

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN RE:	Chapter 11
PATRIOT COAL CORPORATION, et al.,	Case No. 12-51502-659
Debtors.	(Jointly Administered)
	Objection Deadline:
	February 17, 2014 at 4:00 p.m.
	(prevailing Central Time)
	Hearing Date:
	March 25, 2014 at 10:00 a.m.
	(prevailing Central Time)
	Hearing Location:
	Courtroom 7 North

**SUMMARY SHEET PURSUANT TO UNITED STATES TRUSTEE GUIDELINES FOR
REVIEWING APPLICATIONS FOR COMPENSATION AND REIMBURSEMENT OF
EXPENSES FILED UNDER 11 U.S.C. §§ 330 AND 331**

SECOND INTERIM AND FINAL APPLICATION

Name of Applicant:	Greenberg Traurig, LLP
Authorized to Provide Professional Services to:	Debtors and Debtors in Possession
Date of Retention:	June 19, 2013 <i>nunc pro tunc</i> to May 1, 2013
Time period covered by this Second Interim and Final Fee Application:	May 1, 2013 – December 31, 2013
Time period covered by prior fee application:	May 1, 2013 – July 31, 2013
Total amount of fees awarded in prior fee application:	\$152,758.25
Total fees requested in this Application and prior fee application:	\$367,265.25
Total fees requested in this Application for the period August 1, 2013 through and including December 31, 2013:	\$214,507.00

Total actual, reasonable and necessary expense \$4,567.67
reimbursement requested in this Application and
prior fee application:

Total actual, reasonable and necessary expense \$3,068.53
reimbursement requested in this Application for
the period August 1, 2013 through and including
December 31, 2013

This is a(n): ___ monthly ___ interim X final application

Prior Applications filed: *First Interim Application of Greenberg Traurig, LLP for Allowance of Compensation for Services Rendered and for Reimbursement of Expenses as Special Counsel for the Debtors and Debtors-In-Possession for the Period May 1, 2013 through and Including July 31, 2013* filed September 5, 2013 [Docket No. 4598]

**COMPENSATION BY PROFESSIONAL
AUGUST 1, 2013 THROUGH AND INCLUDING DECEMBER 31, 2013**

I. Partners/Counsel

NAME	DEPARTMENT	POSITION	YEAR ADMITTED TO BAR	HOURS	RATE(S) ¹	AMOUNT(S)
Mark E. Solomons	Litigation	Shareholder	1971 NY 1980 DC	193.2	\$305.00	\$60,928.50 ²
Laura M. Klaus	Litigation	Shareholder	1979 DC	283.7	\$305.00	\$86,528.50
Shari L. Heyen	Bankruptcy	Shareholder	1990 TX	5.6	\$700.00	\$3,920.00
TOTAL SHAREHOLDERS AND COUNSEL:				482.5		\$151,377.00

¹ Hourly rates for litigation professionals are capped at \$305.00.

² This amount includes 4.5 hours spent working (during the Second Interim Period) on preparation and filing of GT's monthly fee statements, First Interim Application, and Supplemental Declaration in support of GT's retention, all of which was billed at Mr. Solomon's standard hourly rate of \$750.00. As set forth in GT's retention application [Docket No. 4079], which was approved by the Court on June 19, 2013 [Docket No. 4166], GT is seeking compensation for services rendered in connection with preparation and filing of all fee applications and retention matters based upon standard and customary hourly billing rates in effect at the time services were rendered.

II. Associates/Contract/Law Clerks

NAME	DEPARTMENT	POSITION	YEAR ADMITTED TO BAR	HOURS	RATE(S)	AMOUNT(S)
Patricia Karppi	Litigation	Contract	1993 VA 1995 DC	85.3	\$260.00	\$22,178.00
W. W. Prochot	Litigation	Associate	1997 NY 1997 DC	50.4	\$305.00	\$15,372.00
Catherine Sevchenko	Litigation	Contract	2003 DC	13.8	\$275.00	\$3,795.00
Elizabeth S. Trentacost	Litigation	Law Clerk	2013 VA	30.0	\$250.00	\$7,500.00
David R. Eastlake	Bankruptcy	Associate	2008 NY 2010 TX	30.3	\$375.00	\$11,362.50
TOTAL ASSOCIATES/CONTRACT/LAW CLERKS:				209.8		\$60,207.50

III. Paraprofessionals

NAME	DEPARTMENT	POSITION	HOURS	RATE(S)	AMOUNT(S)
Jon R. Tabor	Litigation	Paraprofessional	16.7	\$175.00	\$2,922.50
TOTAL PARAPROFESSIONALS:			16.7		\$2,922.50

GRAND TOTAL:			709.0		\$214,507.00
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**COMPENSATION BY PROJECT TIMEKEEPER
AUGUST 1, 2013 THROUGH AND INCLUDING DECEMBER 31, 2013**

PROFESSIONALS	BLENDED RATE	TOTAL HOURS BILLED	TOTAL COMPENSATION
Shareholders	\$313.73	482.5	\$151,377.00
Associates	\$286.98	209.8	\$60,207.50
Blended Attorney Rate:	\$305.63		
TOTAL:		692.3	\$211,584.50

**COMPENSATION BY PROJECT CATEGORY
AUGUST 1, 2013 THROUGH AND INCLUDING DECEMBER 31, 2013**

PROJECT DESCRIPTION	HOURS	AMOUNT
Ball Charles E. v. Apogee Coal Company	30.8	\$8,216.50
Boring, Phyllis G. (William) v. EACC	1.0	305.00
Brigance, Virgil T. v. Peabody Coal Company	0.7	200.50
Chumley, Wilma v. Peabody Coal Company	4.1	1,237.50
Cline, Carl H. v. Eastern Associate Coal Corporation	1.8	549.00
Cox, Jimmy v. Peabody Coal Company	8.6	2,623.00
Dixon, Jerome R. v. Highland Mining Co.	2.6	793.00
Figg, Girthel G. v. Peabody Coal Co.	1.0	305.00
Foley, Charles E. v. Apogee Coal Company	20.4	6,079.00
Fulcher, Jerry W. v. Heritage Coal Company	28.3	8,488.50
Gibson, Edward H. v. Eastern Associated Coal Corporation	3.9	1,176.50
Gilliam, Russell v. Arch Coal Inc. c/o Wells Fargo Disability	3.2	976.00
Goff, Philip G. v. Peabody Coal Company	0.3	91.50
Gosnell, Harold M. v. Eastern Associated Coal Corp.	24.5	7,420.50
Gower, Harvey J. v. Eastern Associated Coal Co.	30.2	9,181.50
Grace, Charles E. v. Peabody Coal Company	4.5	1,144.50
Hardison, Earon v. Peabody Coal Company	3.0	915.00
Hatfield, Halcy v. Hobet Mining, Inc.	16.5	4,993.50
Hill, Eva (Arthur) v. Peabody Coal Company	54.6	16,588.00
Hudson, Charles W. v. Peabody Coal Company	2.1	640.50
Hudson, Gary W. v. Pine Ridge Coal Company	8.9	2,701.50
Jarvis, Thomas J. v. Peabody Coal Corporation	3.9	1,032.00
Kanipe, Carl E. v. Peabody Coal Co.	31.2	8,151.50
Kinney, John O. v. Peabody Coal Co.	16.0	4,880.00
Love Lucian v. Heritage Coal Company	3.6	1,098.00
Lusk, Joan H. (Ralph J. Jr.) v. Eastern Associated Coal Corp.	2.3	636.50
Lusk, Landon B. v. Eastern Associated Coal Corp.	4.5	1,359.50
Maggard, Ray v. Peabody Coal Company	11.3	3,433.50
Marshall, James v. Eastern Associated Coal Corp.	5.1	1,555.50
Martin, Dale B. v. Peabody Coal Co.	4.8	1,438.00
Mattas, Larry D. v. Apogee Coal Company, LLC	31.9	8,468.00
May, Deloris E. (William G.) v. Peabody Coal Co.	2.5	723.50
McGuire, Johnny v. Colony Bay Coal Company	1.5	457.50
Milam, Jr., Oma v. Peabody Coal Company	1.7	518.50
Morgan, Avery R. v. Eastern Associate Coal Company	1.8	549.00
Morgan, Don Jean v. Peabody Coal Company	41.5	12,579.50
Nichols, Gloria Joan v. Heritage Coal Company	8.9	2,571.50

PROJECT DESCRIPTION	HOURS	AMOUNT
Noreuil, Susan (John) v. Peabody Coal Company	2.8	854.00 ³
O'Leary, Roy J., Jr. v. Peabody Coal Company	1.4	427.00
Orr, Kenneth Eugene v. Peabody Coal Company	25.6	6,868.00
Oyler, Donald Edward v. Peabody Coal Company	7.2	2,170.00
Reynolds, Steven T. v. Heritage Coal Company	1.5	457.50
Richardson, Jr., John E. v. Peabody Coal Company	1.0	305.00
Ross, Maurice v. Peabody Coal Company	27.1	7,471.00
Rothwell, Helen (Ronald) v. Patriot Coal Company	4.9	1,325.50
Russelburg, Joseph v. Peabody Coal Company, et al.	0.4	122.00
Smith, Harlan O'Bryan v. Peabody Coal Company	7.6	2,305.00
Smith, John W. v. Eastern Associated Coal Company	1.0	292.00
Stewart, Jr., Harold v. Peabody Coal Company	0.7	213.50
Toler, Arvis R. v. Eastern Associated Coal Corp.	26.7	8,130.50
Toler, Maxine (James Dewey) v. EACC	1.8	510.00
Tolliver, Ethel E. (Michael) v. Eastern Associated Coal Corp.	44.6	13,137.00
Traylor, Thomas C. v. Peabody Coal Company	0.3	75.00
Trump, Janice Faye (Jesse Willard) v. Eastern Associated	18.5	5,590.50
Vest, Roy Michael v. EACC, et al.	54.5	16,427.50
Washington, James D. v. Heritage Coal Company	1.2	210.00
Whitmer, Bennie v. Peabody Coal Company	2.9	858.50
Williams, Louis A. v. Peabody Coal Company	13.4	4,022.00
Bankruptcy	40.4	18,657.50
GRAND TOTAL:	709.0	\$214,507.00

³ Reflects reduction of fees in the amount of \$252.00, as explained in more detail in footnote 4 of the Application.

EXPENSES SUMMARY
AUGUST 1, 2013 THROUGH AND INCLUDING DECEMBER 31, 2013

DISBURSEMENT	AMOUNT
Copies	\$529.80
Filing Fees	\$500.00
Travel, Lodging and Meals	\$1,819.93
Messenger/Overnight Deliveries	\$69.03
Research and Pacer Charges	\$3.00
Postage	\$146.77
TOTAL:	\$3,068.53

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:

February 17, 2014 at 4:00 p.m.

(prevailing Central Time)

Hearing Date:

March 25, 2014 at 10:00 a.m.

(prevailing Central Time)

Hearing Location:

Courtroom 7 North

**SECOND INTERIM AND FINAL FEE APPLICATION OF
GREENBERG TRAUIG, LLP FOR ALLOWANCE OF
COMPENSATION FOR SERVICES RENDERED AND FOR
REIMBURSEMENT OF EXPENSES INCURRED AS SPECIAL
COUNSEL FOR THE DEBTORS AND DEBTORS-IN-POSSESSION**

Greenberg Traurig, LLP (“GT”), special counsel to Patriot Coal Corporation and its affiliated debtors and debtors in possession (collectively, the “Debtors”) in the above-captioned chapter 11 cases (the “Cases”), for its second interim and final fee application (the “Application”), pursuant to sections 330(a) and 331 of title 11 of the United States Code, 11 U.S.C. §§ 101 *et seq.* (the “Bankruptcy Code”) and Rule 2016 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), for allowance of compensation for professional services rendered and reimbursement of actual and necessary expenses incurred by GT during the period May 1, 2013 through and including December 31, 2013 (the “Period”), respectfully represents:

I.
BACKGROUND

1. On July 9, 2012 (the “Petition Date”), certain of the Debtors commenced a voluntary case under chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Southern District of New York (the “SDNY Bankruptcy Court”).¹ On December 19, 2012, the SDNY Bankruptcy Court entered an order transferring the Cases to this Court [Docket No. 1789] (the “Transfer Order”). Pursuant to the Transfer Order, all orders entered by the SDNY Bankruptcy Court prior to entry of the Transfer Order are to remain in full force and effect.

2. The Cases are being jointly administered. The Debtors are authorized to operate their businesses and manage their properties as debtors-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. As of the date hereof, no trustee or examiner has been appointed in the Cases.

3. On July 18, 2012, the Office of the United States Trustee for the Southern District of New York appointed the Official Committee of Unsecured Creditors (the “Committee”) pursuant to section 1102 of the Bankruptcy Code.

4. On August 2, 2012, the SDNY Bankruptcy Court entered an Order to Establish Procedures for Compensation and Reimbursement of Expenses [Docket No. 262] (the “Interim Compensation Order”).

¹ Two additional debtors, Brody Mining, LLC and Patriot Ventures LLC, filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code on September 23, 2013.

5. On May 28, 2013, the Debtors filed an application to retain GT as special counsel effective as of May 1, 2013 [Docket No. 4079] (the “Retention Application”).² Pursuant to the Retention Application, the Debtors sought to employ and compensate GT on an hourly basis to act as the Debtors’ special litigation counsel in the Cases and anticipated that GT would render, among others, the following professional services:

- a. prepare, on behalf of the Debtors, all necessary and appropriate motions, proposed orders, other pleadings, notices and other documents in connection with certain federal black lung litigation (the “Retained Matters”);
- b. advise and assist the Debtors in connection with any settlements concerning the Retained Matters; and
- c. perform all other necessary or appropriate legal services in connection with the Retained Matters.

6. On June 19, 2013, this Court entered an Order granting the Retention Application [Docket No. 4166] (the “Retention Order”). Pursuant to the Retention Order, GT was retained as special counsel for the Debtors effective as of May 1, 2013. The Retention Order authorized GT to be compensated on an hourly basis and to be reimbursed for actual and necessary out-of-pocket expenses pursuant to sections 330 and 331 of the Bankruptcy Code.

7. On December 18, 2013, the Court entered the Amended Order Confirming Debtors’ Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code [Docket No.

² As set forth in the Retention Application, GT was previously authorized to advise the Debtors on the Retained Matters (as defined below) under the Order Authorizing the Debtors to Employ Ordinary Course Professionals, *Nunc Pro Tunc* to the Petition Date, entered by the SDNY Bankruptcy Court on August 2, 2012 [Docket No. 263] (the “OCP Order”). Under the OCP Order, monthly fees for ordinary course professionals are capped at \$50,000 (the “Monthly Cap”), with any excess amounts requiring approval pursuant to the procedures set forth in the OCP Order. Furthermore, if payments to an ordinary course professional will exceed \$500,000 over the course of these Cases (the “Aggregate Cap”), that professional must file a separate retention application under section 327 of the Bankruptcy Code. GT’s fees never exceeded the Monthly Cap. However, the Debtors and GT anticipated that GT’s aggregate fees in these Cases would exceed the Aggregate Cap during May 2013, roughly ten (10) months after the Petition Date. Accordingly, the Debtors sought to retain GT as special counsel under section 327(e) of the Bankruptcy Code.

5169] confirming the Debtors' Fourth Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code [Docket No. 5139].

8. The Debtors have filed monthly operating reports for each month since the Petition Date. Counsel for the Debtors has informed GT that, to date, all quarterly fees due to the U.S. Trustee have been paid.

II. JURISDICTION AND VENUE

9. The Court has subject matter jurisdiction to consider and determine this matter pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

III. PRIOR MONTHLY FEE STATEMENTS AND FIRST INTERIM FEE APPLICATION

10. In accordance with the Interim Compensation Order, GT has filed monthly fee statements covering the periods: (a) May 1, 2013 through May 31, 2013, filed on June 24, 2013 [Docket No. 4211]; (b) June 1, 2013 through June 30, 2013, filed on July 23, 2013 [Docket No. 4355]; (c) July 1, 2013 through July 31, 2013, filed on August 19, 2013 [Docket No. 4483] (the "July Fee Statement")³; (d) August 1, 2013 through August 31, 2013, filed on September 19, 2013 [Docket No. 4660]; (e) September 1, 2013 through September 30, 2013, filed on October 11, 2013 [Docket No. 4778]; (f) October 1, 2013 through October 31, 2013, filed on November 8, 2013 [Docket No. 4971]; (g) November 1, 2013 through November 30, 2013, filed on December 19, 2013 [Docket No. 5176]; and (h) December 1, 2013 through December 31,

³ After filing the July Fee Statement and at the request of the Debtors, GT voluntarily agreed to reduce its professional fees requested in the July Fee Statement by \$4,543.75, which amount includes 17.9 hours written off by GT and other voluntary reductions. As a result of this reduction, total professional fees requested in the July Fee Statement amount to \$46,099.75.

2013, filed on January 13, 2014 [Docket No. 5216]⁴ (the “December Fee Statement”). As of the filing date hereof, no objections have been filed concerning the foregoing monthly fee statements.

11. On November 8, 2013, the Court entered an Order approving GT’s First Interim Application of Greenberg Traurig, LLP for Allowance of Compensation for Services Rendered and for Reimbursement of Expenses as Special Counsel for the Debtors and Debtors-In-Possession for the Period May 1, 2013 Through and Including July 31, 2013 [Docket No. 4598] (the “First Interim Order”). The First Interim Order approved interim allowance of fees in the amount of \$152,758.25 and reimbursement of expenses in the amount of \$1,499.14.

IV.
SECOND INTERIM APPLICATION

12. This Application has been prepared in accordance with (a) the Bankruptcy Code, (b) the Bankruptcy Rules, (c) the Local Rules of the Bankruptcy Court for the Eastern District of Missouri (the “Local Rules”), (d) the Executive Office for the United States Trustees’ Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed Under 11 U.S.C. § 330 adopted on January 30, 1996 (the “UST Guidelines”), and (e) the Interim Compensation Order (and, collectively with the Local Rules and the UST Guidelines, the “Guidelines”).

13. By this Application, GT seeks allowance of fees for services rendered in the amount of \$214,507.00 and reimbursement of expenses incurred in the amount of \$3,068.53 for the period August 1, 2013 through and including December 31, 2013 (the “Second Interim

⁴ After filing the December Fee Statement, GT discovered that one of the invoices included in the December Fee Statement set a litigation attorney’s billing rate at \$395.00 when the rate should have been \$305.00. This resulted in a slight overcharge of \$252.00 for that particular invoice. GT has since corrected the invoice, and the corrected invoice has been sent to the Debtors. All amounts herein pertaining to the Period and the Second Interim Period (as defined below), as applicable, reflect the reduced amount of fees sought in the corrected invoice.

Period”). During the Second Interim Period, GT attorneys and paraprofessionals expended a total of 709.0 hours for which compensation is sought.

14. In accordance with the Interim Compensation Order, GT will have received or should receive payments totaling \$174,674.13, which amount represents \$171,605.60 for services rendered during the Second Interim Period, *i.e.*, 80% of requested fees, and \$3,068.53 for reimbursement of all expenses incurred during the Second Interim Period. By this Application, GT seeks payment of all outstanding fees and expenses owed to GT for services rendered and expenses incurred by GT during the Second Interim Period.

15. During the Second Interim Period, other than pursuant to the Interim Compensation Order, GT has not received any payment or promises of payment from any source for services rendered or to be rendered in any capacity whatsoever in connection with the matters covered by this Application. There is no agreement or understanding between GT and any other person, other than partners of the firm, for the sharing of compensation to be received for services rendered in these Cases.

16. The fees charged by GT in these Cases are billed in accordance with its agreed-upon billing rates and procedures in effect during the Second Interim Period. The rates charged by GT for the services rendered in these Cases do not (and will not) exceed the rates GT customarily charges for services rendered in comparable matters. In fact, the hourly rates charged by GT for its legal services rendered in connection with the Retained Matters reflects a substantial negotiated discount from the rates that GT customarily charges for work of this type. During the Second Interim Period, the hourly rate agreed to by GT for its legal services rendered in connection with the Retained Matters resulted in the Debtors receiving a discount in the amount of \$200,835.00, as reflected in the below chart.

Professional	Hours Billed	Standard Hourly Rate	Amount at Standard Hourly Rate	Discounted Hourly Rate	Amount at Discounted Hourly Rate	Discount
Karppi, Patricia	85.3	\$320.00	\$27,296.00	\$260.00	\$22,178.00	\$5,118.00
Klaus, Laura M.	283.7	\$650.00	\$184,405.00	\$305.00	\$86,528.50	\$97,876.50
Prochot, W.W.	50.4	\$550.00	\$27,720.00	\$305.00	\$15,372.00	\$12,348.00
Sevcenko, Catherine	13.8	\$320.00	\$4,416.00	\$275.00	\$3,795.00	\$621.00
Solomons, Mark E.	188.7	\$750.00	\$141,525.00	\$305.00	\$57,553.50	\$83,971.50
Trentacost, Elizabeth	30.0	\$280.00	\$8,400.00	\$250.00	\$7,500.00	\$900.00
TOTAL DISCOUNT:	651.9		\$393,762.00		\$192,927.00	\$200,835.00

Such fees are reasonable based on the customary compensation charged by comparably skilled practitioners in comparable assignments in a competitive national legal market.

17. Prior to the filing of this Application, GT filed with the Court and served on the Debtors, the U.S. Trustee, counsel for the Committee, and counsel to the Debtors' postpetition lenders monthly fee statements setting forth GT's fees for professional services rendered and expenses incurred during the Second Interim Period. As of the filing date hereof, no objections have been filed to any of these monthly fee statements. The Debtors have been provided a copy of this Application for their review and will have completed their review of same prior to the hearing on the Application.

18. Pursuant to the UST Guidelines and the Local Rules, annexed to the U.S. Trustee summary section preceding this Application is a schedule setting forth all GT professionals who have performed services for the Debtors during the Second Interim Period, the capacities in which each individual is employed by GT, the department in which each individual practices, the hourly billing rate charged by GT for services performed by such individuals, the year in which each attorney was first licensed to practice law, and the aggregate number of hours expended in this matter and fees billed therefor.

19. Annexed hereto as **Exhibit A** is a schedule specifying the categories of actual, necessary expenses for which GT is seeking reimbursement and the total amount for each such

expense category. All entries itemized in GT's expense records comply with the requirements set forth in the Guidelines.

20. Annexed hereto as **Exhibit B** is a summary of the number of hours and amounts billed by GT during the Second Interim Period, organized by project categories.

21. GT maintains computerized records of time spent by all GT attorneys and paraprofessionals in connection with these Cases.⁵

22. As of the date hereof, GT does not hold a retainer.

23. To the extent that time or disbursement charges for services rendered or expenses incurred relate to the Second Interim Period, but were not processed prior to the preparation of this Application, GT reserves the right to request compensation for such services and reimbursement of such expenses at or before the hearing on this Application, or in a future application filed with the Court.

A. Summary of Services by Project

24. The following is a summary of the significant professional services rendered by GT during the Second Interim Period. This summary is organized in accordance with the internal system of project codes set up by GT for these Cases. These categories, including a description of the services rendered by GT professionals, are generally described below. GT submits that its fees in these categories are reasonable and necessary in light of the complexity of the issues involved in each of the matters. GT's assistance in addressing and resolving these issues is critically important to the Debtors and their efforts to successfully reorganize.

⁵ Detailed time and expense records were filed with GT's monthly fee statements for the Second Interim Period. Parties in interest required to be served with monthly fee statements pursuant to the Interim Compensation Order have previously received such records. Copies of these records will be made available to other parties in interest upon reasonable request.

- a. Federal Black Lung Litigation
Fees: \$195,849.50; Hours: 668.6

This category consists of time spent by GT handling all aspects of certain federal black lung litigation pending against the Debtors and includes the Retained Matters for which GT was retained. During the Second Interim Period, GT continued to serve as the Debtors' principal appellate counsel for the defense of Federal Black Lung claims. GT's services included appearances before the United States Courts of Appeals for the Fourth and Sixth Circuits, and briefing of appeals and oral arguments in those courts. GT's services also included the filing and briefing of appeals before the Benefits Review Board, U.S. Department of Labor, which hears appeals from decisions of administrative law judges in claims litigated under the Black Lung Benefits Act. Where an appeal is successful GT typically represents the Debtors in remand proceedings before administrative law judges, files briefs, and obtains and submits evidence as needed. GT also represents the Debtors in health care benefit disputes arising under the Black Lung Act and the Medicare Program, which may involve the development of evidence, and administrative hearings and appeals. GT represents the Debtors in federal district courts in matters related to the foregoing where necessary. GT also provides oral and written advice and opinions on a regular basis when requested to do so. GT and predecessor firms have had great success in these engagements on behalf of the Debtors and have represented them and predecessor companies for more than 32 years.

- b. Bankruptcy
Fees: \$18,657.50; Hours: 40.4

This category consists of time spent, among other things, preparing and filing fee statements and applications as well as conducting periodic conflicts searches and filing supplemental retention affidavits as necessary. GT expended time during the Second Interim

Period preparing and filing its monthly fee statements and first interim fee application [Docket No. 4598] (the “First Interim Application”) in accordance with the Interim Compensation Order. Given the large number of matters that GT is handling for the Debtors, preparation and filing of GT’s monthly fee statements and First Interim Application necessarily requires a certain amount of time and expense. In addition, GT worked closely with counsel for the Debtors in preparing for the hearing on the First Interim Application. GT also expended time during the Second Interim Period conducting additional conflicts searches and filing a First Supplemental Declaration in connection therewith.

25. The foregoing professional services performed by GT were necessary and appropriate to these Cases, including the federal black lung litigation pending against the Debtors, and in the best interests of the Debtors, their estates, creditors, and other parties in interest. Compensation for the foregoing services as requested is commensurate with the complexity, importance and nature of the issues involved and tasks performed. The professional services were performed with expedition and in an efficient manner.

26. The professional services performed by partners and associates of GT were rendered by litigation and restructuring attorneys in several offices. GT enjoys a national reputation for its expertise in litigation and complex financial reorganizations and large-scale restructurings of troubled entities.

27. Professional services performed by GT on behalf of the Debtors during the Second Interim Period required an aggregate expenditure of 692.3 recorded hours by GT’s shareholders and associates. Of the aggregate time expended, 482.5 recorded hours were expended by shareholders of GT and 209.8 recorded hours were expended by associates of GT and contract attorneys.

28. During the Second Interim Period, GT billed the Debtors for time expended by attorneys based on hourly rates ranging from \$250.00 to \$750.00 per hour. Allowance of compensation in the amount requested would result in a blended hourly rate for attorneys of approximately \$305.63 (based on 692.3 recorded hours at GT's agreed-upon billing rates in effect at the time of performance of services).

B. Actual and Necessary Expenses of GT

29. As set forth in Exhibit A hereto, GT has incurred or disbursed \$3,068.53 in expenses in providing services to the Debtors during the Second Interim Period. These expenses are reasonable and necessary in light of the size and complexity of these Cases and the Retained Matters for which GT was retained. Reimbursements are sought at actual cost. Additionally, the amounts for such reimbursements do not exceed those set forth in the Guidelines.

30. The actual expenses incurred in providing professional services were necessary, reasonable and justified under the circumstances to serve the needs of the Debtors and their estates, including with respect to the Retained Matters.

31. In accordance with the Guidelines, GT is seeking reimbursement for standard photocopying expenses at the lesser of \$0.15 per page or cost. On several occasions, overnight delivery of documents and other materials was required as a result of circumstances necessitating the use of such express mail delivery services. These expenses are not included in GT's overhead for the purpose of setting billing rates.

C. Request for Approval of Fees and Expenses Incurred During Second Interim Period

32. GT requests that this Court allow on a final basis and approve compensation for services rendered and expenses incurred the amount of \$214,507.00 for professional fees and \$3,068.53 for reimbursable expenses, for a total of \$217,575.53 for the Second Interim Period,

along with allowance, on a final basis, of all fees and expenses previously approved by the Court in the First Interim Application filed by GT.

V.

REQUEST FOR FINAL ALLOWANCE OF FEES AND EXPENSES

33. Section 331 of the Bankruptcy Code provides for compensation of professionals and incorporates the substantive standards of section 330 that governs the Court's award of such compensation. Section 330 of the Bankruptcy Code provides that a court may award a professional employed under section 327 of the Bankruptcy Code "reasonable compensation for actual, necessary services rendered . . . and reimbursement for actual, necessary expenses." *Id.* § 330(a)(1). Section 330 also sets forth the criteria for the award of such compensation and reimbursement:

In determining the amount of reasonable compensation to be awarded to [a] professional person, the court shall consider the nature, the extent, and the value of such services, taking into account all relevant factors, including –

- (A) the time spent on such services;
- (B) the rates charged for such services;
- (C) whether the services were necessary to the administration of, or beneficial at the time at which the service was rendered toward the completion of, a case under this title;
- (D) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed;
- (E) with respect to a professional person, whether the person is board certified or otherwise has demonstrated skill and experience in the bankruptcy field; and
- (F) whether the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than cases under this title.

Id. § 330(a)(3).

34. GT respectfully submits that the services for which it seeks compensation and the expenditures for which it seeks reimbursement in this Application were necessary for and beneficial to the administration of these Cases and the Retained Matters for which GT was retained. Such services and expenditures were necessary to and in the best interests of the Debtors, their estates and their creditors. GT further submits that the compensation requested herein is reasonable in light of the nature, extent, and value of such services to the Debtors, their estates and all parties in interest.

35. Whenever possible, GT has sought to minimize the costs of its services by utilizing talented junior attorneys and paraprofessionals to handle more routine matters. A small group of the same GT attorneys was utilized for the vast majority of the work performed in an effort to minimize costs. Additionally, GT has made every effort to minimize its expenses in these Cases, including the Retained Matters for which GT was retained.

Johnson Factors

36. Local Rule 2016(1)(B) requires that all professional fee applications analyze the twelve (12) factors for allowance of compensation set forth in *Johnson v. Georgia Highway Express*, 388 F.2d 714 (5th Cir. 1974) (the “Johnson Factors”). See also *P.A. Novelly v. Palans*, 960 F.2d 728 (8th Cir. 1992); *Chamberlain v. Kula*, 213 B.R. 729, 736-39 (B.A.P. 8th Cir. 1997).

37. GT respectfully submits that its Application satisfies all of the *Johnson* Factors, as described below.

(a) The time and labor required. GT’s representation of the Debtors in connection with the Retained Matters required significant time and effort during the Period. Since being retained as special counsel, GT’s attorneys and paraprofessionals

have expended 1,206.9 hours representing the Debtors in connection with the Retained Matters from May 1, 2013 through and including December 31, 2013, for a total of \$367,265.25. The blended billable rate for the fees requested is approximately \$304.30 per hour (for all professionals and paraprofessionals). GT submits that the hours spent were reasonable given the size and complexity of the Retained Matters and these Cases, the significant issues raised therein and the numerous pleadings filed. Attached as **Exhibit C** and **Exhibit D** are summary charts evidencing the fees by professional and project category, respectively, for the period May 1, 2013 through and including December 31, 2013. All of the time spent was necessary and appropriate for the representation of the Debtors in the Retained Matters. A summary chart of the actual and necessary expenses incurred by GT during the Period is attached hereto as **Exhibit E**. GT's representation of the Debtors has required it to balance the need to provide quality services with the need to act quickly and to represent the Debtors in an efficient and timely manner. All of the services identified were necessary to assist the Debtors in the Retained Matters in an expeditious and efficient manner.

(b) The novelty and difficulty of questions. During the Period, GT represented the Debtors in numerous matters involving varying degrees of novelty and complexity. Many of these matters involved complicated legal issues requiring a high degree of skill and specialization.

(c) The skill required to perform legal services properly. GT believes that its lawyers have demonstrated the skill levels necessary for the vigorous representation of the Debtors' interests in the matters that GT is handling, including the Retained Matters.

(d) The preclusion of employment due to acceptance of matters for the Debtors. While GT's retention in these Cases did not preclude GT from taking other engagements, GT's professionals involved in the Cases and the Retained Matters have devoted significant time and attention to those matters and were, to that extent, otherwise unavailable to address other matters.

(e) The customary fee. The rates charged by GT in representing the Debtors are consistent with the rates charged to the Debtors prior to these Cases. These rates are at, or in many instances, significantly lower than the rates GT charges other clients on similar matters.

(f) Whether the fee is fixed or contingent. The fees requested in this Application are requested on an hourly basis, and in many instances, are being billed at hourly rates that reflect a substantial discount, as set forth herein.

(g) Time limitations imposed by the client or the circumstances. Many of the matters GT is handling involve significant time constraints and limitations.

(h) The amount involved and the results obtained. GT worked diligently to advocate for the Debtors and has obtained results that are reasonable under the circumstances presented.

(i) The experience, reputation, and ability of the attorneys. The professionals representing the Debtors are highly skilled and experienced in the matters for which they are handling.

(j) The undesirability of the case. Coal companies are typically not well-received by juries, making litigation difficult. However, there is nothing undesirable about representing the Debtors in the matters GT is handling.

(k) The nature and length of the professional relationship with the Debtors.

As previously disclosed, GT has provided legal services similar to those it is currently providing prior to these Cases.

(l) Awards in similar cases. The fees requested in this Application are proportionate to, and in many instances, are significantly less than fees requested in similar matters given the substantially discounted hourly rates of attorneys working on the Retained Matters.

38. In sum, the services rendered by GT were necessary and beneficial to the Debtors' estates and were consistently performed in a timely manner commensurate with the complexity, importance, and nature of the issues involved. Accordingly, approval of the compensation for professional services and reimbursement of expenses sought herein is warranted.

VI. CONCLUSION

WHEREFORE, GT respectfully requests entry of an order (i) allowing, on a final basis, compensation for legal services rendered in the amount of \$214,507.00 and reimbursement of expenses incurred in the amount of \$3,068.53, for a total of \$217,575.53, during the period August 1, 2013 through and including December 31, 2013; (ii) allowing, on a final basis, compensation for legal services rendered in the amount of \$367,265.25 and reimbursement of expenses incurred in the amount of \$4,567.67, for a total of \$371,832.92, for the whole of its services in representing the Debtors during the period May 1, 2013 through and including December 31, 2013; (iii) authorizing and directing the Debtors to pay the unpaid portion of all allowed fees and expenses to GT; (iv) providing that the allowance of such compensation for professional services rendered and reimbursement of actual and necessary expenses incurred be without prejudice to GT's right to seek additional compensation for services performed and

expenses incurred during the Period that were not processed at the time of the Application, and
(v) such other and further relief as is just, proper and equitable.

Dated: Houston, Texas
January 31, 2014

Respectfully submitted,

/s/David R. Eastlake

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Special Counsel for the Debtors

EXHIBIT A

EXPENSES SUMMARY
AUGUST 1, 2013 THROUGH AND INCLUDING DECEMBER 31, 2013

DISBURSEMENT	AMOUNT
Copies	\$529.80
Filing Fees	\$500.00
Travel, Lodging and Meals	\$1,819.93
Messenger/Overnight Deliveries	\$69.03
Research and Pacer Charges	\$3.00
Postage	\$146.77
TOTAL:	\$3,068.53

EXHIBIT B

**COMPENSATION BY PROJECT CATEGORY
AUGUST 1, 2013 THROUGH AND INCLUDING DECEMBER 31, 2013**

PROJECT DESCRIPTION	HOURS	AMOUNT
Ball Charles E. v. Apogee Coal Company	30.8	\$8,216.50
Boring, Phyllis G. (William) v. EACC	1.0	305.00
Brigance, Virgil T. v. Peabody Coal Company	0.7	200.50
Chumley, Wilma v. Peabody Coal Company	4.1	1,237.50
Cline, Carl H. v. Eastern Associate Coal Corporation	1.8	549.00
Cox, Jimmy v. Peabody Coal Company	8.6	2,623.00
Dixon, Jerome R. v. Highland Mining Co.	2.6	793.00
Figg, Girthel G. v. Peabody Coal Co.	1.0	305.00
Foley, Charles E. v. Apogee Coal Company	20.4	6,079.00
Fulcher, Jerry W. v. Heritage Coal Company	28.3	8,488.50
Gibson, Edward H. v. Eastern Associated Coal Corporation	3.9	1,176.50
Gilliam, Russell v. Arch Coal Inc. c/o Wells Fargo Disability	3.2	976.00
Goff, Philip G. v. Peabody Coal Company	0.3	91.50
Gosnell, Harold M. v. Eastern Associated Coal Corp.	24.5	7,420.50
Gower, Harvey J. v. Eastern Associated Coal Co.	30.2	9,181.50
Grace, Charles E. v. Peabody Coal Company	4.5	1,144.50
Hardison, Earon v. Peabody Coal Company	3.0	915.00
Hatfield, Halcy v. Hobet Mining, Inc.	16.5	4,993.50
Hill, Eva (Arthur) v. Peabody Coal Company	54.6	16,588.00
Hudson, Charles W. v. Peabody Coal Company	2.1	640.50
Hudson, Gary W. v. Pine Ridge Coal Company	8.9	2,701.50
Jarvis, Thomas J. v. Peabody Coal Corporation	3.9	1,032.00
Kanipe, Carl E. v. Peabody Coal Co.	31.2	8,151.50
Kinney, John O. v. Peabody Coal Co.	16.0	4,880.00
Love Lucian v. Heritage Coal Company	3.6	1,098.00
Lusk, Joan H. (Ralph J. Jr.) v. Eastern Associated Coal Corp.	2.3	636.50
Lusk, Landon B. v. Eastern Associated Coal Corp.	4.5	1,359.50
Maggard, Ray v. Peabody Coal Company	11.3	3,433.50
Marshall, James v. Eastern Associated Coal Corp.	5.1	1,555.50
Martin, Dale B. v. Peabody Coal Co.	4.8	1,438.00
Mattas, Larry D. v. Apogee Coal Company, LLC	31.9	8,468.00
May, Deloris E. (William G.) v. Peabody Coal Co.	2.5	723.50
McGuire, Johnny v. Colony Bay Coal Company	1.5	457.50
Milam, Jr., Oma v. Peabody Coal Company	1.7	518.50
Morgan, Avery R. v. Eastern Associate Coal Company	1.8	549.00
Morgan, Don Jean v. Peabody Coal Company	41.5	12,579.50
Nichols, Gloria Joan v. Heritage Coal Company	8.9	2,571.50

PROJECT DESCRIPTION	HOURS	AMOUNT
Noreuil, Susan (John) v. Peabody Coal Company	2.8	854.00 ¹
O’Leary, Roy J., Jr. v. Peabody Coal Company	1.4	427.00
Orr, Kenneth Eugene v. Peabody Coal Company	25.6	6,868.00
Oyler, Donald Edward v. Peabody Coal Company	7.2	2,170.00
Reynolds, Steven T. v. Heritage Coal Company	1.5	457.50
Richardson, Jr., John E. v. Peabody Coal Company	1.0	305.00
Ross, Maurice v. Peabody Coal Company	27.1	7,471.00
Rothwell, Helen (Ronald) v. Patriot Coal Company	4.9	1,325.50
Russelburg, Joseph v. Peabody Coal Company, et al.	0.4	122.00
Smith, Harlan O’Bryan v. Peabody Coal Company	7.6	2,305.00
Smith, John W. v. Eastern Associated Coal Company	1.0	292.00
Stewart, Jr., Harold v. Peabody Coal Company	0.7	213.50
Toler, Arvis R. v. Eastern Associated Coal Corp.	26.7	8,130.50
Toler, Maxine (James Dewey) v. EACC	1.8	510.00
Tolliver, Ethel E. (Michael) v. Eastern Associated Coal Corp.	44.6	13,137.00
Traylor, Thomas C. v. Peabody Coal Company	0.3	75.00
Trump, Janice Faye (Jesse Willard) v. Eastern Associated	18.5	5,590.50
Vest, Roy Michael v. EACC, et al.	54.5	16,427.50
Washington, James D. v. Heritage Coal Company	1.2	210.00
Whitmer, Bennie v. Peabody Coal Company	2.9	858.50
Williams, Louis A. v. Peabody Coal Company	13.4	4,022.00
Bankruptcy	40.4	18,657.50
GRAND TOTAL:	709.0	\$214,507.00

¹ Reflects reduction of fees in the amount of \$252.00, as explained in more detail in footnote 4 of the Application.

EXHIBIT C

**COMPENSATION BY PROFESSIONAL
MAY 1, 2013 THROUGH AND INCLUDING DECEMBER 31, 2013**

I. Partners/Counsel

NAME	DEPARTMENT	POSITION	YEAR ADMITTED TO BAR	HOURS	RATE(S) ¹	AMOUNT(S)
Mark E. Solomons	Litigation	Shareholder	1971 NY 1980 DC	281.8	\$305.00	\$87,951.50 ²
Laura M. Klaus	Litigation	Shareholder	1979 DC	408.5	\$305.00	\$124,592.50
Shari L. Heyen	Bankruptcy	Shareholder	1990 TX	18.3	\$700.00	\$12,810.00
TOTAL SHAREHOLDERS AND COUNSEL:				708.6		\$225,354.00

II. Associates/Contract/Law Clerks

NAME	DEPARTMENT	POSITION	YEAR ADMITTED TO BAR	HOURS	RATE(S)	AMOUNT(S)
Patricia Karppi	Litigation	Contract	1993 VA 1995 DC	155.9	\$260.00	\$40,534.00
W. W. Prochot	Litigation	Associate	1997 NY 1997 DC	83.7	\$305.00	\$25,528.50
Catherine Sevchenko	Litigation	Contract	2003 DC	63.3	\$275.00	\$17,407.50
Elizabeth S. Trentacost	Litigation	Law Clerk	2013 VA	72.9	\$250.00	\$18,225.00
Rebecca Rosenthal	Bankruptcy	Associate	2008 IL	30.2	\$350.00	\$10,570.00
David R. Eastlake	Bankruptcy	Associate	2008 NY 2010 TX	68.0	\$375.00	\$25,500.00
TOTAL ASSOCIATES/CONTRACT/LAW CLERKS:				474.0		\$137,765.00

III. Paraprofessionals

NAME	DEPARTMENT	POSITION	HOURS	RATE(S)	AMOUNT(S)
Jon R. Tabor	Litigation	Paraprofessional	27.7	\$175.00	\$4,847.50
Gail L. Jamrok	Bankruptcy	Paraprofessional	14.5	\$265.00	\$3,842.50

¹ Hourly rates for litigation professionals are capped at \$305.00.

² This amount includes 4.5 hours spent working (during the Second Interim Period) on preparation and filing of GT's monthly fee statements, First Interim Application, and Supplemental Declaration in support of GT's retention, all of which was billed at Mr. Solomon's standard hourly rate of \$750.00. As set forth in GT's retention application [Docket No. 4079], which was approved by the Court on June 19, 2013 [Docket No. 4166], GT is seeking compensation for services rendered in connection with preparation and filing of all fee applications and retention matters based upon standard and customary hourly billing rates in effect at the time services were rendered.

TOTAL PARAPROFESSIONALS:	42.2		\$8,690.00
TOTAL ALL TIMEKEEPERS:	1,224.8		\$371,809.00
LESS: Hours Written Off and Voluntary Reduction of Fees³	(17.9)		(\$4,543.75)
GRAND TOTAL	1206.9		\$367,265.25

³ After filing the July Fee Statement and at the request of the Debtors, GT voluntarily agreed to reduce its professional fees requested in the July Fee Statement by \$4,543.75, which amount includes 17.9 hours written off by GT and other voluntary reductions. As a result of this reduction, total professional fees requested in the July Fee Statement amount to \$46,099.75.

EXHIBIT D
COMPENSATION BY PROJECT CATEGORY
MAY 1, 2013 THROUGH AND INCLUDING DECEMBER 31, 2013

PROJECT DESCRIPTION	HOURS	AMOUNT
Ball Charles E. v. Apogee Coal Company	30.8	\$ 8,216.50
Bankruptcy	135.6	56,115.00
Benjamin, Irvin C.v. Arch of Illinois, Inc. and Arch Coal, Inc.	8.6	2,623.00
Berry, Elizabeth J.(Damon L.) v. Peabody Coal Company	19.0	5,351.00
Boring, Phyllis G. (William) v. EACC	2.0	610.00
Bowen, Myra L. (Hubert Bowen, Sr.) v. Peabody Coal. Co.	1.4	349.00
Brigance, Virgil T. v. Peabody Coal Company	0.7	200.50
Chumley, Wilma v. Peabody Coal Company	23.5	6,748.50
Cline, Carl H. v. Eastern Associate Coal Corporation	2.5	762.50
Cox, Jimmy v. Peabody Coal Company	8.6	2,623.00
Cummins, James S. v. Peabody Coal Company	0.7	213.50
Dickerson, James v. Eastern Associated Coal Corp.	2.7	797.50
Dixon, Jerome R. v. Highland Mining Co.	3.7	1,089.50
Figg, Girthel G. v. Peabody Coal Co.	2.4	732.00
Foley, Charles E. v. Apogee Coal Company	26.0	7,722.00
Fulcher, Jerry W. v. Heritage Coal Company	28.3	8,488.50
Gibson, Edward H. v. Eastern Associated Coal	13.0	3,952.00
Gilliam, Russell v. Arch Coal Inc. c/o Wells Fargo Disability	3.2	976.00
Goff, Philip G. v. Peabody Coal Company	0.3	91.50
Gosnell, Harold M. v. Eastern Associated Coal Corp.	44.9	13,629.50
Gower, Harvey J. v. Eastern Associated Coal Co.	55.2 ¹	15,362.75 ²
Grace, Charles E. v. Peabody Coal Company	27.5	7,341.50
Hardison, Earon v. Peabody Coal Company	7.6	2,318.00
Harlan, David R. v. Peabody Coal Company	0.3	91.50
Hatfield, Halcy v. Hobet Mining, Inc.	16.5	4,993.50
Hill, Eva (Arthur) v. Peabody Coal Company	99.6	30,274.00
Hudson, Charles W. v. Peabody Coal Company	2.1	640.50
Hudson, Gary W. v. Pine Ridge Coal Company	12.8	3,865.00
Jarvis, Thomas J. v. Peabody Coal Corporation	3.9	1,032.00
Kanipe, Carl E. v. Peabody Coal Co.	31.2	8,151.50
Kinney, John O. v. Peabody Coal Co.	17.5	5,324.50
Lewis, Jeff v. Eastern Associated Coal Corporation	2.2	671.00
Love Lucian v. Heritage Coal Company	3.6	1,098.00
Lusk, Joan H. (Ralph J. Jr.) v. Eastern Associated Coal Corp.	2.4	654.00
Lusk, Landon B. v. Eastern Associated Coal Corp.	4.5	1,359.50

¹ Reflects write-offs of 17.5 hours, as discussed in footnote 3 of the Application.

² Reflects voluntary fee reduction of \$4,543.75, as discussed in footnote 3 of the Application.

PROJECT DESCRIPTION	HOURS	AMOUNT
Maggard, Ray v. Peabody Coal Company	12.7	3,860.50
Marshall, James v. Eastern Associated Coal Corp.	9.9	2,993.50
Martin, Dale B. v. Peabody Coal Co.	4.8	1,438.00
Mattas, Larry D. v. Apogee Coal Company, LLC	31.9	8,468.00
May, Deloris E. (William G.) v. Peabody Coal Co.	6.9	2,052.50
McDonald, Ronniev. Heritage Coal Company	1.0	305.00
McGuire, Johnny v. Colony Bay Coal Company	4.7	1,433.50
Milam, Jr., Oma v. Peabody Coal Company	1.7	518.50
Miller, Donnie Lee v. Arch of WV	6.0	1,830.00
Morgan, Avery R. v. Eastern Associate Coal Company	1.8	549.00
Morgan, Don Jean v. Peabody Coal Co.	64.3	19,533.50
Nichols, Gloria Joan v. Heritage Coal Company	8.9	2,571.50
Noreuil, Susan (John) v. Peabody Coal Company	2.8	854.00 ³
O'Leary, Roy J., Jr. v. Peabody Coal Company	1.4	427.00
Orr, Kenneth Eugene v. Peabody Coal Company	25.6	6,868.00
Oyler, Donald Edward v. Peabody Coal Company	41.2	11,501.50
Penrod, William D v. Peabody Coal Co.	0.5	152.50
Reynolds, Steven T. v. Heritage Coal Company	1.5	457.50
Richardson, Jr., John E. v. Peabody Coal Company	3.4	1,037.00
Ross, Maurice v. Peabody Coal Company	27.1	7,471.00
Rothwell, Helen (Ronald) v. Patriot Coal Company	4.9	1,325.50
Russelburg, Joseph v. Peabody Coal Company, et al.	3.5	1,067.50
Smith, Harlan O'Bryan v. Peabody Coal Company	8.4	2,549.00
Smith, John W. v. Eastern Associated Coal Company	1.0	292.00
Steward Jr., Harold v. Peabody Coal Company	8.4	2,270.50
Stewart, Wanda (Harry) v. Peabody Coal Company, et al.	1.8	549.00
Taylor, Robert S. v. Peabody Coal Company	0.3	91.50
Toler, Alvin L. v. Eastern Assoc. Coal Corp.	5.0	1,525.00
Toler, Arvis R. v. Eastern Associated Coal Corp.	66.3	19,268.50
Toler, Maxine (James Dewey) v. EACC	3.6	1,033.00
Tolliver, Ethel E. (Michael) v. Eastern Associated Coal Corp.	54.6	15,879.00
Traylor, Thomas C. v. Peabody Coal Company	0.3	75.00
Trump, Janice Faye (Jesse Willard) v. Eastern Associated	28.2	8,341.00
Vest, Roy Michael v. EACC, et al.	56.5	16,946.50
Ward, Peggy Ruth (John C.) v. Peabody Coal Company	1.5	457.50
Washington, James D. v. Heritage Coal Company	1.2	210.00
West, John Douglas v. Peabody Coal Company	28.0	7,578.00
Whitmer, Bennie v. Peabody Coal Company	8.0	2,245.00
Williams, Harold L. v. Rivers Edge Mining, Inc.	0.6	183.00
Williams, Louis A. v. Peabody Coal Company	15.1	4,527.50

³ Reflects reduction of fees in the amount of \$252.00, as discussed in footnote 4 of the Application.

PROJECT DESCRIPTION	HOURS	AMOUNT
Wilson, Paul A. v. Peabody Coal Company	0.2	61.00
Young, William A. v. Apogee Coal Co./Arch of Illinois	6.6	2,000.00
TOTALS:	1,206.9	\$367,265.25

EXHIBIT E

EXPENSES SUMMARY
MAY 1, 2013 THROUGH AND INCLUDING DECEMBER 31, 2013

DISBURSEMENT	AMOUNT
Copies	\$1059.90
Filing Fees	\$500.00
Travel, Lodging and Meals	\$2175.29
Messenger/Overnight Deliveries	\$512.52
Research and Pacer Charges	\$7.10
Postage	\$312.86
TOTAL:	\$4,567.67