

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

**In re:**

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

**Debtors.<sup>1</sup>**

**Chapter 11**

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

**Jointly Administered**

**ORDER (i) WAIVING REQUIREMENT TO FILE LIST OF CREDITORS AND  
(ii) ESTABLISHING PROCEDURES FOR NOTIFYING CREDITORS OF THE  
COMMENCEMENT OF THE DEBTORS' CHAPTER 11 CASES**

Upon the motion (the “**Motion**”)<sup>2</sup> of Patriot Coal Corporation and its subsidiaries that are debtors and debtors in possession in these proceedings (collectively, the “**Debtors**”) for waiver of the requirement to file a list of creditors and for authority to establish procedures for notifying creditors of the commencement of their chapter 11 cases pursuant to sections 105(a), 342(a) and 521(a)(1) of the Bankruptcy Code, Bankruptcy Rules 1007(a), 2002(a), (f), and (l) of the Bankruptcy Rules, Local Bankruptcy Rule 1007-1 and General Orders M-133, M-137, M-138 and M-409 (the “**Standing Orders**”) as more fully described in the Motion; and upon consideration of the Declaration of Mark N. Schroeder, Patriot Coal Corporation’s Senior Vice President and Chief Financial Officer, filed in support of the Debtors’ first-day pleadings; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334 and Standing Order M-61 Referring to Bankruptcy Judges

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<sup>1</sup> The Debtors are the entities listed on Schedule 1 attached to the Motion. The employer tax identification numbers and addresses for each of the Debtors are set forth in the Debtors’ chapter 11 petitions.

<sup>2</sup> Unless otherwise defined herein, each capitalized term shall have the meaning ascribed to such term in the Motion.

for the Southern District of New York Any and All Proceedings Under Title 11, dated July 10, 1984 (Ward, Acting C.J.) as amended by Standing Order M-431, dated February 1, 2012 (Preska, C.J.); and consideration of the Motion and the requested relief being a core proceeding the Bankruptcy Court can determine pursuant to 28 U.S.C. § 157(b); and due and proper notice of the Motion having been provided to (a) the Office of the United States Trustee for the Southern District of New York, (b) those creditors holding the five largest secured claims against the Debtors' estates on a consolidated basis, (c) those creditors holding the 50 largest unsecured claims against the Debtors' estates on a consolidated basis, (d) attorneys for the administrative agents for the Debtors' proposed postpetition lenders, (e) the Internal Revenue Service, (f) the Securities and Exchange Commission, (g) the United States Environmental Protection Agency and (h) the United States Attorney's Office for the Southern District of New York; and it appearing that no other or further notice need be provided; and the relief requested in the Motion being in the best interests of the Debtors and their estates and creditors; and the Court having reviewed the Motion and having held a hearing with appearances of parties in interest noted in the transcript thereof (the "**Hearing**"); and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the Motion is hereby granted as set forth herein; and it is further

ORDERED that the requirement under section 521(a)(1) of the Bankruptcy Code, Bankruptcy Rule 1007(a)(1), Local Bankruptcy Rule 1007-1 and the Standing Orders to

file with the petitions a list containing the name and address of certain creditors, counterparties to executory contracts and unexpired leases and co-debtors is waived *provided* that this waiver does not affect the Debtors' obligations to file schedules of executory contracts and unexpired leases and co-debtors pursuant to section 521 of the Bankruptcy Code or Bankruptcy Rule 1007; and it is further

ORDERED that the Debtors, as soon as practicable after the commencement of their chapter 11 cases, will furnish the list of creditors to GCG, Inc. (the "**Notice and Claims Agent**"), upon the Court's authorization to engage the Notice and Claims Agent; and it is further

ORDERED that the Debtors, with the assistance of the Notice and Claims Agent, are directed to mail notice of the commencement of these chapter 11 cases and of the Section 341 Meeting (the "**Notice of Commencement**") to all creditors on the Debtors' list of creditors at least 21 days prior to the date on which the Section 341 Meeting is to be held; and it is further

ORDERED that the form of Notice of Commencement, substantially in the form of notice annexed to the Motion as Exhibit B, is approved; and it is further

ORDERED that Debtors shall cause publication of the Notice of Commencement, in various publications listed in the Motion, in substantially the form of notice annexed to the Motion as Exhibit B, at least 21 days prior to the date on which the Section 341 Meeting is to be held. Such form and manner of publication notice is hereby approved and authorized pursuant to Bankruptcy Rule 2002(l); and it is further

ORDERED that all forms of notice provided by the Motion are reasonably calculated to inform interested parties of these chapter 11 cases; and it is further

ORDERED that this Court retains jurisdiction regarding all matters arising from  
or related to the implementation of this Order; and it is further

ORDERED that notice of the Motion as provided therein shall be deemed good  
and sufficient notice of such Motion.

Dated: July 11, 2012  
New York, New York

/s/ Allan L. Gropper  
HONORABLE ALLAN L. GROPPER  
UNITED STATES BANKRUPTCY JUDGE