

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**In re:**

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

**Debtors.**

**Chapter 11**

**Case No. 12-12900 (SCC)**

**(Jointly Administered)**

**DECLARATION AND DISCLOSURE STATEMENT OF FRANK E.  
SIMMERMAN, JR., ON BEHALF OF SIMMERMAN LAW OFFICE, PLLC**

Frank E. Simmerman, Jr., declares and says:

1. I am owner of **Simmerman Law Office, PLLC**, located at 254 East Main Street, Clarksburg, WV 26301 (the "**Firm**").

2. Patriot Coal Corporation and its subsidiaries that are debtors and debtors in possession in the above referenced proceedings (collectively, the "**Debtors**") have requested that the Firm provide legal services to the Debtors, and the Firm has consented to provide those services.

3. The Firm may have performed services in the past and may perform services in the future, in matters unrelated to these chapter 11 cases, for persons that are claimants or other parties in interest in the Debtors' chapter 11 cases. The Firm does not perform services for any such person in connection with these chapter 11 cases.

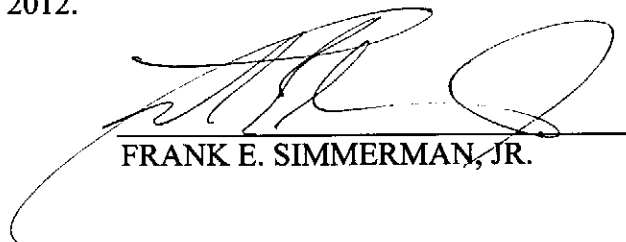
4. Neither I nor any partner or associate of the Firm, insofar as I have been able to ascertain, holds or represents any interest adverse to the Debtors or their estates with respect to the matters on which the Firm is to be employed.

5. Neither I nor any partner or associate of the Firm has agreed to share or will share any portion of the compensation to be received from the Debtors with any person other than partners and associates of the Firm.

6. The Debtors owe the Firm \$10,010.31 for prepetition services.

7. The Firm is conducting further inquiries regarding its retention by any creditors of the Debtors, and upon conclusion of that inquiry, or at any time during the period of its employment, if the Firm should discover any facts bearing on the matter described herein, the Firm will supplement the information contained in this Declaration.

8. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this Declaration was executed on August 14, 2012.

  
FRANK E. SIMMERMAN, JR.

Patriot Coal Corporation, et al.  
Chapter 11 Case No. 12-12900 (SCC)

RETENTION QUESTIONNAIRE

TO BE COMPLETED BY PROFESSIONALS EMPLOYED BY PATRIOT COAL CORPORATION, *et al.* (the “Debtors”)

DO NOT FILE THIS QUESTIONNAIRE WITH THE COURT.  
RETURN IT FOR FILING BY THE DEBTORS TO:

Davis Polk & Wardwell LLP  
450 Lexington Avenue  
New York, New York 10017  
Attn: Marshall S. Huebner and Brian M. Resnick

All questions **must** be answered. Please use “none,” “not applicable,” or “N/A,” as appropriate. If more space is needed, please complete on a separate page and attach.

1. Name and address of firm:

SIMMERMAN LAW OFFICE, PLLC

254 East Main Street

Clarksburg, WV 26301

Date of retention: November 5, 2009

2. Brief description of services to be provided:

Represent the Debtors in an insurance coverage action pending in Boone County, West Virginia. The Debtors have sued a number of their insurance providers for defense and indemnity of claims brought by numerous plaintiffs who alleged that they suffered bodily injury and property damage as a result of the Debtors' mining operations.

3. Arrangements for compensation (hourly, contingent, etc.)

Hourly

(a) Range of hourly rates (if applicable): \$125.00 - \$250.00

(b) Estimated average monthly compensation based on prepetition retention (if firm was employed prepetition): \$6,938.10

4. Prepetition claims against any of the Debtors held by the firm:

Amount of claim: \$10,010.31

Date claim arose: 6/30/12

Source of claim: Invoice for services rendered - 5/1/12 through 6/30/12

5. Prepetition claims against any of the Debtors held individually by any of the firm's attorneys:

Name: N/A

Status:

Amount of claim: \$

Date claim arose:

Source of claim:

6. Stock of any of the Debtors currently held by the firm:

Kind of shares: N/A

No. of shares:

7. Stock of any of the Debtors currently held individually by any of the firm's attorneys:

Name: N/A

Status:

Kind of shares:

No. of shares:

8. Disclose the nature and provide a brief description of any interest adverse to the Debtors or to their estates for the matters on which the firm is to be employed.

N/A

9. Name of individual completing this form.

Frank E. Simmerman, Jr.