

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

In re:

Patriot Coal Corporation, *et. al.*

Debtor(s).

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

NOTICE OF APPEAL

Notice is hereby given that the United Mine Workers of America (the “UMWA”), appeals as of right under 28 U.S.C. §158(a) to the United States District Court for the Eastern District of Missouri from the Order granting Patriot Coal Corporation’s Motion to Reject Collective Bargaining Agreements and to Modify Retiree Benefits Pursuant to 11 U.S.C. §§ 1113, 1114 of the Bankruptcy Code (“Order Granting Motion to Reject”) entered by the Honorable Kathy A. Surratt-States on May 29, 2013 [docket no. 4081], and all rulings rendered appealable thereby.

The parties to the Order Granting Motion to Reject from which the United Mine Workers of America appeals, and the names of their respective attorneys are as follows:

Party: UNITED MINE WORKERS OF AMERICA

Attorneys: Frederick Perillo
Yingtao Ho
Sara Geenen
The Previant Law Firm S.C.
1555 N. RiverCenter Drive - Suite 202
Milwaukee, WI 53212

Telephone: (414) 271-4500
Facsimile: (414) 271-6308

Grant Crandall
Judith Rivlin
Art Traynor
United Mine Workers of America
18354 Quantico Gateway Drive, Ste. 200
Triangle, VA 22172
Telephone: (703) 291-2401
Facsimile: (703) 291-2448

Party: DEBTORS AND DEBTORS IN POSSESSION

Attorneys: Marshall S. Huebner
Benjamin S. Kaminetzky
Elliot Moskowitz
Jonathan D. Martin
Davis Polk & Wardwell
450 Lexington Avenue
New York, NY 10017
(212) 450-6501

Those other interested parties and their respective counsel who participated in the proceedings on the contested matter are listed on the attached Exhibit A.

Dated this 7th day of June, 2013.

s/ Frederick Perillo
Frederick Perillo
Yingtao Ho
Sara Geenen
The Previant Law Firm, s.c.
1555 North RiverCenter Drive, Suite 202
Milwaukee, WI 53212
Telephone: 414-271-4500
Facsimile: 414-271-6308
fp@previant.com
yh@previant.com
sjg@previant.com

Attorneys for the United Mine Workers of
America

EXHIBIT A

Other Interested Parties

Party: United Mine Workers of America 1974 Pension Trust and the United Mine Workers of America 1993 Benefit Plan

MOONEY, GREEN, SAINDON, MURPHY & WELCH, P.C.
1920 L Street, N.W., Suite 400
Washington, DC 20036
(202) 783-0010

MORGAN, LEWIS & BOCKIUS, LLP
1701 Market Street
Philadelphia, PA 19103-2921
Telephone: (215) 963-5000
Facsimile: (215) 963-5001

- *and* -

101 Park Avenue
New York, NY 10178-0060
Telephone: (212) 309-6000
Facsimile: (212) 309-6001

Party: Official Committee of Unsecured Creditors

KRAMER LEVIN NAFTALIS & FRANKEL LLP
1177 Avenue of the Americas
New York, NY 10036
Telephone: (212) 715-9100
Facsimile: (212) 715-8000

Party: The Ohio Valley Coal Company
The Ohio Valley Transloading Company

SUMMERS COMPTON WELLS PC
8909 Ladue Road
St. Louis, MO 63124
Telephone: (314) 991-4999
Facsimile: (314) 991-2413

Party: Drummond Company, Inc.
Energy West Mining Company

Venable LLP
8010 Towers Crescent Drive, Suite 300
Tysons Corner, VA 22182
Telephone: (703) 760-1600
Facsimile: (703) 821-8949

McMahon Berger, PC
2730 N. Ballas Road, Suite 200
St. Louis, MO 63131
(314) 567-7350
(314) 567-5968 (facsimile)

Party: U.S. Bank National Association, as Indenture Trustee

Dorsey & Whitney LLP
51 West 52nd Street,
New York, New York 10019-6119
T: (212) 415-9368
F: (302) 425-7177

Party: Wilmington Trust Company, as Indenture Trustee

ANDREWS KURTH LLP
450 Lexington Avenue, 15th Floor
New York, New York 10017
Telephone: (212) 850-2800
Facsimile: (212) 850-2929

Party: Bank of America N.A., as Second Out DIP Agent

WILLKIE FARR & GALLAGHER LLP
787 Seventh Ave.
New York, NY 10019
Telephone: (212) 728-8000
Facsimile: (212) 728-8111

Party: Citibank, NA

WEIL, GOTSHAL & MANGES LLP
767 Fifth Ave.
New York, NY 10153
Telephone: (212) 310-8000

HUSCH BLACKWELL, LLP
190 Carondelet Plaza, Suite 600
St. Louis, MO 63105-3433
Telephone: (314) 480-1500

Party: Cliffs Natural Resources Inc.

HAHN LOESER & PARKS LLP
200 Public Square, Suite 2800
Cleveland, Ohio 44114
Telephone: (216) 621-0150
Facsimile: (216) 241-2824

Party: Aurelius Capital Management LP, for Noteholders

ROBBINS, RUSSELL, ENGLERT, ORSECK,
UNTEREINER & SAUBER LLP
1801 K Street, N.W., Suite 411L
Washington, DC 20006
Tel. (202) 775-4500

GOLDSTEIN & PRESSMAN, P.C.
10326 Old Olive Street Road
St. Louis, MO 63141-5922
Tel. (314) 727-1717
Fax (314) 727-1447

Party: Argonaut Insurance Company, Indemnity National Insurance Company, US Specialty Insurance, Westchester Fire Insurance Company, and Travelers Casualty and Surety Company of America (“Sureties”)

STITES & HARBISON, PLLC
250 West Main Street

Suite 2300
Lexington, KY 40507
Telephone: (859) 226-2300
Facsimile: (859) 253-9144

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS /Appellant DEFENDANTS /Appellee
United Mine Workers of America Patriot Coal Corporation
(b) County of Residence of First Listed Plaintiff n/a
(c) Attorneys (Firm Name, Address, and Telephone Number)
**See Attachment

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)
III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
U.S. Government Plaintiff Federal Question U.S. Government Defendant Diversity
Citizen of This State Citizen of Another State Citizen or Subject of a Foreign Country

IV. NATURE OF SUIT (Place an "X" in One Box Only)
CONTRACT TORTS FORFEITURE/PENALTY LABOR IMMIGRATION BANKRUPTCY SOCIAL SECURITY FEDERAL TAX SUITS OTHER STATUTES
110 Insurance 310 Airplane 365 Personal Injury - Product Liability 625 Drug Related Seizure of Property 21 USC 881 422 Appeal 28 USC 158 375 False Claims Act
120 Marine 315 Airplane Product Liability 690 Other 423 Withdrawal 28 USC 157 400 State Reapportionment
130 Miller Act 320 Assault, Libel & Slander 367 Health Care/ Pharmaceutical 820 Copyrights 410 Antitrust
140 Negotiable Instrument 330 Federal Employers' Liability 368 Asbestos Personal Injury Product Liability 830 Patent 430 Banks and Banking
150 Recovery of Overpayment & Enforcement of Judgment 340 Marine 369 Other 840 Trademark 450 Commerce
151 Medicare Act 345 Marine Product Liability 370 Other Fraud 861 HIA (1395ff) 460 Deportation
152 Recovery of Overpayment of Student Loans (Excludes Veterans) 350 Motor Vehicle 371 Truth in Lending 862 Black Lung (923) 470 Racketeer Influenced and Corrupt Organizations
153 Recovery of Overpayment of Veteran's Benefits 355 Motor Vehicle Product Liability 372 Labor/Management Relations 863 DIWC/DIWW (405(g)) 480 Consumer Credit
160 Stockholders' Suits 360 Other Personal Injury 373 Other Personal Injury Product Liability 864 SSID Title XVI 490 Cable/Sat TV
190 Other Contract 362 Personal Injury - Medical Malpractice 385 Property Damage Product Liability 865 RSI (405(g)) 495 Securities/Commodities/Exchange
195 Contract Product Liability 366 Personal Injury - Product Liability 385 Property Damage Product Liability 866 Other Statutory Actions 890 Other Statutory Actions
196 Franchise 367 Health Care/ Pharmaceutical 385 Property Damage Product Liability 867 SSID Title XVI 891 Agricultural Acts
893 Environmental Matters 895 Freedom of Information Act 896 Arbitration
899 Administrative Procedure Act/Review or Appeal of Agency Decision
950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)
1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District (specify) 6 Multidistrict Litigation

VI. CAUSE OF ACTION
Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 USC s. 158
Brief description of cause:
Appeal of final bankruptcy order granting motion to reject collective bargaining agreement, modify retiree benefits

VII. REQUESTED IN COMPLAINT:
CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY (See instructions):
JUDGE Kathy A. Surratt-States DOCKET NUMBER 12-51502, Bankr. E.D. Mo.

DATE 06/07/2013 SIGNATURE OF ATTORNEY OF RECORD s/ Frederick Perillo

FOR OFFICE USE ONLY
RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

CIVIL COVER SHEET
(cont'd)

I.(c) Attorneys for Appellant

UNITED MINE WORKERS OF AMERICA

Attorneys: Frederick Perillo
Yingtao Ho
Sara Geenen
The Previant Law Firm S.C.
1555 N. RiverCenter Drive - Suite 202
Milwaukee, WI 53212
Telephone: (414) 271-4500
Facsimile: (414) 271-6308

Grant Crandall
Judith Rivlin
Art Traynor
United Mine Workers of America
18354 Quantico Gateway Drive, Ste. 200
Triangle, VA 22172
Telephone: (703) 291-2401
Facsimile: (703) 291-2448

I. Attorneys for Defendants / Appellee

BRYAN CAVE LLP
One Metropolitan Square
211 N. Broadway, Suite 3600
St. Louis, Missouri 63102
Telephone: (314) 259-2000
Facsimile: (314) 259-2020

I. Other Interested Parties

United Mine Workers of America 1974 Pension Trust and the United Mine Workers of America
1993 Benefit Plan

MOONEY, GREEN, SAINDON, MURPHY & WELCH, P.C.
1920 L Street, N.W., Suite 400
Washington, DC 20036

(202) 783-0010

MORGAN, LEWIS & BOCKIUS, LLP

1701 Market Street

Philadelphia, PA 19103-2921

Telephone: (215) 963-5000

Facsimile: (215) 963-5001

- *and* -

101 Park Avenue

New York, NY 10178-0060

Telephone: (212) 309-6000

Facsimile: (212) 309-6001

Official Committee of Unsecured Creditors

KRAMER LEVIN NAFTALIS & FRANKEL LLP

1177 Avenue of the Americas

New York, NY 10036

Telephone: (212) 715-9100

Facsimile: (212) 715-8000

The Ohio Valley Coal Company

The Ohio Valley Transloading Company

SUMMERS COMPTON WELLS PC

8909 Ladue Road

St. Louis, MO 63124

Telephone: (314) 991-4999

Facsimile: (314) 991-2413

Drummond Company, Inc.

Energy West Mining Company

Venable LLP

8010 Towers Crescent Drive, Suite 300

Tysons Corner, VA 22182

Telephone: (703) 760-1600

Facsimile: (703) 821-8949

McMahon Berger, PC
2730 N. Ballas Road, Suite 200
St. Louis, MO 63131
(314) 567-7350
(314) 567-5968 (facsimile)

U.S. Bank National Association, as Indenture Trustee

Dorsey & Whitney LLP
51 West 52nd Street,
New York, New York 10019-6119
T: (212) 415-9368
F: (302) 425-7177

Wilmington Trust Company, as Indenture Trustee

ANDREWS KURTH LLP
450 Lexington Avenue, 15th Floor
New York, New York 10017
Telephone: (212) 850-2800
Facsimile: (212) 850-2929

Bank of America N.A., as Second Out DIP Agent

WILLKIE FARR & GALLAGHER LLP
787 Seventh Ave.
New York, NY 10019
Telephone: (212) 728-8000
Facsimile: (212) 728-8111

Citibank, NA

WEIL, GOTSHAL & MANGES LLP
767 Fifth Ave.
New York, NY 10153
Telephone: (212) 310-8000

HUSCH BLACKWELL, LLP
190 Carondelet Plaza, Suite 600
St. Louis, MO 63105-3433

Telephone: (314) 480-1500

Cliffs Natural Resources Inc.

HAHN LOESER & PARKS LLP
200 Public Square, Suite 2800
Cleveland, Ohio 44114
Telephone: (216) 621-0150
Facsimile: (216) 241-2824

Aurelius Capital Management LP, for Noteholders

ROBBINS, RUSSELL, ENGLERT, ORSECK,
UNTEREINER & SAUBER LLP
1801 K Street, N.W., Suite 411L
Washington, DC 20006
Tel. (202) 775-4500

GOLDSTEIN & PRESSMAN, P.C.
10326 Old Olive Street Road
St. Louis, MO 63141-5922
Tel. (314) 727-1717
Fax (314) 727-1447

Argonaut Insurance Company, Indemnity National Insurance Company, US Specialty Insurance,
Westchester Fire Insurance Company, and Travelers Casualty and Surety Company of America
("Sureties")

STITES & HARBISON, PLLC
250 West Main Street
Suite 2300
Lexington, KY 40507
Telephone: (859) 226-2300
Facsimile: (859) 253-9144

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

In re:

Patriot Coal Corporation, *et. al.*

Debtor(s).

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

CERTIFICATE OF SERVICE

The foregoing Notice of Appeal was filed this day via the Court's ECF system and served upon all CM/ECF participants. Copies will additionally be served via electronic mail on the following:

DAVIS POLK & WARDWELL LLP
450 Lexington Avenue
New York, NY 10017
ATTN: Marshall S. Huebner;
Brian M. Resnick
PATRIOT.ROUTING@DPW.COM

CARMODY MACDONALD P.C.
ATTN: John D. Mcannar, Esq.
120 S Central Ave, Ste 1800
St. Louis, MO 63105
JDM@CARMODYMACDONALD.COM

KRAMER LEVIN NAFTALIS & FRANKEL LLP
ATTN: Thomas Moers Mayer
Adam C. Rogoff
Bradley O'Neill
G. Plotko
Robert T. Schmidt
1177 Avenue of the Americas
New York, NY 10036

TMAYER@KRAMERLEVIN.COM
AROGOFF@KRAMERLEVIN.COM
GPLOTKO@KRAMERLEVIN.COM
BONEILL@KRAMERLEVIN.COM
RSCHMIDT@KRAMERLEVIN.COM

WEIL, GOTSHAL & MANGES LLP
ATTN Joseph H. Smolinsky, Esq.
Marcia Goldstein, Esq.
Andrea Saavedra, Esq.
Erica Coleman, Esq.
767 Fifth Ave
New York, NY 10153

JOSEPH.SMOLINSKY@WEIL.COM
MARCIA.GOLDSTEIN@WEIL.COM
ANDREA.SAAVEDRA@WEIL.COM
ERICA.COLEMAN@WEIL.COM

WILLKIE FARR & GALLAGHER LLP
ATTN Margot B Schonholtz, Esq.
787 Seventh Ave
New York, NY 10019

MSCHONHOLTZ@WILLKIE.COM
JGOLDFARB@WILLKIE.COM

Dated this 7th day of June, 2013.

s/ Frederick Perillo