

**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 BRADLEY M.  
RISINGER ON BEHALF OF SMITH MOORE LEATHERWOOD LLP**

BRADLEY M. RISINGER declares and says:

1. I am a partner in Smith Moore Leatherwood LLP, located at 434 Fayetteville Street, Suite 2800, Two Hannover Square, Raleigh, NC 27601 (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, though the Debtors have indicated they intend to provide a waiver for the Firm to represent an existing client, Stahura Conveyor Products, Inc., an unsecured creditor in the 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 \$175 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 17, 2012.

  
**BRADLEY M. RISINGER**

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:

Smith Moore Leatherwood LLP  
434 Fayetteville Street  
Suite 2800  
Two Hannover Square  
Raleigh, NC 29601

Date of retention: July, 2009

2. Brief description of services to be provided:

Defense of Apogee Coal Company in CERCLA actions in the United States District Court for the Eastern District of North Carolina, Western Division. Carolina Power & Light Company d/b/a Progress Energy Carolinas, Inc. v. 3M Company, et al, Civil Action No. 5:08-CV-460-FL; Consolidation Coal Company v. 3M Company, et al, Civil Action No. 5:08-CV-463-FL.

3. Arrangements for compensation (hourly, contingent, etc.)  
  
Hourly rates.
  - (a) Range of hourly rates (if applicable): \$350 for partners, up to \$275 for associates.
  - (b) Estimated average monthly compensation based on prepetition retention (if firm was employed prepetition): The CERCLA actions are currently stayed, pending resolution of a "test case" protocol involving other defendants. Fees are extremely limited, well under \$500/month, until the test cases are resolved. Monthly fees before "test case" process ranged from \$2,000 to \$15,000, depending on case activities. Typical fees in the \$5,000 range, monthly.
  
4. Prepetition claims against any of the Debtors held by the firm:  
  
Amount of claim: \$175  
  
Date claim arose: 2/7/12; 6/22/12  
  
Source of claim: Services rendered
  
5. Prepetition claims against any of the Debtors held individually by any of the firm's attorneys:  
  
Name: n/a
  
6. Stock of any of the Debtors currently held by the firm:  
  
Kind of shares: n/a  
  
No. of shares: n/a
  
7. Stock of any of the Debtors currently held individually by any of the firm's attorneys:  
  
Name: Patriot Coal Corporation  
  
Status: held in street name  
  
Kind of shares: Common  
  
No. of shares: 40 shares
  
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.

The Debtors have indicated they will grant a waiver for the firm to represent an existing client, Stahura Conveyor Products, Inc., which has an unsecured claim in the Patriot bankruptcy proceeding.

9. Name of individual completing this form.

Bradley M. Risinger