

SO ORDERED

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

Sep 16, 2013

*Kathy A. Surratt - States*  
KATHY A. SURRATT-STATES  
Chief United States Bankruptcy Judge

In re:

PATRIOT COAL CORPORATION, *et al.*,

Debtors.<sup>1</sup>

PATRIOT COAL CORPORATION, *et al.*,

Plaintiffs,

-against-

PEABODY HOLDING COMPANY, LLC and  
PEABODY ENERGY CORPORATION,

Defendants.

Chapter 11  
Case No. 12-51502-659  
(Jointly Administered)

Adversary Proceeding  
No. 13-04204-659

**VERIFIED MOTION FOR ADMISSION PRO HAC VICE**

Pursuant to LR 2090(B)(1) of the United States Bankruptcy Court for the Eastern District of Missouri, and Rule 12.01(F) of the local rules of the United States District Court for the Eastern District of Missouri, I, Elliot Moskowitz, move to be admitted pro hac vice to the bar of this Court for the purpose of representing the Debtors in the instant matter. In support of this motion, I submit the following information as required by Rule 12.01(F):

- a. *Full name of the movant-attorney:*  
**Elliot Moskowitz**

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

- b. *Address and telephone number of the movant-attorney:*  
**Davis Polk & Wardwell LLP**  
**450 Lexington Avenue**  
**New York, New York 10017**  
**Telephone: (212) 450-4000**
- c. *Name of the firm or letterhead under which the movant practices:*  
**Davis Polk & Wardwell LLP**
- d. *Name of the law school(s) movant attended and the date(s) of graduation therefrom:*  
**Columbia Law School, 2001**
- e. *State and federal bars of which the movant is a member, with dates of admission and registration numbers, if any:*  
**New York (2002) — Bar No. 4039160**  
**U.S. District Court, E.D. New York (2004) — Bar No. MS0933**  
**U.S. District Court, S.D. New York (2004) — Bar No. MS0933**  
**U.S. Court of Appeals, Second Circuit (2005) — Bar No. 05-179477**  
**U.S. Court of Appeals, Third Circuit (2008) — Bar No. N/A**  
**U.S. Court of Appeals, Eighth Circuit (2013) — Bar No. N/A**  
**U.S. Bankruptcy Court, E.D. Missouri *pro hac vice* (2013) — Bar No. N/A**
- f. Movant is a member in good standing of all bars of which movant is a member and that movant is not under suspension or disbarment from any bar;
- g. Movant does not reside in the Eastern District of Missouri, is not regularly employed in this District, and is not regularly engaged in the practice of law in this District.

Movant attests under penalty of perjury to the truth and accuracy of the foregoing facts, and respectfully requests that this motion be granted and that movant be admitted *pro hac vice* to the bar of this Court and be allowed to appear in the instant matter.

Dated: New York, New York  
September 9, 2013



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Elliot Moskowitz

DAVIS POLK & WARDWELL LLP  
450 Lexington Avenue  
New York, New York 10017  
Telephone: (212) 450-4000  
Facsimile: (212) 607-7983

*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

Patriot Coal Corporation,  
Plaintiff

Adv. Proc. No. 13-04204-kss

Peabody Holding Company, LLC,  
Defendant

### CERTIFICATE OF NOTICE

District/off: 0865-4

User: pott  
Form ID: pdfol

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Sep 17, 2013

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 19, 2013.

aty +Elliot Moskowitz, Davis Polk & Wardwell LLP, 450 Lexington Avenue, New York, NY 10017-3982

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 19, 2013

Signature: /s/Joseph Speetjens

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### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 17, 2013 at the address(es) listed below:

Angela Ferrante on behalf of Other Professional GCG, Inc. aka The Garden City Group, Inc.  
angela.ferrante@gcginc.com,  
pacerteam@gcginc.com;elizabeth.vrato@gcginc.com;kevin.grover@gcginc.com;alison.moodie@gcginc.com;  
jeffrey.demma@gcginc.com;ryan.nadick@gcginc.com

TOTAL: 1