# IN THE UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

In re:	)	
	)	Chapter 11
PATRIOT COAL CORPORATION,	)	Case No. 12-51502
et al.,	)	(Jointly Administered)
	)	
Debtors.	)	

## NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF NOTICES AND DOCUMENTS

PLEASE TAKE NOTICE that the law firms listed below hereby appear, pursuant to section 1109(b) of title 11 of the United States Code and Rules 2002, 9007 and 9010(b) of the Federal Rules of Bankruptcy Procedure, in the above-captioned cases on behalf of Citibank, N.A. as Administrative Agent (the "First Out DIP Agent") for the new money lenders and letter of credit issuers under that certain Superpriority Secured Debtor-in-Possession Credit Agreement, dated as of July 9, 2012, as amended from time to time and approved by final order of the Bankruptcy Court. The First Out DIP Agent hereby requests that all notices given or required to be given in the above-captioned cases and all papers served in the above-captioned cases be given to and served upon the following attorneys:

Marshall C. Turner, Esq.
Matthew Gartner, Esq.
HUSCH BLACKWELL LLP
190 Carondelet Plaza, Suite 600
St. Louis, Missouri 63105
Telephone: (314) 480, 1500

Telephone: (314) 480-1500 Facsimile: (314) 480-1505

E-mail: <u>marshall.turner@huschblackwell.com</u>

matthew.gartner@huschblackwell.com

Marcia L. Goldstein, Esq. Joseph H. Smolinsky, Esq. Erica Coleman, Esq. WEIL, GOTSHAL & MANGES LLP

767 Fifth Avenue

New York, New York 10153-0119

Telephone:

(212) 310-8000

Facsimile:

(212) 310-8007

E-mail:

marcia.goldstein@weil.com

joseph.smolinsky@weil.com

erica.coleman@weil.com

PLEASE TAKE FURTHER NOTICE that the foregoing request includes not only

notices and papers referred to in the Rules specified above but includes, without limitation, all

orders and notices of any application, motion, order, petition, pleading, request, complaint, or

demand, whether formal or informal, whether written or oral, and whether transmitted or

conveyed by mail, hand delivery, telephone, telecopy or otherwise, which affects the debtors or

the property of the debtors.

PLEASE TAKE FURTHER NOTICE that the aforementioned attorneys further

request that they be added to the official service list for notice of all contested matters, adversary

proceedings, and other proceedings in these chapter 11 cases.

PLEASE TAKE FURTHER NOTICE that the First Out DIP Agent intends that neither

this Entry of Appearance nor any subsequent appearance, pleading, claim, or suit shall constitute

a waiver of (i) the right to have final orders in non-core matters entered only after *de novo* review

by a District Court judge; (ii) the right to trial by jury in any proceeding so triable herein or in

any case, controversy or proceeding related to this case; (iii) the right to request a withdrawal of

the reference by the District Court in any matter subject to mandatory or discretionary

withdrawal; (iv) an election of remedies; or (v) any other rights, claims, actions, defenses, setoffs

or recoupments as appropriate, in law or in equity, under any agreements, all of which rights,

claims, actions, defenses, setoffs, and recoupments are expressly reserved.

SLC-6785148-1

Dated: December 21, 2012. St. Louis, Missouri

#### Respectfully submitted,

#### HUSCH BLACKWELL LLP

By: /s/ Marshall C. Turner
Marshall C. Turner, Esq. (#58053MO)
Matthew Gartner, Esq. (#64320MO)
190 Carondelet Plaza, Suite 600
St. Louis, Missouri 63105
Telephone: (314) 480-1768
Facsimile: (314) 480-1505
marshall.turner@huschblackwell.com

matthew.gartner@huschblackwell.com

-and-

WEIL, GOTSHAL & MANGES LLP
Marcia L. Goldstein, Esq.
Joseph H. Smolinsky, Esq.
Erica Coleman, Esq.
767 Fifth Avenue
New York, New York 10153-0119
Telephone: (212) 310-8000
Facsimile: (212) 310-8007
marcia.goldstein@weil.com
joseph.smolinsky@weil.com
erica.coleman@weil.com

Attorneys for Citibank N.A.

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of the foregoing instrument was electronically transmitted on December 21, 2012, via the Court's CM/ECF system to the persons listed on the Court's Electronic Mail Notice.

By: /s/ Marshall C. Turner

Marshall C. Turner, Esq. (#58053MO)