

**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)  
#4894**

**ORDER AUTHORIZING ASSUMPTION OF CERTAIN UNEXPIRED LEASES  
AND GUARANTY AND APPROVING SETTLEMENT OF CLAIMS OF  
BANCORPSOUTH EQUIPMENT FINANCE**

On October 29, 2013, Patriot Coal Corporation and its subsidiaries that are Debtors and Debtors In Possession in these jointly-administered cases (the “**Debtors**”) filed their Motion for Entry of an Order Authorizing Assumption of Certain Unexpired Leases and Guaranty and Approving Settlement of Claims of BancorpSouth (the “**Motion**”). Capitalized terms not defined herein have the meanings set forth in the Motion.

Upon consideration of the Motion, the related certificate of service, and the arguments of counsel; and it appearing that the relief requested in the Motion is in the best interest of the Debtors, their estates and creditors; and it appearing that good cause exists for granting the Motion; it is hereby ORDERED as follows:

1. The Motion is GRANTED.
2. The Settlement is hereby approved pursuant to Fed. R. Bankr. P. 9019.
3. Patriot Leasing is authorized to assume, and hereby assumes, the Agreement pursuant to 11 U.S.C. § 365.

4. Patriot Coal is authorized to assume, and hereby assumes, the Guaranty pursuant to 11 U.S.C. § 365.

5. There are no defaults under the Agreement or the Guaranty that preclude their assumption, and Patriot Leasing and Patriot Coal are hereby deemed to have satisfied all of their respective obligations under 11 U.S.C. § 365(b)(1) with respect to the Agreements, subject to the provisions of Paragraph 6 below.

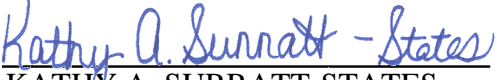
6. Patriot Leasing shall make a payment of \$28,778.90 to BancorpSouth as the cure of the prepetition amount owed under the Agreement pursuant to 11 U.S.C. § 365(b) within ten (10) days of the date of this Order.

7. The Proofs of Claim of BancorpSouth, E.D. Mo. Claim Nos. 3270-1 and 3271-1, GCG Claim Nos. 1358 and 1357, are hereby disallowed to the extent provided herein.

8. The Clerk of the Court and the Debtors' claims agent are hereby directed to reflect such disallowance of such Proofs of Claim in their respective records.

9. This Court shall retain jurisdiction with respect to all matters arising from or relating to the implementation of this Order.

10. Proper, timely, adequate, and sufficient notice of the Motion has been provided in accordance with the Bankruptcy Code, the Bankruptcy Rules, and the Local Rules, and no other or further notice of the Motion or the entry of this Order shall be required.

  
KATHY A. SURRATT-STATES  
Chief United States Bankruptcy Judge

DATED: November 20, 2013  
St. Louis, Missouri  
jjh

Order prepared by:

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