

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:)
)
Patriot Coal Corporation)
)
Debtor.)
_____)
)
Boone East Development Co.,)
et al.)
Appellant(s),)
)
v.)
)
Eastern Royalty LLC)
)
)
Appellee(s).)

U.S. District Court
Case No. 4:13cv02429 AGF

CASE MANAGEMENT ORDER - TRACK 4: BANKRUPTCY APPEAL

Pursuant to the Civil Justice Reform Act Expense and Delay Reduction Plan and the Differentiated Case Management Program of the United States District Court of the Eastern District of Missouri, **IT IS HEREBY ORDERED** that the following provisions shall apply in this case, and will be modified only upon a showing of exceptional circumstances:

1. This case has been assigned to Track 4 (Administrative). Case disposition is expected to occur within 18 months of the docketing of the appeal in this Court.
2. The instant appeal has been entered on the docket of this District Court, pursuant to Fed.R.Bankr.P. 8007(b), on **December 2, 2013**.
3. Pursuant to Fed.R.Bankr.P. 8009(a)(1), appellant shall serve and file a brief within fifteen (15) days of the docketing of the appeal.

4. Pursuant to Fed.R.Bankr.P. 8009(a)(2), appellee shall serve and file a brief within fifteen (15) days after service of the brief of appellant. If the appellee has filed a cross-appeal, the brief of the appellee shall contain the issues and argument pertinent to the brief of the appellant.
5. Pursuant to Fed.R.Bankr.P. 8009(a)(3), appellant may serve and file a reply brief within ten (10) days after service of the brief of the appellee, and if the appellee has cross-appealed, the appellee may file and serve a reply brief to the response of the appellant to the issues presented in the cross-appeal within ten (10) days after service of the reply brief of the appellant.
6. No further briefs may be filed except by leave of Court upon a showing of good cause. Briefs shall comply with the requirements of Fed.R.Bankr.P. 8010, except that the length of briefs shall be governed by Local Rule 4.01.
7. In each party's first-filed brief, the party shall, under a separate caption denominated "Oral Argument," state and briefly explain the party's position as to whether oral argument shall be allowed. See Fed.R.Bankr.P. 8012.
8. Any motion to dismiss a procedurally defective appeal shall be filed within ten (10) days of the date of this order.

December 3, 2013
Date

James G. Woodward
Clerk of the Court

By: /s/ Elizabeth A. Kirkland
Elizabeth A. Kirkland
Deputy Clerk