#### UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

In re:

PATRIOT COAL CORPORATION, et al.,

**Debtors.** 

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

### THIRD SUPPLEMENTAL DECLARATION OF STEVEN J. REISMAN ON BEHALF OF CURTIS, MALLET-PREVOST, COLT & MOSLE LLP PURSUANT TO RULES 2014(a) AND 2016(b) OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE

I, Steven J. Reisman, declare as follows:

1. I am an attorney duly admitted to practice before this Court.<sup>1</sup> I am a member of the law firm of Curtis, Mallet-Prevost, Colt & Mosle LLP ("<u>Curtis</u>"). Curtis is a multi-national law firm with principal offices located at 101 Park Avenue, New York, New York 10178-0061. Curtis maintains regional offices in: Washington, D.C.; Houston, Texas; Paris, France; London, England; Frankfurt, Germany; Milan, Italy; Mexico City, Mexico; Buenos Aires, Argentina; Muscat, Sultanate of Oman; Istanbul, Turkey; Almaty, Kazakhstan; Astana, Kazakhstan; Dubai, United Arab Emirates; Kuwait City, Kuwait; and Ashgabat, Turkmenistan.

2. I submit this declaration (the "<u>Third Supplemental Declaration</u>") to supplement the declarations I previously submitted on behalf of Curtis, sworn to on July 19, 2012 (the "<u>Original Declaration</u>"), October 12, 2012 (the "<u>First Supplemental Declaration</u>"), and February 12, 2013 (the "<u>Second Supplemental Declaration</u>") in support of the application (the "<u>Application</u>") for the engagement of Curtis by the debtors and debtors in possession (collectively, the "<u>Debtors</u>") in the above-captioned chapter 11 cases (collectively, the "<u>Chapter</u>

<sup>&</sup>lt;sup>1</sup> On January 11, 2013, an Order granting my motion to appear *pro hac vice* before this Court was entered [Docket No. 1986].

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<u>11 Cases</u>"), pursuant to sections 327, 328(a), 329 and 504 of Title 11 of the United States Code, as amended (the "<u>Bankruptcy Code</u>"), and to provide the disclosures required under Rules 2014(a) and 2016(b) of the Federal Rules of Bankruptcy Procedure (the "<u>Bankruptcy Rules</u>").

3. On August 2, 2012, the Bankruptcy Court for the Southern District of New York entered an order approving the Application and the Debtors' retention and employment of Curtis as conflicts counsel to the Debtors on a final basis [Docket No. 266] (the "<u>Curtis Retention</u> <u>Order</u>").

4. To the best of my knowledge, after due inquiry, and except as set forth herein, neither I, Curtis, nor any member of, counsel to or associate of Curtis represents any creditor, party in interest or entities other than the Debtors in connection with the Chapter 11 Cases.

5. Unless otherwise stated in this Third Supplemental Declaration, the Original Declaration, the First Supplemental Declaration, or the Second Supplemental Declaration, I have personal knowledge of the facts set forth herein. Curtis periodically reviews its files during the pendency of the Chapter 11 Cases to ensure that no conflicts or other disqualifying circumstances exist or arise. As additional information concerning the Debtors' creditors and relationships that have material connections with the Debtors develops, Curtis will file a further supplemental declaration with the Court. To the best of my knowledge, Curtis has not represented and will not represent any parties other than the Debtors related to these cases in respect of the matters on which Curtis is employed in the Chapter 11 Cases.

#### CURTIS' CONNECTIONS WITH CLIENTS IN MATTERS UNRELATED TO THE CHAPTER 11 CASES

6. Curtis has represented, currently represents, and may in the future represent, various entities or their affiliates in matters unrelated to the Chapter 11 Cases. Since filing the

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Second Supplemental Declaration, Curtis has been retained (subject to Bankruptcy Court approval) to represent Trinity Coal Corporation ("<u>Trinity</u>") and certain of its affiliates in their chapter 11 cases in the Bankruptcy Court for the Eastern District of Kentucky. Trinity's parent corporation is Essar Group.

7. Curtis does not hold or represent an interest that is adverse to the Debtors' estates, and Curtis is a "disinterested person," as such term is defined in section 101(14) of the Bankruptcy Code, as modified by section 1107(b) of the Bankruptcy Code.

#### CURTIS BILLING PRACTICES

8. As disclosed in the Original Declaration, the First Supplemental Declaration, and the Second Supplemental Declaration, Curtis is not a creditor of the Debtors.

9. All compensation for services rendered by Curtis and reimbursement of expenses incurred by Curtis in the Chapter 11 Cases is subject to the approval of this Court, and Curtis shall seek this Court's approval for the payment of such compensation pursuant to the applicable provisions of the Bankruptcy Code, the Bankruptcy Rules, and any applicable orders of this Court.

10. The foregoing constitutes the Third Supplemental Declaration of Curtis pursuant to section 327 of the Bankruptcy Code and Bankruptcy Rules 2014(a) and 2016(b).

I certify that the foregoing statements are true and correct to the best of my knowledge, information and belief.

Dated: March 4, 2013 New York, New York

By:/s/ Steven J. ReismanName:Steven J. ReismanTitle:A Member of the Firm