

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

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In re : **Chapter 11**
: **Case No. 12-51502-659**
: **(Jointly Administered)**
PATRIOT COAL CORPORATION, et al. :
: **Hearing Date:**
: **March 18, 2013 at 1:00 p.m.**
: **(prevailing Central Time)**
Debtors. :
: **Hearing Location:**
: **Courtroom 7 North**
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**STATEMENT OF SUPPORT OF BANK OF AMERICA, N.A., AS SECOND OUT DIP
AGENT, WITH RESPECT TO DEBTORS' MOTION FOR AUTHORITY TO
IMPLEMENT COMPENSATION PLANS**

Bank of America, N.A., in its capacity as administrative agent (in such capacity, the “Second Out DIP Agent”) for itself and the other lenders (the “Second Out DIP Lenders”) under that certain Amended and Restated Superpriority Secured Debtor-in-Possession Credit Agreement, dated as of July 11, 2012, by its undersigned counsel, hereby submits this statement of support with respect to the *Debtors’ Motion for Authority to Implement Compensation Plans* [Dkt No. 2819] (together with the modifications filed with the Court on March 6, 2013 [Dkt No. 3088], the “Motion”).

STATEMENT OF SUPPORT

The Second Out DIP Agent supports the Debtors’ request for approval of the Proposed Compensation Plans (as defined in the Motion). For the reasons set forth in the Motion and in the Debtors’ reply, the Second Out DIP Agent respectfully requests that this Court overrule the objections to the Motion and authorize the Debtors to implement the Proposed Compensation Plans so they can be implemented as soon as possible. The Second Out DIP Agent reserves the right to supplement its statement of support at the hearing on the Motion.

Dated: Clayton, Missouri
March 15, 2013

Respectfully submitted,
LATHROP & GAGE LLP

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*Co-Counsel to Bank of America, N.A., as
Second Out DIP Agent*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served via the Court's CM/ECF system on all parties receiving ECF notices in this case on this 15th day of March, 2013.

/s/Laura Toledo