

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re

PATRIOT COAL CORPORATION, *et al.*,

Debtors.

**Case No. 12-bk-51502-659
Jointly Administered**

Hearing Date: May 21, 2013
Hearing Time: 10:00 a.m.
Location: Courtroom 7-N, St. Louis

DEBTORS' SECOND OMNIBUS OBJECTION TO CLAIMS
(Amended and Superseded Claims)

Patriot Coal Corporation and its affiliated debtors (the "Debtors"), pursuant to 11 U.S.C. § 502 and Fed. R. Bankr. P. 3007, file this Second Omnibus Objection to Claims (the "Objection"). In support of the Objection, the Debtors show the Court as follows:

Relief Requested

1. By this Objection, the Debtors object to certain proofs of claim (the "Claims") listed on Exhibit A attached hereto because the Claims have been amended by subsequently filed proofs of claim. The Debtors request entry of an order, pursuant to Section 502 of the Bankruptcy Code and Fed. R. Bankr. P. 3007, finding that the Claims have been superseded by amendment and directing that the Claims be disallowed and expunged, without prejudice to any party's rights as to the amended and superseding proofs of claim.

2. **Parties receiving this Objection should locate their names on Exhibit A.** Any response to this Objection should include, among other things, (i) an appropriate caption, including the title and date of this Objection; (ii) the name of the claimant, both the EDMO and GCG claim numbers of the claim that the Debtors are seeking to disallow and expunge, and a description of the basis for the amount claimed; (iii) a concise statement setting forth the reasons

why the Court should not sustain this Objection, including, but not limited to, the specific factual and legal bases upon which the claimant relies in opposing this Objection; (iv) copies of any documentation and other evidence which the claimant will rely upon in opposing this Objection at a hearing; and (v) the name, address, telephone number and facsimile number of a person authorized to reconcile, settle or otherwise resolve the claim on the claimant's behalf. A claimant that cannot timely provide such documentation and other evidence should provide a detailed explanation as to why it is not possible to timely provide such documentation and other evidence.

Jurisdiction

3. This Court has jurisdiction over this Objection under 28 U.S.C. § 1334. Venue of this proceeding is proper pursuant to 28 U.S.C. § 1409. This is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).

4. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

Background

5. The Debtors filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code on July 9, 2012 in the United States Bankruptcy Court for the Southern District of New York.

6. On December 19, 2012, the Debtors' cases were transferred to the United States Bankruptcy Court for the Eastern District of Missouri [Dkt. No. 1789].

7. The bar date for filing proofs of claim was December 14, 2012 [Dkt. No. 1388].

8. On March 1, 2013, the Court entered its Order Establishing Procedures for Claims Objections [Dkt. No. 3021].

Objection and Argument

9. The Debtors object to the Claims identified on Exhibit A, incorporated herein by reference, because they have been amended and superseded by subsequently filed proofs of claim.¹

10. In the column entitled “Claims to be Expunged,” Exhibit A sets forth the creditor’s name, the number assigned to the Claim by the Debtors’ claims agent, the number assigned to the Claim when it was docketed on the Court’s claim register, the Debtor against which the Claim was filed, the case number and the amount and classification of the Claim. In the column entitled “Surviving Claims,” Exhibit A lists the same information for each corresponding superseding claim (the “Surviving Claims”).

11. The Debtors have reviewed each of the Claims listed on Exhibit A. The Claims and the Surviving Claims are substantially similar. Specifically, the Claims correspond to the Surviving Claims in that both refer to the same creditor, but the Surviving Claim was filed subsequent to the Claim and sets forth an amended proof of claim amount and/or an amended basis for the proof of claim. *See* Declaration of Robert L. Mead, attached hereto as Exhibit B.

12. The Debtors request that the Court disallow and expunge the Claims because the relevant proofs of claim are preserved as Surviving Claims.

13. This Objection does not affect the Surviving Claims; however, the Debtors reserve the right to object to the Surviving Claims in the future on any appropriate grounds.

¹ Certain creditors listed on Exhibit A may be clients of one or more of the law firms representing the Debtors. Any dispute regarding this Objection will be handled by attorneys for the Debtors from a law firm that does not represent the applicable creditor.

WHEREFORE, the Debtors respectfully request that this Court:

- (a) disallow and expunge the Claims; and
- (b) grant such other and further relief as is just and proper.

Dated: April 19, 2013
St. Louis, Missouri

Respectfully submitted,
BRYAN CAVE LLP

/s/ Laura Uberti Hughes
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*Local Counsel to the Debtors
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-and-

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*Counsel to the Debtors
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Patriot Coal Corporation, et al. Exhibit A - Amended & Superseded Claims												
Note: Claims on the exhibit are sorted in alphabetical order based on the creditor name as listed on proof of claim form.												
SEQ NO.	CLAIMS TO BE DISALLOWED AND EXPUNGED					SURVIVING CLAIMS						
	NAME	GCG CLAIM NO.	ED MO CLAIM NO.	CLAIMED DEBTOR	CASE NUMBER	CLAIM AMOUNT	NAME	GCG CLAIM NO.	ED MO CLAIM NO.	CLAIMED DEBTOR	CASE NUMBER	CLAIM AMOUNT
1	ARTISAN CONTRACTING INC C/O HEPTACORE INC ATTN KORY DRURY 1211 STATE ROUTE Y BLOOMSDALE, MO 63627	264	780	HERITAGE COAL COMPANY LLC	12-52063	Unsecured: \$538,852.39	ARTISAN CONTRACTING INC C/O KORY DRURY, HEPTACORE INC 12211 STATE ROUTE Y PO BOX 17 BLOOMSDALE, MO 63627	1242	269	HERITAGE COAL COMPANY LLC	12-52063	Secured: \$538,852.39
2	HAWTHORN BANK 321 W BATTLEFIELD SPRINGFIELD, MO 65807	25	29	PATRIOT LEASING COMPANY LLC	12-52103	Unsecured: \$107,204.16	HAWTHORN BANK C/O LOWTHER JOHNSON ATTORNEYS AT LAW LLC ATTN LEE J VIOREL 901 ST LOUIS ST 20TH FL SPRINGFIELD, MO 65806	3988	3965	PATRIOT LEASING COMPANY LLC	12-52103	Unsecured: \$67,173.84
3	HAWTHORN BANK 321 W BATTLEFIELD SPRINGFIELD, MO 65807	836	566	PATRIOT LEASING COMPANY LLC	12-52103	Unsecured: \$87,204.16	HAWTHORN BANK C/O LOWTHER JOHNSON ATTORNEYS AT LAW LLC ATTN LEE J VIOREL 901 ST LOUIS ST 20TH FL SPRINGFIELD, MO 65806	3988	3965	PATRIOT LEASING COMPANY LLC	12-52103	Unsecured: \$67,173.84
4	INDUSTRIAL CONTRACTING OF FAIRMONT, INC. P.O. BOX 2648 FAIRMONT, WV 26555	1188	3628	EASTERN ASSOCIATED COAL, LLC	12-52057	Secured: \$118,000.00	INDUSTRIAL CONTRACTING OF FAIRMONT, INC. ATTN: DAVID A. SOSNE 8909 LADUE ROAD ST. LOUIS, MO 63124	3983	3966	EASTERN ASSOCIATED COAL, LLC	12-52057	Unsecured: \$118,000.00
5	INDUSTRIAL CONTRACTING OF FAIRMONT, INC. P.O. BOX 2648 FAIRMONT, WV 26555	1192	3629	HOBET MINING, LLC	12-52068	Secured: \$223,709.00	INDUSTRIAL CONTRACTING OF FAIRMONT, INC. C/O DAVID A. SOSNE 8909 LADUE ROAD ST. LOUIS, MO 63124	3980	3968	HOBET MINING, LLC	12-52068	Unsecured: \$223,709.00
6	INDUSTRIAL RESOURCES INC. P.O. BOX 2648 FAIRMONT, WV 26554	1189	3631	EASTERN ASSOCIATED COAL, LLC	12-52057	Secured: \$34,734.00	INDUSTRIAL RESOURCES, INC. ATTN: DAVID A. SOSNE 8909 LADUE ROAD ST. LOUIS, MO 63124	3984	3970	EASTERN ASSOCIATED COAL, LLC	12-52057	Unsecured: \$34,734.00
7	IRL F. ENGELHARDT 901 KENT ROAD ST LOUIS, MO 63124	1960	1267	PATRIOT COAL CORPORATION	12-51502	Unliquidated	IRL F. ENGELHARDT 901 KENT ROAD ST. LOUIS, MO 63124	3942	3796	PATRIOT COAL CORPORATION	12-51502	Unliquidated
8	MCMMASTER-CARR SUPPLY 200 AURORA INDUSTRIAL PKWY AURORA, CO 44202	1	6	DODGE HILL MINING COMPANY, LLC	12-52055	Unsecured: \$1,251.22	MCMMASTER-CARR SUPPLY CO 200 AURORA INDUSTRIAL PKWY AURORA, OH 44202	49	48	DODGE HILL MINING COMPANY, LLC	12-52055	Secured: Unliquidated Unsecured: \$1,000.00
9	MINE SAFETY & HEALTH ADMINISTRATION (MSHA) US DEPARTMENT OF LABOR ATTN MELANIE GARRIS 1100 WILSON BLVD 25TH FL ARLINGTON, VA 22209	3750	2360	NEWTOWN ENERGY, INC.	12-52091	Secured: \$2,504,159.02	MINE SAFETY AND HEALTH ADMINISTRATION ("MSHA") US DEPARTMENT OF LABOR ATTN MELANIE GARRIS 1100 WILSON BLVD 25TH FL ARLINGTON, VA 22209	3986	3977	NEWTOWN ENERGY, INC.	12-52091	Secured: \$174,634.46 Unsecured: \$2,329,524.56
10	RICHARD M WHITING C/O LEWIS RICE & FINGERSH LC ATTN JOHN J HALL 600 WASHINGTON AVE STE 2500 ST LOUIS, MO 63101	2109	1376	PATRIOT COAL CORPORATION	12-51502	Unliquidated	RICHARD M WHITING C/O LEWIS RICE & FINGERSH LC ATTN JOHN J HALL 600 WASHINGTON AVE STE 2500 ST. LOUIS, MO 63101	2707	1736	PATRIOT COAL CORPORATION	12-51502	Unliquidated
11	RICHARD M. WHITING C/O LEWIS RICE & FINGERSH LC ATTN JOHN J HALL 600 WASHINGTON AVE STE 2500 SAINT LOUIS, MO 63101	2110	3305	PATRIOT COAL CORPORATION	12-51502	Unsecured: \$181,575.00	RICHARD M WHITING C/O LEWIS RICE & FINGERSH LC ATTN JOHN J HALL 600 WASHINGTON AVE STE 2500 ST LOUIS, MO 63101	2708	1738	PATRIOT COAL CORPORATION	12-51502	Unsecured: \$181,575.00*
12	RICHARD M. WHITING C/O LEWIS RICE & FINGERSH LC ATTN JOHN J HALL 600 WASHINGTON AVE STE 2500 SAINT LOUIS, MO 63101	2111	1220	PATRIOT COAL CORPORATION	12-51502	Priority: \$11,725.00 Unsecured: \$422,142.25*	RICHARD M WHITING C/O LEWIS RICE & FINGERSH LC ATTN JOHN J HALL 600 WASHINGTON AVE STE 2500 ST LOUIS, MO 63101	2709	1739	PATRIOT COAL CORPORATION	12-51502	Priority: \$11,725.00 Unsecured: \$422,142.25
13	SALEM ELECTRIC COMPANY P.O. BOX 1587 FAIRMONT, WV 26555	1191	3630	EASTERN ASSOCIATED COAL, LLC	12-52057	Secured: \$7,280.00	SALEM ELECTRIC COMPANY C/O DAVID A. SOSNE 8909 LADUE ROAD ST. LOUIS, MO 63124	3981	3979	EASTERN ASSOCIATED COAL, LLC	12-52057	Unsecured: \$7,280.00
14	SANDBERG, PHOENIX & VON GONTARD P.C. 600 WASHINGTON AVE ST. LOUIS, MO 63101	585	2897	PATRIOT COAL CORPORATION	12-51502	Unsecured: \$440.07	SANDBERG PHOENIX & VON GONTARD 600 WASHINGTON AVE ST LOUIS, MO 63101	979	653	PATRIOT COAL CORPORATION	12-51502	Unsecured: \$1,316.57
15	US SPECIALTY INSURANCE C/O STITES & HARBISON PLLC ATTN WILLIAM T GORTON III 250 W MAIN ST STE 2300 LEXINGTON, KY 40507	2065	1361	PATRIOT COAL CORPORATION	12-51502	Unliquidated	US SPECIALTY INSURANCE C/O STITES & HARBISON PLLC ATTN WILLIAM T. GORTON III 250 W. MAIN STREET, STE 2300 LEXINGTON, KY 40507	3676	3760	PATRIOT COAL CORPORATION	12-51502	Unliquidated
16	WC HYDRAULICS LLC 172 PHILPOT LN BEAVER, WV 25813	301	3886	PATRIOT COAL CORPORATION	12-51502	Unsecured: \$348,718.14	W. C. HYDRAULICS 172 PHILPOT LANE BEAVER, WV 25813	2208	3590	KANAWHA EAGLE COAL, LLC	12-52077	Unsecured: \$19,914.62

Patriot Coal Corporation, et al. Exhibit A - Amended & Superseded Claims													
Note: Claims on the exhibit are sorted in alphabetical order based on the creditor name as listed on proof of claim form.													
SEQ NO.	CLAIMS TO BE DISALLOWED AND EXPUNGED						SURVIVING CLAIMS						
	NAME	GCG CLAIM NO.	ED MO CLAIM NO.	CLAIMED DEBTOR	CASE NUMBER	CLAIM AMOUNT	NAME	GCG CLAIM NO.	ED MO CLAIM NO.	CLAIMED DEBTOR	CASE NUMBER	CLAIM AMOUNT	
16	WC HYDRAULICS LLC 172 PHILPOT LN BEAVER, WV 25813	301	3886	PATRIOT COAL CORPORATION	12-51502	Unsecured: \$348,718.14	WC HYDRAULICS LLC 172 PHILPOT LN BEAVER, WV 25813	2211	3586	CATENARY COAL COMPANY, LLC	12-52036	Unsecured: \$4,038.31	
16	WC HYDRAULICS LLC 172 PHILPOT LN BEAVER, WV 25813	301	3886	PATRIOT COAL CORPORATION	12-51502	Unsecured: \$348,718.14	WC HYDRAULICS LLC 172 PHILPOTT LN BEAVER, WV 25814	2212	3588	GATEWAY EAGLE COAL COMPANY, LLC	12-52062	Unsecured: \$4,717.94	
16	WC HYDRAULICS LLC 172 PHILPOT LN BEAVER, WV 25813	301	3886	PATRIOT COAL CORPORATION	12-51502	Unsecured: \$348,718.14	WC HYDRAULICS LLC 172 PHILPOTT LN BEAVER, WV 25815	2213	3589	HILLSIDE MINING COMPANY	12-52066	Unsecured: \$7,151.36	
16	WC HYDRAULICS LLC 172 PHILPOT LN BEAVER, WV 25813	301	3886	PATRIOT COAL CORPORATION	12-51502	Unsecured: \$348,718.14	WC HYDRAULICS LLC 172 PHILPOTT LN BEAVER, WV 25816	2214	3792	EASTERN ASSOCIATED COAL, LLC	12-52057	Unsecured: \$32,862.41	
16	WC HYDRAULICS LLC 172 PHILPOT LN BEAVER, WV 25813	301	3886	PATRIOT COAL CORPORATION	12-51502	Unsecured: \$348,718.14	WC HYDRAULICS LLC 172 PHILPOT LN BEAVER, WV 25817	2215	2938	MIDLAND TRAIL ENERGY LLC	12-52087	Unsecured: \$63,622.01	
16	WC HYDRAULICS LLC 172 PHILPOT LN BEAVER, WV 25813	301	3886	PATRIOT COAL CORPORATION	12-51502	Unsecured: \$348,718.14	WC HYDRAULICS LLC 172 PHILPOTT LN BEAVER, WV 25818	2216	3791	BLACK STALLION COAL COMPANY, LLC	12-52030	Unsecured: \$71,930.96	
16	WC HYDRAULICS LLC 172 PHILPOT LN BEAVER, WV 25813	301	3886	PATRIOT COAL CORPORATION	12-51502	Unsecured: \$348,718.14	WC HYDRAULICS LLC 172 PHILPOT LN BEAVER, WV 25819	2414	3792	PANTHER LLC	12-52095	Unsecured: \$100,888.91	
16	WC HYDRAULICS LLC 172 PHILPOT LN BEAVER, WV 25813	301	3886	PATRIOT COAL CORPORATION	12-51502	Unsecured: \$348,718.14	WC HYDRAULICS LLC 172 PHILPOTT LN BEAVER, WV 25819	2415	3793	REMINGTON LLC	12-52119	Unsecured: \$71395.08	
17	WEST VIRGINIA ELECTRIC INDUSTRIES, INC. P.O. BOX 1587 FAIRMONT, WV 26555	1190	3634	EASTERN ASSOCIATED COAL, LLC	12-52057	Secured: \$106,809.00	WEST VIRGINIA ELECTRIC INDUSTRIES, INC. C/O DAVID A. SOSNE 8909 LADUE ROAD ST. LOUIS, MO 63124	3985	3982	EASTERN ASSOCIATED COAL, LLC	12-52057	Unsecured: \$106,809.00	
18	WEST VIRGINIA ELECTRIC INDUSTRIES, INC. P.O. BOX 1587 FAIRMONT, WV 26555	1193	3626	HOBET MINING, LLC	12-52068	Secured: \$3,001.02	WEST VIRGINIA ELECTRIC INDUSTRIES, INC. C/O DAVID A. SOSNE 8909 LADUE ROAD ST. LOUIS, MO 63124	3982	3983	HOBET MINING, LLC	12-52068	Unsecured: \$3,001.02	
19	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	355	370	BLACK STALLION COAL COMPANY, LLC	12-52030	Priority: \$1,455,764.31* Unsecured: \$5,784.16	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	3964	3994	BLACK STALLION COAL COMPANY, LLC	12-52030	Priority: \$1,455,764.18* Unsecured: \$5,780.77	
20	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	361	376	COYOTE COAL COMPANY LLC	12-52047	Priority: \$822,792.76* Unsecured: \$20,276.18	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	3965	3995	COYOTE COAL COMPANY LLC	12-52047	Priority: \$821,792.76* Unsecured: \$20,276.18	
21	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	362	377	DAKOTA LLC	12-52050	Priority: \$1,301,000.00*	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	3966	3996	DAKOTA LLC	12-52050	Priority: \$1,300,000.00*	
22	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	363	378	DAY LLC	12-52049	Priority: \$2,000.00*	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	3967	3997	DAY LLC	12-52049	Priority: \$1,000.00*	
23	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	366	391	HOBET MINING, LLC	12-52068	Priority: \$2,476,925.13* Unsecured: \$199,007.34	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	3968	3998	HOBET MINING, LLC	12-52068	Priority: \$2,476,675.13* Unsecured: \$199,007.34	
24	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	369	353	JUPITER HOLDINGS LLC	12-52076	Priority: \$58,949.39* Unsecured: \$7,374.82	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	3969	3999	JUPITER HOLDINGS LLC	12-52076	Priority: \$57,199.39* Unsecured: \$7,374.82	
25	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	370	356	KANAWHA EAGLE COAL, LLC	12-52077	Priority: \$1,650,008.70* Unsecured: \$279.06	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	3970	4000	KANAWHA EAGLE COAL, LLC	12-52077	Priority: \$150,008.70* Unsecured: \$279.06	
26	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	380	362	PANTHER LLC	12-52095	Priority: \$973,088.67* Unsecured: \$33,405.34	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	3971	4001	PANTHER LLC	12-52095	Priority: \$972,838.67* Unsecured: \$33,405.34	
27	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	389	384	REMINGTON LLC	12-52119	Priority: \$95,805.00* Unsecured: \$17,081.43	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	3972	4002	REMINGTON LLC	12-52119	Priority: \$95,255.00 Unsecured: \$17,081.43	
28	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	391	389	ROBIN LAND COMPANY, LLC	12-52121	Priority: \$5,100.23*	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	3973	4003	ROBIN LAND COMPANY, LLC	12-52121	Priority: \$4,600.23	
29	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	395	398	THE PRESIDENTS ENERGY COMPANY LLC	12-52130	Priority: \$10,200.00*	WEST VIRGINIA STATE TAX DEPARTMENT PO BOX 766 CHARLESTON, WV 25323	3987	394	THE PRESIDENTS ENERGY COMPANY LLC	12-52130	Priority: \$10,000.00*	

* Denotes an unliquidated component.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re

PATRIOT COAL CORPORATION, *et al.*,

Debtors.

**Case No. 12-bk-51502-659
Jointly Administered**

**DECLARATION OF ROBERT L. MEAD IN SUPPORT
OF DEBTORS' SECOND OMNIBUS OBJECTION TO CLAIMS**

Robert L. Mead declares, pursuant to 28 U.S.C. § 1746, to the best of his knowledge and based upon the documents available to him, as follows:

1. I am Vice President & Treasurer of Patriot Coal Corporation.
2. I, or colleagues working under my supervision, have reviewed each of the claims listed on Exhibit A to the Debtors' Second Omnibus Claims Objection.
3. The Original Claims correspond to the Surviving Claims in that both refer to the same creditor, but the Surviving Claim was filed subsequent to the Original Claim and sets forth an amended proof of claim amount and/or an amended basis for the proof of claim.
4. The facts set forth in this declaration are based on my firsthand knowledge as the person at Patriot responsible for the overseeing the claims reconciliation process, as well as on information provided to me by other employees of the Debtors involved in the claims reconciliation process.

Dated: April 19, 2013

/s/ Robert L. Mead
Robert L. Mead