

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

**In re:**

**PATRIOT COAL CORPORATION, *et al.*,**

**Debtors.**

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

**Objection Deadline:  
August 27, 2013 at 4:00 p.m.  
(prevailing Central Time)**

**MONTHLY FEE STATEMENT OF CURTIS, MALLET-PREVOST,  
COLT & MOSLE LLP FOR PROFESSIONAL SERVICES AND DISBURSEMENTS  
FOR THE PERIOD OF MAY 1, 2013 THROUGH AND INCLUDING MAY 31, 2013**

**NAME OF APPLICANT:** Curtis, Mallet-Prevost, Colt & Mosle LLP

**ROLE IN THE CASE:** Conflicts Counsel to the Debtors and Debtors in Possession

**DATE OF RETENTION:** Order Entered August 2, 2012 Authorizing Retention of Curtis *Nunc Pro Tunc* to July 9, 2012 [Docket No. 266]

**TIME PERIOD:** May 1, 2013 through and including May 31, 2013

**CURRENT APPLICATION:** Total Fees Requested\*: \$139,295.70  
80% of Fees Requested: \$111,436.56  
Total Expenses Requested: \$9,596.94  
Total Fees and Expenses Requested: \$148,892.64

---

\* This amount reflects a voluntary reduction of \$15,477.30 which Curtis has implemented as an accommodation to the Debtors.

1. In accordance with the *Order to Establish Procedures for Interim Monthly Compensation and Reimbursement of Expenses of Professionals* [Docket No. 262] (the “**Interim Compensation Order**”), Curtis, Mallet-Prevost, Colt & Mosle LLP (“**Curtis**”), conflicts counsel to the above-captioned debtors and debtors in possession (collectively, the “**Debtors**”), hereby submits its Monthly Fee Statement for Professional Services and Disbursements (the “**Fee Statement**”) for the period of May 1, 2013 through and including May 31, 2013 (the “**Fee Statement Period**”).

2. Pursuant to the Interim Compensation Order, Curtis seeks payment of \$121,033.50,<sup>1</sup> representing (a) 80% of Curtis’ fees for services rendered and (b) 100% of actual and necessary expenses incurred.<sup>2</sup>

3. Attached hereto as **Exhibit A** is a listing of Curtis professionals and paraprofessionals (collectively, the “**Curtis Professionals**”), including the hourly rate for each Curtis Professional who rendered services to the Debtors in connection with these chapter 11 cases during the Fee Statement Period and the title, aggregate hours worked and the amount of fees billed by each Curtis Professional.

4. Attached hereto as **Exhibit B** is a schedule specifying the categories of actual and necessary expenses for which Curtis is seeking reimbursement and the total amount for each such expense category.

---

<sup>1</sup> This amount reflects a voluntary reduction of \$15,477.30 which Curtis has implemented as an accommodation to the Debtors.

<sup>2</sup> Curtis’ standard hourly rates increased effective as of September 1, 2012. Per the terms of the Order Authorizing the Employment and Retention of Curtis, Mallet-Prevost, Colt & Mosle LLP as Conflicts Counsel For the Debtors *Nunc Pro Tunc* to the Petition Date [Docket No. 266] (the “**Curtis Retention Order**”), prior to any increase in Curtis’ rates, Curtis is required to file a supplemental affidavit (the “**Supplemental Rate Affidavit**”) with the Court and provide ten business days’ notice to the Debtors, the U.S. Trustee and any official committee appointed in these chapter 11 cases. Curtis will not seek payment at the increased rates until the Supplemental Rate Affidavit has been filed and all related procedures under the Curtis Retention Order have been complied with.

5. Attached hereto as **Exhibit C** is a summary of the number of hours and amounts billed by Curtis during the Fee Statement Period, organized by project categories. Such services included:

- Assisting Debtors' lead counsel with preparing for discovery of the Debtors' former advisors and other conflict parties pursuant to Bankruptcy Rule 2004, including resolving objections to Rule 2004 motions;
- Preparing and serving subpoenas and document requests on conflict parties in connection with the Rule 2004 motions;
- Addressing an inquiry by a conflict party regarding potentially lifting the automatic stay in connection with a transportation agreement with the Debtors;
- Communicating and negotiating with a conflict party to an equipment lease at the Rocklick prep plant regarding potential consensual resolution of payment issue and early buy-out; and
- Preparing monthly fee statements in accordance with the Interim Compensation Order and preparing for the hearing on the second interim fee application.

6. Attached hereto as **Exhibit D** are the time records of Curtis, which provide a daily summary of the time spent by each Curtis Professional during the Fee Statement Period by project category.

#### **Notice**

7. Consistent with the procedures described in the Interim Compensation Order, the Debtors will serve this Fee Statement, by hand or overnight delivery, on (i) the Debtors, Patriot

Coal Corporation, 12312 Olive Boulevard, Suite 400, St. Louis, Missouri, 63141, Attn:  
Jacquelyn A. Jones, Esq., (ii) attorneys for the Debtors, Davis Polk & Wardwell LLP, 450  
Lexington Avenue, New York, New York 10017, Attn: Marshall S. Huebner, Esq. and Brian M.  
Resnick, Esq., (iii) the Office of the United States Trustee for the Eastern District of Missouri,  
111 South 10th Street, Suite 6353, St. Louis, MO 63102, Attn: Leonara S. Long, Esq., and Paul  
A. Randolph, Esq., (iv) attorneys for the administrative agent for the Debtors' postpetition  
lenders, (a) Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, New York 10153,  
Attn: Marcia Goldstein, Esq. and Joseph Smolinsky, Esq., and (b) Willkie Farr & Gallagher LLP,  
787 Seventh Avenue, New York, New York 10019, Attn: Margot B. Schonholtz, Esq. and Ana  
Alfonso, Esq., and (v) counsel to 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.

WHEREFORE, the Debtors respectfully request that the Court grant the relief requested  
herein and such other and further relief as is just and proper.

Dated: August 12, 2013  
New York, New York

Respectfully submitted,

By: /s/ Steven J. Reisman

Steven J. Reisman (admitted *pro hac vice*)  
Michael A. Cohen (admitted *pro hac vice*)

**CURTIS, MALLET-PREVOST,  
COLT & MOSLE LLP**

101 Park Avenue  
New York, New York 10178-0061  
Telephone: (212) 696-6000  
Facsimile: (212) 697-1559

*Conflicts Counsel to the Debtors  
and Debtors in Possession*

**EXHIBIT A**

In re: PATRIOT COAL CORPORATION, *et al.*  
CHAPTER 11  
CASE NO. 12-51502-659

**SUMMARY OF HOURS BILLED BY PROFESSIONALS AND PARAPROFESSIONALS FOR  
THE PERIOD OF MAY 1, 2013 THROUGH AND INCLUDING MAY 31, 2013**

NAME	DEPARTMENT AND YEAR ADMITTED (NY)	RATE	HOURS	AMOUNT
<b>PARTNERS</b>				
Steven J. Reisman	Restructuring and Insolvency Partner Admitted in 1991	\$860	30.70	\$26,402.00
Turner P. Smith	Litigation Partner Admitted in 1980	860	7.90	6,794.00
Theresa A. Foudy	Litigation Partner Admitted in 1994	800	42.00	33,600.00
Michael A. Cohen	Restructuring and Insolvency Partner Admitted in 2000	740	8.10	5,994.00
<b>TOTAL PARTNERS</b>			<b>88.70</b>	<b>\$72,790.00</b>
<b>ASSOCIATES</b>				
Ellen Tobin	Litigation Associate Admitted in 2006	\$600	69.70	\$41,820.00
Heather Hiznay	Restructuring and Insolvency Associate Admitted in 2011	395	76.90	30,375.50
Michael P. Jones	Litigation Associate Admitted in 2013	305	19.50	5,947.50
Bryan M. Kotliar	Restructuring and Insolvency Associate	305	3.40	1,037.00
<b>TOTAL ASSOCIATES</b>			<b>169.50</b>	<b>\$79,180.00</b>
<b>PARAPROFESSIONALS</b>				
Georgia Faust	Not Applicable	\$235	1.40	\$329.00
Franklin Guenthner	Not Applicable	235	2.30	540.50
Brittany Patane	Not Applicable	235	2.10	493.50
Julia Gumper	Not Applicable	200	7.20	1,440.00
<b>TOTAL PARAPROFESSIONALS</b>			<b>13.00</b>	<b>\$2,803.00</b>
<b>SUBTOTAL</b>				<b>\$154,773.00</b>
<b>LESS RATE REDUCTION*</b>				<b>\$15,477.30</b>
<b>TOTAL</b>			<b>271.20</b>	<b>\$139,295.70</b>

\* This amount reflects a voluntary reduction of \$15,477.30 which Curtis has implemented as an accommodation to the Debtors.

**EXHIBIT B**

In re: PATRIOT COAL CORPORATION, *et al.*  
CHAPTER 11  
CASE NO. 12-51502-659

ACTUAL AND NECESSARY DISBURSEMENTS INCURRED BY  
CURTIS, MALLET-PREVOST, COLT & MOSLE LLP  
FOR THE STATEMENT PERIOD  
OF MAY 1, 2013 THROUGH MAY 31, 2013

<u>DISBURSEMENTS*</u>	<u>AMOUNT</u>
Courier Service.....	\$58.26
Travel Expenses .....	1,216.50
Lexis/Westlaw.....	7,900.32
Meals.....	60.00
Pacer - ECF.....	83.20
Transportation .....	278.66
<b>Total</b>	<b>\$9,596.94</b>

---

\* All disbursements have been billed in accordance with the United States Trustee Guidelines.

**EXHIBIT C**

**In re: PATRIOT COAL CORPORATION, et al.**  
**CHAPTER 11**  
**CASE NO. 12-51502-659**

**SUMMARY OF HOURS BILLED BY PROFESSIONALS AND PARAPROFESSIONALS  
BY PROJECT CATEGORY FOR THE  
PERIOD OF MAY 1, 2013 THROUGH AND INCLUDING MAY 31, 2013**

**CONTRACTS/LEASES ASSUMPTION AND REJECTION  
MATTER NO. 330**

<b>NAME</b>	<b>RATE</b>	<b>HOURS</b>	<b>AMOUNT</b>
<b>PARTNERS</b>			
Steven J. Reisman	\$860	18.90	\$16,254.00
Michael A. Cohen	740	0.40	296.00
<b>TOTAL PARTNERS</b>		<b>19.30</b>	<b>\$16,550.00</b>
<b>ASSOCIATES</b>			
Heather Hiznay	\$395	20.80	\$8,216.00
<b>TOTAL ASSOCIATES</b>		<b>20.80</b>	<b>\$8,216.00</b>
<b>SUBTOTAL</b>			<b>\$24,766.00</b>
<b>LESS RATE REDUCTION*</b>			<b>\$2,476.60</b>
<b>TOTAL</b>		<b>40.10</b>	<b>\$22,289.40</b>

---

\*As an accommodation to the Debtors, Curtis has agreed to apply a 10% discount to its customary hourly rates, as reflected herein.

**In re: PATRIOT COAL CORPORATION, et al.**  
**CHAPTER 11**  
**CASE NO. 12-51502-659**

**SUMMARY OF HOURS BILLED BY PROFESSIONALS AND PARAPROFESSIONALS  
BY PROJECT CATEGORY FOR THE  
PERIOD OF MAY 1, 2013 THROUGH AND INCLUDING MAY 31, 2013**

**AUTOMATIC STAY MATTERS  
MATTER NO. 430**

<b>NAME</b>	<b>RATE</b>	<b>HOURS</b>	<b>AMOUNT</b>
<b>PARTNERS</b>			
Michael A. Cohen	\$740	3.10	\$2,294.00
<b>TOTAL PARTNERS</b>		<b>3.10</b>	<b>\$2,294.00</b>
<b>ASSOCIATES</b>			
Heather Hiznay	\$395	2.30	\$908.50
<b>TOTAL ASSOCIATES</b>		<b>2.30</b>	<b>\$908.50</b>
<b>SUBTOTAL</b>			<b>\$3,202.50</b>
<b>LESS RATE REDUCTION*</b>			<b>\$320.25</b>
<b>TOTAL</b>		<b>5.40</b>	<b>\$2,882.25</b>

---

\*As an accommodation to the Debtors, Curtis has agreed to apply a 10% discount to its customary hourly rates, as reflected herein.

In re: PATRIOT COAL CORPORATION, *et al.*  
CHAPTER 11  
CASE NO. 12-51502-659

**SUMMARY OF HOURS BILLED BY PROFESSIONALS AND PARAPROFESSIONALS  
BY PROJECT CATEGORY FOR THE  
PERIOD OF MAY 1, 2013 THROUGH AND INCLUDING MAY 31, 2013**

**RULE 2004 AND DISCOVERY MATTERS  
MATTER NO. 450**

NAME	RATE	HOURS	AMOUNT
<b>PARTNERS</b>			
Steven J. Reisman	\$860	11.80	\$10,148.00
Turner P. Smith	860	7.90	6,794.00
Theresa A. Foudy	800	42.00	33,600.00
Michael A. Cohen	740	4.60	3,404.00
<b>TOTAL PARTNERS</b>		<b>66.30</b>	<b>\$53,946.00</b>
<b>ASSOCIATES</b>			
Ellen Tobin	\$600	69.70	\$41,820.00
Heather Hiznay	395	51.10	20,184.50
Michael P. Jones	305	19.50	5,947.50
<b>TOTAL ASSOCIATES</b>		<b>140.30</b>	<b>\$67,952.00</b>
<b>PARAPROFESSIONALS</b>			
Georgia Faust	\$235	1.40	\$329.00
Julia Gumper	200	7.20	1,440.00
<b>TOTAL PARAPROFESSIONALS</b>		<b>8.60</b>	<b>\$1,769.00</b>
<b>SUBTOTAL</b>			<b>\$123,667.00</b>
<b>LESS RATE REDUCTION*</b>			<b>\$12,366.70</b>
<b>TOTAL</b>		<b>215.20</b>	<b>\$111,300.30</b>

\*As an accommodation to the Debtors, Curtis has agreed to apply a 10% discount to its customary hourly rates, as reflected herein.

In re: PATRIOT COAL CORPORATION, *et al.*  
CHAPTER 11  
CASE NO. 12-51502-659

**SUMMARY OF HOURS BILLED BY PROFESSIONALS AND PARAPROFESSIONALS  
BY PROJECT CATEGORY FOR THE  
PERIOD OF MAY 1, 2013 THROUGH AND INCLUDING MAY 31, 2013**

**CMP MONTHLY BILLING STATEMENTS  
MATTER NO. 800**

NAME	RATE	HOURS	AMOUNT
<b>ASSOCIATES</b>			
Bryan M. Kotliar	\$305	2.40	\$732.00
<b>TOTAL ASSOCIATES</b>		<b>2.40</b>	<b>\$732.00</b>
<b>PARAPROFESSIONALS</b>			
Brittany Patane	\$235	2.10	\$493.50
<b>TOTAL PARAPROFESSIONALS</b>		<b>2.10</b>	<b>\$493.50</b>
<b>SUBTOTAL</b>			<b>\$1,225.50</b>
<b>LESS RATE REDUCTION*</b>			<b>\$122.55</b>
<b>TOTAL ♦</b>		<b>4.50</b>	<b>\$1,102.95</b>

\* As an accommodation to the Debtors, Curtis has agreed to apply a 10% discount to its customary hourly rates, as reflected herein.

♦ Curtis represents that the amount of fees and expenses incurred during the Fee Period in connection with matter numbers 800 (CMP Monthly Billing Statements) and 900 (CMP Fee Applications) equals approximately 1.90% of the total fees and expenses incurred by Curtis during the Fee Period. This amount reflects time spent preparing and filing the: (i) *Monthly Fee Statement of Curtis, Mallet-Prevost, Colt & Mosle LLP for Professional Services and Disbursements for the Period of February 1, 2013 Through and Including February 28, 2013* [Docket No. 3931]; and (ii) *Monthly Fee Statement of Curtis, Mallet-Prevost, Colt & Mosle LLP for Professional Services and Disbursements for the Period of March 1, 2013 Through and Including March 31, 2013* [Docket No. 4133]; as well as preparing for the hearing on the *Second Interim Application of Curtis, Mallet-Prevost, Colt & Mosle LLP, as Conflicts Counsel for the Debtors and Debtors in Possession, for Allowance and Payment of Compensation for Professional Services Rendered and for Reimbursement of Actual and Necessary Expenses Incurred from October 1, 2012 Through January 31, 2013* [Docket No. 3652]. The time spent in connection with these matters does not include time spent reviewing and revising Curtis' time entries and invoices to the extent such revision may be necessary. Any time spent revising time entries to comply with fee guidelines is not billed to the Debtors.

In re: PATRIOT COAL CORPORATION, *et al.*  
CHAPTER 11  
CASE NO. 12-51502-659

**SUMMARY OF HOURS BILLED BY PROFESSIONALS AND PARAPROFESSIONALS  
BY PROJECT CATEGORY FOR THE  
PERIOD OF MAY 1, 2013 THROUGH AND INCLUDING MAY 31, 2013**

**CMP FEE APPLICATIONS  
MATTER NO. 900**

NAME	RATE	HOURS	AMOUNT
<b>ASSOCIATES</b>			
Heather Hiznay	\$395	2.70	\$1,066.50
Bryan M. Kotliar	305	1.00	305.00
<b>TOTAL ASSOCIATES</b>		<b>3.70</b>	<b>\$1,371.50</b>
<b>PARAPROFESSIONALS</b>			
Franklin Guenther	\$235	2.30	\$540.50
<b>TOTAL PARAPROFESSIONALS</b>		<b>2.30</b>	<b>\$540.50</b>
<b>SUBTOTAL</b>			<b>\$1,912.00</b>
<b>LESS RATE REDUCTION*</b>			<b>\$191.20</b>
<b>TOTAL ♦</b>		<b>6.00</b>	<b>\$1,720.80</b>

\* As an accommodation to the Debtors, Curtis has agreed to apply a 10% discount to its customary hourly rates, as reflected herein.

♦ Curtis represents that the amount of fees and expenses incurred during the Fee Period in connection with matter numbers 800 (CMP Monthly Billing Statements) and 900 (CMP Fee Applications) equals approximately 1.90% of the total fees and expenses incurred by Curtis during the Fee Period. This amount reflects time spent preparing and filing the: (i) *Monthly Fee Statement of Curtis, Mallet-Prevost, Colt & Mosle LLP for Professional Services and Disbursements for the Period of February 1, 2013 Through and Including February 28, 2013* [Docket No. 3931]; and (ii) *Monthly Fee Statement of Curtis, Mallet-Prevost, Colt & Mosle LLP for Professional Services and Disbursements for the Period of March 1, 2013 Through and Including March 31, 2013* [Docket No. 4133]; as well as preparing for the hearing on the *Second Interim Application of Curtis, Mallet-Prevost, Colt & Mosle LLP, as Conflicts Counsel for the Debtors and Debtors in Possession, for Allowance and Payment of Compensation for Professional Services Rendered and for Reimbursement of Actual and Necessary Expenses Incurred from October 1, 2012 Through January 31, 2013* [Docket No. 3652]. The time spent in connection with these matters does not include time spent reviewing and revising Curtis' time entries and invoices to the extent such revision may be necessary. Any time spent revising time entries to comply with fee guidelines is not billed to the Debtors.

**EXHIBIT D**

**In re: PATRIOT COAL CORPORATION, *et al.***  
**CHAPTER 11**  
**CASE NO. 12-51502-659**

**PROFESSIONAL AND PARAPROFESSIONAL DETAILED TIME  
LOGS FOR CURTIS FOR THE PERIOD  
OF MAY 1, 2013 THROUGH AND INCLUDING MAY 31, 2013**



Curtis, Mallet-Prevost, Colt &amp; Mosle LLP

**ATTORNEYS AND COUNSELLORS AT LAW**  
**101 PARK AVENUE**  
**NEW YORK, NEW YORK 10178-0061**

Patriot Coal Corporation  
 12312 Olive Boulevard  
 St. Louis MO 63141

August 09, 2013

Inv. # 1585914  
 Our Ref. 058179-000330  
 SJR

Attention: Joseph W. Bean

**Re: Contracts/Leases Assumption and Rejection**

---

05/01/13	SJR	Review documentation underlying prep plant lease and analysis of possible early buy-out of same from Banc of America, a conflict party (.70); discussions regarding possible early buy-out with counsel for Banc of America (.60)	1.30
05/01/13	HH	Review proposal provided by conflict party Banc of America re: prep plant equipment lease and possible early buyout of same (.60)	0.60
05/09/13	SJR	Participate in conference call with J. Jones, S. Schutzenhofer and H. Hiznay to discuss issues in connection with the equipment lease buy-out with Banc of America, a conflict party (.30); confer with H. Hiznay re: preparation of documentation related to same and review and comment on draft documentation (.60); review issues related to same arising from discussions including update to terms of settlement agreement and next steps (1.00)	1.90
05/09/13	HH	Participate in call with J. Jones, S. Schutzenhofer, R. Mead and S. Reisman re: payment issue in connection with equipment lease with Banc of America, a conflict party (.30); confer with S. Reisman re: preparation for same (.60); correspond with M. Cohen re: issues related to equipment lease with Banc of America (.40); review lease and related documents re: same including outstanding issues (.30)	1.60
05/10/13	SJR	Attend to issues regarding equipment lease buy-out with Banc of America, a conflict party, and confer with opposing counsel, Doug Lipke, re: same (.40); confer with H. Hiznay re: same (.10); confer with counsel for Banc of America re: terms of buy-out (.40)	0.90
05/10/13	HH	Review open issues re: Banc of America equipment lease and potential early buyout with conflict party and confer with S. Reisman re: same (.30)	0.30
05/13/13	SJR	Continue work on draft of potential buy-out of equipment lease with Banc of America, a conflict party, incorporating edits and comments of client and	0.80

discussions with opposing counsel (.80)

05/14/13 SJR Review e-mails and sign-off on same in connection with buy-out of equipment lease with Banc of America, a conflict party, and early termination provisions (1.30) 1.30

05/14/13 HH Draft substantive emails re: Banc of America's and Debtors' respective offers in connection with potential early buyout deal on equipment lease with conflict party (1.40) 1.40

05/15/13 HH Draft amendment to equipment lease agreement with conflict party, Banc of America and US Bank, in connection with early buyout proposal (2.70); begin drafting motion under section 363 in connection with same (.90); review contract precedent in connection with same (1.40) 4.80

05/16/13 SJR Review of amendment to lease agreement re: early buy-out including outstanding issues (.70); email correspondence with Doug Lipke on behalf of Banc of America, a conflict party, with respect to same (.60) 1.30

05/16/13 HH Revise amendment to lease agreement in connection with conflict party, Banc of America equipment lease issue and potential early buyout (.90) 0.90

05/17/13 SJR Review draft of equipment lease agreement amendment re: buy-out of Banc of America, a conflict party, with respect to prep plant lease (1.60); correspond with H. Hiznay re: drafting of motion in connection with certain release issues related to buy-out (.40); follow-up with Doug Lipke regarding terms of early buy-out of Banc of America lease (.60) 2.60

05/20/13 SJR Negotiations re: early buy-out of lease with Doug Lipke, counsel for Banc of America, a conflict party (.80); correspond with H. Hiznay and review draft e-mail regarding counter-proposal in connection with same (.60) 1.40

05/20/13 HH Draft email to S. Reisman re: latest counter proposal in potential deal between Debtors and conflict party, Banc of America Leasing re: equipment lease (.60) 0.60

05/21/13 SJR Confer with Doug Lipke re: early buy-out of equipment lease with Banc of America and counter-proposal in connection with same (.70) 0.70

05/21/13 HH Draft email to S. Reisman re: Debtors' counter on potential early buyout deal on conflict party, Banc of America equipment lease (.70) 0.70

05/23/13 HH Draft email to S. Schutzenhofer re: conflict party Banc of America's counter offer on equipment lease issue in connection with potential early buyout and related proposals (.60) 0.60

05/24/13	SJR	Review draft of counter-proposal in connection with lease buy-out with Banc of America, a conflict party, with prep plant (.40); correspond with H. Hiznay re: same (.30); confer with Doug Lipke, counsel for Banc of America, regarding terms of buy-out and resolving outstanding issues re: same (.40)	1.10
05/24/13	HH	Draft email to S. Reisman re: Patriot counter-proposal on the equipment lease issue with conflict party Banc of America Leasing (.50)	0.50
05/28/13	SJR	Follow-up re: counter-offer on equipment lease buy-out with Doug Lipke, counsel for Banc of America, a conflict party re: same (.60)	0.60
05/28/13	HH	Draft correspondence to S. Reisman re: conflict party, Banc of America's latest counter on the equipment lease issue and potential early buyout (.50)	0.50
05/29/13	SJR	Review of term sheet drafted by H. Hiznay and revise same in connection with proposed lease amendment of buy-out of lease with Banc of America, a conflict party (1.70); confer with Doug Lipke, counsel for Banc of America, re: same and need for final agreement on terms (.40)	2.10
05/29/13	HH	Draft term sheet for proposed lease amendment in connection with equipment lease with Banc of America a conflict party (2.40); review and revise same (.80)	3.20
05/30/13	SJR	Review draft of motion to approve settlement in connection with early buy-out option of equipment lease with Banc of America, a conflict party (.70); correspond with H. Hiznay re: same (.20); review term sheet and follow-up re: same and resolution of outstanding issues related to same (.70)	1.60
05/30/13	MAC	Review term sheet and correspondence in connection with conflict party, Banc of America equipment lease amendment including potential issues to address in the motion (.40)	0.40
05/30/13	HH	Continue drafting motion pursuant to section 363 in connection with possible amendment to conflict party, Banc of America equipment lease (1.20)	1.20
05/31/13	SJR	Review and revise draft of equipment lease buy-out agreement (.70); review term sheet to buy-out transaction (.40); follow-up with H. Hiznay re: same (.20)	1.30
05/31/13	HH	Revise draft term sheet to combine Curtis version with one prepared by client, in connection with Banc of America, conflict party, equipment lease issue (1.80); revise same and submit to S. Reisman for his review (.50); revise draft section 363 motion and proposed	3.90

order in connection with potential deal on Banc of America equipment lease issue and early buyout (.50); review and revise draft proposed order in connection with same (.70); review claim filed by Banc of America in connection with same (.40)

TOTAL HOURS 40.10

**Summary of Services**

	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Steven J. Reisman	Partner	18.90	860	16,254.00
Michael Ari Cohen	Partner	0.40	740	296.00
Heather Hiznay	Associate	20.80	395	8,216.00
		<b>40.10</b>		<b>\$24,766.00</b>
<b>TOTAL SERVICES</b>				<b>\$24,766.00</b>
<b>10% DISCOUNT</b>				<b>\$-2,476.60</b>
<b>TOTAL THIS INVOICE</b>				<b>\$22,289.40</b>

# CURTIS

Curtis, Mallet-Prevost, Colt & Mosle LLP

**ATTORNEYS AND COUNSELLORS AT LAW**  
**101 PARK AVENUE**  
**NEW YORK, NEW YORK 10178-0061**

PLEASE RETURN THIS REMITTANCE WITH YOUR PAYMENT

**Payment Instructions:**

<b>Wire Funds to -</b>	Bank:	Citibank
	ABA Routing #:	021000089
	F/B/O:	Curtis Mallet-Prevost Colt & Mosle LLP
	Account#	40585074

<b>Mail Checks to -</b>	Curtis Mallet-Prevost Colt & Mosle LLP
	General Post Office
	P.O. Box 27930
	New York, NY 10087-7930

Patriot Coal Corporation  
Inv. # 1585914

Total Services	24,766.00
10% DISCOUNT	-2,476.60
Total Expenses	0.00
Applied Credit	0.00

<b>Total This Invoice</b>	<b><u>\$22,289.40</u></b>
---------------------------	---------------------------

**If you require further information regarding past due accounts, please contact Chandanie Doma (Accounts Receivable Coordinator) at (212)839-6807.**

Federal & New York State  
Identification Number 13-5018900

This Statement is payable when rendered  
in USD.

**CURTIS**

Curtis, Mallet-Prevost, Colt &amp; Mosle LLP

**ATTORNEYS AND COUNSELLORS AT LAW****101 PARK AVENUE****NEW YORK, NEW YORK 10178-0061**Patriot Coal Corporation  
12312 Olive Boulevard  
St. Louis MO 63141

August 09, 2013

Inv. # 1585916  
Our Ref. 058179-000430  
SJR

Attention: Joseph W. Bean

**Re: Automatic Stay Matters**


---

05/01/13	HH	Correspond with E. Waller and M. Cohen re: proofs of claim re: CSX, a conflict party (.40)	0.40
05/20/13	MAC	Review additional background documentation provided by client and CSX in connection with resolving conflict party, CSX claims including potential stay lift (.90)	0.90
05/20/13	HH	Correspond with E. Waller and M. Cohen re: conflict party, CSX claims issue (.20)	0.20
05/21/13	MAC	Participate in teleconference with E. Waller and H. Hiznay re: conflict party, CSX claims and potential settlement of same (.50); review claim information in connection with same (.80)	1.30
05/21/13	HH	Participate in call with E. Waller and M. Cohen re: conflict party, CSX claim issue and next steps re: same (.50); research claims register for any potential claims filed by certain affiliates (.30)	0.80
05/24/13	HH	Correspond with M. Cohen and E. Waller re: issues related to conflict party, CSX transportation agreement (.60)	0.60
05/28/13	MAC	Review termination documents with respect to conflict party, CSX contract and Trackspec contracts (.50); conduct analysis of impact on potential settlement and resolution of claims (.40)	0.90
05/28/13	HH	Correspond with M. Cohen and E. Waller re: conflict party, CSX claim issue (.30)	0.30
TOTAL HOURS			5.40

**Summary of Services**

	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Michael Ari Cohen	Partner	3.10	740	2,294.00
Heather Hiznay	Associate	2.30	395	908.50
		<b>5.40</b>		<b>\$3,202.50</b>
	<b>TOTAL SERVICES</b>			<b>\$3,202.50</b>
	<b>10% DISCOUNT</b>			<b>\$-320.25</b>
	<b>TOTAL THIS INVOICE</b>			<b>\$2,882.25</b>



Curtis, Mallet-Prevost, Colt & Mosle LLP

**ATTORNEYS AND COUNSELLORS AT LAW**  
**101 PARK AVENUE**  
**NEW YORK, NEW YORK 10178-0061**

PLEASE RETURN THIS REMITTANCE WITH YOUR PAYMENT

**Payment Instructions:**

<b>Wire Funds to -</b>	Bank:	Citibank
	ABA Routing #:	021000089
	F/B/O:	Curtis Mallet-Prevost Colt & Mosle LLP
	Account#	40585074

<b>Mail Checks to -</b>	Curtis Mallet-Prevost Colt & Mosle LLP
	General Post Office
	P.O. Box 27930
	New York, NY 10087-7930

Patriot Coal Corporation  
Inv. # 1585916

Total Services	3,202.50
10% DISCOUNT	-320.25
Total Expenses	0.00
Applied Credit	0.00

<b>Total This Invoice</b>	<b><u>\$2,882.25</u></b>
---------------------------	--------------------------

**If you require further information regarding past due accounts, please contact Chandanie Doma (Accounts Receivable Coordinator) at (212)839-6807.**

Federal & New York State  
Identification Number 13-5018900

This Statement is payable when rendered  
in USD.



Curtis, Mallet-Prevost, Colt &amp; Mosle LLP

**ATTORNEYS AND COUNSELLORS AT LAW**  
**101 PARK AVENUE**  
**NEW YORK, NEW YORK 10178-0061**

Patriot Coal Corporation  
 12312 Olive Boulevard  
 St. Louis MO 63141

August 09, 2013

Inv. # 1585891  
 Our Ref. 058179-000450  
 SJR

Attention: Joseph W. Bean

**Re: Rule 2004 and Discovery Matters**


---

05/01/13	SJR	Follow-up with T. Foudy and E. Tobin re: meet and confer with Morgan Stanley, a conflict party, with respect to document production related to Peabody (.30)	0.30
05/01/13	TF1	Participate in telephone call with Morgan Stanley, a conflict party, and E. Tobin re: discovery obligations per local bankruptcy rules(.40); attend pre- and post-meeting with E. Tobin on next steps and negotiations re: scope of discovery (.40)	0.80
05/01/13	ET	Participate in telephone call with T. Foudy and K. Katsiris (counsel for Morgan Stanley, a conflict party) re: Rule 2004 document production (.40); confer with T. Foudy before and after call re: same (.40); review relevant documents and draft stipulation resolving Rule 2004 motion (1.10)	1.90
05/01/13	HH	Correspond with E. Tobin re: update on filing of Rule 2004 Motions on conflict parties and related issues (.30); correspond with G. Faust re: same (.10)	0.40
05/02/13	ET	Conduct research re: requirements related to third-party subpoenas arising under Bankruptcy Rules 2004 and 9016 and Rule 45 of the Federal Rules of Civil Procedure (1.50); confer with H. Hiznay re: same (.10); draft stipulation resolving Rule 2004 motion and provide to T.Foudy for review (1.40)	3.00
05/02/13	HH	Conduct research re: privilege logs in connection with Rule 2004 motions of conflict parties (2.60); email correspondence re: summary of research to E. Tobin (.80); confer with E. Tobin re: issues related to service of 2004 subpoenas (.10); conduct further research re: same (.50)	4.00
05/03/13	SJR	Follow-up with T. Foudy re: status with conflict parties, Morgan Stanley and Duff & Phelps, document production (.70)	0.70
05/03/13	TF1	Correspond with E. Tobin re: response to letter from Morgan Stanley, a conflict party (.20); participate in	0.70

	telephone call and correspondence with outside counsel for Duff & Phelps, a conflict party (.50)	
05/03/13	MAC	Review correspondence re: Rule 2004 requests of conflict parties and issues related to same (.50) 0.50
05/03/13	ET	Review and analyze letter from Morgan Stanley, a conflict party, re: document production (.30); conduct research re: obligations of third-party subpoenas (1.10); correspond with T. Foudy and T. Smith re: same (.30) 1.70
05/03/13	HH	Conduct research re: obligation of nonparty to provide search terms and custodians when responding to subpoena in connection with Rule 2004 requests of conflict parties (3.90); provide summary of same to E. Tobin (.40); follow-up correspondences with E. Tobin re: same (.30) 4.60
05/04/13	ET	Review and analyze cases re: discovery obligations of recipients of third-party subpoenas, including Rule 2004 subpoenas in connection with Rule 2004 motions and document requests on conflict parties (1.20); email correspondence with H. Hiznay re: same (.20) 1.40
05/04/13	HH	Conduct research re: duties of parties in responding to nonparty subpoenas under rule 45 in connection with Rule 2004 motions and document requests on conflict parties (2.10); draft summary of same for E. Tobin (.30); conduct further research re: same with focus on Eastern District of Missouri and Eighth Circuit case law (1.10) 3.50
05/05/13	HH	Conduct additional research re: duties of parties in responding to nonparty subpoenas under rule 45 with focus on Eastern District of Missouri and Eighth Circuit case law in connection with Rule 2004 motions and document requests on conflict parties (2.40) 2.40
05/06/13	TPS	Confer with T. Foudy re: next steps in response to conflict party Morgan Stanley's request for search terms (.30); review case law on search protocols in bankruptcy context in connection with same (.40) 0.70
05/06/13	TF1	Participate in teleconferences with local counsel on procedure for resolving Rule 2004 motion on consent in connection with Rule 2004 motions and document requests on conflict parties (.20); confer with T. Smith re: response to search term demand of Morgan Stanley, a conflict party (.30); participate in telephone call with counsel for Duff & Phelps, a conflict party (.10); meet with E. Tobin on responses re: Rule 2004 motion and search terms (.30); correspond with S. Reisman and M. Cohen on status and strategy re: same (.30); review and edit draft stipulations of relief re: same (.60); participate in call with counsel for Morgan Stanley re: response to Rule 2004 motion (.10) 1.90

05/06/13	MAC	Review and revise, conflict party, Morgan Stanley's Rule 2004 order (.60); conduct research re: same (.50); correspond with H. Hiznay and E. Tobin re: same (.20)	1.30
05/06/13	ET	Review conflict party Duff & Phelps Rule 2004 motion and documents related to work performed by Duff & Phelps (.60); meet with T.Foudy re: same (.30); revise stipulated consent orders to resolve Rule 2004 motions in connection with same (1.20); correspond with T. Foudy, M. Cohen and H. Hiznay re: same (.20); conduct research re: obligations incurred to recipients of Rule 2004 subpoenas (.90)	3.20
05/06/13	HH	Address issues related to consent order in connection with Rule 2004 motions against Duff & Phelps, a conflict party (2.10)	2.10
05/07/13	SJR	Review revised draft of Rule 2004 motion stipulation related to Duff & Phelps, a conflict party, and comment re: same (.40)	0.40
05/07/13	TF1	Review and edit new draft Rule 2004 motion stipulation for Duff & Phelps, a conflict party (.20); draft emails forwarding same for comment to client and Committee (.10); correspond with counsel for Duff & Phelps on status (.10)	0.40
05/07/13	ET	Conduct research, review and analyze relevant cases and commentary re: discovery obligations of recipients of third-party subpoenas (4.80); draft and revise response letter to counsel for Morgan Stanley, a conflict party, re: Rule 2004 discovery obligations (2.20); confer with H. Hiznay re: draft Stipulated Order resolving Rule 2004 motion (.40)	7.40
05/07/13	HH	Confer with E. Tobin re: orders in connection with conflict parties, Morgan Stanley and Duff & Phelps Rule 2004 motions (.40); internal reviews of same per conversation with E. Tobin (.10)	0.50
05/08/13	SJR	Attend to matters re: proposed orders in connection with Rule 2004 motions and review of motion for Rule 2004 from Duff & Phelps and from Morgan Stanley, conflict parties, related to Peabody (2.20); follow-up re: issues related to Morgan Stanley and Duff & Phelps document production and confidentiality issues (.80)	3.00
05/08/13	TF1	Revise and forward draft consent orders resolving Rule 2004 motion to Morgan Stanley and Duff & Phelps, conflict parties (.40); revise and edit letter to Morgan Stanley counsel on search terms (.60); follow-up on procedure in regard to Morgan Stanley request for extension of objection deadline (.10); participate in "meet and confer" call with Morgan Stanley and E. Tobin (.30) follow-up discussion with E. Tobin re: drafting follow-up letter (.20); participate in conference	2.80

call with A. Russano of Davis Polk re: status of Peabody confidentiality agreement and production (.30); participate in telephone call with A. Dove of Kramer Levin regarding search terms for document production (.30); confer with S. Reisman re: update on third-party production (.50); leave message for J. Bean re: same (.10)

05/08/13 MAC Conduct research re: outstanding issues in connection with Rule 2004 requests of conflict parties in connection with investigation of prepetition transactions (.50) 0.50

05/08/13 ET Review and revise response letter to counsel for conflict party, Morgan Stanley re: Rule 2004 discovery obligations and confer with T. Foudy re: same (.80); participate in telephone call with T. Foudy and K. Katsiris re: Morgan Stanley's Rule 2004 document production (.30); participate in telephone call with T. Foudy and A. Dove re: scope of third-party document production (.20); conduct additional research re: obligations of recipients of Rule 2004 subpoenas (4.20); review and analyze relevant cases re: same (1.00) draft and revise response letter to counsel for Morgan Stanley re: parameters for document production (1.00); confer with H. Hiznay re: Rule 2004 motion and filing of stipulated order (.60); follow-up and correspond with T. Foudy re: same (.30) 8.40

05/08/13 HH Review procedures re: proposed orders in response to T. Foudy inquiry in connection with Rule 2004 motions of conflict parties (.90); draft email response re: same (.30); review Peabody Rule 2004 motion per request of E. Tobin in connection with Morgan Stanley and Duff & Phelps, conflict parties, Rule 2004 motions (.50); conduct further research re: procedures for extending response and reply deadlines under applicable rules (.50); correspond with E. Tobin re: same (.20); review docket for filings in connection with Peabody Rule 2004 motion and related filings (.30); review Peabody document request re: specific date ranges per request of E. Tobin (.60); correspond with E. Tobin re: same and open issue re: submission of orders (.30) 3.60

05/09/13 SJR Review correspondence re: comments to Morgan Stanley, a conflict party, to consent order and follow-up re: moving forward with execution of same (.60) 0.60

05/09/13 TF1 Review Morgan Stanley, a conflict party, edits to consent order (.40); review edits and send responsive email to Morgan Stanley re: same (.40); review proposed search terms from Committee and Debtors' Counsel (.30); review and edit draft letter to Morgan Stanley re: time frame for production (.40) 1.50

05/09/13 ET Email correspondence with H. Hiznay and E. Woods re: procedures for filing revised proposed orders for the 2.40

Debtors' Rule 2004 motions against conflict parties (.60); draft proposed search terms for document searches to be conducted by third-party recipients of subpoenas issued pursuant to Rule 2004 (1.60); provide same to T.Foudy for review (.20)

05/09/13 HH Correspond with E. Tobin re: open issue re: procedures in connection with Rule 2004 motion proposed orders and possible adjournment of response date in connection with document requests of conflict parties (.30); correspond with local counsel at Bryan Cave re: same (.30) 0.60

05/10/13 SJR Follow-up re: matters related to Rule 2004 requests and discovery of Morgan Stanley, a conflict party, and review correspondence re: same (.30) 0.30

05/10/13 TF1 Continue negotiation and revisions with Morgan Stanley, a conflict party, re: consent order on Rule 2004 Motion (.40); participate in telephone call with Skadden re: same and progress on document collection (.30); review and respond to Skadden revisions to consent order (.30) 1.00

05/10/13 ET Participate in telephone call with J. Berman re: negotiation of stipulated order resolving Rule 2004 motion (.70); follow-up email correspondence with J.Berman re: same (.30); per J. Berman's comments, revise stipulated order and prepare for filing (1.00); correspond with T. Foudy and H. Hiznay re: same (.40) 2.40

05/10/13 HH Confer with K. Coco and others internally re: status of matters scheduled for hearing on May 21 in connection with hearing on Rule 2004 requests of conflict parties (.30); assist E. Tobin in submitting stipulated orders and finalizing same re: Rule 2004 Motion against Morgan Stanley, a conflict party (1.40) 1.70

05/13/13 SJR Review responses to subpoenas by conflict parties Morgan Stanley and Duff & Phelps in connection with investigation of prepetition transactions (.80); confer with T. Foudy, M. Cohen and T. Smith re: strategy related to Patriot Coal Rule 2004 matters (.30) 1.10

05/13/13 TPS Review Peabody's objections to Duff & Phelps and Morgan Stanley (conflict parties) subpoenas (.40); confer with T. Foudy re: Peabody objections and block out possible reply (.70); correspondence with Paula Wilson at Jones Day re: Peabody objection (.40); confer with S. Reisman, T. Foudy and M. Cohen re: next submission to Court (.30); review draft letter to Court (.20) 2.00

05/13/13 TF1 Review Peabody Objections to Rule 2004 Motions filed and served by Curtis on conflict parties (.50); participate in conference calls and correspondence with Duff & Phelps counsel re: same and finalization of 4.50

consent order (.60); confer with T. Smith, S. Reisman, and M. Cohen re: same (.30); edit draft letter to Chambers re: same (.30); draft emails to client and Committee summarizing Peabody objections (.20); participate in conference call with Peabody counsel on objections (.30); confer with T. Smith re: approach to resolving Peabody Objections (.70); review latest draft protective order with Peabody and confer with Committee counsel re: same (.50); meet with M. Jones to discuss research re: privilege assertion raised by Peabody (.40); review M. Jones email summarizing research results and provide comments re: same (.40); correspond with H. Hiznay re: research on standing of third-party to object (.30)

05/13/13	MAC	Review Peabody's objections to Rule 2004 motions seeking discovery of conflict parties filed by Curtis in connection with its role as conflicts counsel for the Debtors (.70); confer with S. Reisman, T. Foudy and T. Smith re: court submissions in connection with same (.30)	1.00
05/13/13	MPJ	Review Peabody's objections to requests for permission to serve subpoena on the investment bankers in connection with Rule 2004 requests of conflict parties (.40); research federal case law discussing the privileged status of documents possessed, or otherwise disclosed to certain favored investors (1.90); correspond with T. Foudy summarizing research results (.30); prepare formal memorandum summarizing same (.60); research relevant definitions of attorney-work product for inclusion in formalized memorandum in connection with same (.30)	3.50
05/13/13	ET	Revise and finalize stipulated order resolving Rule 2004 motion to serve subpoena on Duff & Phelps, a conflict party (.30); correspondence with T. Foudy and H. Hiznay re: same (.30); review and analyze Peabody's objections to Debtors' motions for leave to conduct discovery of Morgan Stanley and Duff & Phelps (conflict parties) pursuant to Bankruptcy Rule 2004 (.60)	1.20
05/13/13	HH	Review and circulate Peabody briefs to Rule 2004 motions of conflict parties (.50); research re: standing of third party to object to a Rule 2004 motion (3.20); summarize same (.40); correspondence with E. Tobin, T. Foudy and M. Cohen re: submission of consent order in light of Peabody objections (.70); draft cover letter to chambers in connection with same for T. Foudy review (1.20)	6.00
05/14/13	TPS	Review draft confidentiality agreement with Peabody in connection with Rule 2004 motion against conflict parties (.30); participate in telephone conference with Paula Wilson at Jones Day re: Rule 2004 motion in	2.00

connection with conflict parties (.60); participate in telephone conference with Brad O'Neill re: Peabody objection to Rule 2004 motion (.30); participate in telephone conference with J. Bean re: conflict party Duff & Phelps subpoena (.20); correspond with T. Foudy re: overall strategy for Rule 2004 discovery from conflicts parties (.60)

05/14/13 TF1 Finalize cover letter and submission to Chambers re: consent order on conflict party Duff & Phelps document production (.30); participate in "meet and confer" call with counsel for Peabody (.60); participate in telephone call with Committee counsel re: Peabody negotiations (.30); participate in telephone call with client re: Committee negotiations (.20); review memorandum re: assertion of privilege over documents in possession of third-parties and provide comments on same (.40); meet with E. Tobin to discuss content of reply brief to Peabody objections (.50); draft responses to Peabody objections (.40) 2.70

05/14/13 MPJ Draft memorandum summarizing research re: federal case law discussing preservation of attorney-client privilege in light of third-party disclosure (.40); research federal definitions of attorney work-product doctrine and update memorandum to incorporate discussion (.60); research Missouri case law discussing preservation of attorney-client privilege in light of third party disclosures (3.00); draft memorandum section summarizing same (1.40); research West Virginia case law discussing preservation of attorney-client privilege in light of third party disclosures (.90) 6.30

05/14/13 ET Meet with T. Foudy re: Peabody's Objection to the Debtors' Rule 2004 motions for leave to conduct discovery of Duff & Phelps and Morgan Stanley, conflict parties (.40); conduct research, review and analyze cases and relevant documents re: the Debtors' reply to Peabody's Objections to the Rule 2004 Motions (2.10) 2.50

05/14/13 HH Revise cover letter to chambers re: consent orders on Rule 2004 motions on conflict parties (.90); correspond with E. Tobin, T. Smith and T. Foudy re: same (.70); submit same to chambers (.50) 2.10

05/15/13 SJR Analyze issues re: attorney-client privilege claim by Peabody with respect to Duff & Phelps and Morgan Stanley, conflict parties, discovery (.60) 0.60

05/15/13 TPS Review research on attorney client and related privileges invoked by Peabody with respect to Duff & Phelps and Morgan Stanley, conflict parties (.30); confer with T. Foudy re: course of action with respect to Peabody (.30); review Peabody requests to "meet and confer" and follow-up with T. Foudy (.30) 0.90

05/15/13 TF1 Prepare for hearing on Rule 2004 motions on conflict 5.80

parties (.50); confer with T. Smith on negotiations with Peabody (.30); review and revise draft reply to Peabody Objections to Rule 2004 Motions filed and served on conflict parties (1.40); coordinate with, and provide comments to, E. Tobin on draft reply (.40); confer with B. O'Neill of creditors' committee re: same and open issues (.30); correspondence with Peabody counsel re: same (.20); confer with M. Russano of Debtor's Counsel re: same (.30); confer with M. Jones on research project re: third-party standing to object to Rule 45 subpoenas (.30); review and revise letter to Peabody counsel with meet and confer proposal (1.30); review latest draft protective order (.40); draft email to co-counsel and committee counsel re: concerns on same (.40)

05/15/13	MPJ	Research West Virginia case law discussing waiver of attorney-client privilege due to the presence of third parties in connection with Rule 2004 requests on conflict parties (.60); draft memorandum summarizing same (.70); meet with T. Foudy to discuss research assignment regarding Peabody's potential standing to object to subpoenas served on Morgan Stanley and Duff & Phelps, conflict parties (.30); research relevant standards for a party to have standing to object to a subpoena served on third parties (3.70); correspond with E. Tobin to discuss key facts and holdings from research findings (.40)	5.70
05/15/13	ET	Review M. Jones memorandum re: attorney-client work product and third-party advisors in connection with objections raised to document requests served on conflict parties (.50); review and analyze relevant cases re: same (.30); correspond with M. Jones re: same (.40); conduct research, review and analyze relevant cases re: attorney-client privilege and work-product doctrine under federal, Missouri and West Virginia law (1.30); draft and revise reply brief in response to Peabody's Objections to the Duff & Phelps Rule 2004 Motion (5.20); confer with T. Foudy re: same including edits and comments to same (.40); draft and revise "meet and confer" letter to counsel for Peabody (2.00); correspond with T. Foudy re: same (.20); correspond with H. Hiznay re: May 21, 2013 hearing re: 2004 motions on conflict parties (.40)	10.70
05/15/13	HH	Coordinate telephonic appearance at hearing on Rule 2004 requests of conflict parties and related issues with clerk's office (.60); review correspondence filed by Morgan Stanley, a conflict party, in connection with Rule 2004 motions (.10); correspond with E. Tobin re: status of Rule 2004 motions and next steps (.20); correspond with M. Cohen re: same (.20)	1.10
05/16/13	SJR	Follow-up with T. Foudy and T. Smith re: matters related to Peabody's objection with respect to	0.40

third-party discovery of conflict parties Morgan Stanley and Duff & Phelps (.40)

05/16/13 TPS Review draft letter to Peabody's counsel confirming proposed resolution of the Rule 2004 objection to motions filed and served in connection with conflict parties (.20); follow-up with T. Foudy re: various conflicts and discovery issues re: same (.30); review draft reply to Peabody objections by Debtors and by Creditors Committee (.80) review research on third-party standing re: same (.30) 1.60

05/16/13 TF1 Circulate draft "meet and confer" letter to client and committee in connection with Rule 2004 requests of conflict parties and requirements of local rules and case management order (.20); review comments, revise, and finalize letter (.30); edit new draft of reply re: Peabody objections to Rule 2004 motions filed and served in connection with conflict parties (.50); send to client and committee for review and incorporate comments to same (.30); review draft agenda for hearing (.10); review M. Jones memorandum on research re: third-party standing to object to Rule 2004 and subpoenas re: same (.30) 1.70

05/16/13 MAC Review and revise replies to Peabody objections to Morgan Stanley and Duff & Phelps, conflict parties, Rule 2004 requests (1.10); correspond with H. Hiznay re: same (.20) 1.30

05/16/13 MPJ Ensure accuracy of citations and underlying legal authorities relied upon for draft 2004 motion reply to Peabody's objections to Rule 2004 requests to conflict parties (.70); confer with E. Tobin re: phrasing of Rule 2004 reply section discussing confidentiality requirement for assertion of privilege (.60); research updated Nebraska law in support of Rule 2004 reply (.40); draft memorandum re: status of national case law discussing a party's standing to object to a third-party subpoenas on privilege grounds (1.90) 3.60

05/16/13 JG5 Create indices for binders of documents for upcoming hearing on Debtors' Rule 2004 Motions for Morgan Stanley and Duff & Phelps, conflict parties and collect PDF versions of documents to be included in same (1.00); prepare additional materials re: same (.50) 1.50

05/16/13 ET Review and analyze cases re: attorney-client privilege and work-product doctrine under Missouri and West Virginia law in connection with document requests on conflict parties (1.20); confer with M. Jones re: same (.60); continue to draft and revise reply brief re: Peabody's opposition to the Debtors' motion for leave to serve a subpoena on Morgan Stanley, a conflict party (2.60); correspond with T. Foudy and H. Hiznay re: same (.30); implement comments from M. Cohen, T. Foudy, T. Smith, B. O'Neill and M. Russano re: 7.90

same (.70); draft and revise reply brief re: Debtors' motion for leave to serve a subpoena on Duff & Phelps, a conflict party, pursuant to Rule 2004 (2.20); review and compile exhibits for Rule 2004 reply briefs (.30)

05/16/13 HH Coordinate with E. Tobin and K. Coco re: hearing on Rule 2004 motions on conflict parties to be held on May 21, 2013 (.30); correspond with E. Tobin and J. Gumper re: materials in connection with Rule 2004 motions in anticipation of upcoming hearing (.50); correspond with M. Cohen and E. Tobin re: comments to draft replies to objections of Peabody to Rule 2004 motions (.60) 1.40

05/17/13 SJR Review replies to Rule 2004 motion seeking discovery of conflict parties Morgan Stanley and Duff & Phelps in order to finalize for filing (.80) 0.80

05/17/13 TF1 Finalize replies in connection with Debtors' Rule 2004 motions filed and served on conflict parties (1.50); participate in conference call with A. Dove of Committee on Rule 2004 motion hearing and replies (.20); review latest draft versions of confidentiality agreement and Rule 2004 Order (.60); review binder indices and provide instructions on preparation of same (.40) 2.70

05/17/13 GF Assist H. Hiznay with preparation and filing of Reply of the Debtors to Peabody's Objection to the Motion for Leave to Conduct Discovery of Morgan Stanley and of Duff & Phelps, conflict parties, Pursuant to Rule 2004 (.40); circulate filed copies of same to attorney case team (.20); assist with preparation of Exhibits to conflict parties Morgan Stanley and Duff & Phelps Rule 2004 motions to be delivered to T. Foudy for hearing in St. Louis (.80) 1.40

05/17/13 MPJ Collect key cases relating to Rule 2004 motion seeking discovery from Morgan Stanley and Duff & Phelps, conflict parties, and correspond with E. Tobin re: same (.20) 0.20

05/17/13 JG5 Revise binders for upcoming hearing on Debtors' Rule 2004 Motions for conflict parties Morgan Stanley and Duff & Phelps including relevant Court pleadings, documents, materials, research and legal authorities relied upon (2.00) 2.00

05/17/13 ET Review and revise reply briefs in response to Peabody's objections to the Debtors' motions for leave to serve subpoenas on conflict parties Morgan Stanley and Duff & Phelps pursuant to Rule 2004 (1.30); prepare briefs and exhibits for filing re: same (1.30); correspondence with H. Hiznay and J. Gumper re: preparation for hearing on Debtors' motions (.40) 3.00

05/17/13 HH Review replies to objections of conflict parties, Morgan 5.60

Stanley and Duff & Phelps, in anticipation of filing same (.60); correspondence with E. Tobin re: issues related to same (1.10); supervise filing of same (.40); coordinate service of same (.30); correspond with J. Gummer re: preparation of binders related to same in anticipation of hearing next week (.90); prepare binders of exhibits for chambers in connection with same for hearing next week (2.30)

05/17/13	HH	Coordinate coverage and telephonic appearances for omnibus hearing in connection with Rule 2004 motion on conflict parties (.90)	0.90
05/18/13	ET	Review and analyze relevant documents and draft outline of arguments for T. Foudy in preparation for the hearing on the Debtors' motions for leave to serve subpoenas on conflict parties, Morgan Stanley and Duff & Phelps pursuant to Rule 2004 (3.40)	3.40
05/20/13	SJR	Review materials in connection with hearing on Rule 2004 motion requests of Morgan Stanley and Duff & Phelps, conflict parties, and related responses and objections (.90); correspond with T. Foudy re: same and potential resolution reached prior to hearing (.40)	1.30
05/20/13	TPS	Review Peabody's withdrawal of its objections to Rule 2004 requests of conflict parties (.30); confer with T. Foudy re: strategy on reserved rights (.20); review response from Peabody with additional concession (.20)	0.70
05/20/13	TF1	Review and analyze supplemental statement filed by Peabody on Rule 2004 motions against Duff & Phelps and Morgan Stanley, conflict parties (.40); participate in conference call re: supplemental Peabody statement with B. O'Neill (.20); participate in conference call re: supplemental Peabody statement with M. Russano (.20); confer with T. Smith re: strategy for responding to same (.20); prepare materials for court hearing on Rule 2004 motion, including revising script to account for supplemental statement filed by Peabody (1.60); draft email to client explaining supplemental statement and strategy in regard to same (.30); travel to St. Louis for hearing billed at half-time (2.70); review research on non-recipient objections to Rule 45 motion in response to Peabody supplemental statement (.30); correspondence with Peabody counsel negotiating withdrawal of objections to Rule 2004 motions (.50)	6.40
05/20/13	MPJ	Correspond with T. Foudy and E. Tobin re: Peabody's rights to object to the Rule 2004 subpoena in connection with conflict parties (.20)	0.20
05/20/13	JG5	Revise T. Foudy's binder for hearing on Rule 2004 motions against conflict parties as requested (1.70); revise all Rule 2004 motion binders for other case attorneys as directed by H. Hiznay (1.60); circulate to S.	3.70

Reisman, M. Cohen, T. Smith, E. Tobin and H. Hiznay  
(.40)

05/20/13 ET	Review Peabody's Further Statement in Support of its Objection to Debtors' Motions for Leave to Conduct Discovery of conflict parties, Duff & Phelps and Morgan Stanley Pursuant to Rule 2004 (.60); correspond with T. Foudy analyzing same (.20) ; correspondence with T. Foudy and H. Hiznay re: preparations for hearing on the Debtors' Rule 2004 motions (.40); review and revise subpoenas to Duff & Phelps and Morgan Stanley, conflict parties, pursuant to agreements between them and Peabody (1.30); conduct research re: non-recipient's rights to object to a subpoena issued pursuant to Bankruptcy Rule 2004 and Federal Rule 45 (1.00); confer with M. Jones re: same (.20)	3.70
05/20/13 HH	Correspond with local counsel re: exhibits to be provided to chambers in anticipation of hearing on Rule 2004 requests of conflict parties (.40); correspond with E. Tobin re: same (.80); assist T. Foudy in preparation re: same (30); correspond with J. Gumper re: preparation of materials for Morgan Stanley and Duff & Phelps Rule 2004 motions (.60)	2.10
05/21/13 SJR	Review documentation in connection with Rule 2004 requests of conflict parties Morgan Stanley and Duff & Phelps and limiting scope of same in order to reach compromise in advance of hearing (1.10)	1.10
05/21/13 TF1	Review script in preparation for hearing on Rule 2004 motions on conflict parties (.40); correspond with Peabody's counsel re: resolution of objection (.20); correspond with Committee counsel re: current state of confidentiality agreement negotiations (.10); participate in hearing on Rule 2004 motions (2.50); review and revise edits to subpoenas to Duff & Phelps and Morgan Stanley for purpose of conforming to scope limitation agreements with Peabody (.80); return travel to New York from Rule 2004 motion hearing in St. Louis billed at half-time (2.50); review letter from Duff & Phelps counsel (.10)	6.60
05/21/13 ET	Participate telephonically for portion of Omnibus Hearing on Rule 2004 requests on conflict parties, Duff & Phelps and Morgan Stanley (1.20); draft Rule 2004 subpoena cover sheets (.30); email correspondence with T.Foudy and H.Hiznay re: issues pertaining to service of the Rule 2004 subpoenas (.30)	1.80
05/21/13 HH	Correspondence with S. Reisman and E. Tobin re: omnibus hearing on Debtors' Rule 2004 motions filed and served on conflict parties (.20); correspond with E. Tobin re: process for serving subpoenas on Morgan Stanley and Duff & Phelps, conflict parties (.80)	1.00
05/22/13 SJR	Review and revise conflict parties, Morgan Stanley and	1.20

	Duff & Phelps subpoenas and document requests (1.20)	
05/22/13 TF1	Confer with Committee Counsel on status of negotiations with regard to confidentiality agreement and proposed order in connection with Rule 2004 requests on conflict parties (.20); review entered orders and forward same to client and counsel for Duff & Phelps, a conflict party (.20); correspondence with Duff & Phelps and Peabody re: entry of other orders (.10); confer with H. Hiznay re: comments to revised subpoenas (.20); exchange emails re: revising subpoenas to conform to agreements with Peabody (.20)	0.90
05/22/13 ET	Email correspondence with T.Foudy and H.Hiznay re: revisions to Rule 2004 subpoenas on conflict parties (.20); review revised Rule 2004 subpoenas to be served on Duff & Phelps and Morgan Stanley, conflict parties (.30); correspond with H. Hiznay re: same (.10)	0.60
05/22/13 HH	Revise document requests to conflict parties Morgan Stanley and Duff & Phelps per comments of T. Foudy (1.60); confer with T. Foudy re: same (.20); draft further revisions per conversation (1.30); final review of draft in anticipation of serving same (.70); review orders entered in connection with same (.20); prepare subpoenas and document requests for service on conflict parties Morgan Stanley and Duff & Phelps (.60); serve same (.20)	4.80
05/23/13 HH	Prepare summary of proceeding in Mirant v. Southern Co. adversary proceeding per request of E. Tobin (2.10); prepare relevant documentation for review of E. Tobin (.60)	2.70
05/29/13 TF1	Participate in call with J. Berman re: conflict party, Duff & Phelps' production (.20); participate in call with K. Katsiris re: conflict party, Morgan Stanley's production (.20); participate in call with Debtors' Counsel re: status of negotiations with Peabody on order and confidentiality agreement (.10); review latest drafts of confidentiality order, Rule 2004 order and proposed revision (.40); discuss status and next steps with E. Tobin (.10)	1.00
05/29/13 ET	Participate in telephone calls with T. Foudy, J. Berman (counsel for Duff & Phelps) and K. Katsiris (counsel for Morgan Stanley), conflict parties re: third-party document productions pursuant to Rule 2004 subpoenas (.40); confer with T.Foudy re: same (.10)	0.50
05/30/13 TF1	Review letter from conflict party, Morgan Stanley counsel re: email searches in connection with document review and production pursuant to Rule 2004 (.20); draft email to client soliciting information on custodians (.20); correspond with E. Tobin on response	0.60

to letter from Morgan Stanley counsel, conflict party, in connection with same (.20)

05/30/13 ET Review letter from K. Katsiris re: Morgan Stanley's document production in connection with document review and production pursuant to Rule 2004 (.50); draft email to T. Foudy analyzing same (.30); review relevant documents and draft response letter to K. Katsiris re: same (1.50); provide same to T.Foudy for review (.30) 2.60

TOTAL HOURS 215.20

**Summary of Services**

	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Steven J. Reisman	Partner	11.80	860	10,148.00
Turner P. Smith	Partner	7.90	860	6,794.00
Theresa A. Foudy	Partner	42.00	800	33,600.00
Michael Ari Cohen	Partner	4.60	740	3,404.00
Ellen Tobin	Associate	69.70	600	41,820.00
Heather Hiznay	Associate	51.10	395	20,184.50
Michael P. Jones	Associate	19.50	305	5,947.50
Georgia Faust	Legal Assistant	1.40	235	329.00
Julia Gumpfer	Legal Assistant	7.20	200	1,440.00
		<b>215.20</b>		<b>\$123,667.00</b>

**TOTAL SERVICES \$123,667.00**

**10% DISCOUNT \$-12,366.70**

**Summary of Expenses**

Courier Service	58.26
Lexis/Westlaw	7,900.32
Local Transportation	201.66
Meals	60.00
Pacer - ECF	83.20
Transportation Expense	77.00
Travel Expenses	1,216.50

**TOTAL EXPENSES \$9,596.94**

August 09, 2013  
Inv # 1585891  
Our Ref # 058179-000450

Page 15

**TOTAL THIS INVOICE**

---

**\$120,897.24**

---

# CURTIS

Curtis, Mallet-Prevost, Colt & Mosle LLP

**ATTORNEYS AND COUNSELLORS AT LAW**  
**101 PARK AVENUE**  
**NEW YORK, NEW YORK 10178-0061**

PLEASE RETURN THIS REMITTANCE WITH YOUR PAYMENT

**Payment Instructions:**

<b>Wire Funds to -</b>	Bank:	Citibank
	ABA Routing #:	021000089
	F/B/O:	Curtis Mallet-Prevost Colt & Mosle LLP
	Account#	40585074

<b>Mail Checks to -</b>	Curtis Mallet-Prevost Colt & Mosle LLP
	General Post Office
	P.O. Box 27930
	New York, NY 10087-7930

Patriot Coal Corporation  
Inv. # 1585891

Total Services	123,667.00
10% DISCOUNT	-12,366.70
Total Expenses	9,596.94
Applied Credit	0.00

<b>Total This Invoice</b>	<b><u>\$120,897.24</u></b>
---------------------------	----------------------------

**If you require further information regarding past due accounts, please contact Chandanie Doma (Accounts Receivable Coordinator) at (212)839-6807.**

Federal & New York State  
Identification Number 13-5018900

This Statement is payable when rendered  
in USD.



Curtis, Mallet-Prevost, Colt & Mosle LLP

**ATTORNEYS AND COUNSELLORS AT LAW  
101 PARK AVENUE  
NEW YORK, NEW YORK 10178-0061**

Patriot Coal Corporation  
12312 Olive Boulevard  
St. Louis MO 63141

August 09, 2013

Inv. # 1585911  
Our Ref. 058179-000800  
SJR

Attention: Joseph W. Bean

**Re: CMP Monthly Billing Statements**

05/01/13	BMK	Review February monthly fee statement to ensure compliance with U.S. Trustee Guidelines and professional compensation order and coordinate with M. Rutman re: production of same (.50)	0.50
05/03/13	BMK	Finalize February fee statement to ensure compliance with U.S. Trustee Guidelines and professional compensation order (.50); correspondence with C. Robertson at Davis Polk re: filing same (.20)	0.70
05/20/13	BMK	Begin drafting March fee statement in accordance with U.S. Trustee Guidelines and professional compensation order (.70)	0.70
05/28/13	BMK	Continue drafting March monthly fee statement and coordinate with paralegal re: same to ensure compliance with professional compensation order and applicable U.S. Trustee guidelines (.50)	0.50
05/29/13	BP	Prepare March fee statement in accordance with professional compensation order and relevant fee guidelines (.60)	0.60
05/31/13	BP	Review and revise Patriot March monthly fee statement to comply with U.S. Trustee guidelines and professional compensation order (1.50)	1.50
TOTAL HOURS			4.50

**Summary of Services**

	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Bryan M. Kotliar	Associate	2.40	305	732.00
Brittany Patane	Legal Assistant	2.10	235	493.50
		<b>4.50</b>		<b>\$1,225.50</b>

**TOTAL SERVICES \$1,225.50**  
**10% DISCOUNT \$-122.55**

August 09, 2013  
Inv # 1585911  
Our Ref # 058179-000800

Page 2

**TOTAL THIS INVOICE**

---

**\$1,102.95**

---



Curtis, Mallet-Prevost, Colt & Mosle LLP

**ATTORNEYS AND COUNSELLORS AT LAW**  
**101 PARK AVENUE**  
**NEW YORK, NEW YORK 10178-0061**

PLEASE RETURN THIS REMITTANCE WITH YOUR PAYMENT

**Payment Instructions:**

**Wire Funds to -** Bank: Citibank  
ABA Routing #: 021000089  
F/B/O: Curtis Mallet-Prevost Colt & Mosle LLP  
Account#: 40585074

**Mail Checks to -** Curtis Mallet-Prevost Colt & Mosle LLP  
General Post Office  
P.O. Box 27930  
New York, NY 10087-7930

Patriot Coal Corporation  
Inv. # 1585911

Total Services	1,225.50
10% DISCOUNT	-122.55
Total Expenses	0.00
Applied Credit	0.00

**Total This Invoice** \$1,102.95

**If you require further information regarding past due accounts, please contact Chandanie Doma (Accounts Receivable Coordinator) at (212)839-6807.**

Federal & New York State  
Identification Number 13-5018900

This Statement is payable when rendered  
in USD.



Curtis, Mallet-Prevost, Colt &amp; Mosle LLP

ATTORNEYS AND COUNSELLORS AT LAW

101 PARK AVENUE

NEW YORK, NEW YORK 10178-0061

Patriot Coal Corporation  
12312 Olive Boulevard  
St. Louis MO 63141

August 09, 2013

Inv. # 1585912  
Our Ref. 058179-000900  
SJR

Attention: Joseph W. Bean

**Re: CMP Fee Applications**

05/15/13	BMK	Draft summary sheet and script for hearing on second interim fee application by reviewing fee application and monthly fee statements (.70)	0.70
05/15/13	FRG	Prepare materials and relevant documents and filings to include hearing on second interim fee application (2.30)	2.30
05/15/13	HH	Correspond with M. Cohen re: interim fee application hearing in Missouri (.20); correspond with T. Foudy re: same (.10); correspond with B. Kotliar and F. Guenther re: preparations for same (.20); review materials in preparation for same (.30); participate in call with K. Coco re: status of fee applications in connection with hearing (.10)	0.90
05/16/13	BMK	Review and revise draft script for hearing on second interim fee application (.30)	0.30
05/17/13	HH	Review correspondence from C. Robertson re: hearing on second fee application and convey internally to M. Cohen and B. Kotliar(.30); correspond with B. Kotliar and T. Foudy re: materials related to same in anticipation of hearing (.40)	0.70
05/23/13	HH	Review transcript from hearing on second interim fee applications for relevant commentary by U.S. Trustee or Court re: guidance on interim fee applications and general fee guidelines (.40); draft summary email to S. Reisman, M. Cohen, B. Kotliar and B. Patane re: same in order to ensure continued compliance with relevant standards and guidance (.70)	1.10
TOTAL HOURS			6.00

**Summary of Services**

	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Heather Hiznay	Associate	2.70	395	1,066.50
Bryan M. Kotliar	Associate	1.00	305	305.00
Franklin R. Guenther	Legal Assistant	2.30	235	540.50
		<b>6.00</b>		<b>\$1,912.00</b>
	<b>TOTAL SERVICES</b>			<b>\$1,912.00</b>
	<b>10% DISCOUNT</b>			<b>\$-191.20</b>
	<b>TOTAL THIS INVOICE</b>			<b>\$1,720.80</b>

# CURTIS

Curtis, Mallet-Prevost, Colt & Mosle LLP

**ATTORNEYS AND COUNSELLORS AT LAW**  
**101 PARK AVENUE**  
**NEW YORK, NEW YORK 10178-0061**

PLEASE RETURN THIS REMITTANCE WITH YOUR PAYMENT

**Payment Instructions:**

<b>Wire Funds to -</b>	Bank:	Citibank
	ABA Routing #:	021000089
	F/B/O:	Curtis Mallet-Prevost Colt & Mosle LLP
	Account#	40585074

<b>Mail Checks to -</b>	Curtis Mallet-Prevost Colt & Mosle LLP General Post Office P.O. Box 27930 New York, NY 10087-7930
-------------------------	--

Patriot Coal Corporation  
Inv. # 1585912

Total Services	1,912.00
10% DISCOUNT	-191.20
Total Expenses	0.00
Applied Credit	0.00

<b>Total This Invoice</b>	<b><u>\$1,720.80</u></b>
---------------------------	--------------------------

**If you require further information regarding past due accounts, please contact Chandanie Doma (Accounts Receivable Coordinator) at (212)839-6807.**

Federal & New York State  
Identification Number 13-5018900

This Statement is payable when rendered  
in USD.