

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

In re
PATRIOT COAL CORPORATION, *et al.*,
Debtors.¹

Chapter 11
Case No. 12-51502-659
(Jointly Administered)

Hearing Date:
April 23, 2013
10:00 a.m. (Prevailing Central
Time)

Hearing Location:
Courtroom 7 North

**DRAFT NOTICE OF MATTERS SCHEDULED FOR HEARING ON
APRIL 23, 2013 AT 10:00 A.M.**

Location of Hearing: United States Bankruptcy Court
Eastern District of Missouri
Thomas F. Eagleton United States Courthouse
111 S. 10th Street
St. Louis, Missouri 63102
Courtroom 7 North
April 23, 2013 at 10:00 a.m. (Prevailing Central Time)

¹ The Debtors are the entities listed on Schedule 1 attached hereto. The employer tax identification numbers and addresses for each of the Debtors are set forth in the Debtors' chapter 11 petitions.

A. **MAIN CASE:**

UNCONTESTED MATTERS

1. Artisan Contracting's Motion for Relief from the Automatic Stay to Enforce Mechanic's Lien [ECF No. 3091]

Status: This matter is going forward on an uncontested basis. The parties have submitted a proposed order to the Court.

2. Debtors' Motion Pursuant to Section 362 of the Bankruptcy Code and Bankruptcy Rule 4001 for an Order Modifying the Automatic Stay to Permit Payments of Defense Expenses Under Insurance Policy [ECF No. 3499]

Related Documents

- (a) Declaration of No Objections Regarding Docket No. 3499 [ECF No. 3702]

Status: This matter is going forward on an uncontested basis. The parties have submitted a proposed order to the Court.

3. Second Supplemental Application of the Debtors for Authority to Expand the Scope of Employment and Retention of Ernst & Young LLP as Independent Auditor to the Debtors *Nunc Pro Tunc* to March 18, 2013 [ECF No. 3501]

Related Documents

- (a) Michael W. Hickenbotham's Second Supplemental Declaration in Support of Employment and Retention of Ernst & Young LLP [ECF No. 3502]

- (b) Declaration of No Objections Regarding Docket No. 3501 [ECF No. 3701]

Status: This matter is going forward on an uncontested basis. The parties have submitted a proposed order to the Court.

4. Application of the Salaried Retiree Committee for Order Authorizing and Approving the Retention of Stahl Cowen Crowley Addis LLC as Counsel [ECF No. 3364]

Status: This matter is going forward on an uncontested basis.

5. Application of the Salaried Retiree Committee for Order Authorizing and Approving the Retention of Desai Eggman Mason LLC as Counsel [ECF No. 3435]

Status: This matter is going forward on an uncontested basis.

STATUS CONFERENCES

6. Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 of the Bankruptcy Code [ECF No. 3214]

Related Documents

- (a) Memorandum of Law in Support of the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 [ECF No. 3219]
- (b) Declaration of Gregory B. Robertson in Support of the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 [ECF No. 3220]
- (c) Declaration of Thomas S. Terry in Support of the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 [ECF No. 3221]
- (d) Declaration of Bennett K. Hatfield in Support of the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 [ECF No. 3222]
- (e) Declaration of Dale F. Lucha in Support of the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 [ECF No. 3223]
- (f) Declaration of Paul P. Huffard in Support of the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 [ECF No. 3224]
- (g) Declaration of Seth Schwartz in Support of the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 [ECF No. 3225]
- (h) Statement of Bank of America, N.A., as Second Out DIP Agent, with Respect to the Hearing on Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 of the Bankruptcy Code [ECF No. 3604]
- (i) Statement of the Official Committee of Unsecured Creditors in Connection with the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 of the Bankruptcy Code [ECF No. 3609]

- (j) Motion of National Coordinating Committee for Multiemployer Plans for Leave to File Amicus Curiae Brief in Opposition to the Motion of Debtor to (A) Reject Collective Bargaining Agreements and (B) to Modify Retiree Benefit Obligations Pursuant to 11 U.S.C. §§ 1113, 1114 of the Bankruptcy Code [ECF No. 3611]
- (k) Sureties' Reservation of Rights Regarding Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 of the Bankruptcy Code [ECF No. 3616]

Objections

- (l) Ohio Valley Coal's Objection to Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 of the Bankruptcy Code [ECF No. 3326]
 - (i) Brief in Support of Objection of the Ohio Valley Coal Company and the Ohio Valley Transloading Company to the Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 [ECF No. 3617]
- (m) Drummond Company's Objection to Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefit Pursuant to Sections 1113 and 1114 of the Bankruptcy Code [ECF No. 3585]
- (n) Energy West's Objection to Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefit Pursuant to Sections 1113 and 1114 of the Bankruptcy Code [ECF No. 3586]
- (o) Limited Objection of U.S. Bank National Association, as Indenture Trustee, to Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 of the Bankruptcy Code [ECF No. 3605]
- (p) Objection of Wilmington Trust Company, as Indenture Trustee, to the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 of the Bankruptcy Code [ECF No. 3606]
- (q) Noteholders' Objection to Motion to Reject Collective-Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113 and 1114 [ECF No. 3608]

- (r) UMWA's Objection to the Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113 and 1114 [ECF No. 3610]
 - (i) Amended Declaration of Arthur Traynor in Opposition to the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113 and 1114 [ECF No. 3642]
 - (ii) Declaration of Micheal Buckner in Opposition to the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113 and 1114 [ECF No. 3613]
 - (iii) Declaration of Srinivas Akunuri in Opposition to the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113 and 1114 [ECF No. 3630]
 - (iv) Declaration of Elliott I. Cobin in Opposition to the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113 and 1114 [ECF No. 3619]
 - (v) Declaration of Perry Mandarino in Opposition to the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113 and 1114 [ECF No. 3622]
 - (s) Objection of Cliffs Natural Resources Inc.'s et al. to Debtors' Motion to Reject Collective-Bargaining Agreements and to Modify Retiree Benefit Pursuant to Sections 1113 and 1114 of the Bankruptcy Code [ECF No. 3618]
 - (t) Objection of the United Mine Workers of America 1974 Pension Trust and the United Mine Workers of America 1993 Benefit Plan to the Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 of the Bankruptcy Code [ECF No. 3623]
 - (u) Objection and Joinder of the United Mine Workers of America 2012 Retiree Bonus Account Trust to Objection of the UMWA 1974 and 1993 Plans to Debtors' Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 of the Bankruptcy Code [ECF No. 3624]
7. Patriot Coal Corporation et al v. Peabody Holding Company LLC et al. [Adv. Pro. No. 13-04067-659]

CONTESTED MATTERS

8. Debtors' Motion for an Order Authorizing the Modification and Termination of Certain Non-Vested Benefits for Non-Union Retiree Benefit Participants Pursuant to 11 U.S.C. §§ 105(a) and 363(b) [ECF No. 3503]

Related Documents

- (a) Declaration of Michael Luna in Support of Debtors' Motion for an Order Authorizing the Modification and Termination of Certain Non-Vested Benefits for Non-Union Retiree Benefit Participants Pursuant to 11 U.S.C. §§ 105(a) and 363(b) [ECF No. 3504]

Objections

- (b) The Salaried Retiree Committee's Reply to the Motion of Debtors and Debtors in Possession for an Order, Pursuant to 11 U.S.C. § 363, Authorizing Debtors to Terminate Benefits of Non-Union Retirees [ECF No. 3681]

Status: This matter is going forward.

9. Payne-Gallatin Company Motion for Order (a) Directing Debtors to File a Response to the Payne-Gallatin Company Objection to Debtors' Motion for Authorization to (i) Assume or (ii) Reject Unexpired Leases of Nonresidential Real Property With Respect To Contract ID LND 323 [ECF No. 3419]

Objections

- (a) Debtors' Limited Objection to Payne-Gallatin Company's Motion for Order (a) Directing Debtors to File a Response to the Payne-Gallatin Company Objection to Debtors' Motion for Authorization to (i) Assume or (ii) Reject Unexpired Leases of Nonresidential Real Property With Respect to Contract ID LND 323, and (b) Scheduling Mediation and Hearing [ECF No. 3664]

Status: This matter is going forward.

10. Motion of the Debtors and the Official Committee of Unsecured Creditors for Leave to Conduct Discovery of Peabody Energy Corporation Pursuant to Rule 2004 [ECF No. 3494]

Objections

- (a) Objection to the Motion of the Debtors and the Official Committee of Unsecured Creditors for Leave to Conduct Discovery of Peabody Energy Corporation Pursuant to Rule 2004 [ECF No. 3674]

Status: This matter is going forward.

11. Debtors' Motion to (i) Compel Aurelius Capital Management, LP, Knighthead Capital Management, LLC and their Counsel to Comply with Bankruptcy Rule 2019 and (ii) Prohibit Further Participation in these Cases by Aurelius Capital Management, LP, Knighthead Capital Management, LLC and their Counsel Pending Compliance with Bankruptcy Rule 2019 [ECF No. 3682]

Status: This matter is going forward.

12. Motion of Aurelius Capital Management, LP, and Knighthead Capital Management, LLC, for Entry of an Order, Pursuant to 11 U.S.C. §§ 105(a) and 1104(a), Directing the Appointment of a Chapter 11 Trustee [ECF No. 3423]

Related Documents

- (a) Exhibit Summary for Motion of Aurelius Capital Management, LLC and Knighthead Capital Management, LLC for Entry of Order Directing the Appointment of a Chapter 11 Trustee for the Non-Obligor Debtors [ECF No. 3424]
- (b) Response of the United Mine Workers of America 1974 Pension Trust to the Motion of Aurelius Capital Management, LP and Knighthead Capital Management, LLC for Entry of an Order Directing the Appointment of a Chapter 11 Trustee [ECF No. 3625]
- (c) Joinder of Wilmington Trust Company, as Indenture Trustee, to Motion of Aurelius Capital Management, LP, and Knighthead Capital, LLC, for Entry of an Order, Pursuant to 11 U.S.C. §§ 105(a) and 1104(a) Directing the Appointment of a Chapter 11 Trustee for "Non-Obligor Debtors" [ECF No. 3684]

Objections

- (d) United Mine Workers' Objection to Motion for Appointment of a Chapter 11 Trustee [ECF No. 3671]

- (e) Debtors' Objection to the Motion of Aurelius Capital Management, LP and Knighthead Capital Management, LLC for Entry of an Order, Pursuant to 11 U.S.C. §§ 105(a) and 1104(a) Directing the Appointment of a Chapter 11 Trustee [ECF No. 3675]
 - (i) Joinder of Citibank, N.A. as First Out DIP Agent in Debtors' Objection to the Motion of Aurelius Capital Management, LP and Knighthead Capital Management, LLC for Entry of an Order, Pursuant to 11 U.S.C. §§ 105(a) and 1104(a) Directing the Appointment of a Chapter 11 Trustee [ECF No. 3687]
 - (ii) Joinder of Bank of America, N.A. as Second Out DIP Agent, to Debtors' Objection to Motion of Aurelius Capital Management, LP and Knighthead Capital Management, LLC for Entry of an Order, Pursuant to 11 U.S.C. §§ 105(a) and 1104(a) Directing the Appointment of a Chapter 11 Trustee [ECF No. 3696]
- (f) Objection of the Official Committee of Unsecured Creditors to the Motion for the Appointment of a Chapter 11 Trustee [ECF No. 3686]
- (g) Limited Objection of U.S. Bank National Association, as Indenture Trustee, to (i) Motion for the Appointment of a Chapter 11 Trustee and (ii) Debtors' Second Motion to Extend the Debtors' Exclusive Periods within which to File a Plan of Reorganization and Solicit Votes Thereon [ECF No. 3665]

Status: This matter is going forward.

13. Debtors' Second Motion for an Order Extending Debtors' Exclusive Periods within which to File a Plan of Reorganization and Solicit Votes Thereon [ECF No. 3498]

Objections

- (a) Limited Objection of U.S. Bank National Association, as Indenture Trustee, to (i) Motion for the Appointment of a Chapter 11 Trustee and (ii) Debtors' Second Motion to Extend the Debtors' Exclusive Periods within which to File a Plan of Reorganization and Solicit Votes Thereon [ECF No. 3665]
- (b) Objection of the Official Committee of Unsecured Creditors to the Debtors' Second Motion to Extend the Debtors' Exclusive Periods within which to File a Plan of Reorganization and Solicit Votes Thereon [ECF No. 3669]
- (c) United Mine Workers' Objection to the Debtors' Second Motion to Extend the Debtors' Exclusive Periods within which to File a Plan of Reorganization and Solicit Votes Thereon [ECF No. 3670]

- (d) Noteholders' Objection to Debtors' Second Motion for an Order Extending Debtors' Exclusive Periods within which to File a Plan of Reorganization and Solicit Votes Thereon [ECF No. 3673]
- (e) Objection of Wilmington Trust Company, as Indenture Trustee, to the Debtors' Second Motion for an Order Extending Debtors' Exclusive Periods within which to File and Plan of Reorganization and Solicit Votes Thereon [ECF No. 3679]

Status: This matter is going forward.

B. ADVERSARY PROCEEDINGS

Robin Land Company, LLC v. STB Ventures, Inc. [Adv. Pro. No. 12-04355-659]

1. Plaintiff's Motion for Judgment on the Pleadings and to Dismiss Defendant's Counterclaims [ECF No. 36]

Related Documents

- (a) Plaintiff's Memorandum of Law in Support of its Motion for Judgment on the Pleadings and Motion to Dismiss Defendants' Counterclaims [ECF No. 37]
- (b) Plaintiff's Reply Memorandum of Law in Further Support of its Motion for Judgment on the Pleadings and Motion to Dismiss Defendant's Counterclaims [ECF No. 78]

Objections

- (c) STB Ventures, Inc.'s Objection to Robin Land Company, LLC's Motion for Judgment on the Pleadings, and Robin Land Company's Motion to Dismiss Defendants' Counterclaims [ECF No. 69]
- (d) Arch's Memorandum of Law in Opposition to Plaintiff's Motion for Judgment on the Pleadings and to Dismiss Arch's Counterclaims [ECF No. 72]

Status: This matter is going forward.

2. Defendant's Motion Under Bankruptcy Code § 365(d)(3) to Compel Robin Land Company to Pay Part Or All of the Post-Petition Amounts Due Under the STB Override Agreement, and, in the Alternative Under Bankruptcy Code § 363 for Adequate Protection [ECF No. 40]

Related Documents

- (a) Joinder of Arch Coal, Inc., Ark Land Company and Ark Land KH, Inc. in STB Ventures Inc.'s Motion (i) Under Bankruptcy Code § 365(d)(3) to Compel Robin Land Company to Pay Part or All of the Post-Petition Amounts Due Under the STB Override Agreement Because (A) Payment of the STB Override is a Condition to at Least On [sic] Unexpired Nonresidential Real Property Lease, and/or (B) the STB Override Agreement is Integrated with Two Unexpired Nonresidential Real Property Leases, or (ii) In the Alternative, Under Bankruptcy Code § 363 to Provide STB Ventures with Adequate Protection of its Interest Under the STB Override Agreement [ECF No. 54]

- (b) STB Ventures, Inc.'s Reply to Robin Land Company, LLC's Objection to the Motion of STB Ventures, Inc. Under 11 U.S.C. § 365(d)(3) to (i) Compel Robin Land Company, LLC to Pay Part or All of the Post-Petition Amounts Due Under the STB Override Agreement or (ii) in the Alternative, to Provide STB Ventures, Inc. Adequate Protection of its Interests Under the STB Override Agreement [ECF No. 65]

Objections

- (c) Robin Land Company LLC's Objection to the Motion of STB Ventures, Inc. Under 11 U.S.C. § 365(d)(3) to Compel Robin Land Company to Pay Part or All of the Post-Petition Amounts Due Under the STB Override Agreement, and, in the Alternative, to Provide STB Ventures Adequate Protection of its Interests Under the STB Override Agreement [ECF No. 55]

Status: This matter is going forward.

C. MAIN CASE: EQUITY COMMITTEE MOTION

CONTESTED MATTER

1. Motion of Certain Interested Shareholders for Entry of an Order Directing the Appointment of an Official Committee of Equity Security Holders Pursuant to Bankruptcy Code § 1102(a)(2) [ECF No. 417]

Related Documents

- (a) Response of Peabody Energy Corporation to the Motion of Certain Interested Shareholders for Entry of an Order Directing the Appointment of an Official Committee of Equity Security Holders Pursuant to Bankruptcy Code § 1102(a)(2) [ECF No. 1656]
- (b) Declaration of Christopher K. Wu [ECF No. 3705]
- (c) Declaration of Jeffrey R. Stufsky [ECF No. 3706]

Objections

- (d) Objection of the United States Trustee to Motion of Certain Interested Shareholders for Entry of an Order Directing the Appointment of an Official Committee of Equity Security Holders Pursuant to 11 U.S.C. § 1102(a)(2) [ECF No. 565]
- (e) Objection of Wilmington Trust Company, as Indenture Trustee, to Motion of Certain Interested Shareholders for Entry of an Order Directing the Appointment of an Official Committee of Equity Security Holders Pursuant to Bankruptcy Code § 1102(a)(2) [ECF No. 3439]
- (f) Objection of the Official Committee of Unsecured Creditors to the Motion for the Appointment of an Official Committee of Equity Security Holders [ECF No. 3441]
 - (i) Joinder of U.S. Bank National Association, as Indenture Trustee, to Objection of the Official Committee of Unsecured Creditors to the Motion of Certain Interested Shareholders for Entry of an Order Directing the Appointment of an Official Committee of Equity Security Holders Pursuant to Bankruptcy Code § 1102(a)(2) [ECF No. 3442]
- (g) Debtors' Objection to Motion of Certain Interested Shareholders for Entry of an Order Directing the Appointment of an Official Committee of Equity Security Holders Pursuant to Bankruptcy Code § 1102(a)(2) [ECF No. 3446]

- (i) Joinder of Bank of America, N.A., as Second Out DIP Agent, to Debtors' Objection to Motion of Certain Interested Shareholders for Entry of an Order Directing the Appointment of an Official Committee of Equity Security Holders Pursuant to Bankruptcy Code § 1102(a)(2) [ECF No. 3451]
- (ii) Joinder of Citibank, N.A., as First Out DIP Agent in Debtors' Objection to Motion of Certain Interested Shareholders' for Entry of an Order Directing the Appointment of an Official Committee of Equity Security Holders Pursuant to Bankruptcy Code § 1102(a)(2) [ECF No. 3452]
- (iii) Declaration of Amelia T.R.Starr in Support of Debtors' Objection to Motion of Certain Interested Shareholders for Entry of an Order Directing the Appointment of an Official Committee of Equity Security Holders Pursuant to Bankruptcy Code § 1102(a)(2) [ECF No. 3447]
- (iv) Declaration of Seth Schwartz in Support of the Debtors' Objections to Motion of Certain Interested Shareholders for Entry of an Order Directing the Appointment of an Official Committee of Equity Security Holders [ECF No. 3448]
- (v) Declaration of Paul P. Huffard in Support of the Debtors' Objections to Motion of Certain Interested Shareholders for Entry of an Order Directing the Appointment of an Official Committee of Equity Security Holders [ECF No. 3449]

Status: This matter is going forward.

D. ADJOURNED MATTERS

1. Ernie Burns' Motion for Relief from Stay to Allow Civil Litigation to Proceed [ECF No. 3203]

Status: Adjourned to May 21, 2013 at 10:00 a.m. (Prevailing Central Time)

2. Debtors' Motion for Authorization to (i) Assume or (ii) Reject Unexpired Leases of Nonresidential Real Property [ECF No. 1995]

Objections

- (a) Payne-Gallatin Company Objection to Debtors' Motion for Authorization to (i) Assume or (ii) Reject Unexpired Leases of Nonresidential Real Property with Respect to Contract ID LND 323 [ECF No. 2056]
- (b) STB Ventures, Inc.'s Objection to Debtors' Motion for Authorization to (i) Assume or (ii) Reject Unexpired Leases of Nonresidential Real Property [ECF No. 2061]
- (c) Penn Virginia Operating Co., L.L.C.'s Objection to Debtors' Motion for Authorization to (i) Assume or (ii) Reject Unexpired Leases of Nonresidential Real Property [ECF No. 2067]
- (d) Objection of Arch Coal, Inc., Ark Land Company, Ark Land KH, Inc. and Allegheny Land Company to Debtors' Motion for Authorization to (i) Assume or (ii) Reject Unexpired Leases of Nonresidential Real Property [ECF No. 2068]
- (e) Objection of Shonk Land Company, LLC to the Debtors' Motion to Assume Leases and Cure Objections [ECF No. 2069]
- (f) LRPB'S Limited Objection to Debtors' Motion for Authorization to Assume or Reject Unexpired Leases of Nonresidential Real Property [ECF No. 2180]

Status: Adjourned to May 21, 2013 at 10:00 a.m. (Prevailing Central Time)

3. Defendant's Motion to Dismiss, or, in the Alternative, for a More Definite Statement [ECF No. 10] [Adv. Pro. No. 12-04354-659]

Related Documents:

- (a) Debtor Magnum Coal Company LLC's Memorandum of Law in Opposition to Defendant's Motion to Dismiss, or, in the Alternative, for a More Definite Statement [ECF No. 12]

Status: Adjourned *sine die*.

Dated: April 18, 2013
New York, New York

Respectfully submitted,

DAVIS POLK & WARDWELL LLP

/s/ Michelle M. McGreal

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SCHEDULE 1
(Debtor Entities)

1. Affinity Mining Company
2. Apogee Coal Company, LLC
3. Appalachia Mine Services, LLC
4. Beaver Dam Coal Company, LLC
5. Big Eagle, LLC
6. Big Eagle Rail, LLC
7. Black Stallion Coal Company, LLC
8. Black Walnut Coal Company
9. Bluegrass Mine Services, LLC
10. Brook Trout Coal, LLC
11. Catenary Coal Company, LLC
12. Central States Coal Reserves of Kentucky, LLC
13. Charles Coal Company, LLC
14. Cleaton Coal Company
15. Coal Clean LLC
16. Coal Properties, LLC
17. Coal Reserve Holding Limited Liability Company No. 2
18. Colony Bay Coal Company
19. Cook Mountain Coal Company, LLC
20. Corydon Resources LLC
21. Coventry Mining Services, LLC
22. Coyote Coal Company LLC
23. Cub Branch Coal Company LLC
24. Dakota LLC
25. Day LLC
26. Dixon Mining Company, LLC
27. Dodge Hill Holding JV, LLC
28. Dodge Hill Mining Company, LLC
29. Dodge Hill of Kentucky, LLC
30. EACC Camps, Inc.
31. Eastern Associated Coal, LLC
32. Eastern Coal Company, LLC
33. Eastern Royalty, LLC
34. Emerald Processing, L.L.C.
35. Gateway Eagle Coal Company, LLC
36. Grand Eagle Mining, LLC
37. Heritage Coal Company LLC
38. Highland Mining Company, LLC
39. Hillside Mining Company
40. Hobet Mining, LLC
41. Indian Hill Company LLC
42. Infinity Coal Sales, LLC
43. Interior Holdings, LLC
44. IO Coal LLC
45. Jarrell's Branch Coal Company
46. Jupiter Holdings LLC
47. Kanawha Eagle Coal, LLC
48. Kanawha River Ventures I, LLC
49. Kanawha River Ventures II, LLC
50. Kanawha River Ventures III, LLC
51. KE Ventures, LLC
52. Little Creek LLC
53. Logan Fork Coal Company
54. Magnum Coal Company LLC
55. Magnum Coal Sales LLC
56. Martinka Coal Company, LLC
57. Midland Trail Energy LLC
58. Midwest Coal Resources II, LLC
59. Mountain View Coal Company, LLC
60. New Trout Coal Holdings II, LLC
61. Newtown Energy, Inc.
62. North Page Coal Corp.
63. Ohio County Coal Company, LLC
64. Panther LLC
65. Patriot Beaver Dam Holdings, LLC
66. Patriot Coal Company, L.P.
67. Patriot Coal Corporation
68. Patriot Coal Sales LLC
69. Patriot Coal Services LLC
70. Patriot Leasing Company LLC
71. Patriot Midwest Holdings, LLC
72. Patriot Reserve Holdings, LLC
73. Patriot Trading LLC
74. PCX Enterprises, Inc.
75. Pine Ridge Coal Company, LLC
76. Pond Creek Land Resources, LLC
77. Pond Fork Processing LLC
78. Remington Holdings LLC
79. Remington II LLC
80. Remington LLC
81. Rivers Edge Mining, Inc.
82. Robin Land Company, LLC
83. Sentry Mining, LLC
84. Snowberry Land Company
85. Speed Mining LLC
86. Sterling Smokeless Coal Company, LLC
87. TC Sales Company, LLC
88. The Presidents Energy Company LLC
89. Thunderhill Coal LLC
90. Trout Coal Holdings, LLC
91. Union County Coal Co., LLC
92. Viper LLC
93. Weatherby Processing LLC
94. Wildcat Energy LLC
95. Wildcat, LLC
96. Will Scarlet Properties LLC
97. Winchester LLC
98. Winifrede Dock Limited Liability Company
99. Yankeetown Dock, LLC