email to client re: filing of settlement documents with Judge Lesnick
TOTAL HOURS:		4.50	

**TIME DETAIL REPORT**

<b>Work Date</b>	<b>Time-keeper</b>	<b>Hours</b>	<b>Narrative</b>
<b>AMERICAN EAGLE MINE - WEVA 2012-766/767 - MSHA #279828 (Speed Mining)</b>			
11/30/12	J Ellis	.20	Receive and review order of assignment and pre-hearing order on WEVA 2012-767
TOTAL HOURS:		0.20	
<b>GATEWAY EAGLE MINE - WEVA 2012-939 - MSHA #281814 (Eastern Associated Coal)</b>			
11/26/12	J Ellis	.20	Receive and review order of assignment and prehearing order; draft email to client re: prehearing order deadlines
TOTAL HOURS:		0.20	
<b>CAMP 9 PREP PLANT - KENT 2012-393 - MSHA #275500 (Heritage Coal)</b>			
11/09/12	J Phillips	.20	Letter from Judge Lesnick with order approving settlement; draft email to client re: order
TOTAL HOURS:		0.20	
<b>BLACK OAK MINE - WEVA 2012-1130 - MSHA #285374 (Eastern Associated Coal)</b>			
11/01/12	J Ellis	.10	Email from CLR re: settlement negotiations
TOTAL HOURS:		0.10	
<b>AMERICAN EAGLE MINE - WEVA 2012-1131 - MSHA #286172</b>			
11/26/12	J Ellis	3.20	Draft settlement proposal to attorney Robert Alan Kelly
11/30/12	J Ellis	.20	Receive and review order of assignment and pre-hearing order
TOTAL HOURS:		3.40	
<b>WINCHESTER MINE - WEVA 2012-1141/1142 - MSHA #286437 (Remington LLC)</b>			
11/20/12	J Ellis	2.80	Research on immediately reportable roof falls; emails with CLR re: settlement negotiations; draft settlement counterproposal; draft email to client re: additional information needed for settlement negotiations
11/21/12	J Ellis	.20	Emails with CLR re: settlement negotiations on WEVA 2012-1142
11/26/12	J Ellis	.20	Emails with client on WEVA 2012-1142 re: settlement negotiations
TOTAL HOURS:		3.20	
<b>AMERICAN EAGLE MINE - WEVA 2012-1286/1287 - MSHA #288468 (Speed Mining)</b>			
11/21/12	J Ellis	.20	Emails with attorney Matt Babbington re: settlement negotiations

**TIME DETAIL REPORT**

<b>Work Date</b>	<b>Time-keeper</b>	<b>Hours</b>	<b>Narrative</b>
11/23/12	J Ellis	.10	Email from Matt Babbington re: settlement negotiations on WEVA 2012-1286
11/25/12	J Ellis	1.30	Review inspector's notes on WEVA 2012-1287; attention to settlement negotiations on WEVA 2012-1287
11/28/12	J Ellis	3.20	Prepare for and attend settlement teleconference with Matt Babbington on WEVA 2012-1286; email to client re: additional information needed for settlement negotiations; receive and review inspector's notes on WEVA 2012-1286; work on settlement counterproposal on WEVA 2012-1287; attention to settlement negotiations on WEVA 2012-1287
TOTAL HOURS:		4.80	
<b>FEDERAL NO. 2 MINE - WEVA 2012-1195/1196 - MSHA #288463 (Eastern Associated Coal)</b>			
11/15/12	J Ellis	3.40	Work on settlement proposal on WEVA 2012-1196; emails with attorney Keyur Shah re: settlement negotiations
11/19/12	J Ellis	.10	Email from attorney Keyur Shah re: settlement Negotiations
11/20/12	W O'Brien	.30	Work on settlement proposal on WEVA 2012-1196 at Federal #2 mine
TOTAL HOURS:		3.80	
<b>SUGAR MAPLE MINE - WEVA 2012-1087 - MSHA #285372</b>			
11/26/12	J Ellis	.20	Receive and review order of assignment and prehearing order; draft email to client re: pre-hearing deadlines
11/30/12	J Ellis	.60	Receive and review MSHA's counterproposal
TOTAL HOURS:		0.80	
<b>HIGHLAND #9 MINE - KENT 2012-644 - MSHA #280351 (Highland Mining)</b>			
11/09/12	J Phillips	.20	Review settlement documents submitted by CLR
11/14/12	J Phillips	.10	Email from CLR Troy Davis re: settlement documents
TOTAL HOURS:		0.30	
<b>AMERICAN EAGLE MINE - WEVA 2012-999 - MSHA #284555 (Speed Mining)</b>			
11/06/12	J Ellis	1.80	Draft discovery responses
11/12/12	J Ellis	.90	Draft email to client re: settlement negotiations and discovery responses; work on

Pg 27 of 31  
**TIME DETAIL REPORT**

<b>Work Date</b>	<b>Time-keeper</b>	<b>Hours</b>	<b>Narrative</b>
			discovery responses
11/13/12	J Ellis	.30	Prepare for and attend call with client re: discovery responses
11/16/12	J Ellis	.70	Draft settlement counterproposal to attorney Ben Chaykin
11/19/12	J Ellis	.10	Email from attorney Ben Chaykin re: settlement Negotiations
11/25/12	J Ellis	.90	Work on discovery responses; attention to settlement negotiations
11/26/12	J Ellis	.20	Emails with attorney Ben Chaykin re: discovery Responses
TOTAL HOURS:		4.90	
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<b>WINCHESTER MINE - WEVA 2012-1473 - MSHA #292179 (Remington LLC)</b>			
11/20/12	J Ellis	.80	Attention to settlement negotiations
11/26/12	J Ellis	.60	Attention to settlement negotiations
TOTAL HOURS:		1.40	
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<b>GATEWAY EAGLE MINE - WEVA 2012-1454 - MSHA #291126</b>			
11/19/12	J Ellis	.70	Receive and review inspector's notes
11/26/12	J Ellis	.30	Receive and review order of assignment and prehearing order; draft email to client re: information needed for settlement negotiations
TOTAL HOURS:		1.00	
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<b>FARLEY EAGLE MINE - WEVA 2012-1452 - MSHA #291118</b>			
11/16/12	J Ellis	.20	Work on settlement proposal
11/19/12	J Ellis	1.40	Receive and review inspector's notes
11/19/12	J McCuskey	3.50	Draft settlement proposal
11/20/12	J McCuskey	1.60	Draft settlement proposal
11/26/12	J Ellis	.20	Receive and review order of assignment and prehearing order; draft email to client re: prehearing order deadlines
11/26/12	J McCuskey	.40	Draft settlement proposal
11/30/12	J Ellis	1.40	Work on settlement proposal
TOTAL HOURS:		8.70	

**TIME DETAIL REPORT**


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<b>Work Date</b>	<b>Time-keeper</b>	<b>Hours</b>	<b>Narrative</b>
<b>CAMPBELL'S CREEK NO 7 MINE - WEVA 2012-1581 - MSHA #294266 (Midland Trail Energy)</b>			
11/01/12	J Ellis	.10	Email from client re: information for settlement negotiations
11/09/12	J McCuskey	2.40	Draft settlement proposal
11/15/12	J McCuskey	2.30	Drafting settlement proposals
11/16/12	J Ellis	1.30	Review inspector's notes and draft settlement Proposal
11/19/12	J Ellis	.10	Email from CLR re: settlement negotiations
11/27/12	J Ellis	1.30	Receive and review MSHA's counterproposal; attention to settlement negotiations
TOTAL HOURS:		7.50	

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<b>JARVIS, JOHN GARY DISCRIMINATION SUIT / MADI-CD-2012-19 (Grand Eagle Mining)</b>			
11/01/12	J Phillips	.10	Email from client with UMWA withdrawal of Grievance
TOTAL HOURS:		0.10	

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<b>FARLEY EAGLE MINE - WEVA 2012-1577 - MSHA #293993 (Gateway Eagle Coal)</b>			
11/09/12	J Ellis	.20	Work on settlement proposal
11/09/12	J McCuskey	.90	Draft settlement proposal
11/16/12	J Ellis	.20	Work on settlement proposal
11/19/12	J Ellis	.80	Receive and review inspector's notes; work on settlement proposal
11/21/12	J Ellis	.10	Email from CLR Kelly Acord re: settlement Negotiations
11/26/12	J Ellis	.20	Receive and review order of assignment and prehearing order; draft email to client re: prehearing order deadlines
11/30/12	J Ellis	.30	Receive and review settlement counterproposal from MSHA
TOTAL HOURS:		2.70	

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<b>FEDERAL NO. 2 MINE - WEVA 2012-1575 &amp; 1576 - MSHA #293992 (Eastern Associated Coal)</b>			
11/01/12	J Ellis	.10	Email from Keyur Shah re: settlement Negotiations
11/02/12	J Ellis	1.70	Work on settlement proposals for WEVA 2012-1575 and 1576
11/30/12	J Ellis	.20	Receive and review order of assignment and

## TIME DETAIL REPORT

Work Date	Time-keeper	Hours	Narrative
			pre-hearing order
11/30/12	J Ellis	.60	Work on settlement proposal
TOTAL HOURS:		2.60	
<b>DODGE HILL CONTINUOUS MINER CITATIONS (Dodge Hill Mining)</b>			
11/05/12	J Phillips	.20	Letter from Judge Kenneth Andrews with order denying motion for expedited hearing; draft
TOTAL HOURS:		0.20	
<b>FREEDOM MINE / OHIO COUNTY COAL / NOTICE OF CONTEST - 296918 (Patriot Coal)</b>			
11/26/12	J Phillips	.20	Letter from solicitor Christian Schumann re: response to motion to reopen; draft email to client re: solicitor's response
TOTAL HOURS:		0.20	
<b>AMERICAN EAGLE MINE - WEVA 2012-1662 - MSHA #296858 (Speed Mining)</b>			
11/13/12	J Ellis	.20	Emails with opposing CLR for MSHA re: settlement negotiations
11/14/12	J Ellis	1.60	Receive and review inspectors' notes; attention to settlement negotiations
TOTAL HOURS:		1.80	
<b>DODGE HILL MINE NO. 1 - KENT 2012-1152 - MSHA #288592</b>			
11/09/12	J Phillips	.10	Review settlement documents from CLR Troy Davis
TOTAL HOURS:		0.10	
<b>BLACK OAK MINE - WEVA 2012-1192 - MSHA #288475 (Eastern Associated Coal)</b>			
11/01/12	J Ellis	.50	Draft answer to petition
11/01/12	J Ellis	.80	Receive and review inspector's notes
TOTAL HOURS:		1.30	
<b>DODGE HILL MINE #1 - KENT 2012-1265 - MSHA #291263</b>			
11/09/12	J Phillips	.30	Draft answer to petition; draft written discovery requests
11/21/12	J Phillips	.10	Email from client re: newly assigned solicitor
TOTAL HOURS:		0.40	

Pg 30 of 31  
**TIME DETAIL REPORT**

Work Date	Time-keeper	Hours	Narrative
<b>CAMPBELLS CREEK #10 - WEVA 2013-38 - MSHA #299492 (Gateway Eagle Coal)</b>			
11/01/12	J Ellis	.20	Work on motion to dismiss
11/13/12	J Ellis	.80	Draft answer to petition (addressing Long Branch citations included in petition)
TOTAL HOURS:		1.00	
<b>BLACK OAK MINE - WEVA 2013-90 - MSHA #302493 (Eastern Associated Coal)</b>			
11/13/12	J Ellis	.50	Draft answer to petition
TOTAL HOURS:		0.50	
<b>WINCHESTER MINE - WEVA 2013-86 - MSHA #300547 (Remington LLC)</b>			
11/13/12	J Ellis	.50	Draft answer to petition
11/21/12	J Ellis	1.40	Review citations and information from client; work on settlement proposal
TOTAL HOURS:		1.90	
<b>BANKRUPTCY MATTERS (Patriot Coal)</b>			
11/15/12	C Morrison	2.50	Work on billing
11/16/12	C Morrison	1.00	Work on quarterly fee statement for compliance with bankruptcy court orders
TOTAL HOURS:		3.50	
<b>HIGHLAND #9 MINE - KENT 2012-1277 - MSHA #291748</b>			
11/24/12	J Phillips	.30	Draft answer to petition; draft written discovery requests
TOTAL HOURS:		0.30	
<b>SUGAR MAPLE MINE - WEVA 2013-114 - MSHA #302491 (Gateway Eagle Coal)</b>			
11/19/12	J Ellis	.50	Draft answer to the petition
TOTAL HOURS:		0.50	
<b>PEERLESS RACHEL MINE - WEVA 2013-84 - MSHA #300803 (Newtown Energy)</b>			
11/19/12	J Ellis	.50	Draft answer to the petition
TOTAL HOURS:		0.50	
<b>EAGLE MINE - WEVA 2013-82 - MSHA #300794 (Newtown Energy)</b>			
11/19/12	J Ellis	.50	Draft answer to the petition

**TIME DETAIL REPORT**

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<b>Work Date</b>	<b>Time- keeper</b>	<b>Hours</b>	<b>Narrative</b>
11/25/12	J Ellis	1.60	Review citations and other information from client; work on settlement proposal

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TOTAL HOURS: 2.10

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**CAMP 9 PREP PLANT - KENT 2012-1437 - MSHA #295409 (Heritage Coal)**

11/30/12	J Phillips	.30	Draft answer to petition; draft written discovery requests
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TOTAL HOURS: 0.30

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**DODGE HILL MINE #1 - KENT 2012-1408 - MSHA #294648 (Highland Mining)**

11/30/12	J Phillips	.30	Draft answer to petition; draft written discovery requests
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TOTAL HOURS: 0.30

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**DODGE HILL MINE #1 - KENT 2012-1407 - MSHA #294118**

11/30/12	J Phillips	.30	Draft answer to petition; draft written discovery requests
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TOTAL HOURS: 0.30

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**DODGE HILL MINE #1 - KENT 2013-13 - MSHA #299605**

11/30/12	J Phillips	.30	Draft answer to petition; draft written discovery requests
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TOTAL HOURS: 0.30