

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

**In re:**

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

**Debtors.**

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

Related to Docket No. 4723

**ORDER AUTHORIZING EMPLOYMENT OF  
OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.  
AS SPECIAL COUNSEL FOR THE DEBTORS**

On September 30, 2013, Patriot Coal Corporation and 98 of its subsidiaries that are Debtors in these jointly-administered cases (the “Initial Debtors”) filed their Application for Authority to Employ and Retain Ogletree, Deakins, Nash, Smoak & Stewart, P.C. (“Ogletree Deakins”) as Special Counsel for the Debtors *Nunc Pro Tunc* to August 1, 2013 (the “Application”). Capitalized terms not defined herein shall have the meanings set forth in the Application.

Upon consideration of the Application and the Declaration of John R. Woodrum attached to the Application, it appears that Ogletree Deakins and its professionals neither hold nor represent any interest adverse to the Initial Debtors or their estates with respect to the Retained Matters on which Ogletree Deakins is to be employed, and that good and sufficient cause exists for the relief requested in the Application.

Accordingly, it is hereby ORDERED as follows:


1. The Application is GRANTED.

2. The Initial Debtors are authorized to employ Ogletree Deakins as their special counsel on the Retained Matters.

3. The Initial Debtors' retention of Ogletree Deakins pursuant to the Order Authorizing the Debtors To Retain Ordinary Course Professionals, Nunc Pro Tunc to the Petition Date (Docket No. 263) shall be modified to be a retention pursuant to Section 327(e) of the Bankruptcy Code, effective as of August 1, 2013, on the terms set forth in the Application and supporting papers.

4. Except with respect to services provided by Ogletree Deakins as an ordinary-course professional on or before July 31, 2013, Ogletree Deakins shall be compensated upon appropriate application in accordance with Sections 330 and 331 of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Rules, the Order To Establish Procedures for Interim Monthly Compensation and Reimbursement of Expenses of Professionals (Docket No. 262), and other orders of this Court.

5. The expansion of the retention of Ogletree Deakins to include Debtors Brody Mining, LLC and Patriot Ventures LLC will be addressed by separate order.

  
KATHY A. SURRATT-STATES  
Chief United States Bankruptcy Judge

DATED: October 25, 2013  
St. Louis, Missouri  
jjh

Order prepared by:

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