# IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF MISSOURI EASTERN DIVISION 

In re:

## re:

PATRIOT COAL CORPORATION, et al., Debtors.

Case No. 12-51502 (Jointly Administered) Chapter 11
$\square$

## STRATA MINE SERVICES, LLC'S NOTICE OF PERFECTION OF MECHANICS' AND MATERIALMENS' LIENS

NOTICE IS HEREBY GIVEN that before the date of filing of the Petitions in these jointly-administered cases, Strata Mine Services, LLC, a subsidiary of Strata Worldwide, LLC ("Claimant"), furnished work and materials to Patriot Coal Corporation, Eastern Associated Coal, LLC, Black Stallion Coal Company, LLC, and/or other affiliates or subsidiaries of Patriot Coal Corporation (the "Debtors") for use in, inter alia, the erection, construction and/or improvement of real property and related facilities known as "Black Stallion Coal Company, LLC, Route 85, P.O. Box 88, Wharton, West Virginia, 25208; Mine No. 1 at or near Jarrell Branch, approximately one-half mile north of Wharton, Crook Magisterial District, Boone County, West Virginia, 25208, Permit Number U-5013-04" and more particularly described in Exhibit 1, attached hereto (the "Property"), for which Claimant has not been paid totaling $\$ 173,431.87$, exclusive of finance and other charges (the "Debt").

NOTICE IS FURTHER GIVEN that, to secure payment of the Debt, Claimant asserts mechanics' and materialmens' liens (the "Liens") against the Debtors' interest in the Property, including lots and tracts of land and upon the buildings, structure, and improvements thereon and
proceeds, products, offspring, rents, and profits of such Property, pursuant to W. Va. Code § 38-2-1, et seq. (the "West Virginia Mechanics’ Lien Law").

NOTICE IS FURTHER GIVEN that Claimant recorded a Notice of Mechanics’ Lien in the county or counties in which the work was performed within one hundred days of the service dates pursuant to the West Virginia Mechanics’ Lien Law.

NOTICE IS FURTHER GIVEN of the perfection of the Liens in the Property, including lots and tracts of land and upon the buildings, structure, and improvements thereon and proceeds, products, offspring, rents, and profits of such Property. A true and correct copy of the Claimant's recorded Notice(s) of Mechanics Lien and claim are attached hereto as Exhibit "1."

NOTICE IS FURTHER GIVEN that Claimant has a right to assert the Liens and intends to assert and enforce the Liens. This Notice is being filed and served pursuant to 11 U.S.C. §546(b)(2) in lieu of commencement of a suit in chancery pursuant to the West Virginia Mechanics’ Lien Law.

Date: February 27, 2013
Respectfully submitted,

POLSINELLI SHUGHART PC
/s/ Sherry K. Dreisewerd
Sherry K. Dreisewerd (MO47908)
sdreisewerd@polsinelli.com
Matthew S. Layfield (MO57540)
mlayfield@polsinelli.com
100 South Fourth Street, Suite 1000
St. Louis, Missouri 63102
(314) 889-8000

Fax No. (314) 231-1776
Attorneys for Strata Mine Services, LLC, a subsidiary of Strata Worldwide, LLC

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the Strata Mine Services, LLC's Notice of Perfection of Mechanics' and Materialmens' Liens was served electronically through the Court's ECF system on all registered users on February 27, 2013:

Office of the U.S. Trustee
111 South $10^{\text {th }}$ Street, Suite 6353
St. Louis, Missouri 63102

Patriot Coal Corporation
12312 Olive Blvd., Suite 400
St. Louis, MO 63141
ATTN: Marguerite O’Connell
Reclamation Claims
Curtis, Mallet-Prevost, Colt \& Mosle LLP
101 Park Avenue
New York, NY 10178
ATTN: S. Reisman
M. Cohen

Conflicts Counsel for Debtors
Patriot Coal Corporation
c/o GCG, Inc.
190 S. LaSalle Street, Suite 1520
Chicago, IL 60603
ATTN: Elizabeth Vrato
Claims and Noticing Agent for Debtors
Davis Polk \& Wardwell LLP
450 Lexington Avenue
New York, NY 10017
ATTN: Brian M. Resnick
Marshall S. Huebner
Davis Polk
Counsel for Debtor
Marcia Goldstein
Joseph Smolinsky
Weil Gotshal \& Manges LLP
767 Fifth Avenue
New York, NY 10153
Counsel for Administrative Agents for Proposed Postpetition Lenders
Margot B. Schonholtz

Ana Alfonso<br>Jeffrey Goldfarb<br>Willkie Farr \& Gallagher LLP<br>787 Seventh Avenue<br>New York, NY 10019<br>Counsel for Administrative Agents for Proposed Postpetition Lenders<br>Thomas Moers Mayer<br>Adam C. Rogoff<br>Gregory G. Plotko<br>Bradley O’Neill<br>Kramer Levin Naftalis \& Frankel LLP<br>1177 Avenue of the Americas<br>New York, NY 10036<br>Counsel for Official Committee of Unsecured Creditors

/s/ Rebecca M. O’Brien

## Notice of Mechanic's Lien

To: Chase Bank Corporation, f/k/a Bank One, $1 / \mathrm{k} / \mathrm{a}$ Charleston Natl. Bank, in its capacity as Trustee for D.D. Shepard
707 Virginia Street
Charleston, West Virginia 25301
Natural Resource Partners, L.P.
5260 Irwin Road
Huntington, WV 25705
Eastem Associated Coal, LLC
500 Lee Street, East, Suite 202
Charleston, WV 25301
Patriot Coal Corporation
500 Lee Street, East, Suite 202
Charleston, WV 25301
Black Stalion Coal Company, LLC
500 Lec Street, East, Suite 202
Charleston, WV 25301

You will please take notice that the undersigned, Strata Mine Services, LLC, a subsidiary of Strata Worldwide, LLC, 67925 Bay Berry Drive, Saint Clairsville, Ohio 43950, a Georgia corporation, has furnished work and materials to you, by and through your agent, Black Stallion Coal Company, LLC, which is a wholly owned subsidiary of Patriot Coal Corporation, for the following project; Biack Stallion Coal Company, LIC, Route 85, P. O. Box 88, Wharton, West Virginia, 25208; Mine No. 1 at or near Jarrell Branch, approximately one-half mile north of Wharton, Crook Magisterial District, Boone County, West Virginia, 25208, Pcrmit Number U-5013-04, and more particularly described in Exhibit A, which is attached hereto, and the said work and materials were of the nature and werc furnished on the dates and in the quantities and at the price as shown in the following Purchase Order and Invoiccs, which are attached hereto as Exhibit B.

You are further notified that the undersigned has not been paid the sum of $\$ 173,431.87$, exclusive of finance charges, and that it claims a lien upon your interest in the said lots or tracts of land and upon the buildings, structures and improvements thereon, to secure the payment of said sum.

STRATA MINE SERVICES, LLD

## By: <br>  <br> Gerry Sutton, Accounting Asst., Finance Department, Strata Mine Services, LLC

State of Ohio,
County of $\qquad$

Ms. Gerry Sutton, being first duly swom, upon her oath says that the statements in the foregoing Notice of Mechanic's Lien contained herein are true, as she verily believes.


Taken, subscribed and swom to before me this 320 day of October, 2012.

My commission expires:


## Exhibit A

Please see Section C of the Permit Application for Permit No. U-5013-04 issued to Black Stallion Coal Company, LLC, a Legal Advertising Invoice, dated February 3, 2010, with attached map, and a Progress Map, which more particularly describe the property subject to this Mechanic's Lien.

Permit \# u-5013-04

Document Permit Application-Section e

## Section C: Property Information



C-2. For each owner listed in C-1, provide below a description of the legal documents upon which the applicant bases his legal right to enter and conduct surface coal mining operations.
Note: DEP may require copies of these documents.

| OWNER <br> OF <br> RECORD | DOCUMENT <br> TYPE | GRANTOR <br> OF <br> RIGHT | DATE <br> OF <br> EXECUTION | LOCATION <br> WHERE <br> FKLED |
| :---: | :---: | :---: | :---: | :---: |
| See Attachment C-2 |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

C-3. Are any rights identified in C-2 the subject of pending court litigation?
$\square$ Yes
区 No

If Yes, provide the names of the parties, the court and the case number involved below:

| NAME | COURT | CASE NUMBER |
| :---: | :---: | :---: |
|  |  |  |
|  |  |  |
|  |  |  |

C-4. Has the private mineral estate been severed from the private surface estate?
Yes $\boxtimes$ No If Yes, submit one of the following documents and identify as attachment C-4.
$\square$ A letter from the surface owner(s) consenting to the use of surface mining methods to extract coal within the proposed permit area; or
$\square$ A copy of a legal conveyance or judicial order which expressly grants or reserves the right to extract coal by surface mining methods.

C-5. Provide names and addresses for each owner of record of all property, surface and subsurface, and non-owner residents living on property within one hundred (100) feet of any part of the proposed permit area.
Identify each by the following classes:

OWNER CLASS
(SO) Surface Owner Only (MO) (SMO)

Mineral Owner Only Surface and Mineral Owner

## RESIDENT CLASS

Owner/Resident Non-Owner Resident
(OR)
(NOR)

NOTE: Include a sample of the letter of notification to all residents living on property contiguous to and/or within $100^{\prime}$ of the proposed permit area and identify as attachment C-5. Notification by certified mail must occur on or before the first day of publication of the advertisement and SMA No. must be referenced.

NOTE: Attach additional entries us needed using the format below and identify as attuchment C-S. No. of additional entrics,

| NAME | ADDRESS | OWNER <br> CLASS | RESIDENT <br> CLASS |
| :---: | :--- | :---: | :---: |
|  | Not Applicable |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

C－6．Complete the following to indicate whether or not any portion of the proposed permit area is：

$\square \quad \boxtimes \quad$ within any lands under study for designation as unsuitable for surface coal operations；
$\square \quad$－within the boundaries of the National Park System；

within the boundaries of the National Wildlife Refuge System；within the boundaries of the National System of Trails；
$\square$ 区 within the boundaries of the National Wilderness Preservation System；

within the boundaries of the wild and scenic rivers system，including＂study＂ rivers；
$\square \quad \boxtimes$ within the boundaries of any National Recreation Areas；
$\square \boxtimes$ within the boundaries of any National Forest；

will adversely impact any publicly－owned park or places included in，or may be eligible to be included in，the National Register of Historic Sites，or National Register of Natural Landmarks；区
within 300 feet of any public building；within 300 feet of any schoolwithin 300 feet of any church；区
within 300 feet of any community or institutional building；within 300 feet of any public park；or
ख within 100 feet of a cemetery．
If any of the above is Yes，provide proof of Valid Existing Rights（VER）．Identify as attachment C－6．

C-7. Complete the lollowing to indicate whether or not any portion of the proposed permit area is:
A. Within 100 feet of the right-of-way of any public road, except where mine haulage or access road joins such right-of-way;

Yes No
If Yes, provide the basis for this response and identify by checking the item which apply:
$\boxtimes$ Proof of Valid Existing Rights; (See Att. C-7, Pg. C-17)
OR
$\square$ Public Notice by Advertisement.
B. within 300 feet of any occupied dwelling;
$\square$ Yes
区 No
If Yes, provide the basis for this response and identify by checking the item which apply:
$\square$ Proof of Valid Existing Rights;
OR
$\square$ Notarized written waivers which identify the dwelling(s) by number (corresspunding to the propussil map).

C -8. Is the proposed permit area within the boundaries of the following:
Yes No
$\boxtimes \square$ any governmental planning agencies that have jurisdiction to act regarding land use, air. or water quality planning?
$\boxtimes \quad \square \quad$ Any water companies or municipal authorities that provide sewage or water service or that have facilities, including sources of water supply?
If Yes, provide names and mailing addresses beiow:

| NAME | ADDRESS |
| :--- | :--- |
| Boone County Commission | 206 Court Street. Madison. WV 25130 |
| Region II Planning \& Execurive Director | 1223 Leone Lane. Dunbar. WV 25064 |
| WV Office of Coal Field | 1900 Kanawha Blvd. E. Charleston. WV 25305 |
| Community Development |  |
| West Virginia American Water Company | PO Box 165 Racine. WV 25165 |
|  |  |
|  |  |
|  |  |

## C-5

C-9. Include a list of all lands, interests in lands, or options on such interests held by the applicant or pending bids on interest in lands by the applicant, which lands are contiguous to the area to be covered by this application. Identify as attachment C-9. If None, check here:

C-10. Include a completed copy of DEP's sample newspaper advertisement that will be used to give public notice of intent to mine. Identify as attachment C-10.
Check below the special items which have been included in the public notice of intent to mine:Joint Article 3/Article 11 AdvertisementMining within 100 feet of the outside right-of-way of a public road*Relocation or closure of a public road
$\square$ Land Use Change
NOTE: Certification of publication must be submitted within four weeks after last date of publication.
*Requires permission from the authority with jurisdiction over the public road

## Attachment C-1

## Black Stallion Coal Company, LL.C

Mine No. 1

## SURFACE AND MINERAL OWNERS:

## Bank One*

Trust Department
707 Virginia Street
P.O. Box 1113

Charleston, WV 25324-1113

## RESIDENT AGENT:

## J. Scott Sperry

## OFFICERS:

D. D. Shepard Trust
J. Scott Sperry, Bank One-West Virginia NA

Client Service Manager Invested Management and Trust Services

Carol H. Fletcher, Bank One-West Virginia NA Senior Trust Officer
*Bank One-West Virginia NA successor to Charleston National Bank

## Attachment C-1

Adm Cor No. 1
Black Stallion Coal Company, LLC 10/04/04 LSE
Mine No. 1

## SURFACE OWNER:

Eastern Associated Coal Corp. 500 Lee Street, 202 Laidley Tower Charleston, WV 25053

OFFICERS:
See Attached List

| AVS id | Officer | Tithe | gin Date | End Data |
| :---: | :---: | :---: | :---: | :---: |
|  | Hawkins, Waltes L, JT. | VICE PRESIDENT \& TREASURER | 01/0122004 |  |
| 154573 | Kacich, Gary T . | ASSISTANT TREASURER | 01/01/2004 |  |
| 152299 | Bean, Joseph W, | ASSISTANT SECRETARY | 03/142003 |  |
| 152211 | Reilly, Robert L. | VICE PRESIDENT | 08/28/2002 |  |
| 133169 | Mason, Lorid. | SECRETARY | 02/25/2002 |  |
| 148288 | Nemec, Jiti | PRESIDENT | 01/15/2001 |  |
| 148286 | Nemsec, Jisi | DIRECTOR | 01/15/2001 |  |
| 147403 | KUlingi, Joseph C. | VICE PRESIDENT | 04/01/1999 |  |
| 145091 | Diestich, Thomas W. | ASSISTANT SECRETARY | 14/23/1998 |  |
| 146556 | Power, Elizabeth S . | ASSISTANT SECRETARY | 07/31/1988 |  |
| 135754 | Maher, Jeftrey A. | ASSISTANT TREASURER | 03/1211996 |  |
| 126205 | Coal Properties Corp. | OWNER | 08/121977 |  |
| 108384 | Schasb, Stavan F. | VICE PRESIDENT \& TREASURER | 1212/2003 | 01/01/2004 |
| 106384 | Schaab, Staven F. | ASOISTANT TREASURER | 082212003 | 12/42/2003 |
| 105148 | Sullivan, Edward L. | ASSISTANT SECRETARY | 03/1412003 | 03126/2003 |
| 100500 | Kiinger, Jeffery L | ASSISTANT SEGRETARY | 03/142003 | 03/26/2003 |
| 150228 | Sctroeder, Mark N. | VICE PRESIDENT | 1210/2002 | 01/02/2003 |
| 100500 | Kinger. Jeffery L | ASSISTANT SECRETARY | 121092002 | $01 / 0222003$ |
| 152482 | Stotuemyre, L. Event | TREASURER | 08/28/2002 | 12 M 22003 |
| 152482 | Stotlempre, L. Brent | VICE PRESIDENT | 08/28/2002 | 121222003 |
| 152210 | Hawdiss, Watter L, Jf. | ASSISTANT TREASURER | 01/2512092 | 01701/2004 |
| 100500 | Winger, Jeffery L | ASSISTANT SECRETARY | 07/282000 | 097112000 |
| 100500 | Klinger, Jeffery L | VICE PRESIDENT | $07 / 2812000$ | 097112000 |
| 148053 | Waloott Roger B. Jr. | VICE PRESIDENT | $07 / 282000$ | 09/11/2000 |
| 102012 | Sevem, dames c. | ASSISTANT SECRETARY | $03 / 2712000$ | 0827/2001 |
| 102012 | Sevem, Jamas C . | VICE PRESIDENT | 03/272000 | 08/2712001 |
| 108384 | Sehaab, Steven F. | VICE PRESIDENT | 082311999 | 121212003 |
| 140956 | Wagner, Douglas $A$. | VICE PRESIDENT | 05/14/1998 | 03/26/2004 |
| 146914 | Donohoe, J, E. | ASSISTANT TREASURER | 01/20/1999 | 07/31/1999 |
| 122239 | Beck, Jannes A., Jr. | PRESIDENT | 0781/1998 | 04/15/2001 |
| 132846 | Broshears, Wiilian E. | VICE PRESIDENT | 07/31/1998 | 07/31/1999 |
| 122229 | Beck, James $\mathrm{A}_{1}$ JT. | DIRECTOR | 07/3014989 | 04/1612001 |
| 107936 | Whiling, Rjethard M. | DIRECTOR | 07/301998 | 061922003 |
| 146053 | Walcot, Roger B. dr. | DRECTOR | 073011998 | $03 / 21 / 2001$ |
| 122229 | Beck, James A. Jr. | VICE PRESIDENT | $04 / 1511997$ | 07/31/1998 |
| 143155 | Halterad, Gary W. | VICE PRESIDENT | 10101/1996 | 07/31/1998 |
| 140971 | Garcia, Steven J. | VICE PRESIDENT | 01/15119996 | 08/01/1997 |
| 122229 | Beek, James A, Jr. | VICE PRESIDENT | 11/021995 | 01156/1998 |
| 120340 | Bethel, Tery L | DIRECTOR | 11/0219995 | 0731/1998 |
| 120340 | Bethel, Tery L | VICE PRESIDENT | 11/021985 | 08129/2002 |
| 120340 | Bethel, Tery L. | TREASURER | 11/02/1995 | 08/2812002 |
| 140428 | Whilt Tery E | VCE PRESIDENT | 11/02/1995 | 0222M989 |
| 103127 | Joest, David R. | ASSISTANT SECRETARY | 11/02/1895 | 07/31/1998 |
| 140427 | Heaga, Mathew A | VICE PRESIDENT | 17/0213935 | 09/30/4998 |
| 113652 | Dahi H. Douglas | PRESIDENT | 08/02/1995 | 0731M998 |
| 113662 | Dahl, H. Douglas | DIRECTOR | 08/01/1995 | 07/31/1998 |
| 139954 | Osborn, Ronald E | ASSISTANT TREASURER | 05/2411995 | 03/12/1996 |
| 105135 | Shiflet, George S . | DIRECTOR | 08/02/1994 | 07/21/1995 |


| 134987 | Hartsog, E. Kent |
| :---: | :---: |
| 134988 | Henrich, Caroline A. |
| 105135 | Shifleth, Geerge S. |
| 128156 | Armstrong, Richard A. |
| 127948 | Stevenson, Dennis |
| 126158 | Ammstrong, Rtchard A. |
| 127948 | Steversorn Dennis L |
| 126156 | Armstrong, Richard A. |
| 107934 | Scherder, Daniel B. |
| 132846 | Brosheara, Wiliam E. |
| 133198 | Hili, John C. |
| 132845 | Isazes, L. Wayne |
| 126156 | Amstrong, Richard A. |
| 102044 | Lilly, Peter 8. |
| 112510 | Mrociean, George H. |
| 126141 | Statile. Peter J. |
| 102044 | Lilly, Peter B . |
| 108872 | Hull, John E |
| 068675 | Bums, Kevin C. |
| 120203 | Younker, Forrest A |
| 133194 | Tumbuli, David D. |
| 107934 | Sctierder, Dantel B. |
| 107934 | Scherder, Dandel B. |
| 101521 | Gallegher, Thomas R. |
| 133153 | Extine, E. Michael |
| 076043 | Cutis, Chris L. |
| 133193 | Comelison, Lee T. |
| 126204 | Cianke, Thomas L |
| 106013 | Barkofstre, Francis L |
| 089463 | Winberty, John H . |
| 036945 | Quemin, Robert H . |
| 036946 | Quenon, Robest H. |
| 089463 | Wanberly, John H. |
| 105135 | Shifleth, George S. |
| 105135 | Shifiett, George S . |
| 097487 | Woik, John P. |
| 097487 | Wolk, John P. |
| 099895 | Hiltan, Thomas 8. |
| 101467 | Willams, Howard W. |
| 101467 | Wilizus, Howard W. |
| 101521 | Galiagher, Thomas R |
| 108384 | Schaab, Steven F. |
| 108872 | Hull, John E. |
| 108872 | rull, John E. |
| 110166 | Nivaller, Watter, Jr. |
| 043491 | Raskin, Fred C. |
| 133195 | Klos (Howreli), J.W. |
| 043324 | Black, J. R. |
| 044597 | Seiling, R.E. |
| 044588 | Freeman. R.H. |
| 044589 | Mckerzie, P. J, |
| 133197 | Staffer, Henry R |
| 043491 | Raskin, Fred C. |
| 043483 | Tisdale, Jack E. |
| 044588 | Freeman, R.H. |
| 133198 | Stef, C. A |
| 043324 | Black, J. R. |


| ASSISTANT TREASURER | 05/11/1994 | 05/2611995 |
| :---: | :---: | :---: |
| ASSISTANT SECRETARY | 05f1 1/1994 | 07/24/1998 |
| CHAIRMAN | 04/25/1994 | 07/21/1995 |
| DIRECTOR | 04/05/1994 | 11/12/1995 |
| DIRECTOR | 04/05/1994 | 05/24/1995 |
| TREASURER | 04/0411994 | 11/42/1995 |
| PRESIDENT | 04104/1994 | 05/24/4995 |
| VICE PRESIDENT | 04/04/1994 | $11 / 0211995$ |
| DIRECTOR | 0217/19993 | 04/05/1984 |
| VICE PRESIDENT | 01/04/1993 | 08ग111997 |
| VICE PRESIDENT | 01/04/1993 | 08/02/1994 |
| VICE PRESIDENT | 01/04M993 | 08/30/1996 |
| ASSISTANT TREASURER | 09/16/1992 | 04/04M994 |
| DIRECTOR | 08/01/1992 | $04105 / 1994$ |
| DIRECTOR | 08j01/1992 | 02081993 |
| DIRECTOR | 08101/1892 | 0211719893 |
| PRESIDENT | 100041991 | 04104/9894 |
| PRESIDEAT | 06/01/1991 | 10104/1991 |
| VCEE PRESIDENT | 04/26/1991 | 07/13/1992 |
| VICE PRESIDENT | 04/264991 | 11/19/1992 |
| VCEE PRESTDENT | 04/2611991 | 07/13/1992 |
| TREASURER | 04/261991 | 04/04/1994 |
| VICE PRESIDENT | 04/261991 | $04 / 04 / 1994$ |
| SECRETARY | 0426/1991 | 12/15/2000 |
| ASSISTANT TREASURER | 04/26/1994 | 047291992 |
| VCE PRESIDENT | 04/261981 | $07 / 1811992$ |
| VCE PRESIDENT | 04/261981 | 07/1311982 |
| ASSISTANT SECRETARY | 04/2014931 | 08/25/1893 |
| SECRETARY | 08116/1990 | 09/301980 |
| DIRECTOR | 08M13/1990 | 04/28/7991 |
| PRESTDENT | 04/26/1990 | 08/18/1990 |
| DIRECTOR | 04/28/4890 | 084164990 |
| PRESDENT | 04/96/4990 | 12/10/1990. |
| VICE PRESIPENT | 04/11/1989 | 09/26/4990 |
| DIRECTOR | 05/251988 | 081611990 |
| VICE PRESTDENT | 05/25/1988 | 03/28/1990 |
| TREASURTER | 05/25/988 | 09/28/1990 |
| VICEPRESIDENT | 04/16/4987 | 05/16/1988 |
| DIRECTOR | 04/16M1897 | 0809/1980 |
| PRESTDENT | 04/164987 | 10/17/1988 |
| ASSTSTANT SECRETARY | 0404/1987 | 04/28/1994 |
| ASSISTANT TREASURER | 04/01/1987 | 09/28/1990 |
| VICEPRESIDENT | 0401/1987 | 04/28/1991 |
| DIRECTOR | 04/01/1987 | 08/18/1980 |
| EXECUTIVE PRESIDENT | 07/29/4985 | 04/01/1987 |
| SENIOR VICE PRESIDENT | 03/01/1984 | 04/01/1987 |
| ASSISTANT SECRETARY | 01/07/1983 | 08/23/4984 |
| VICEPRESIDENT | 0215/1981 | 08/01/1983 |
| PRESIDENT | 0201/1981 | 08/23/1983 |
| PRESIDENT | 05/01/1980 | 02/01/1981 |
| SENIOR VICE PRESIDENT | 051011978 | 0311711988 |
| VICE PRESIDENT | 03101/1978 | 09/30/1986 |
| ASSISTANT TREASURER | 08/1211977 | 0301/1984 |
| VICEPRESIDENT | 08/12/1977 | 05/18/1982 |
| EXECUTIVE VICE PRESIDENT | 0801/1977 | 05101/1980 |
| PRESIDENT | 0801/1977 | 05/01/1980 |
| VICE PRESIDENT | 091281975 | 07/01/1979 |


| 133196 | Stefi, C. A. | EXECUTIVE VICE PRESIDENT | $07 / 01 / 1975$ | $08101 / 1977$ |
| :--- | :--- | :--- | :--- | :--- |
| 044588 | Freeman, R. H. | PRESIDENT | $06 / 01 / 1970$ | $07 / 31 / 1977$ |
| 044694 | Shupe, D. B. | SENIOR VICE PRESIDENT | $01 / 23 / 1970$ | $03101 / 994$ |
| 133196 | Stun, C. A. | VICE PRESIDENT | $01 / 01 / 1969$ | $07 / 01 / 1975$ |

## Attachment C-2

Adm Cor No. 1 10/04/04 LSE

## Black Stallion Coal Company, LLC

Mine No. 1

## Bank One

## Bank One to Black Stallion Coal Company, LLC

Lease dated 1/29/46 from D.D. Shepard et ux to Eastern Gas \& Fuel Associates
Deed of Assignment \& Consent dated 1/1/66 from Eastern Gas \& Fuel Associates to Eastern Associated Coal Corp.

Partial Lease Assignment \& Assumption Agreement dated 11/15/2000 from Eastern Associated Coal Corp. to Rivers Edge Mining, Inc.

Partial Lease Assignment and Assumption Agreement dated 2/1/2004 from Rivers Edge Mining, Inc. to Eastern Royalty Corp.

Sublease dated 3/1/2004 from Eastern Royalty Corp. to Black Stallion Coal Company, LLC
Location: Charleston Office, 500 Lee Street, Charleston, WV 25324

## EACC, Jarrell Branch Area

Letter Agreement dated 8/16/2004 Eastern Associated Coal Corp to Black Stallion Coal Corp., LLC, to overbond Eastern Associated Coal Corp surface, located near the mouth of Jarrell Branch Area

Location: Charleston Office, 500 Lee Street, Charleston, WV 25324

SEP. 28. 2004 2:55 PM


NO. 508 P. 2 Adm Cur No, io/4/O4 LSE 20010 laity Tam
 Proton, wo zines

## 

August 16, 2004

Mr. Haskell Boytek
West Virginia Department of Environmental Protection 1101 George Kostas Drive
Logan, WV 25601
RE: Letter Agreement
Dear Mr. Boytek:
Eastern Associated Coal Corp, hereby grants permission to Black Stallion Coal Company, LLC to double bond portions of Permit O-165-83 and U-143-82. It is understood that Black Stallion will be responsible for any violation caused by Black Stallion's operations.

Please call me at 304-344-0300 if you have any questions concerning this matter.

Sincerely,


Sir Named
President

## SURFACE MINING APPLICATION ADVERTISEMENT

| MR-34-A |  |
| :--- | :--- |
| This advertisement is for a single application <br> for a Chapter 22, Article 3 permit. | Ad will be published once a week for four <br> sucessive weeks with six full days between <br> publication. |
| Initial Date of Publication | Final Date of Publication__ |

## ADVERTISEMENT

Notice is hereby given that Black Stallion Coal Company, 500 Lee Street, PO Box 1189 , Charleston, WV 25324
(Applicant Name and Business Strect Address)
has submitted an application to the Department of Environmental Protection (DEP) located at
1101 George Kostas Drive., Logan, WV 25601
(DEP Regional Office Address)
for Article 3 permits for the surface disturbance of approximately $\quad 5.00$ acres in order to
Face up a deep mine with a slope and two ventilation shafts

> (Surface/Tipple/Preparation Planı/Haulroad/Shop Area/Face Up Deep Mine)
in the $\qquad$ Eagle (Geological Titite)
into Jarrell Branch of Pond Fork, of Kanawha River and is located 0.5
$\qquad$
(Receiving Stream) seam of coal. The proposed operation is discharging
$\qquad$
(Major Subbasin)
(Distance)
miles, $\frac{\text { north }}{\text { (Direction) }}$ of $\frac{\text { Wharton }}{\text { (Nearest Post Office) }}$ in Crook District of

Boone County, Longitude 81-40-46 and Latitude 37-55-06 (Coordinates from USGS Topographic Map).

Surface of the area associated herewith is owned by:

| NAME | ADDRESS |
| :--- | :--- |
| Eastern Associated Coal Corp. | 500 Lee Street, 202 Laidley Tower, PO Box 1233, <br> Charleston, WV 25324 |
| Bank One, (Trustee for the DD | 707 Virginia Street, PO Box 1113, Charleston, WV 25324- <br> 1113 |
| Shepard Trust) |  |

*and the mineral associaed herewith is owned by:

| NAME |  |
| :--- | :--- |
| Bank One, (Trustee for the DD <br> Shepard Trust) | 707 Virginia Street, PO Box 1113, Charleston, WV 25324- <br>  |

Surface of the area within 100 feet of the permit area is owned by:

| NAME |  |
| :--- | :--- |
| None |  |

*and the mineral within 100 feet of the permit area is owned by:

| NAME |  |
| :--- | :--- |
| None ADDRESS |  |

Written comments and/or requests for an informal conference of the surface mining application shall identify the applicant and application number and will be received by the Permit Supervisor at the DEP address above until $\qquad$ , or thirty (30) days from date of final publication. A copy of the application will be available for review until $\qquad$ or thirty (30) days from date of final publication in the DEP Regional Office located at the address above AND in the Boone County Clerk's Office during normal business hours.

DEP Telephone No. 304-792-7250
Permit No.U-5013-04
*These items are to be completed only for operations involving mineral removal.

Include location map in accordance with regulations


## SURFACE MINING APPLICATION ADVERTISEMENT

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Notice is hereby given that Black Stallion Coal Company, 500 Lee Street. PO Box 1189. Charleston. WV 25324
(Applicant .Fame and Business Street Address)
has submitted an application to the Department of Environmental Protection (DEP) located at 1101 George Kostas Drive.. Logan, WV 25601
(DF:P Regional Utile Adders)
for Article 3 permits for the surface disturbance of approximately $\quad 5.00$ acres in order to deep mine (to more accurately define the footprint of the underground mining area)
(Surlate-Tipple/Preparation Plam/Haulroad/Shop Area/Face (Ip Deep Nine)


Surface of the area associated herewith is owned by:

| NAME | ADDRESS |
| :--- | :--- |
| Eastern Associated Coat Corp. | 500 Lee Street, 202 Laidley Tower. PO Box 1233, <br> Charleston. WV 25324 |
| Bank One, (Trustee for he DD | 707 Virginia Street, PO Box 1113. Charleston. WV 25324- <br> Shepard Trust) |
|  |  |

*and the mineral associated herewith is owned by:

| NAME | ADDRESS |
| :--- | :--- |
| Bank One, (Trustee for the DD <br> Shepard Trust) | 707 Virginia Street. PO Box 1113, Charleston. WV 25324- <br> 1113 |

Surface of the area within 100 feet of the permit area is owned by:

| NAME | ADDRESS |
| :---: | :---: |
| None |  |

*and the mineral within 100 feet of the permit area is owned by:

| NAME | ADDRESS |
| :--- | :--- |
| None_____ |  |

Written comments and/or requests for an informal conference of the surface mining application shall identify the applicant and application number and will be received by the Permit Supervisor at the DEP address above until Dec. 18. 2004, or ten (10) days from date of final publication. A copy of the application will be available for review until Dec. 18. 2004, or ten (10) days from date of tinal publication in the DEP Regional Office located at the address above AND in the Boone County Clerk's Office during normal business hours.

DEP Telephone No. 304-792-7250 Permit No.U-5013-041
*These items are to be completed only for operations involving mineral removal.

Include location map in accordance with regulations



## Attachment C-7 <br> Black Stallion Coal Company, LLC <br> Mine No. 1

The bonded area associated with the air shatis is located within 100 feet ol Route 85.
This bonded area is an owerbond of existing bermit ()-165-83. The area is presently disturbed by Permit 0-165-83. No new disturbance is proposed by this application.

CHARLESTON NEWSPAPERS
P.O. Box 2993,

Charteston, Woérvirginit 25330 Billing 348-4898 Classified 348-4848 1-800-WVA-NEWS
legal advertising invoice

| INVOICE DATE | $02 / 03110$ |
| :---: | ---: |
| ACCOUNT_NBR | 079098102 |
| SALES REP ID | 0998 |
| INVOICE NBR | 638038001 |



Please return this portion with your payment. Make checks payable to: Charleston Newspapers

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## CHARLESTON NEWSPAPERS

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1-800-WVA-NEWS
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| INVOICE DATE | $02 / 03 / 10$ |
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| ACCOUNT NBR | 079096102 |
| SALES REP ID | 0998 |
| INVOICE NBR | 638038001 |

Legal pricing is based upon 63 words per column inch.
Each successive insertion is discounted by $25 \%$ of the first insertion rate:
The Daily Mail rate is $\$ .13$ per word, the Charleston Gazette rate is $\$ .14$ per word, and the Metro Putnam rate is $\$ .13$ per word,


State of West Virghia,
AFFIDAVIT OF PUBLICATION
 of

THE CHARLESTON GAZETTE,

do. solemnly swear that the legal notice of: Permit \# U-5013-04 Black
was duly published in said newspaper(s) at the stated price for the respective newspaper(s) arfarduring the dates listed below: Subscribed and sworn to before me this $\qquad$ day of



## Exhibit B

Said Strata Mine Services, LLC's Purchase Order No. 6144820794, dated April 16, 2012, showing the contract price, and related Invoices from Strata Mine Services, LLC, showing payments thereon, and amounts owed, affixed hereto as follows:

Invoice No. SI13225, dated 04/27/12, for $\$ 74,240.00$; Invoice No. SI13356, dated 04/27/12, for $\$ 9,520.00$; Invoice No. SI13420, dated 05/11/12, for $\$ 10,774.94$; Invoice No. SI13502, dated $05 / 18 / 12$, for $\$ 11,856.92$; Invoice No. SI13537, dated 05/25/12, for $\$ 12,990.00$; Invoice No. SI13636, dated 06/01/12, for $\$ 9,913.28$; Invoice No. SI13675, dated 06/08/12, for $\$ 10,632.08$; Invoice No. SI13711, dated 06/15/12, for $\$ 11,644.50$; Invoice No. SI13772, dated $06 / 29 / 12$, for $\$ 8,728.00$; Invoice No. SI13834, dated 06/29/12, for $\$ 8,562.00$; Invoice No. SI13859, dated 06/29/12, for $\$ 4,570.15$.



Strata Mine Services, LLC.
a subsidiary of Strata Worldwide, LL.C
8995 Roswell Road
Sandy Springs, GA 30350
740.695 .6880

## INVOICE

Invoice Number: SI13225
Involce Date: 04/27/12
Page: 1

Bill
To: Black Stallion Coal Company
A subsidiary of Patriot Coal
PO Box 66823
St. Louls, MO 63166-6823

Ship
To: Black Stallion Coal Company Rt 85
PO Box 88
Wharton, WV 25208-0088

| Del. Tickel \# |  |
| :--- | :--- |
| Ship Vaa |  |
| Ship Date | $04 / 23 / 12$ |
| Due Date | $05 / 27 / 42$ |
| Terms | Net 30 Days |

Customer ID PATRIOT COAL-BLK STA
P.O. Number 614482-0794
P.O. Date

Our Order No.
SatesPerson Joh \# 04/23/12 S03545
Wendell Blas J3409


Strata Mine Services, LLC.
a subsidiary of Strata Woridwide, LLC
Sandy Springs, GA 30350

## INVOICE

Invoice Number: S143366
Invoice Date: 04/27/12
Page: 1

```
Ship
To: Black Stallion Coal Company
Rt }8
PO Box }8
Wharton, WV 25208-0088
```

Del. Tickel \#
Ship Via
Ship Date 04/23/12
Due Date 05/27/12
Terms Net 30 Days

| Customer ID | PATRIOT COAL-BLK STA |
| :--- | :--- |
| P.O. Number | $614482-0794$ |
| P.O. Date | $04 / 23 / 12$ |
| Our Order No. | S03545 |
| SalesPerson | Wendell Bias |
| Job \# | J3409 |



Strata Mine Services, LLC.
a subsidiary of Strata Wortiwide, LLC
8895 Roswell Road Sandy Springs, GA 30350
740.695 .6880

## INVOICE

Invoice Number. SI13420
Involce Date: 05/11/12
Page: 1
Ship
To: Black Stallion Coal Company
Rt 85
PO Box 8B
Wharton, WW 25208-0088

| Del. Ticket \# |  |
| :--- | :--- |
| Ship Via |  |
| Ship Date | $04123 / 12$ |
| Due Date | $06 / 10112$ |
| Terms | Net 30 Days |


| Customer ID | PATRIOT COAL-BLK STA |
| :--- | :--- |
| P.O. Number | 614482-0794 |
| P.O. Date | $04 / 23 / 12$ |
| Our Order No. | SO3545. |
| SalesPerson | Wendell Blas |
| Job \# | J3409 |


| Item/Description | Quantity | Unit Price | Total Price |
| :---: | :---: | :---: | :---: |
| LBR-UG SUPER | 4.13 | 400.00 | 1,652.00 |
| Underground Supervisor Shifts |  |  |  |
| ERR-UNG | 20.87 | 262.00 | 5,467.94 |
| Underground Labor Shifts |  |  |  |
| LBR-MOTEL | 27 | 115.00 | 3,105.00 |
| MateliDiem |  |  |  |
| SMS-COMPRSR-DAY | 1 | 150.00 | 150.00 |
| Compressor - Day |  |  |  |
| CONSUMABLES Consumables | 4 | 100.00 | 400.00 |
|  |  |  |  |
|  |  |  |  |
| Remity |  |  |  |

Sirata Mine Services, LLC.
a subsidiary of Strata Wordwide, LLC
8995 Roswell Road
Sandy Springs, GA 30350
740.695.6880

## INVOICE

Invoice Number: \$143502
Invoice Date: 05/18/12
Page: 1

```
Bill
To: Black Stallion Coal Company
    A subsidiary of Patrict Coal
    PO Box }6682
    St. Louis, MO 63166-6823
```

Ship
To: Black Stallion Coal Company
Rt 85
PO Box 88
Wharton, WV 25208-0088

| Del. Ticket \# |  |
| :--- | :--- |
| Ship Via |  |
| Ship Date | $04 / 23 / 12$ |
| Duse Date | $08 / 17 / 12$ |
| Terms | Net 30 Days |


| Customer ID | PATRIOT COAL-BLK STA |
| :--- | :--- |
| P.O. Number | $614482-0794$ |
| P.O. Date | $04 / 23 / 12$ |
| Our Order No. | SO3545 |
| SalesPerson | Wendell Bias |
| Job \# | J 3408 |




Strata Mine Services, LLC.
a subsidiary of Strata Worldwide, LLC
8995 Roswell Road
Sandy Springs, GA 30350
740.695 .6880

## INVOICE

Involce Number: Sl13537
Invoice Date: 05/25/12
Page: 1

## Ship

To: Black Stallion Coal Company Rt 85
PO Box 88
Wharton, WV 25208-0088

| Del. Ticket\# |  |
| :--- | :--- |
| Ship Va |  |
| Ship Date | $04 / 23 / 12$ |
| Due Date | $06 / 24 / 12$ |
| Terms | Net 30 Days |


| Customer ID | PATRIOT COAL-BLK STA |
| :--- | :--- |
| P.O. Number | $614482-0794$ |
| P.O. Date | $04 / 23 / 12$ |
| Our Order No. | SO3545 |
| SalesPerson | Wendell Bias |
| Job \# | J3409 |



Strata Mine Services, LLC.
a subsidiary of Strata Worddwide, LLC
8995 Roswell Road
Sandy Springs, GA 30350
740.695 .6880

## INVOICE

Invoice Number. Sl13636
Invoice Date: 08/01/12
Page: 1

Bill
To: Black Stallion Coal Company
A subsidiary of Patriot Coal
PO Box 66823
St. Louis, MO 63166-6823

Ship
To: Black Stallion Coal Company Rt 85
PO Box 88
Wharton, WV 25208-0088

| Del. Ticket\# |  | Customer ID PATRIOT COAL-BLK STA |  |
| :--- | :--- | :--- | :--- |
| Ship Vla |  | P.O. Number | $614482-0794$ |
| Ship Date | $04 / 23 / 12$ | P.O. Date | $04 / 23 / 12$ |
| Due Date | $07 / 01 / 12$ | Our Order No. SO3545 |  |
| Terms | Net 30 Days | SalesPerson | Wendell Bias |
|  |  | Job\# | J3409 |


| Itern/Description | Quantity | Unit Price | Total Price |
| :---: | :---: | :---: | :---: |
| LBR-UG SUPER <br> Underground Superv | 4.56 | 400.00 | 1,824.00 |
| LBR-UNG <br> Underground Labor | 17.44 | 262.00 | 4,569.28 |
| LBR-MOTEL Motel/Diem | 18 | 115.00 | 2,070.00 |
| SMS-COMPRSR-DAY Compressor - Day | 4 | 150.00 | 600.00 |
| PUMP - GUNITE GUNIE PUMP | 3 | 150.00 | 450.00 |
| CONSUMABLES Consumables | 4 | 100.00 | 400.00 |
|  |  |  |  |

Strata Mine Services, LLC.
a subsidiary of Strata Worldwide, LLC
8985 Roswell Road
Sandy Springs, GA 30350
740.695 .6880

## INVOICE

Involce Number. Sl13675
Invoice Date: 06/08/12
Page: 1

| Bill |  |
| :--- | :--- |
| To: | Black Stallion Coal Company |
|  | A subsidiary of Patriot Coal |
|  | PO Box 66823 |
|  | St. Louis, MO $63166-6823$ |

Ship
To: Black Stallion Coal Company Rt 85
PO Box 88
Wharton, WV 25208-0088

| Del. Ticket \# |  |
| :--- | :--- |
| Ship Via |  |
| Ship Date | $04 / 23 / 12$ |
| Due Date | $07 / 08 / 12$ |
| Terms | Net 30 Days |





Strata Mine Sorvices, LLC.
a subsidiary of Strata Wortdwide, LLC 8995 Roswell Road
Sandy Springs, GA 30350
740.695.6880

## INVOICE

Invoice Number: Si13772
Invoice Date: 06/29/12
Page: 1
Biil. Black Stallion Coal Company
To: Blat
A subsidlary of Patriot Coal
PO Box 66823
St. Louls, MO $63166-6823$

## Ship

To: Black Stallion Coal Company Rt 85 PO Box 88
Wharton, WN 25208-0088

| Del. Ticket \# |  |
| :--- | :--- |
| Ship Via |  |
| Ship Date | $04 / 23 / 12$ |
| Due Date | $07 / 29 / 12$ |
| Terms | Net 30 Days |


| Customer ID | PATRIOT COAL-BLK STA |
| :--- | :--- |
| P.O. Number | $614482-0794$ |
| P.O. Date | $04 / 23 / 12$ |
| Our Order No. | SO3545 |
| SalesPerson | Wendell Bias |
| Job\# | J 3409 |



Strata Mine Services, LLC.
a subsidiary of Strata Worldwide, LLC
8995 Roswell Road
Sandy Springs, GA 30350
740.695.6880

## INVOICE

Invoice Number: Sli3834
Invoice Date: 08/29/12
Page: 1

Bill
To: Black Stallion Coal Company
A subsidiary of Patriot Coal PO Box 66823
St. Louls, MO 63166-6823

Ship
To: Black Stallion Coal Company Rt 85 PO Box 88
Wharton, W 25208-0088

| Del. Tlcket \# |  |
| :--- | :--- |
| Ship Vla |  |
| Ship Date | $04 / 23 / 12$ |
| Dus Date | $07 / 29 / 12$ |
| Terms | Net 30 Days |


| Customer ID | PATRIOT COAL-BLK STA |
| :--- | :--- |
| P.O. Number | $614482-0794$ |
| P.O. Date | $04 / 23 / 12$ |
| Our Order No. | SO3545 |
| SalesPerson | Wendell Bias |
| Job \# | J3409 |




## INVOICE

Invoice Number: SI13859
Involce Date: 06/29/12
Page: 1
Ship
To: Black Stallion Coal Company Rt 85
PO Box 88
Wharton, WV 25208-0088

| Del. Ticket \# |  |
| :--- | :--- |
| Ship Via |  |
| Ship Date | $04 / 23 / 12$ |
| Due Date | $07 / 29 / 12$ |
| Terms | Net 30 Days |


| Customer tD | PATRIOT COAL.-BLK STA |
| :--- | :--- |
| P.O. Number | 614482-0794 |
| P.O. Date | $04 / 23 / 12$ |
| Our Order No. | SO3545 |
| SalesPerson | Wendell Bias |
| Job \# | J3409 |



