

**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 Nos. 4526,
4527

**STIPULATION AND ORDER REGARDING
OBJECTIONS TO CLAIMS OF THE VICTORY GROUP**

Patriot Coal Corporation and its subsidiaries that are Reorganized Debtors in these jointly-administered cases (collectively, the “Reorganized Debtors”) and West Virginia Electric Industries, Inc.; Industrial Contracting of Fairmont, Inc.; Industrial Resources, Inc.; and Salem Electric Company (collectively, “The Victory Group”), hereby stipulate and agree as follows.

Resolution of the Fourteenth Objection

1. On August 23, 2013, the Reorganized Debtors filed their Fourteenth Omnibus Objection to Claims (Wrong Debtor or Otherwise Inconsistent with Books and Records) [Docket No. 4526] (the “Fourteenth Objection”).
2. In the Fourteenth Objection, the Debtors proposed to modify Claim No. 3980 (GCG Claim No. 3976), filed by West Virginia Electric Industries, Inc., from a secured claim to a general unsecured claim because the lien purportedly securing the claim was not timely filed.
3. The Reorganized Debtors and The Victory Group stipulate and agree that Claim No. 3980 (GCG Claim No. 3976) is fully liquidated in the amount of \$3,001.02, and is a general unsecured claim.

4. The Fourteenth Objection is hereby SUSTAINED as to West Virginia Electric Industries, Inc. Nothing in this Stipulation affects any other claims referenced in the Fourteenth Objection.

Resolution of the Fifteenth Objection

5. On August 23, 2013, the Reorganized Debtors filed their Fifteenth Omnibus Objection to Claims (Redundant Claim) [Docket No. 4527] (the “Fifteenth Objection”).

6. In the Fifteenth Objection, the Reorganized Debtors proposed to disallow certain claims filed by The Victory Group on the ground that such claims were redundant of others The Victory Group had filed. Specifically, the Reorganized Debtors sought to disallow Claim Nos. 3966, 3968, 3970, 3979, 3983, and 3982 (GCG Claim Nos. 3983, 3980, 3984, 3981, 3982, and 3985, respectively). The Reorganized Debtors proposed to allow Claim Nos. 3967, 3969, 3971, 3978, 3980, and 3981 (GCG Claim Nos. 3977, 3975, 3978, 3974, 3976, and 3979, respectively) (collectively, and with Claim No. 3980, referenced in the Fourteenth Objection, the “Claims”), which were asserted for the same amounts, but against different Debtors, as the claims the Reorganized Debtors sought to disallow. Exhibit A, attached hereto and incorporated by reference, identifies each such claim.

7. The parties agree that The Victory Group holds secured, fully liquidated claims in the total amount of \$490,532.00 (the “Allowed Secured Claims”), as described on Exhibit A.

8. The Allowed Secured Claims shall be paid in full within three (3) business days of the entry of this Stipulation and Order (the “Payment”).


9. The Fifteenth Objection is SUSTAINED, and all remaining claims of The Victory Group identified in the Fifteenth Objection shall be disallowed; *provided, however*, that no

claims shall be disallowed until the Payment is received. Nothing in this Stipulation affects any other claims referenced in the Fifteenth Objection.

10. Within ten (10) business days of receipt of the Payment, The Victory Group shall release all liens securing the Allowed Secured Claims and shall provide proof of release to the Reorganized Debtors.

11. Except as expressly agreed herein, The Victory Group, on behalf of itself, its heirs, representatives and assigns, does hereby fully, finally and forever waive, release and/or discharge the Reorganized Debtors, their estates and any heirs, successors, assigns, affiliates, officers, directors, shareholders, associates, parents, subsidiaries, predecessors, successors, employees, attorneys and agents from the Claims and from all actions, causes of action, suits, debts, obligations, liabilities, accounts, damages, defenses or demands whatsoever, known or unknown, giving rise to or otherwise relating to the Claims. Except as expressly agreed herein, the Reorganized Debtors, on behalf of themselves, their heirs, representatives and assigns, do hereby fully, finally and forever waive, release and/or discharge The Victory Group and any heirs, successors, assigns, affiliates, officers, directors, shareholders, associates, parents, subsidiaries, predecessors, successors, employees, attorneys and agents from all actions, causes of action, suits, debts, obligations, liabilities, accounts, damages, defenses or demands whatsoever, known or unknown, giving rise to or otherwise relating to the Claims.

12. The Clerk of the Court and the Debtors' claims agent are hereby directed to reflect the disallowance and/or modification of the claims, as specified above, in their respective records.


KATHY A. SURRATT-STATES
Chief United States Bankruptcy Judge

DATED: January 9, 2014
St. Louis, Missouri
jjh

STIPULATED AND AGREED TO
THIS 9 DAY OF JANUARY, 2014:

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EDMO/GCG Claim #	Creditor Company	Claim Asserted Against Account Debtor	Claim Asserted Against Debtor Owner	Amount Owed	Secured/ Unsecured	Omnibus Objection #	Claim Outcome
3966-1/3983	Industrial Contracting of Fairmont, Inc.	Eastern Associated Coal, LLC		\$118,000.00	Unsecured	15th	Disallowed
3967-1/3977	Industrial Contracting of Fairmont, Inc.		Eastern Royalty, LLC	\$118,000.00	Secured	None	Allowed, secured
3968-1/3980	Industrial Contracting of Fairmont, Inc.	Hobet Mining, LLC		\$223,709.00	Unsecured	15th	Disallowed
3969-1/3975	Industrial Contracting of Fairmont, Inc.		Robin Land Company, LLC	\$223,709.00	Secured	None	Allowed, secured
3970-1/3984	Industrial Resources, Inc.	Eastern Associated Coal, LLC		\$34,734.00	Unsecured	15th	Disallowed
3971-1/3978	Industrial Resources, Inc.		Eastern Royalty, LLC	\$34,734.00	Secured	None	Allowed, secured
3978-1/3974	Salem Electric Company		Eastern Royalty, LLC	\$7,280.00	Secured	None	Allowed, secured
3979-1/3981	Salem Electric Company	Eastern Associated Coal, LLC		\$7,280.00	Unsecured	15th	Disallowed
3981-1/3979	West Virginia Electric Industries, Inc.		Eastern Royalty, LLC	\$106,809.00	Secured	None	Allowed, secured
3982-1/3985	West Virginia Electric Industries, Inc.	Eastern Associated Coal, LLC		\$106,809.00	Unsecured	15th	Disallowed