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

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In re:

PATRIOT COAL CORPORATION, et al.,

**Debtors.** 

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

#### AMENDED NOTICE OF APPEARANCE AND DEMAND FOR SERVICE OF PAPERS

**PLEASE TAKE NOTICE** that each of Morgan, Lewis & Bockius LLP; Mooney, Green, Saindon, Murphy & Welch, P.C.; and Dowd Bennett LLP hereby amends its respective appearance in these Chapter 11 cases and appears on behalf of the United Mine Workers of America 1992 Benefit Plan ("<u>1992 Plan</u>"), United Mine Workers of America 1993 Benefit Plan ("<u>1993 Plan</u>"), United Mine Workers of America 1993 Benefit Plan ("<u>1993 Plan</u>"), United Mine Workers of America 1974 Pension Trust ("<u>1974 Plan</u>"), United Mine Workers of America 2012 Retiree Bonus Account Trust ("<u>Account Plan</u>"), and United Mine Workers of America Combined Benefit Fund ("<u>Combined Fund</u>", and together with the 1992 Plan, 1993 Plan, 1974 Plan and Account Plan, the "<u>Funds</u>"), and, pursuant to Rules 2002 and 9010(b) of the Federal Rules of Bankruptcy Procedure and Section 1109(b) of the United States Bankruptcy Code, hereby requests that all notices given or required in these cases, and all documents, and all other papers served in these cases, be given to and served upon:

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and

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and

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**PLEASE TAKE FURTHER NOTICE** that pursuant to Section 1109(b) of the Bankruptcy Code, the foregoing request includes not only the notices and papers referred to in the rule specified above but also includes, without limitation, orders and notices of any application, motion, petition, pleading, request, complaint or demand, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, delivery telephone, electronically or otherwise, which affects the Debtors or the property of the Debtors.

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**PLEASE TAKE FURTHER NOTICE** that neither this Amended Notice nor any later appearance, pleading, claim, or suit shall waive any right (1) to have final orders in non-core matters entered only after <u>de novo</u> review by a district judge, (2) to trial by jury in any proceeding so triable in these cases or in any case, controversy or proceeding relating to this case, (3) to have the district court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, or (4) to any other rights, claims, actions, defenses, setoffs, or recoupments to which the Funds, in any capacity, are or may be entitled under agreements, in law or in equity, all of which rights, claims, actions, defenses, setoffs and recoupments are expressly reserved.

Dated: April 22, 2013

Respectfully submitted,

#### **DOWD BENNETT LLP**

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### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing document was filed on April 22, 2013 using the Court's CM/ECF system and that service will be accomplished by operation of that system upon all counsel of record, which includes counsel for all core parties.

/s/ James E. Crowe, III