

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

In re:

PATRIOT COAL CORPORATION, *et al.*,

Debtors.

Chapter 11

Case No. 12-51502
(Jointly Administered)

**NINTH MONTHLY FEE STATEMENT OF COLE, SCHOTZ, MEISEL,
FORMAN & LEONARD, P.A., AS CONFLICTS COUNSEL TO THE
OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF PATRIOT COAL
CORPORATION, ET AL., FOR COMPENSATION AND REIMBURSEMENT OF
EXPENSES FOR THE PERIOD MAY 1, 2013 THROUGH MAY 31, 2013**

Name of Applicant:	<u>Cole, Schotz, Meisel, Forman & Leonard, P.A. ("Cole Schotz")</u>
Authorized to Provide Professional Services to:	<u>The Official Committee of Unsecured Creditors</u>
Effective Date of Retention:	<u>August 16, 2012</u>
Period for which Compensation and Reimbursement is Sought:	<u>May 1, 2013 through May 31, 2013</u>
Total Amount of Compensation for Period:	<u>\$2,942.50</u>
Total Amount of Expenses for Period:	<u>\$ 28.75</u>
80% of Fees Requested for Payment:	<u>\$2,354.00</u>
100% of Expenses Requested for Payment:	<u>\$ 28.75</u>
Total Fees and Expenses Requested for Payment:	<u>\$2,382.75</u>

In accordance with this Court's *Order to Establish Procedures for Interim Monthly Compensation and Reimbursement of Expenses of Professionals*, dated August 2, 2012 [Docket No. 262] (the "**Interim Compensation Order**"), Cole, Schotz, Meisel, Forman & Leonard, P.A. ("**Cole Schotz**"), conflicts counsel to the Official Committee of Unsecured Creditors (the "**Committee**") of the above-captioned debtors and debtors-in-possession (collectively, the

“**Debtors**”), hereby submits this Ninth Monthly Fee Statement (the “**Fee Statement**”), seeking compensation and reimbursement of expenses for the period of May 1, 2013 through May 31, 2013 (the “**Ninth Monthly Period**”). By this Fee Statement, Cole Schotz seeks payment of \$2,942.50, which is comprised of eighty percent (80%) of the total amount of compensation sought for actual and necessary professional services rendered during the Ninth Monthly Period, and reimbursement of \$28.75, which is equal to one hundred percent (100%) of its actual and necessary expenses incurred in connection with such services.

Services Rendered and Expenses Incurred

1. Attached hereto as **Exhibit A** is a summary of the services rendered and compensation sought, broken down by project category, for the Ninth Monthly Period.
2. Attached hereto as **Exhibit B** is a billing summary of Cole Schotz’s professionals and paralegals by individual, setting forth the (i) name and title of each individual who performed services during the Ninth Monthly Period, (ii) aggregate time expended by each such individual, (iii) hourly billing rate for each such individual at Cole Schotz’s current billing rates, (iv) the amount of fees for the time expended by each Cole Schotz professional and paralegal, (v) year of bar admission for each attorney, and (vi) area of concentration for each attorney. The blended hourly billing rate of Cole Schotz’s professionals during the Ninth Monthly Period is approximately \$626.10.
3. Attached hereto as **Exhibit C** is a summary of reimbursements sought by Cole Schotz for expenses for the Ninth Monthly Period incurred in connection with the performance of professional services, broken down by expense type.
4. Attached hereto as **Exhibit D** is an itemized record of all time records for Cole Schotz professionals and all expenses for the Ninth Monthly Period.

Total Fees and Expenses Sought for the Ninth Monthly Period

5. The total amounts sought for fees for services rendered and reimbursement of expenses incurred for professional services rendered during the Ninth Monthly Period are as follows:

Total Fees for the Ninth Monthly Period:	\$2,942.50
Total Expenses for the Ninth Monthly Period:	\$28.75
TOTAL:	\$2,971.25

6. Pursuant to the Interim Compensation Order, Cole Schotz seeks payment of \$2,354.00 which is equal to (i) 80% of Cole Schotz’s total fees for services rendered during the Ninth Monthly Period and (ii) 100% of the total expenses incurred during the Ninth Monthly Period.

80% of Total Fees for the Ninth Monthly Period:	\$2,354.00
100% of Total Expenses for the Ninth Monthly Period:	\$28.75
TOTAL:	\$2,382.75

Notice and Objection Procedures

7. No trustee or examiner has been appointed in these Chapter 11 Cases. Pursuant to the Interim Compensation Order, notice of this Fee Statement has been served upon: (i) the Debtors, Patriot Coal Corporation, 12312 Olive Boulevard, Suite 400, St. Louis, Missouri 63141, Attn: Jacquelyn A. Jones, (ii) Davis Polk & Wardwell LLP, 450 Lexington Avenue, New York, New York 10017, Attn: Marshall S. Huebner and Brian M. Resnick, (iii) the Office of the United States Trustee for the Eastern District of Missouri, 111 S. 10th Street, Suite 6353, St. Louis,

Missouri 63102, Attn: Leonora S. Long and Paul A. Randolph, (iv) attorneys for the administrative agent for the Debtors' post-petition lenders, (a) Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, New York 10153, Attn: Marcia Goldstein and Joseph Smolinsky, and (b) Wilkie Farr & Gallagher LLP, 787 Ninth Avenue, New York, New York 10019, Attn: Margot B. Schonholtz and Ana Alfonso, and (v) counsel for the Official Committee of Unsecured Creditors, Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, New York 10036, Attn: Adam C. Rogoff, Esq. and Gregory G. Plotko, Esq., and (vi) the Debtors' local counsel, Bryan Cave LLP, 211 N. Broadway, Suite 3600, St. Louis, Missouri 63102, Attn: Brian C. Walsh, Esq. and Lloyd A. Palans, Esq., (collectively, the "**Notice Parties**"). Cole Schotz submits that no other or further notice need to be provided.

8. Pursuant to the Interim Compensation Order, objections to this Fee Statement, if any, must be in writing, filed with the Court and served upon the Notice Parties, including Cole Schotz, by no later than July 5, 2013 (the "**Review Deadline**"), setting forth the nature of the objection and the specific amount of fees or expenses at issue.

9. If no objections to the Fee Statement are received on or before the Review Deadline, the Debtors will pay Cole Schotz (i) 80% of its total fees for services rendered during the Ninth Monthly Period and (ii) 100% of the total expenses incurred during the Ninth Monthly Period.

10. To the extent an objection to the Fee Statement is received on or before the Review Deadline, the Debtors will withhold payment of that portion of the Fee Statement to which the objection is directed and will promptly pay the remainder of the fees and expenses in the percentages set forth above. To the extent such objection is not resolved, it shall be preserved and scheduled for consideration at the next interim fee application hearing.

Dated: June 20, 2013

**COLE, SCHOTZ, MEISEL, FORMAN &
LEONARD, P.A.**

By: /s/ Michael D. Warner

Michael D. Warner, Esq.

301 Commerce Street, Ste 1700

Fort Worth, Texas 76102

Telephone: (817) 810-5250

Facsimile: (817) 810-5255

*Conflicts Counsel for The Official Committee
of Unsecured Creditors for Patriot Coal
Corporation, et al.*

EXHIBIT A

Summary of Time by Category

Matter Number	Description	Hours	Fees
NY01	CSMF&L Fee Application	.5	\$322.50
NY05	Case Administration	2.9	\$1,781.50
NY36	Pre-Petition Secured Lien and Claim Analysis	1.3	\$838.50
	TOTAL	4.7	\$2,942.50

EXHIBIT B

Summary of Professionals

Name of Professional Person	Date of Bar Admission	Position with Cole Schotz and Number of Years in that Position	Hourly Billing Rate	Total Billed Hours	Total Compensation
Stuart Komrower	1984	Member (since 1994)	\$645	4.5	\$2,902.50
Kerri L. LaBrada	N/A	Paralegal (since 2010)	\$200	.2	\$40.00
TOTAL				4.7	\$2,942.50

EXHIBIT C

Summary of Expenses

Expense Category	Service Provider (if applicable)	Total Expenses
Pacer		\$4.10
Photocopying		\$24.00
Telephone Charge		\$.65
Total		\$28.75

EXHIBIT D

Cole Schotz Itemized Invoice



301 COMMERCE STREET
SUITE 1700
FORT WORTH, TX 76102
817.810.5250 817.810.5255 FAX
FEDERAL ID# 22-2113414

PATRIOT COAL - CREDITORS COMMITTEE
ATTN: STEVE CIMALORE
WILMINGTON TRUST COMPANY
RODNEY SQUARE NORTH
1100 NORTH MARKET STREET
WILMINGTON, DE 19890

NEW JERSEY
NEW YORK
DELAWARE
MARYLAND

Re: **Client/Matter No. 51175-0001**
OFFICIAL COMMITTEE OF CREDITORS

Invoice No. 720763
June 13, 2013

FOR PROFESSIONAL SERVICES RENDERED THROUGH MAY 31, 2013

<u>DATE</u>	<u>NARRATIVE</u>	<u>INITIALS</u>	<u>HOURS</u>	<u>AMOUNT</u>
CASE ADMINISTRATION			2.90	\$1,781.50
05/07/13	TELEPHONE FROM ADVERSARY A. ALFONSO OF WILLKIE FARR, BOFA'S ATTORNEY; DISCUSS INVESTIGATION CARVE-OUT	SK	0.30	193.50
05/09/13	CALL BACK ACCOUNTANT MONTY KEHL OF MESIROW FINANCIAL; DISCUSS BOFA RESERVATION	SK	0.20	129.00
05/13/13	REVIEW STIPULATION WITH BOFA RE INVESTIGATION COSTS	SK	0.30	193.50
05/13/13	CONFERENCE WITH CO-COUNSEL GREGORY WILSON - LOCAL COUNSEL	SK	0.10	64.50
05/13/13	CONFERENCE WITH CO-COUNSEL M. WARNER RE BOFA PROPOSED STIPULATION	SK	0.20	129.00
05/14/13	CORRESPONDENCE FROM A. ALFONSO; EMAILS EXCHANGED; FINAL REVIEW AND EXECUTION OF INTERIM FEE APPLICATION / CARVE OUT STIPULATION	SK	0.30	193.50
05/14/13	CORRESPONDENCE TO T. MAYER AND RESPONSE RE FEE APPLICATION HEARING COVERAGE AND ARRANGEMENTS FOR SAME	SK	0.20	129.00
05/15/13	REVIEW CORRESPONDENCE FROM LOCAL COUNSEL	SK	0.20	129.00
05/15/13	REVIEW DOCKET TO ASSESS ANY FEE APPLICATION OBJECTIONS	SK	0.20	129.00
05/17/13	TELEPHONE FROM ADVERSARY CITIGROUP COUNSEL WEIL GOTSHAL; DISCUSS BANK OF AMERICA STIPULATION	SK	0.20	129.00
05/17/13	REVIEW EMAIL RE INSTRUCTIONS FOR TELEPHONIC APPEARANCE FOR INTERIM FEE APPLICATION HEARING; TELEPHONE CALL TO COURT'S CLERK RE SET OF TELEPHONIC APPEARANCE FOR S. KOMROWER	KLL	0.20	40.00
05/20/13	CONFERENCE WITH S. BLANK OF KRAMER LEVIN RE HEARING ATTENDANCE	SK	0.10	64.50

Re: **OFFICIAL COMMITTEE OF CREDITORS**
Client/Matter No. 51175-0001

Invoice No. 720763
 June 13, 2013
 Page 2

<u>DATE</u>	<u>NARRATIVE</u>	<u>INITIALS</u>	<u>HOURS</u>	<u>AMOUNT</u>
05/20/13	CORRESPONDENCE FROM ADVERSARY A. SAAVEDRA RE CITIGROUP STIPULATION; REVIEW DIP ORDER	SK	0.30	193.50
05/20/13	REVIEW DOCUMENTS FOR 5/21 HEARING	SK	0.10	64.50
	FEE/EMPLOYMENT APPLICATION		0.50	\$322.50
05/20/13	PREPARE NOTES FOR INTERIM FEE APPLICATION PRESENTATION	SK	0.50	322.50
	PRE-PETITION SECURED LIEN AND CLAIM ANALYSIS		1.30	\$838.50
05/03/13	REVIEW DOCUMENTS FROM PROCEEDINGS; ASSESS IMPACT ON LIEN ISSUES	SK	0.40	258.00
05/21/13	REVIEW LIEN DOCUMENTS, STIPULATIONS, INFORMATION RECEIVED; CONFERENCE WITH R. IORIO.	SK	0.90	580.50
		TOTAL HOURS	4.70	
	PROFESSIONAL SERVICES:			\$ 2,942.50

<u>TIMEKEEPER</u>	<u>STAFF LEVEL</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
STUART KOMROWER	MEMBER	4.50	645.00	2,902.50
KERRI L. LABRADA	PARALEGAL	0.20	200.00	40.00

Re: OFFICIAL COMMITTEE OF CREDITORS
Client/Matter No. 51175-0001

Invoice No. 720763
June 13, 2013
Page 3

ACTIVITY CODE SUMMARY

<u>DESCRIPTION</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
CASE ADMINISTRATION	0.20	200.00	40.00
CASE ADMINISTRATION	2.70	645.00	1,741.50
Total For CASE ADMINISTRATION	2.90	200.00	1,781.50
FEE/EMPLOYMENT APPLICATION	0.50	645.00	322.50
Total For FEE/EMPLOYMENT APPLICATION	0.50	645.00	322.50
PRE-PETITION SECURED LIEN AND CLAIM ANALYSIS	1.30	645.00	838.50
Total For PRE-PETITION SECURED LIEN AND CLAIM ANALYSIS	1.30	645.00	838.50

COSTS ADVANCED

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
04/12/13	COPY OF OFFICIAL DOCUMENTS	3.00
04/12/13	COPY OF OFFICIAL DOCUMENTS	0.30
04/12/13	COPY OF OFFICIAL DOCUMENTS	0.80
05/09/13	TELEPHONE TOLL CHARGE	0.30
05/13/13	TELEPHONE TOLL CHARGE	0.05
05/13/13	TELEPHONE TOLL CHARGE	0.20
05/14/13	PHOTOCOPYING / PRINTING / SCANNING	1.40
05/15/13	PHOTOCOPYING / PRINTING / SCANNING	2.20
05/20/13	TELEPHONE TOLL CHARGE	0.05
05/20/13	TELEPHONE TOLL CHARGE	0.05
05/29/13	PHOTOCOPYING / PRINTING / SCANNING	20.40
TOTAL COSTS ADVANCED:		<u>\$ 28.75</u>

TOTAL SERVICES AND COSTS: \$ 2,971.25



COURT PLAZA NORTH
25 MAIN STREET
P.O. BOX 800
HACKENSACK, NJ 07602-0800
201.489.3000 201.489.1536 FAX
FEDERAL ID# 22-2113414

—
NEW YORK
—
DELAWARE
—
MARYLAND
—
TEXAS

PATRIOT COAL - CREDITORS COMMITTEE
ATTN: STEVE CIMALORE
WILMINGTON TRUST COMPANY
RODNEY SQUARE NORTH
1100 NORTH MARKET STREET
WILMINGTON, DE 19890

REMITTANCE PAGE

FOR PROFESSIONAL SERVICES RENDERED

Re: **Client/Matter No. 51175-0001**
OFFICIAL COMMITTEE OF CREDITORS

Invoice No. 720763
June 13, 2013

PLEASE RETURN THIS COPY WITH YOUR PAYMENT

TOTAL SERVICES AND COSTS:

\$ 2,971.25