

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

In re:) Chapter 11
)
Patriot Coal Corporation, *et al.*) Case No. 12-51502
) (Jointly Administered)
)
Debtors.) No Hearing Necessary

**NOTICE OF FILING OF THE FIRST SUPPLEMENT TO
DECLARATION OF MONTY KEHL (DOCKET NO. 1043)**

Notice is provided of the filing of the *First Supplement to Declaration of Monty Kehl in support of Amended Application of the Official Committee of Unsecured Creditors of Patriot Coal Corporation et al. Pursuant to Fed. R. Bankr. P. 2014(a) for an Order Under Section 1103 of the Bankruptcy Code Authorizing the Employment and Retention of Mesirow Financial Consulting, LLC as Financial Advisors, Nunc Pro Tunc to July 24, 2012 (Docket No. 1043).*

No further action or hearing is necessary.

Respectfully submitted,

OFFICIAL COMMITTEE OF UNSECURED
CREDITORS

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By: /s/ Angela L. Schisler
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Its Attorneys

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing *Notice of Filing of the First Supplement to Declaration of Monty Kehl* was filed on February 20, 2013 using the Court's CM/ECF system, which sent a copy to all parties receiving electronic notices in this case.

/s/ Angela L. Schisler

Angela L. Schisler

3. In support thereof, MFC states:

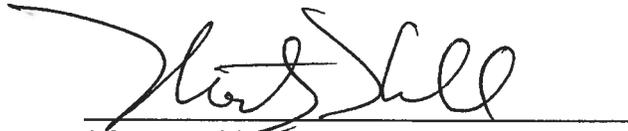
- a. An amended application seeking authorization for the employment of MFC as financial advisors to the Official Committee of Unsecured Creditors was filed on October 9, 2012 (Docket Number 1043) (the "Employment Application").
- b. The declaration of Monty Kehl ("Kehl Declaration") in support of the Employment Application stated that "Fees for services to be rendered by MFC will be billed at the rates in effect at the time that the services are rendered."
- c. An order authorizing the employment of MFC as financial advisors to the Official Committee of Unsecured Creditors was entered on December 12, 2012 (Docket Number 1706) (the "Retention Order").
- d. The Retention Order provided that "Prior to any increases in MFC's rates for any individual retained by MFC and providing their services in these cases, MFC shall file a supplemental affidavit with the Court and provide ten business days' notice to the Debtors, the United States Trustee and any official committee. The supplemental affidavit shall explain the basis for the requested rate increases in accordance with Section 330(a) (3) (F) of the Bankruptcy Code and state whether the Committee has consented to the rate increase." No less than ten business days prior to effecting any increases in the rates set forth in the Application or the Kehl Declaration, MFC shall file and provide notice to the Debtors, the United States Trustee and counsel for the Committee, a supplemental affidavit with the

Court, which explains the basis for the requested rate increases in accordance with section 330(a)(3)(F) of the Bankruptcy Code and indicates whether the Committee has received notice of and approved the proposed rate increase.”

- e. The changes in rates reflect an average increase of 3.10% from our previous rate structure.
 - f. In establishing its rates, MFC obtains publicly available information providing general information regarding rates currently charged by MFC’s “Peer Firms” (i.e., other financial advisory firms similar to MFC and which render services similar to those provided by MFC).
 - g. The 2013 Rates are comparable to those charged by comparably skilled practitioners and are consistent with rates charged to other MFC clients in non-bankruptcy matters.
 - h. Although the 2013 Rates were effective on January 1, 2013, MFC will only apply them for services rendered 10 days following the filing of this declaration.
 - i. Each member of the Committee has been provided with an opportunity to review the hourly rate increase and, subject to the Committee’s adopted procedures, the Committee has approved the 2013 Rates in advance of their effective date.
 - j. Copies of this affidavit have been provided to Debtors, the United States Trustee, and counsel for the Committee.
4. I declare, under penalty of perjury under the laws of the United States of America that, to the best of my knowledge and belief, and after reasonable inquiry, the foregoing is true and correct.

Date: Chicago, Illinois
February 20, 2013

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Monty Kehl", written over a horizontal line.

Monty Kehl
Senior Managing Director
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