

**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)**

**PATRIOT COAL CORPORATION and
HERITAGE COAL COMPANY,**

Plaintiffs,

-against-

**PEABODY HOLDING COMPANY, LLC and
PEABODY ENERGY CORPORATION,**

Defendants.

**Adversary Proceeding
No. 13-04067-659**

NOTICE OF APPEAL

PLEASE TAKE NOTICE that Plaintiffs Patriot Coal Corporation and Heritage Coal Company hereby appeal under 28 U.S.C. § 158 to the United States Bankruptcy Appellate Panel for the Eighth Circuit from the final order entered by the United States Bankruptcy Court for the Eastern District of Missouri in the above-referenced adversary proceeding on May 29, 2013 (the "Order"). The names of all parties to the Order

appealed from and the names, addresses, and telephone numbers of their respective attorneys are:

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Dated: New York, New York
June 5, 2013

Respectfully Submitted,

DAVIS POLK & WARDWELL LLP

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Counsel to Plaintiffs

Patriot Coal Corporation,
Plaintiff

Adv. Proc. No. 13-04067-kss

Peabody Holding Company, LLC,
Defendant

CERTIFICATE OF NOTICE

District/off: 0865-4

User: pott
Form ID: pdfapl

Page 1 of 2
Total Noticed: 12

Date Rcvd: Jun 06, 2013

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 08, 2013.

aty	+Brad B. Erens, Jones Day, 77 West Wacker, Chicago, IL 60601-1692
aty	David G. Heiman, North Point, 901 Lakeside avenue, Cleveland, OH 44114-1190
aty	+Elliot Moskowitz, Davis Polk & Wardwell LLP, 450 Lexington Avenue, New York, NY 10017-3982
aty	+John M. Newman, Jr., Jones Day, 901 Lakeside Avenue, Cleveland, OH 44114-1190
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ust	+Office of U.S. Trustee, 111 South Tenth Street, Suite 6.353, St. Louis, MO 63102-1127
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pla	+Heritage Coal Company LLC, 12312 Olive Boulevard, Suite 436, Saint Louis, MO 63141-6448
pla	+Patriot Coal Corporation, 12312 Olive Boulevard, Suite 400, St. Louis, MO 63141-6448
dft	+Peabody Energy Corporation, Peabody Plaza, 701 Market St., St. Louis, MO 63101-1830
dft	Peabody Holding Company, LLC, Peabody Plaza, 701 Market St., St. Louis, MO 63101-1826

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 08, 2013

Signature:



District/off: 0865-4

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Page 2 of 2
Total Noticed: 12

Date Rcvd: Jun 06, 2013

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 5, 2013 at the address(es) listed below:

Angela Ferrante on behalf of Other Professional The Garden City Group, Inc.
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Carl E. Black on behalf of Defendant Peabody Holding Company, LLC ceblack@jonesday.com
Carl E. Black on behalf of Defendant Peabody Energy Corporation ceblack@jonesday.com
Steven N. Cousins on behalf of Defendant Peabody Holding Company, LLC
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Steven N. Cousins on behalf of Defendant Peabody Energy Corporation
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TOTAL: 5