

Hearing Date: To Be Determined

ZEICHNER ELLMAN & KRAUSE LLP  
575 Lexington Avenue  
New York, New York 10022  
Telephone: (212) 223-0400  
Facsimile: (212) 753-0396  
Michael S. Davis  
Bryan D. Leinbach

*Attorneys for Rudd Equipment Company*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:

PATRIOT COAL CORPORATION., *et al.*,  
Debtors.

Chapter 11 Cases  
Case No. 12-12900 (SCC)

(Jointly Administered)

**NOTICE OF WITHDRAWAL**

PLEASE TAKE NOTICE, that the Motion of Rudd Equipment Company ("Rudd") for entry of an Order: (i) compelling debtors Patriot Coal Corporation and Grand Eagle Mining, LLC to assume or reject executory contracts pursuant to 11 U.S.C. § 365; and/or (ii) lifting the automatic stay to compel the aforementioned debtors to turnover equipment that Rudd rented to them [Docket No. 1646], is hereby withdrawn without prejudice.

Dated: New York, New York  
December 18, 2012

ZEICHNER ELLMAN & KRAUSE LLP

By: 

Michael S. Davis  
Bryan D. Leinbach  
575 Lexington Avenue  
New York, New York 10022  
(212) 223-0400  
mdavis@zeklaw.com  
bleinbach@zeklaw.com

*Attorneys for Rudd Equipment Company*