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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI

Case No. 12-51502

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In the Matter of:

PATRIOT COAL CORPORATION, et al.,

Debtors.

- - - - -x

United States Bankruptcy Court
111 South 10th Street
4th Floor
St. Louis, Missouri

February 19, 2013
3:13 PM

B E F O R E:
HON. KATHY A. SURRETT-STATES
U.S. BANKRUPTCY JUDGE

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2 Emergency Motion to Extend Time to Respond to Debtors' Motion
3 for Authority to Implement Compensation Plans (Doc. 2819) Filed
4 by Creditors United Mine Workers of America 1974 Pension Trust,
5 United Mine Workers of America 1993 Benefit Plan (Dowd, Edward)
6 (Filed: 02/15/2013)

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1 P R O C E E D I N G S

2 THE CLERK: Your Honor, we are back on the record.

3 THE COURT: All right, thank you. Be seated, please.

4 All right, this is in the matter of Patriot Coal. Let me get
5 appearances. First in the courtroom is Ms. Long on behalf of
6 the United States Trustee.

7 MS. LONG: Yes, Your Honor. Thank you.

8 THE COURT: Good afternoon.

9 MS. LONG: Good afternoon.

10 THE COURT: All right. Then on the telephone, on
11 behalf of the debtor, I have Benjamin Kaminsky (sic)

12 MR. KAMINETZKY: Yes, Your Honor, this is Benjamin
13 Kaminetzky of Davis Polk for the debtors. I'm here with my
14 colleague Elliot Moskowitz.

15 THE COURT: All right. Good afternoon, gentlemen.

16 And then Mr. Walsh is also on the phone?

17 MR. WALSH: Yes, I am, Your Honor. Thank you.

18 THE COURT: All right, good afternoon.

19 Then on behalf of the United Mine Workers Association,
20 I have James Crowe? Mr. Crowe? No.

21 All right. Paul Green?

22 MR. GREEN: Your Honor, actually we're here for the
23 1974 pension plan and 1993 benefit plan. But I'm here with my
24 colleague Jack Mooney.

25 THE COURT: All right. And I --

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1 MR. CROWE: Your Honor, this is Jim Crowe. I'm sorry,
2 I was on mute, but I'm responding to your --

3 THE COURT: All right. No problem. And I'm sorry. I
4 misspoke that it is the 1994 (sic) plan and the 1993 benefit
5 plan. All right.

6 So I have Mr. Crowe, then, Mr. Mooney --

7 MR. MOONEY: Yes, Your Honor.

8 THE COURT: All right. Is Mr. Green with us?

9 MR. GREEN: Yes, Your Honor. I'm here.

10 THE COURT: All right. Good afternoon. And Rachel
11 Mauceri?

12 MS. MAUCERI: Good afternoon, Your Honor. Rachel
13 Mauceri from Morgan, Lewis & Bockius on behalf, also, of the
14 UMWA 1974 pension trust and 1993 benefit plan. I'm here with
15 my colleague, Rebecca Hillyer.

16 THE COURT: All right. Good afternoon.

17 MS. HILLYER: Good afternoon.

18 THE COURT: All right. And then Fred Perillo?

19 MR. PERILLO: Yes, Your Honor. Fred Perillo is
20 present on behalf of the United Mine Workers.

21 THE COURT: All right, thank you.

22 And then on behalf of the creditors' committee, I have
23 Mr. Willard?

24 MR. WILLARD: Good afternoon, Judge.

25 THE COURT: Good afternoon. And Mr. O'Neill?

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1 MR. O'NEILL: Good afternoon, Your Honor.

2 THE COURT: Good afternoon. And then on behalf of
3 Citibank, I have Mr. Turner?

4 MR. TURNER: Yes, Your Honor. And also Andrea
5 Saavedra, of Weil Gotshal is on the line as well, Your Honor.

6 THE COURT: All right, good afternoon.

7 All right, then, this hearing is on the emergency
8 motion that was filed by the United Mine Workers of America
9 1974 pension trust and the United Mine Workers 1993 benefit
10 plan, seeking some additional time to respond to debtors'
11 motion for authority implement the compensation plans. Mr.
12 Crowe, if you could briefly tell me where we are on this? I
13 know there had been some discussions between the parties?

14 MR. CROWE: Yes, Your Honor. There has been. And
15 actually, I think the more recent discussions have been had by
16 lead counsel from Morgan Lewis, and so I'll defer to Ms.
17 Hillyer on that, Your Honor.

18 THE COURT: All right. Ms. Hillyer?

19 MS. HILLYER: Good afternoon, Your Honor. This is
20 Rebecca Hillyer on behalf of the funds. We have been speaking
21 with the debtors and we had come to an agreement whereby we --
22 the parties agree to extend the timing for our objection and
23 the following reply brief on that issue, if the motion could be
24 heard by the Court and any other parties involved during the
25 first two weeks of March. We understood that Your Honor may

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1 not have time to hear us during that time frame, although we
2 would like to have that confirmed.

3 THE COURT: That is correct. I do not have time
4 available during that week. I have a number of motions and
5 trials that are already set during that time. We have our
6 regularly scheduled status hearing in the matter the following
7 week, on March the 19th. We --

8 MS. HILLYER: We would be -- we would be fine with
9 that, Your Honor, although we understand that the debtors'
10 counsel who would be handling this matter, the two of them, are
11 unfortunately out of the country during the last two weeks in
12 March, which would push us into April, which again, the funds
13 would be fine with and would like.

14 MR. KAMINETZKY: Your Honor, this Benjamin Kaminetzky
15 from Davis Polk for the debtors. Ms. Hillyer is correct. We
16 were hoping to be able to work out this motion, if Your Honor
17 would have been available to hear this on any time the week of
18 March 11th. We then therefore -- we would then have adjusted
19 the dates accordingly and had the hearing then.

20 Unfortunately, and I'm happy to detail this to Your
21 Honor, but we just can't -- because there's personal issues,
22 but there's also the very practical business issue that we
23 can't hold this motion much longer, as we set forth in our
24 motion papers and even in our response that we filed this
25 morning. People are continuing to vote with their feet and

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1 leaving the company because they had the expectation that the
2 plan would have been in place, and I think for there to be a
3 compensation plan in place long ago. But we've been waiting
4 before we did it. We worked very carefully with the creditors'
5 committee to get their approval and support for the plan.

6 Therefore we are where we are. And we would want to
7 go forward on February 26th, as part of the CNO. And if want,
8 Your Honor, I could continue just for a minute or two and tell
9 you why, in fact, there is no emergency and why, while the
10 parties have worked very hard over the last couple of days to
11 basically, what I would view as boot the motion that's before
12 you -- we've completed the discovery that the union asked us to
13 complete -- remember we have the union and the union's plan
14 here. We worked closely with the union. We collated a
15 discovery package that we provided to them yesterday. We all
16 gathered in St. Louis. When I say all, that means the debtors
17 that participated, as well as both the union and the union
18 plans.

19 In fact, the union plans that filed the emergency
20 motion were at the deposition yesterday. There were four
21 representatives. They asked all the questions that they needed
22 to ask. We didn't cut them off. And they had all the time
23 that they had. And we basically have completed discovery.

24 So absent being able to move this to the week of March
25 11th, I think we're all ready to go forward as scheduled on

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1 February 26th.

2 MS. HILLYER: And I of course, disagree. This is
3 Rebecca Hillyer again, for the plans, Your Honor. I disagree
4 very much with what Mr. Kaminetzky said. While we did appear
5 over our objections to -- at the deposition yesterday, which we
6 learned about on Friday afternoon, having no choice, we felt
7 obligated to attend and do what we could with the limited
8 discovery that we did obtain, which we do believe was, in fact,
9 very limited. We could only ask the questions that we could
10 ask, given the discovery that we had. And we were very much
11 pressured for time given that we had less than seven hours with
12 each witness, and they were flying off to various places. And
13 we could only do what we could in the time that we had.

14 We do feel that there is more discovery that is
15 needed. Our motion is not moot. There is more discovery we
16 would like and that the debtor, I think, would be willing to
17 give us if we had additional time. And importantly, we think
18 that to present this matter efficiently and in the best way
19 possible for the Court, it would be more beneficial to have the
20 additional time and the additional discovery, so that we could
21 present this to the Court as efficiently as possible at a later
22 hearing.

23 If we're forced to do so within a week's time, we --
24 it just will be, by definition, a little messier than it would
25 be if we had more time and the proper discovery that we really

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1 need to present this matter appropriately to Your Honor and to
2 brief it fully.

3 MR. KAMINETZKY: Your Honor, I mean -- again, this
4 Benjamin Kaminetzky of Davis Polk for the debtors.

5 If we could just take for -- I don't mean to go on,
6 Your Honor, and I'll be very brief. But this isn't a case
7 where we filed a motion on fourteen days' notice in attempt to
8 surprise or to give anyone not enough time to prepare and
9 respond. In this case, nothing could be further from the
10 truth. There was absolutely no surprise here at all.

11 The UMWA plans, Ms. Hillyer's clients, are on the
12 creditors' committee. We've been discussing these compensation
13 plans with the members of the creditors' committee since early
14 December. That's December -- since right after Thanksgiving.
15 The committee and therefore the plans, the UMWA plans, were
16 therefore fully aware of the details of these plans for
17 weeks -- literally weeks before the motion was filed.

18 You see, Your Honor, although the proposed
19 compensation plans are very modest and extraordinarily
20 important, it was very important to the debtors to get the
21 creditors' committee on board for these proposed plans.
22 Accordingly, we've been having discussions with the committee
23 for many weeks, and we held off filing the actual motion until
24 we had the committee's support.

25 And we waited to file the motion, Your Honor, even

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1 though, as set forth in our motion, and as the CEO testified at
2 great length yesterday, people continue to vote with their feet
3 and leave the company. And quite frankly, as set forth in our
4 papers, and as the lawyers heard yesterday, people are -- a
5 continuing swell of these trickled departures, puts the
6 company's reorganization at risk.

7 So what strikes at the heart of the UMWA objection is
8 the following. Is there are two union representatives on the
9 committee. There's the UMWA plans, that's Ms. Hillyer's
10 client; and then there's the UMWA itself, the actual union.
11 And they're both on the committee.

12 Now, why is it that you're only hearing from one of
13 the two union-related entities? That's because we worked this
14 all out with the union. Because -- again, because the
15 committee knew about this for weeks before, the union reached
16 out to us even before we filed the motion. We've worked very
17 cooperatively. We came up with a discovery plan. We gave them
18 the discovery -- all the discovery they asked for. We
19 scheduled these depositions. We provided the same discovery to
20 the UMWA plans. We held the depositions yesterday.

21 And I must correct the record. Nobody cut anybody off
22 yesterday. Ms. Hillyer, at no point was said, sorry, no more
23 questions, we have to run. The people stood there and waited
24 there until every last question was asked and answered.

25 So the opportunity yesterday was there. She -- the

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1 UMWA plans were there with four different professionals to
2 assist in these depositions. So we've done discovery. If
3 there's anything else, point to discovery that they need, we're
4 happy to do it. We're happy to give them anything they need
5 expeditiously. And we have a very good track record with that.

6 So we're all ready for February 26th, Your Honor. And
7 it's not -- and again, if it would have worked out that we
8 could have compromised and done something in early to mid-
9 March, that would have been fine. We just can't take it to the
10 next hearing, because quite frankly, and as the debtors did
11 discuss this, it puts everyone at risk. It puts the entire
12 enterprise at risk, because right now we're suffering from debt
13 from 1,000 cuts of people just leaving, because there's been
14 the expectation of these compensation plans being approved now
15 for many, many, many months.

16 MS. HILLYER: Your Honor, if I may respond again?
17 This is Rebecca Hillyer. Mr. Kaminetzky is telling some half
18 truths, I believe, as this was not -- this plan as was
19 presented to the Court, the plan -- the CERP and AIP were not
20 presented in the form that it was presented to the Court in
21 December. Rather that was presented to the UCC in February,
22 not in December. And so we weren't aware of that plan that was
23 presented to the Court until February.

24 And while the funds were in attendance at the
25 committee meetings and were aware that the motion was going to

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1 be filed at some point, while we would have expected it to have
2 been filed within twenty-one days before the 26th, it was not.
3 And the funds were not aware of what the debtors' motion would
4 say, what support the debtors would submit with it, or when, in
5 fact, that filing would occur.

6 We -- Mr. Kaminetzky is testifying a little bit here
7 by telling you about who is leaving and who's not. And we need
8 additional discovery on that very issue, Your Honor. And to
9 clarify; the funds that are presenting this emergency motion to
10 the Court are not the union. We are not one and the same. We
11 have different counsel. And sometimes our interests align and
12 sometimes they don't. But we are not the same.

13 The debtors have not given all the discovery that we
14 need. And I reiterate, without too much, we do need additional
15 discovery here, Your Honor.

16 MR. PERILLO: Your Honor, my name is Fred Perillo. I
17 am the attorney for the union. I have not spoken yet. I would
18 like to address the Court very briefly. I am the person Mr.
19 Kaminetzky means when he says the union reached out to the
20 company. I called the company two days after the creditors'
21 committee meeting and five days before they filed their motion,
22 precisely because I was afraid that what is happening today
23 would happen.

24 And I tried to get a modest amount of discovery, so
25 that we would not be caught completely flatfooted in court on

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1 the hearing date. I do not believe that that should be used
2 against either the union or another party, the funds. I will
3 not belabor what has already been said by the other parties
4 here. I will simply tell you that I am in agreement with the
5 funds, that additional time and discovery would be desirable.
6 Thank you.

7 THE COURT: All right, thank you.

8 I guess my first question that I have is, I
9 understand, Ms. Hillyer, that I guess one of your clients is on
10 the creditors' committee, the United Mine Workers of America
11 1974 pension plan and trust is a member of the creditors'
12 committee?

13 MS. HILLYER: Yes, Your Honor. That is correct.

14 THE COURT: And it is their position that they
15 don't -- didn't get enough information from serving on the
16 creditors' committee about the --

17 MS. HILLYER: I'm sorry, Your Honor. I'm not hearing
18 everything you're saying.

19 THE COURT: All right. And it's your pos -- and it's
20 their position that they did not receive appropriate
21 information as being part of the creditors' committee when the
22 creditors' committee was looking at this motion?

23 MS. HILLYER: No. I think -- I think the information
24 that was presented on February 5th was -- I personally wasn't
25 there. My understanding is that was appropriately presented.

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1 Our concern now is that we need discovery to appropriately
2 object to the motion. I don't have a concern -- my clients
3 don't have a concern regarding the manner in which it was
4 presented to the committee. My apologies if there's been a
5 miscommunication on that.

6 MR. KAMINETZKY: Your Honor, this is Benjamin
7 Kaminetzky for the debtors again. Just a couple of things that
8 I wanted to respond to, if Your Honor would allow me.

9 The first thing is that Ms. Hillyer told -- we've been
10 discussing this plan with the committee since December. And
11 when I say the committee, that includes her client and her
12 client's representatives. Did the plan change since December
13 5th, to what was ultimately filed? The answer is yes. It
14 became in our mind, it became cheaper, it became less money.
15 So and then the plan was in final form by the beginning of
16 February. But Ms. Hillyer just said that she -- that she
17 agrees with that, or her representative on the committee
18 therefore had it since early February.

19 With respect to the discovery, Your Honor, again, I
20 think it speaks volumes, that which Mr. Perillo said, and we
21 answered all of Mr. Perillo's questions, we provided him all
22 the information that he requested.

23 Yesterday, I spent the entire day with Ms. Hillyer and
24 her three colleagues. And they didn't identify -- although
25 they turned up with a forty-nine part document request which

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1 had -- most of which or a lot of which had happily nothing to
2 do with what's at issue in this motion -- they haven't really
3 articulated to me, other than asking for a single sheet of
4 paper, what it is that's missing.

5 They talked about needing all this additional
6 discovery, but there's been nothing specific on what they need.
7 We think we've given them anything they mentioned on the phone
8 today: who left, when they left, what they're paid, what their
9 positions were. All that information has been provided to them
10 and was provided to them exactly as it was provided to the
11 union.

12 MS. HILLYER: Your Honor, this is Rebecca Hillyer
13 again. We would be happy to discuss those matters with the
14 debtors. We don't believe that it's appropriate to do so on
15 this -- with the Court on the line at this time. But we
16 absolutely would like to work with the debtors. And I
17 discussed that with Mr. Kaminetzky yesterday that we do have
18 additional discovery and we would like to work with them to
19 discuss what we can work out amongst the parties given what we
20 asked and what they're really willing to give, and see if we
21 can meet in the middle somewhere and be reasonable.

22 We're not trying to be unreasonable here. We're just
23 trying to get what we need so that we can appropriately do
24 reasonable discovery to best and efficiently present this to
25 the Court, Your Honor.

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1 THE COURT: All right. Thank you. All right. It
2 certainly appears to me that maybe there is some additional
3 discovery that needs to take place. Now, let me understand
4 correctly. There's one particular person at debtors' counsel
5 that's handling this motion that is not available on March the
6 19th?

7 MS. HILLYER: I believe there's two, Your Honor, but
8 Mr. Kaminetzky can respond. I believe they're both out of the
9 country at the time.

10 MR. KAMINETZKY: Your Honor, I want to -- yes. The
11 answer is yes. But putting that aside, again, the debtors --
12 because -- let me just reiterate. Because we held off filing
13 this motion for so many weeks and months, it's the debtors'
14 judgment that putting this off a month would cause serious harm
15 to the business as people are losing faith in this debtor's
16 ability to compensate its people in a way close to market, and
17 we're just losing people.

18 In fact, since we filed the motion and we heard the
19 testimony yesterday, yet another key employee left the company.
20 So I don't want to be hung up on schedules of both lawyers, but
21 we're kind of interchangeable in a lot of ways. What I think
22 is important here, and of paramount importance is the debtors
23 and our debtors' business judgment that this thing can't be put
24 off.

25 We understand -- we wanted to be accommodating. We --

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1 I have no problem ruining people's evenings or weekends. And
2 if within a week or two would have been possible, that would
3 have been great, we all would have been hoping it would have
4 gone away. But it just the people we're talking about goodness
5 of the enterprise not people's personal schedules.

6 MS. HILLYER: Your Honor, Mr. Kaminetzky is raising
7 issues of fact that go directly to our need for discovery on
8 those particular issues.

9 THE COURT: Well, I have to tell you, after reading
10 everything that's been filed today, which I have looked at
11 briefly because I've been on the bench all day as well, I would
12 be inclined to allow the funds some additional time -- the
13 trust some additional time to take some limited discovery --

14 MS. HILLYER: I'm sorry, Your Honor, I'm losing you
15 again.

16 THE COURT: All right, sorry about that. After
17 reviewing everything that's been filed today, I would be
18 inclined to allow the trusts some additional time to take some
19 additional limited discovery. I have briefly looked at some of
20 the discovery requests that are out there. Some of them
21 certainly seem reasonable. Some of them do not seem
22 reasonable. But I believe I can leave the parties to that.

23 And I would be inclined -- it's hard for me to believe
24 that if we continue it to the week of March 11th, if we go one
25 more week to March the 19th, that we are losing more people at

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1 that cost. And we could take the matter up then on March the
2 19th. So I would be inclined to grant the emergency motion,
3 grant additional time until March the 8th for the response to
4 be filed by the pension trust, and a reply by that if
5 necessary -- I'm sorry, Ms. Long?

6 MS. LONG: Would that also for the United States
7 Trustee? Because we did attend the depositions yesterday and
8 have been involved in the matters.

9 THE COURT: Certainly. If the U.S. Trustee's Office
10 is looking for some additional time as well.

11 MS. LONG: If the hearing's on the 19th, that is
12 appropriate. Thank you, Your Honor.

13 THE COURT: Correct. And then I'll continue the
14 hearing on this matter to March the 19th. I would encourage
15 the parties between now and then to try to agree on what
16 they're doing with the discovery. However, if there continue
17 to be some problems, don't hesitate the call the Court, and
18 I'll tell you what's relevant and not relevant in the
19 discovery.

20 And likewise, if there is any room to have the matter
21 settled or any -- that matter, certainly, I would encourage
22 that as well. Otherwise, on March the 19th, I'll take the
23 matter up and we'll rule on it that day.

24 MR. PERILLO: Your Honor, may the union have the same
25 extension that you gave to the United States Trustee and the

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1 funds?

2 THE COURT: You may. March 8th for any objections at
3 that point.

4 MR. PERILLO: Thank you.

5 THE COURT: All right.

6 MS. HILLYER: And, Your Honor, is there -- this is
7 Rebecca Hillyer. Is there a firm date for a reply by the
8 debtors?

9 THE COURT: The reply would be due the following week,
10 on March the 15th.

11 MS. HILLYER: Thank you, Your Honor.

12 THE COURT: Thank you. All right, then are there any
13 other requests then, this afternoon, on behalf of the debtors?

14 MR. KAMINETZKY: No, Your Honor.

15 THE COURT: All right. Anything else on behalf of the
16 benefit plans?

17 MS. HILLYER: No, Your Honor, thank you.

18 THE COURT: All right, any --

19 MR. KAMINETZKY: Your Honor, actually, is there --
20 this is again, Benjamin Kaminetzky. Is there a -- I guess,
21 would the Court be available to hear this on March 18th rather
22 than 19th?

23 THE COURT: March 18th?

24 MR. KAMINETZKY: The day before? This is goes into
25 the -- more to the personal than the -- the staffing issue

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1 rather than -- we understand Your Honor's ruling, but --

2 THE COURT: Mr. Howley, can we --

3 MS. HILLYER: I'm sorry, Your Honor. We're not able
4 to hear you.

5 THE COURT: Oh, I'm sorry. I'm having Mr. Howley pull
6 up my -- I have a docket -- I have a motion docket on the 18th.
7 Let me just eyeball it right quick.

8 (Pause)

9 THE COURT: All right. It appears as I could set the
10 matter on the 18th at 1 o'clock.

11 MS. HILLYER: That's fine with the funds, Your Honor.

12 MR. KAMINETZKY: Thank you, Your Honor.

13 THE COURT: All right.

14 MS. HILLYER: Does that change the objection or reply
15 deadlines?

16 THE COURT: No.

17 MS. HILLYER: Okay, great.

18 MS. LONG: Your Honor, I'm not available that day, but
19 somebody from my office will be here to prosecute any objection
20 we might have. That's fine.

21 THE COURT: All right. Then are there any other
22 requests, then, this afternoon, on behalf of the creditors'
23 committee?

24 MR. WILLARD: No, Your Honor.

25 THE COURT: All right. And any other requests, then,

PATRIOT COAL CORPORATION, ET AL.

1 on behalf of Citibank?

2 MR. TURNER: No, Your Honor.

3 THE COURT: All right. Then we'll be in recess.

4 Thank you.

5 (Whereupon these proceedings were concluded at 3:38 PM)

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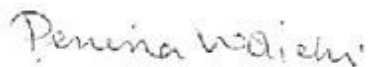
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C E R T I F I C A T I O N

I, Penina Wolicki, certify that the foregoing transcript is a true and accurate record of the proceedings.



PENINA WOLICKI

AAERT Certified Electronic Transcriber CET**D-569

eScribers

700 West 192nd Street, Suite #607

New York, NY 10040

Date: February 22, 2013

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UNITED STATES BANKRUPTCY COURT
Eastern District of Missouri
Thomas F. Eagleton U.S. Courthouse
111 South Tenth Street, Fourth Floor
St. Louis, MO 63102

In re: Debtor(s):
Patriot Coal Corporation

Case No.: 12-51502 -A659

CHAPTER 11

Notice of Filing of Transcript and of Deadlines Related to Restriction and Redaction

To: All Persons of Record at Hearing

A transcript of the proceeding held on February 19, 2013 was filed on February 22, 2013.

The following deadlines apply:

If you wish to have personal data identifiers redacted from the transcript, a *Request for Transcript Redaction* must be filed within 7 days of the date of this notice: March 1, 2013. Personal data identifiers **include: social security numbers, financial account numbers, names of minor children, and dates of birth**. If no such request is filed within the allotted time, the Court will presume redaction of personal data identifiers is not necessary.

Any party seeking redaction shall file a *Statement of Transcript Redactions* identifying the location of the personal data identifiers sought to be redacted within 21 days of the date of this notice: March 15, 2013. The party filing the statement shall serve it by regular mail upon all parties at the hearing and shall include a Certificate of Service listing the date and parties served. The *Statement of Transcript Redactions* event will be restricted from public view and cannot be served electronically through the CM/ECF system. If no *Statement of Transcript Redactions* is filed within the allotted time, the Court will presume redaction of personal identifiers is not necessary.

Any party may file a response in opposition to the Statement within 7 days of the date the Statement is filed using the *Response to Statement of Transcript Redactions* event. If a response in opposition to the Statement is filed, the Court will rule on the matter. If a hearing is needed, the Court will send notice of hearing.

If a request for redaction is filed, the redacted transcript is due within 31 days of the date of this notice: March 25, 2013.

The transcript may be made available for remote electronic access upon expiration of the restriction period, which is 90 days from the date of filing of the transcript: May 23, 2013, unless extended by court order. However, during this 90-day period the transcript is available for viewing only during normal business hours at the Clerk's office.

Any questions regarding the transcript process should be directed to Matt Parker, Director of Courtroom Services, at (314) 244-4801.

FOR THE COURT:

/s/Dana C. McWay
Clerk of Court

Dated: 2/22/13

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