

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF MISSOURI

In re Patriot Coal Corporation, Debtor(s) Bankruptcy Case No. 12-51502-659
Peabody Holding Company, LLC; Peabody Energy Corporation, Counter-Claimants Chapter 11
Patriot Coal Corporation, Counter-Defendants Adversary Proceeding No. 13-04067-659
Heritage Coal Company LLC; International Union, United Mine Workers of America,

All documents regarding this matter must be identified by both Adversary and Bankruptcy Case numbers

SUMMONS AND NOTICE OF PRE-TRIAL CONFERENCE IN AN ADVERSARY PROCEEDING

YOU ARE SUMMONED and required to submit a motion or answer to the complaint which is attached to this summons to the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall submit a motion or answer to the complaint within 35 days.

Address of Clerk
United States Bankruptcy Court
Thomas F. Eagleton Courthouse, 111 S. Tenth Street, Floor 4
St. Louis, MO 63102

You must also serve a copy of the motion or answer upon the Plaintiff's and Counter-Claimant's Attorney.

Plaintiff's Attorney Counter-Claimant's Attorney
Elliot Moskowitz John M. Newman, Jr.
450 Lexington Avenue 901 Lakeside Avenue
New York, NY 10017 Cleveland, OH 44114

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

YOU ARE NOTIFIED that a pre-trial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place.

Address Courtroom
United States Bankruptcy Court 7-North
Thomas F. Eagleton Courthouse
111 S. Tenth Street Date and Time
St. Louis, MO 63102 November 19, 2013
10:00 AM

IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.



Dana C. McWay

Clerk of the Bankruptcy Court

By: John J. Howley Jr. Deputy Clerk

I, \_\_\_\_\_, certify that service of this summons

(name)

and a copy of the complaint was made \_\_\_\_\_ by:

(date)

- Mail service: Regular, first class United States mail, postage fully pre-paid, addressed to:
  
- Personal Service: By leaving the process with defendant or with an officer or agent of defendant at:
  
- Residence Service: By leaving the process with the following adult at:
  
- Certified Mail Service on an Insured Depository Institution: By sending the process by certified mail addressed to the following officer of the defendant at:
  
- State Law: The defendant was served pursuant to the laws of the State of \_\_\_\_\_, as follows: [Describe briefly] (name of state)

If service was made by personal service, by residence service, or pursuant to state law, I further certify that I am, and at all times during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made.

Under penalty of perjury, I declare that the foregoing is true and correct.

\_\_\_\_\_  
*Date* *Signature*

Print Name		
Business Address		
City	State	Zip

Patriot Coal Corporation,  
Plaintiff

Adv. Proc. No. 13-04067-kss

Peabody Holding Company, LLC,  
Defendant

**CERTIFICATE OF NOTICE**

District/off: 0865-4

User: howj  
Form ID: pdf02

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Sep 23, 2013

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 25, 2013.

aty +John M. Newman, Jr., Jones Day, 901 Lakeside Avenue, Cleveland, OH 44114-1190

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: Sep 25, 2013

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 23, 2013 at the address(es) listed below:

- Angela Ferrante on behalf of Other Professional The Garden City Group, Inc.  
angela.ferrante@gcginc.com,  
pacerteam@gcginc.com;elizabeth.vrato@gcginc.com;kevin.grover@gcginc.com;alison.moodie@gcginc.com;  
jeffrey.demma@gcginc.com;ryan.nadick@gcginc.com
- 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 Counter-Claimant Peabody Energy Corporation  
scousins@armstrongteasdale.com, mscott@armstrongteasdale.com
- Steven N. Cousins on behalf of Counter-Claimant Peabody Holding Company, LLC  
scousins@armstrongteasdale.com, mscott@armstrongteasdale.com
- Steven N. Cousins on behalf of Defendant Peabody Holding Company, LLC  
scousins@armstrongteasdale.com, mscott@armstrongteasdale.com
- Steven N. Cousins on behalf of Defendant Peabody Energy Corporation  
scousins@armstrongteasdale.com, mscott@armstrongteasdale.com

TOTAL: 7