# UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

In re

PATRIOT COAL CORPORATION, et al.,

Debtors.<sup>1</sup>

Chapter 11 Case No. 12-51502-659 (Jointly Administered)

Hearing Date: January 29, 2013 10:00 a.m. (Central Time)

Hearing Location: Courtroom 7 North

# NOTICE OF MATTERS SCHEDULED FOR HEARING ON JANUARY 29, 2013 AT 10:00 A.M.

Location of Hearing: United States Bankruptcy Court Eastern District of Missouri Thomas F. Eagleton United States Courthouse 111 S. 10th Street St. Louis, Missouri 63102 Courtroom 7 North January 29, 2013 at 10:00a.m. (prevailing Central Time)

# A. MATTERS GOING FORWARD:

1. Motion for Entry of an Order Authorizing and Approving Procedures for Compromise and Settlement of Certain Claims, Litigations and Causes of Action [ECF No. 449]

<u>Status</u>: This matter is going forward on an uncontested basis. The Debtors intend to submit a consensual revised form of order at the hearing. Copies of the revised form of order have been provided to the United States Trustee, counsel to the official committee of unsecured creditors and counsel to the administrative agents for the Debtors' post-petition lenders, and will be provided to any party upon request who emails <u>patriot.orders@davispolk.com</u>.

<sup>&</sup>lt;sup>1</sup>The Debtors are the entities listed on Schedule 1 attached hereto. The employer tax identification numbers and addresses for each of the Debtors are set forth in the Debtors' chapter 11 petitions.

2. Motion for an Order Establishing Procedures for Claims Objections [ECF No. 1847]

## Resolved Objections:

- (a) Objection of H.A. Robson Trust, PRC Holdings, LLC, The Board of Trustees of Prichard School, The Trust with A.M. Prichard, III, Sarah Ann Prichard and Lewis Prichard dated December 30, 1983, The Robert B. LaFollette Trust for the benefit of Marjorie J. Wright, The Robert B. LaFollette Trust for the benefit of Alice A. Wright, The Latelle M. LaFollette Trust for the benefit of Marjorie J. Wright, The Latelle M. LaFollette Trust for the benefit of Alice A. Wright, The Latelle M. LaFollette Trust for the benefit of Alice A. Wright, LaFollette Holdings, Ltd., Alice Ann Wright, Wright Holdings, LLC, Broun Properties, LLC, LML Properties, LLC and Riverside Park, Inc. [ECF No. 1908]
  - (i) LRPB's Withdrawal of Objection to Motion for Entry of an Order Establishing Procedures for Claims Objections [ECF No. 2250]

<u>Status</u>: This matter is going forward on an uncontested basis. The Debtors intend to submit a consensual revised form of order at the hearing. Copies of the revised form of order have been provided to the United States Trustee, counsel to the official committee of unsecured creditors and counsel to the administrative agents for the Debtors' post-petition lenders, and will be provided to any party upon request who emails <u>patriot.orders@davispolk.com</u>.

3. Debtors' Motion for Authorization to (i) Assume or (ii) Reject Unexpired Leases of Nonresidential Real Property [ECF No. 1995]

## **Objections**:

- Payne-Gallatin Company Objection to Debtors' Motion for Authorization to (i) Assume or (ii) Reject Unexpired Leases of Nonresidential Real Property with Respect to Contract ID LND 323 [ECF No. 2056]
- (b) STB Ventures, Inc.'s Objection to Debtors' Motion for Authorization to
  (i) Assume or (ii) Reject Unexpired Leases of Nonresidential Real
  Property [ECF No. 2061]
- (c) Penn Virginia Operating Co., L.L.C.'s Objection to Debtors' Motion for Authorization to (i) Assume or (ii) Reject Unexpired Leases of Nonresidential Real Property [ECF No. 2067]
- (d) Objection of Arch Coal, Inc., Ark Land Company, Ark Land KH, Inc. and Allegheny Land Company to Debtors' Motion for Authorization to (i) Assume or (ii) Reject Unexpired Leases of Nonresidential Real Property [ECF No. 2068]

- (e) Objection of Shonk Land Company, LLC to the Debtors' Motion to Assume Leases and Cure Objections [ECF No. 2069]
- (f) LRPB'S Limited Objection to Debtors' Motion for Authorization to Assume or Reject Unexpired Leases of Nonresidential Real Property [ECF No. 2180]

### **Resolved Objections:**

- Blue Eagle Land, LLC's Objection to Debtors' Motion for Authorization to (i) Assume or (ii) Reject Unexpired Leases of Nonresidential Real Property [ECF No. 2060]
  - Blue Eagle Land, LLC's Withdrawal of Objection to Motion for Authorization to (i) Assume, or (ii) Reject Unexpired Leases of Nonresidential Real Property [ECF No. 2315]

#### Related Documents:

 Proposed Stipulation and Order Extending Time under 11 U.S.C.
 §365(d)(4) for Leases of Non-Residential Real Property with Alpha Natural Resources, Inc.

<u>Status</u>: This matter is going forward on an uncontested basis except with respect to the leases subject to an unresolved Objection, with respect to which no relief will be sought at the hearing. The Debtors propose that that matter with respect to the leases subject to an unresolved Objection be adjourned to February 26, 2013 at 10:00 a.m. (prevailing Central Time). The Debtors intend to submit a consensual revised form of order and the proposed stipulation and order at the hearing. Copies of the revised form of order have been provided to the United States Trustee, counsel to the official committee of unsecured creditors and counsel to the administrative agents for the Debtors' post-petition lenders, and will be provided to any party upon request who emails <u>patriot.orders@davispolk.com</u>.

- 4. Application of the Official Committee of Unsecured Creditors of Patriot Coal Corporation, et al., for an Order Authorizing and Approving the Employment and Retention of Carmody Macdonald P.C. as Local Counsel, Nunc Pro Tunc to December 3, 2012 [ECF No. 1848]
  - (a) Declaration of No Objections Regarding the Application for Retention and Employment of Carmody Macdonald P.C. as Local Counsel to the Official Committee of Unsecured Creditors of Patriot Coal Corporation, et al., Nunc Pro Tunc to December 3, 2012 [ECF No. 1974]

### B. <u>ADJOURNED MATTERS</u>

1. Application for Authority to Employ Bryan Cave as Local Restructuring Counsel and Corporate Counsel for the Debtors [ECF No. 1992]

<u>Status</u>: This matter has been adjourned to February 12, 2013 at 11:00 a.m. (prevailing Central Time).

Dated: January 25, 2013 St. Louis, Missouri

Respectfully submitted,

DAVIS POLK & WARDWELL LLP Marshall S. Huebner Damian S. Schaible Brian M. Resnick Michelle M. McGreal 450 Lexington Avenue New York, New York 10017 (212) 450-4000 Fax: (212) 607-7983

ATTORNEYS FOR THE DEBTORS

-and-

BRYAN CAVE LLP

/s/ Laura Uberti Hughes Lloyd A. Palans, #22650MO Brian C. Walsh, #58091MO

Brian C. Walsh, #58091MO Laura Uberti Hughes, #60732MO OneMetropolitan Square 211 N. Broadway, Suite 3600 St. Louis, MO 63102 (314) 259-2000 Fax: (314) 259-2020 Laura.hughes@bryancave.com

PROPOSED ATTORNEYS FOR THE DEBTORS

#### SCHEDULE 1

(Debtor Entities)

- 1. Affinity Mining Company 2. Apogee Coal Company, LLC 3. Appalachia Mine Services, LLC 4. Beaver Dam Coal Company, LLC 5. Big Eagle, LLC Big Eagle Rail, LLC 6. 7. Black Stallion Coal Company, LLC 8. Black Walnut Coal Company 9. Bluegrass Mine Services, LLC 10. Brook Trout Coal, LLC Catenary Coal Company, LLC 11. 12. Central States Coal Reserves of Kentucky, LLC 13. Charles Coal Company, LLC 14. Cleaton Coal Company 15. Coal Clean LLC 16. Coal Properties, LLC 17. Coal Reserve Holding Limited Liability Company No. 2 18. Colony Bay Coal Company Cook Mountain Coal Company, LLC 19. 20. Corydon Resources LLC 21. Coventry Mining Services, LLC 22. Coyote Coal Company LLC 23. Cub Branch Coal Company LLC 24. Dakota LLC 25. Dav LLC 26. Dixon Mining Company, LLC 27. Dodge Hill Holding JV, LLC 28. Dodge Hill Mining Company, LLC 29. Dodge Hill of Kentucky, LLC 30. EACC Camps, Inc. Eastern Associated Coal, LLC 31. 32. Eastern Coal Company, LLC 33. Eastern Royalty, LLC Emerald Processing, L.L.C. 34. 35. Gateway Eagle Coal Company, LLC Grand Eagle Mining, LLC 36. Heritage Coal Company LLC 37. Highland Mining Company, LLC 38.
- 39. Hillside Mining Company
- 40. Hobet Mining, LLC
- 41. Indian Hill Company LLC
- 42. Infinity Coal Sales, LLC
- 43. Interior Holdings, LLC
- 44. IO Coal LLC
- 45. Jarrell's Branch Coal Company
- 46. Jupiter Holdings LLC
- 47. Kanawha Eagle Coal, LLC
- 48. Kanawha River Ventures I, LLC
- 49. Kanawha River Ventures II, LLC
- 50. Kanawha River Ventures III, LLC

- 51. KE Ventures, LLC 52. Little Creek LLC 53. Logan Fork Coal Company 54. Magnum Coal Company LLC 55. Magnum Coal Sales LLC Martinka Coal Company, LLC 56. 57. Midland Trail Energy LLC 58. Midwest Coal Resources II, LLC Mountain View Coal Company, LLC 59. 60. New Trout Coal Holdings II, LLC 61. Newtown Energy, Inc. 62. North Page Coal Corp. Ohio County Coal Company, LLC 63. 64. Panther LLC 65. Patriot Beaver Dam Holdings, LLC 66. Patriot Coal Company, L.P. 67. Patriot Coal Corporation 68. Patriot Coal Sales LLC Patriot Coal Services LLC 69. 70. Patriot Leasing Company LLC 71. Patriot Midwest Holdings, LLC 72. Patriot Reserve Holdings, LLC 73. Patriot Trading LLC 74. PCX Enterprises, Inc. 75. Pine Ridge Coal Company, LLC 76. Pond Creek Land Resources, LLC 77. Pond Fork Processing LLC 78. Remington Holdings LLC
- 79. Remington II LLC
- 80. Remington LLC
- 81. Rivers Edge Mining, Inc.
- 82. Robin Land Company, LLC
- 83. Sentry Mining, LLC
- 85. Sentry Mining, LLC
- 84. Snowberry Land Company
- 85. Speed Mining LLC
- 86. Sterling Smokeless Coal Company, LLC
- 87. TC Sales Company, LLC
- 88. The Presidents Energy Company LLC
- 89. Thunderhill Coal LLC
- 90. Trout Coal Holdings, LLC
- 91. Union County Coal Co., LLC
- 92. Viper LLC
- 93. Weatherby Processing LLC
- 94. Wildcat Energy LLC
- 95. Wildcat, LLC
- 96. Will Scarlet Properties LLC
- 97. Winchester LLC
- 98. Winifrede Dock Limited Liability Company
- 99. Yankeetown Dock, LLC