

McKool Smith

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September 13, 2012

Ms. Amy Starr
Davis Polk
450 Lexington Avenue
New York, New York 10017

RE: In re: Patriot Coal Bankruptcy

Amy,

As we discussed during our last call, we are providing you a list of documents that we will be targeting in discovery so we can confer on a discovery timeline. We expect to seek the following from the Debtors.

- 1. The reserve estimates as of December 31, 2011 prepared by the Patriot Coal Vice President Engineering and his geology and engineering staff (referenced in the 2011 form 10-K).
- 2. Valuations of Patriot Coal (whether as an entire enterprise or subset of the enterprise) since January 2008.
- 3. A cost analysis (broken down by mine or complex) showing separately the fixed and variable costs (including extraction and processing costs).
- 4. The analysis of the costs of Selenium-related groundwater issues booked as liabilities, as increased on the recent form 10-Q.
- 5. A list of the offtake agreements with price and expiry/termination mechanisms.
- 6. A list of the contracts to acquire capital machinery or goods.
- 7. The last 90 days of management operating statistics per mine (as found in management operating reports).
- 8. A list of current contracts for the option to purchase or acquire new land or mineral mining rights.

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Please confirm whether you will accept this letter request or whether you will require us to file a formal discovery request. Also it would be helpful if you let us know what information you are willing to produce and the timing for such production and which request if any you find objectionable. Obviously the timing of production also bears on the reasonableness of a briefing/hearing schedule. We look forward to working with you.

While Fed. R. Bankr. P. 9014 explicitly removes any obligation for a formal report, we should discuss whether we will disclose and depose each other's testifying experts. Please let me know your position on that issue as well.

If you have any questions about our expected discovery process, please call.

Sincerely,

Hugh M. Ray, III

HMR/nls