

**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)

**DECLARATION AND DISCLOSURE STATEMENT OF M. KIRBY GORDON, II
ON BEHALF OF GORDON & GORDON, P.S.C.**

M. Kirby Gordon, II declares and says:

1. I am President of **Gordon & Gordon, P.S.C.** located at 6357 KY Hwy 405 (P.O. Box 398) Owensboro, Kentucky 42303 (42302-0398) (the “**Firm**”).

2. Patriot Coal Corporation and its subsidiaries that are debtors and debtors in possession in the above referenced proceedings (collectively, the “**Debtors**”) have requested that the Firm provide legal services to the Debtors, and the Firm has consented to provide those services.

3. The Firm may have performed services in the past and may perform services in the future, in matters unrelated to these chapter 11 cases, for persons that are claimants or other parties in interest in the Debtors’ chapter 11 cases. The Firm does not perform services for any such person in connection with these chapter 11 cases.

4. Neither I nor any partner or associate of the Firm, insofar as I have been able to ascertain, holds or represents any interest adverse to the Debtors or their estates with respect to the matters on which the Firm is to be employed.

5. Neither I nor any partner or associate of the Firm has agreed to share or will share any portion of the compensation to be received from the Debtors with any person other than partners and associates of the Firm.

6. The Debtors owe the Firm \$18,964.00 for prepetition services.

7. The Firm is conducting further inquiries regarding its retention by any creditors of the Debtors, and upon conclusion of that inquiry, or at any time during the period of its employment, if the Firm should discover any facts bearing on the matter described herein, the Firm will supplement the information contained in this Declaration.

8. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this Declaration was executed on August 9, 2012.



M. Kirby Gordon, II (KBA ID#26183)
GORDON & GORDON, P.S.C.
6357 KY Hwy 405 (42303)
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(270) 281-0398
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Patriot Coal Corporation, et al.
Chapter 11 Case No. 12-12900 (SCC)

RETENTION QUESTIONNAIRE

TO BE COMPLETED BY PROFESSIONALS EMPLOYED BY PATRIOT COAL CORPORATION, *et al.* (the "Debtors")

DO NOT FILE THIS QUESTIONNAIRE WITH THE COURT.
RETURN IT FOR FILING BY THE DEBTORS TO:

Davis Polk & Wardwell LLP
450 Lexington Avenue
New York, New York 10017
Attn: Marshall S. Huebner and Brian M. Resnick

All questions **must** be answered. Please use "none," "not applicable," or "N/A," as appropriate. If more space is needed, please complete on a separate page and attach.

1. Name and address of firm:

Gordon & Gordon, P.S.C.
6357 KY Hwy 405
P.O. Box 398 (42302-0398)
Owensboro, Kentucky 42303
TIN#: 61-0967431

Date of Retention: November 1, 2007

2. Brief description of services to be provided:

Legal Services – Litigation, Contracts, Real Estate matters, Regulatory and Permitting matters.

3. Arrangements for compensation (hourly, contingent, etc.)

Hourly

(a) Range of hourly rates (if applicable): **\$70 - \$180**

(b) Estimated average monthly compensation based on prepetition retention (if firm was employed prepetition): **\$35,000.00**

4. Prepetition claims against any of the Debtors held by the firm:

Amount of claim: **\$18,964.00**

Date claim arose: **July 9, 2012**

Source of claim: **Prepetition Legal Services**

5. Prepetition claims against any of the Debtors held individually by any of the firm's attorneys:
- Name: **None.** _____
- Status: **N/A** _____
- Amount of claim: \$ **N/A** _____
- Date claim arose: **N/A** _____
- Source of claim: **N/A** _____
6. Stock of any of the Debtors currently held by the firm:
- Kind of shares: **N/A** _____
- No. of shares: **None.** _____
7. Stock of any of the Debtors currently held individually by any of the firm's attorneys:
- Name: **N/A** _____
- Status: **N/A** _____
- Kind of shares: **N/A** _____
- No. of shares: **None.** _____
8. Disclose the nature and provide a brief description of any interest adverse to the Debtors or to their estates for the matters on which the firm is to be employed.
- None.**
9. Name of individual completing this form.
- M. Kirby Gordon, II, President of Gordon & Gordon, P.S.C.**