

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

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CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT
ST. LOUIS, MISSOURI 63102-4000

In re:

PATRIOT COAL CORPORATION, ET AL,

Debtors

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

Hearing Date: May 20, 2014
Hearing Time: 10:00 a. m.
Location: Courtroom 7-N St Louis

RESPONSE TO ORGANIZED DEBTORS' OBJECTION TO
ADMINISTRATIVE CLAIM OF FIDELITY PENSION PLAN TRUST
AND RESPONDANTS' MOTION FOR CHANGE OF VENUE

Response

1. On December 7, 2012 GCG Claim #1230 was filed by Michael Fennell, trustee/pianadministrator of the Fidelity Pension Plan Trust. The claim was posted by the debtor, Patriot Coal as a Secured Claim in the amount of \$200,000.00. (See Exhibit 1).
2. On December 12, 2012 someone under the name of Wilmington Trust filed GCG Claim 1857. The claim was posted by the debtor, Patriot Coal as an unsecured claim in the amount of \$250,000,000. (See Exhibit 1A).
3. On June 19, 2013 a Court Order, Dkt. No. 4168, disallowed all claims that were duplicative of GCG Claim #1857.
4. The word duplicative, an adverb of the word duplicate is a legal word with a legal meaning, namely, a document which is identically the same as another document, being the same as an original and having all the legal effect and validity of an original. (See Exhibit 1B).

5. The Fidelity Pension Plan Claim was posted to the Claim Register by the debtor as a Secured Claim. The other claim, namely GCG Claim #1857 was posted to the Claim Register as an Unsecured Claim. As such, the Fidelity Pension Plan claim is not a legal duplicate of the GCG Claim #1857 and, as such could not and was not expunged by the June 19, 2013 Court Order. As such, no Court Order was ever served on the pension plan.

6. The Court should be aware of the fact that whether a claim is secured or unsecured is hidden from view on the GCG system on a sub-page which one must know how to access. If this fact was not revealed to the court by the debtor and its counsel, then it is another in a series of abuse of process that has taken place in this bankruptcy case.

7. On 11/26/13 (Stein, GCG) and 12/15/13 (GCG 800#), I requested a claim form to update the amount of the pension plan's claim amount just as I did in the past for other bankruptcy claims. No response was received until 1/14/14 when a EMail from an unknown party stating there were no "customized forms" and the expiration date for all claims was 1/17/14. (See Exhibit 1C).

8. The form did not come until a complaint was filed with office U.S. Trustee on 3/10/14. I received a call from an attorney Kevin Coco and after hearing my complaint he said he would see the form id sent. Two forms were received and I returned what I thought was the correct form at that time noting the claim was

being updated for interest that had accumulated since the 12/5/12 claim filing. There were documents sent with the 3/21/14 claim filing showing exactly how I had been told to do so by the debtors counsel in another bankruptcy case. None of those documents were posted with the 3/21/14 dated claim filing to show that it was not a filing for an administrative expense but was for bond interest. As such I consider it an abuse of process for the debtors counsel to assert to the Court that my 3/21/14 filing was for an administrative expense. (See Exhibit 1D1,2,3).

9. On 11/26/13 I called a Steven Cimalre, Vice-President of Wilmington Trust, in the Delaware office trust department. I asked him why there was no letter of disclosure in my file that Wilmington Trust was the indenture trustee on the Patriot Coal bonds. He told me that Wilmington Trust was not part of the Patriot Coal bankruptcy case and referred me to a Jonathan Levine of Andrews Kurth, New York City. The party who answered the phone stated, "Levine Trust". Later on I received a return call from a Jonathan Levine and I complained to him about the lack of disclosure and about time critical documents being mailed to an uninvolved third party instead directly to the pension plan address and as such arriving to the pension plan out of the time to reply. He said it was acceptable and that was the end of the conversation. I find all of the above to be an abuse of process.

!). On 3/3/14 a time critical document which had been mailed to an uninvolved third party and which took over three weeks

to arrive at the pension plan's address contained a false classification of the pension plan's claim and a threat that if the form was not returned in three day's the pension plan's claim would be fully denied. I consider this to be a malicious abuse of process and an unlawful threat. (See 1E1,2,3,4,5,6).

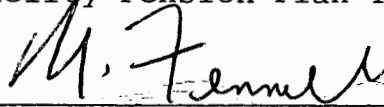
11. Based upon all of the above a letter will be sent to the Chief Judge of the U.S. Courts asking for a formal investigation of the conduct of this case. A copy of that letter will be sent to the court.

WHEREFORE, THE Respondant respectfully requests that
this Court: (a) overrules the objection, and
(b) grants an order for a 100% secured claim

Dated: April 29, 2014
Mahwah, New Jersey

Respectfully submitted,

Fidelity Pension Plan Trust



Michael Fennell
Plan Administrator/Trustee
1104 Hilltop Road
Mahwah New Jersey 07430
(201)825-1263
FAX (201)825-1263 - Call before faxing

CERTIFICATION

I certify that all of the above said by me is true and I am subject to sanctions if anything I said is wilfully or knowingly untrue.

I further certify that I served one copy of this response on the following:

BRYAN CAVE LLP
211 N Broadway, Suite 3600
St. Louis, Missouri 63102

-and-

DAVIS POLK & WARDELL LLP
450 Lexington Avenue
New York, New York 10017

OVER

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Creditor Search](#)
- [Client Login](#)

Note: Claim information is subject to continuous audit, review and revision.

Search By :

1 - 1 Of 1 Records

PAGE 1

| GCG # | EDMO Claim # | GCG Claim # | GCG Filed Date | Creditor Name | Debtor Name | Total Scheduled Amount | Total Claimed Amount | Total Allowed Amount |
|-----------------------------|--------------|-------------|----------------|----------------------|--------------------------|------------------------|----------------------|----------------------|
| 1384 | 758-1 | 1230 | 12/07/12 | MICHAEL JAMES FENNEL | PATRIOT COAL CORPORATION | \$0.00 | \$200,000.00 | \$0.00 |
| Search Results Total | | | | | | \$0.00 | \$200,000.00 | \$0.00 |

[-] Creditor Detail

Creditor Name
: MICHAEL JAMES FENNEL

Address
: FIDELITY PENSION PLAN TRUST, 1104 HILLTOP RD
MAHWAH NJ 07430

[-] Claim Detail

GCG #: 1384 [View Claim Image](#) GCG Claim #: 1230
 EDMO Claim #: 758-1 EDMO Date Filed: 02/25/2013

Transferor Name
:

GCG Filed Date
: 12/07/12

Scheduled As
:

Amends Claim # (s)
:

Amended by Claim #
:

| | Scheduled | Claimed | Allowed |
|--------------------------|-----------|---------------------|---------------|
| Secured | | \$200,000.00 | \$0.00 |
| Priority | | | \$0.00 |
| Administrative 503(b)(9) | | | \$0.00 |
| Unsecured | | | \$0.00 |
| Total | | \$200,000.00 | \$0.00 |

*PAGE 2 ONLY
SHOW TO THOSE
WHO KNOW
HOW TO
SEE IT*

Satisfied Pursuant to the Plan Confirmed 12/18/13

"Claimed" 503(b)(9) amounts are included in the "Claimed" Admin amounts. The 503(b)(9) claimed amounts are a subset of the claimed Admin amounts.

"Allowed" 503(b)(9) amounts are not included in the "Allowed" Admin amounts. The 503(b)(9) allowed amounts are independent of the allowed Admin amounts.

± Reconciliation Detail

± Transfer Detail

As the official claims agent, GCG makes the images of all filed proofs of claim available on the Claims Register/Creditor Search page of GCG's website. In accordance with Fed. Bank. R. 9037(g), parties that file proofs of claim are deemed to consent to the display of all information that has not been otherwise redacted on their claim form.

All claimants on the claims register may be found through the above search. If you wish to receive the official Claims Register or have any questions concerning this case, please contact PCXInfo@gcginc.com

Due to the volume of records, your request may take several minutes to complete.

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1 - 1 Of 1 Records

PAGE
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| GCG # | EDMO Claim # | GCG Claim # | GCG Filed Date | Creditor Name | Debtor Name | Total Scheduled Amount | Total Claimed Amount | Total Allowed Amount |
|-----------------------------|--------------|-------------|----------------|---------------------------------------|---------------------------------------|------------------------|-------------------------|-------------------------|
| 1809 | 1165-1 | 1857 | 12/12/12 | WILMINGTON TRUST NATIONAL CORPORATION | WILMINGTON TRUST NATIONAL CORPORATION | \$0.00 | \$250,000,000.00 | \$250,000,000.00 |
| Search Results Total | | | | | | \$0.00 | \$250,000,000.00 | \$250,000,000.00 |

As the official claims agent, GCG makes the images of all filed proofs of claim available on the Claims Register/Creditor Search page of GCG's website. In accordance with Fed. Bank. R. 9037(g), parties that file proofs of claim are deemed to consent to the display of all information that has not been otherwise redacted on their claim form.

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1 - 1 Of 1 Records

PAGE 1

| GCG # | EDMO Claim # | GCG Claim # | GCG Filed Date | Creditor Name | Debtor Name | Total Scheduled Amount | Total Claimed Amount | Total Allowed Amount |
|-----------------------------|--------------|-------------|----------------|--------------------------|--------------------------|------------------------|-------------------------|-------------------------|
| 1809 | 1165-1 | 1857 | 12/12/12 | WILMINGTON TRUST COMPANY | PATRIOT COAL CORPORATION | \$0.00 | \$250,000,000.00 | \$250,000,000.00 |
| Search Results Total | | | | | | \$0.00 | \$250,000,000.00 | \$250,000,000.00 |

PAGE 2 ONLY
SHOW TO THOSE WHO KNOW HOW TO ACCESS THE PAGE

- Creditor Detail

Creditor Name
WILMINGTON TRUST COMPANY

Address
C/O ANDREWS KURTH LLP , ATTN JONATHAN I LEVINE, 450 LEXINGTON AVE
NEW YORK NY 10017

- Claim Detail GCG #: 1809 [View Claim Image](#) GCG Claim #: 1857
EDMO Claim #: 1165-1 EDMO Date Filed: 02/25/2013

Transferor Name

GCG Filed Date Amends Claim # (s)

12/12/12 :

Scheduled As Amended by Claim #

:

| | Scheduled | Claimed | Allowed |
|--------------------------|--------------------------|--|-------------------------|
| Secured | | | \$0.00 |
| Priority | | | \$0.00 |
| Administrative 503(b)(9) | | | \$0.00 |
| Unsecured | | \$250,000,000.00 (UNL) | \$250,000,000.00 |
| Total | | \$250,000,000.00 (Unliquidated) | \$250,000,000.00 |
| Debtor | PATRIOT COAL CORPORATION | | |

Note

Duorum in solidum dominium vel possessio esse non potest (du-ō-rum in so-li-dum do-mi-ni-um vel po-ze'she-ō es'se non po'test). Sole ownership or possession cannot be in two persons.

Duo sunt instrumenta ad omnes res aut confirmandas aut impugnandas.—ratio et auctoritas (du-ō sunt in-stru-men'ta ad om'nēz rēz āt kon-fir-man'das āt im-pug-nan'das,—rā'she-ō et āk-tō'ri-tas). There are two instrumentalities for the confirmation or repudiation of all things,—reason and authority.

duplex querela (dū'pleks kwe-rē'la). A double complaint; an appeal from an ordinary to his next superior, as from the decision of a bishop to an archbishop. See 3 Bl. Comm. 247.

duplex valor maritaggi (du'pleks va'lor ma-ri-tā'ji-i). Double the value of the maritagium. The amount of the penalty which a ward had to pay if he married without his guardian's consent and thus cut off the guardian's maritagium. See 2 Bl. Comm. 70.

duplicate (dū'pli-kāt). A writing or document which is identically the same as another writing or document, being the same as an original, and having all the legal effect and validity of an original. See note to Lorch v. Page, 24 A.L.R. 1209. See script.

duplicate will. A will which has been executed in duplicate so that each one of the two copies can be placed in the hands of a different person.

duplicatio (du-pli-kā'she-ō). A Roman law pleading corresponding to the common law rejoinder, being the defendant's reply to the actor's replicatio. See 3 Bl. Comm. 310.

Duplicationem possibilitatis lex non patitur (du-pli-kā-she-ō'nem pos-si-bi'li-tā'tis lex non pā'ti-ter). The law does not permit the doubling of a possibility. See double possibility.

duplicatum jus (du-pli-kā'tum jūs). A double right.

duplicem valorem maritaggi (du'pli-sem va-lō'rem ma-ri-tā'ji-i). See duplex valor maritaggi.

duplicitous (dū-plis'i-tus). An indictment is said to be duplicitous when it charges two different and distinct offenses in one count.

duplicity (dū-plis'i-ti). A defect in pleading in violation of the common law rule of pleading, which tends to produce singleness or unity in the issue, that the pleadings must not be double. The rule applies to all the pleadings.

duplo. See in duplo.

duply (dū-plī'). A Scotch pleading corresponding to the rejoinder of the common law, being the same as the Roman law duplicatio.

Dura lex scripta tamen (dū'ra lex skrip'ta ta'men). Harsh though it be, the law is thus written.

durante (du-ran'te). During; pending.

durante absentia (du-ran'te ab-sen'she-a). During absence. Concerning an appointment durante absentia, it has been ruled that such administration of the office is at an end the moment the absentee returns.

durante animo vitio. See administrator animo vitio.

durante bene placito (dū-ran'tē bē'nē plas'tō). During the pleasure. Before the statute 13 William III, c. 2, the judges of the superior courts held their offices at the pleasure of the king. See 1 Bl. Comm. 267. It seems also that a sheriff might be appointed during the pleasure of the king. See 1 Bl. Comm. 342.

durante furore (du-ran'te fu-rō're). During the period of a person's insanity.

durante itinere (du-ran'te ī-ti'ne-re). During the time when a person is on a journey.

durante minore aetate (du-ran'te mī-nō're ē-tā'te). During the age of minority.

durante viduitate (du-ran'te vi-du-i-tā'te). During widowhood, while she was a widow. See 2 Bl. Comm. 124.

durante virginitate (dū-ran'te vir-ji-ni-tā'te). During virginity,—during the time a woman remains unmarried.

durante vita (dū-ran'tē vī'tā). During a person's lifetime.

duress (dū-res'). Overpowering of the will of a person by force or fear. 7 Am Jur 766.

duress by imprisonment. Such duress as exists where there is an arrest for improper purposes, without just cause; or where an imprisonment, originally lawful, has been abused, as by ill treatment of the prisoner. 17 Am Jur 876.

duress of goods. The refusal of one in possession or control of property of another to surrender the possession or control of it to the owner except upon compliance with an unlawful demand. See 17 Am Jur 877.

duress of imprisonment. The illegal detention of a person. See 6 Am Jur 89. A duress whereby a man actually loses his liberty. See 17 Am Jur 874.

duressor (dū-res'or). A person who employs duress in his dealing with another.

Key to pronunciation: a in fat; ā in fate; ā in far; ā in fall; ā in ask; ā in fare; ā in prelate; a in errant; ā in Persia. e in met; ē in meet; ē in her; ē in ablegate; e in prudent. i in pin; ī in pine; ī in charity. o in not; ō in note; ō in move; ō in not.

THE SELF-PRONOUNCING LAW DICTIONARY

SECOND STUDENTS EDITION

Contains over twenty-three thousand English and Latin words, terms and phrases which are used in the law, with their meanings, pronunciations, and translations; citations to cases, textbooks, American Law Reports and sections of American Jurisprudence which define or construe the words, terms and phrases; and a complete list of abbreviations of legal literature.

FOREWORD BY ROSCOE POUND

Harvard University Law School

Abridged from "Law Dictionary with Pronunciations"

BY

JAMES A. BALLENTINE

University of California Law School

THE LAWYERS CO-OPERATIVE PUBLISHING COMPANY
ROCHESTER, NEW YORK

THIS DOCUMENT WAS MAILED WITH MY 3/21/14 CLAIM FORM SENT TO GCG AND SHOULD HAVE BEEN POSTED WITH THE PATRIOT / GCG ADMINISTRATIVE FORM

OVER

COPY SENT ORIGINAL MAILED 12/21/13 RAMPEY N.J. P.O.

B 10 (Official Form 10) (04/07)

| | | |
|---|---|---|
| UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS | | ADMINISTRATIVE EXPENSE REQUEST FORM |
| Name of Debtor ATP Oil & Gas Corporation | Case Number 12-36187 | THIS SPACE IS FOR COURT USE ONLY |
| IMPORTANT: THIS FORM SHOULD ONLY BE USED TO MAKE A REQUEST FOR PAYMENT OF AN ADMINISTRATIVE EXPENSE ARISING ON OR AFTER AUGUST 17, 2012 (THE "PETITION DATE"). IF YOU HAVE ALREADY FILED A PROOF OF CLAIM FOR AN OBLIGATION INCURRED BEFORE THE PETITION DATE, YOU DO NOT NEED TO RETURN THIS FORM UNLESS YOU ALSO HAVE AN ADMINISTRATIVE CLAIM THAT AROSE ON OR AFTER THE PETITION DATE. | | |
| Name of Creditor (The person or other entity to whom the debtor owes money or property): Mikel Company Pension Trust M Fennell | <input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of Administrative Expense relating to your Administrative Expense. Attach copy of statement giving particulars. | |
| Name and address where notices should be sent: NameID: 11212920 Mikel Company Pension Trust M Fennell Mikel Company Pension Trust 1104 Hilltop Rd Mahwah, NJ 07430-2231 | <input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case. <input type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court. | |
| Telephone number: 201-825-1263 ^{SAM-4 PM} _{M-F EST} | <input type="checkbox"/> Check here if this claim <input checked="" type="checkbox"/> replaces a previously filed claim, dated: 1/22/13 ^{SEE ATTACHED} | |
| Last four digits of account or other number by which creditor identifies debtor: 2774 | | |
| 1. Basis for Administrative Expense <input type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input type="checkbox"/> Money loaned | <input type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input checked="" type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114(a) Other: _____ | <input type="checkbox"/> Wages, salaries, and compensation (fill out below) Last four digits of your SS #: _____ Unpaid compensation for services performed From _____ to _____ (date) |

THIS PRE PRINTED FORM WAS SENT BY MAYER BROWN, COUNSEL FOR THE DEBTORS SIX WEEKS B/4 THE DATE DUE ALL I HAD TO DOE CHECK THE APPROPRIATE BOX AS BASIS FOR THE CLAIM, UPDATE THE FIGURES AND SIGN THE FORM NO SUCH FORM WAS EVER RECEIVED FROM PATRIOT COAL / GCG EVEN THOUGH I SPECIFICALLY ASKED FOR IT TWICE IN DECEMBER 2013, SOME ONE CALLED ME AND SAID THERE IS NO SUCH FORM EVEN THOUGH THE COURT WEBSITE AND THE REORG PLAN SAYS THERE IS A FORM

OVER

| | | | |
|---|---|--------------------------------------|--|
| 2. Date debt was incurred: 3/8/12 - 3/19/12 | | 3. If court judgment, date obtained: | |
| 4. Total Amount of Administrative Expense: \$ _____ <input checked="" type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of the Administrative Expense. Attach an itemized statement of all interest or additional charges. | | | |
| 5. Brief Description of Administrative Expense (attach any additional information) SEE ATTACHED SEE SUPPORTING DOCUMENTS RECEIVED 1/22/13 CLAIM #316 | | | |
| 6. Credits: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of Administrative Expense. | | THIS SPACE IS FOR COURT USE ONLY | |
| 7. Supporting Documents: Attach copies of supporting documents, such as contracts, purchase orders, invoices, itemized Statements, correspondence and any other document you believe supports or evidences the actual and necessary cost of preserving the Debtor's estate. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary. | | | |
| 8. Date-Stamped Copy: To receive an acknowledgment of the filing of your proof of Administrative Expense, enclose a stamped, self-addressed envelope and copy of this proof of Administrative Expense. | | | |
| Date 12/20/13 | Sign and print the name and title, if any, of the creditor or other person authorized to file this proof of Administrative Expense (attach copy of power of attorney, if any): M. Fennell MICHAEL FENNELL PLAN ADMINISTRATOR | | |

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

ATP Oil & Gas Claims Processing
c/o KCC
2335 Alaska Ave
El Segundo, CA 90245

FIRST CLASS
US POSTAGE PAID
EL SEGUNDO CA
PERMIT NO. 45049

Mikel Company Pension Trust M Fennell
Mikel Company Pension Trust
1104 Hilltop Rd
Mahwah, NJ 07430-2231

PROOF OF CLAIM CONFIRMATION
Your proof of claim filed against ATP Oil & Gas Corporation,
case no 12-36187 was received on 12/26/2013
and assigned claim number 603

For more information, please visit <http://www.uscourts.gov> or call 1-866-967-1787

Claim Search Results

Filter applied: Debtor(s): All Debtors Claim Amount Type: Filed Claim Amount Claim #: 316

- Claim Number: 316 [Download PDF](#)

Name: Mikel Company Pension Trust /M. Fennell

Filed Claim Amount: UNLIQUIDATED

Date Claim Filed: 1/22/2013

Debtor: ATP Oil & Gas Corporation

Filed Claim Nature: Secured

Claim Search Results

Filter applied: Debtor(s): All Debtors Claim Amount Type: Filed Claim Amount Claim #: 603

- Claim Number: 603 [Download PDF](#)

Name: Mikel Company Pension Trust M Fennell

Filed Claim Amount: UNLIQUIDATED

Date Claim Filed: 12/26/2013

Debtor: ATP Oil & Gas Corporation

Filed Claim Nature: Admin Priority

NO ONE HAS OBJECTED
TO THESE CLAIMS

Gmail

More 21 of 69

COMPOSE

Fisher Invest - 15-Minute Retirement Plan - Have a \$500k portfolio? Get the latest retirement guide by F

- Inbox (149)
- Starred
- Important
- Sent Mail
- Drafts (6)
- Personal
- Travel
- More

RE: Message from US Trustee (ED Mo): Patriot Coal, Chapter 11 bankruptcy March 21, 2014

Inbox x

Rand paul.a

Randolph, Paul (USTP) <Paul.A.Randolph@usdoj.gov> Mar 21 to me

Mr. Fennell:

This email is sent following our telephone conversation this morning. You essentially were complaining that despite the representations by attorney Kevin Coco with the law firm of Davis Polk, the claim forms who required had not been received. I emailed and called Mr. Coco. He indicated that the forms were sent via regular mail by the claims agent earlier this week but, following my inquiry, he faxed them to you this afternoon. Please let me know if they are not received or call him directly at 212- 450- 3022.

I also suggested to you, as before, that you send a request to the bankruptcy clerk's office to have yourself added to the mailing list for the case if you are not presently on the list. I also suggested that, given the amounts involved, you may wish to consider consulting with an attorney regarding the case as this office cannot represent you. Finally, I provided you with the contact information for Thomas Mayer, one of the attorneys in the law firm of Kramer Levin which represents that unsecured creditors committee. I hope this has been helpful.

FISHE



Have a latest r Colum

NJ Bai Protect Home. : Consult bergent

Revers Find Le Mortgage And Sta lendingt

Man Ci 1 simple jumped www.the

Public Review Enter N: Instantcl

Unique Finish in in Health online.ut

Gmail

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COMPOSE

Fisher Invest - 15-Minute Retirement Plan - If you have a \$500,000 portfolio, do

Inbox (113)

Starred

Important

Sent Mail

Drafts (1)

Personal

Travel

More

Patriot Coal Corporation Case No. 12-51502

Inbox X

PCXInfo <PCXInfo@gardencitygroup.com>

Jan 14 (1 day ago) 10:39 AM

to me

3 DAYS B/4 EXPIRATION DATE
NO FORM WAS SENT

Mr. Fennell: ?

There are not customized administrative claim forms. For a copy of the administrative claim form, please visit the case website located at www.patriotcaseinformation.com.

Please note that the deadline for submitting an Other Administrative Expense Proof of Claim is 4:00 p.m. (prevailing Central Time) on January 17, 2014.

GCG The Garden City Group, Inc.

This communication (including any attachments) is intended for the use of the intended recipient(s) and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by return e-mail message and delete all copies of the original.

REQUESTED TWO TIMES - STRIN 11/26/13, GCG 12/15/13
I ASKED FOR CLAIM FORM TO UPDATE CLAIM

Modified B 10 (G.C.) (12-11)



UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF MISSOURI

You may only check one Debtor box. If you have a claim against multiple Debtors listed below you must complete a separate proof of claim form for each such Debtor.

| Name of Debtor: | Case No. | Name of Debtor: | Case No. | Name of Debtor: | Case No. |
|---|--------------|---|----------|---|--------------|
| <input type="checkbox"/> Affinity Mining Company | 12-52020 | <input type="checkbox"/> Eastern Royalty, I.I.C. | 12-52060 | <input type="checkbox"/> Patriot Coal Services LLC | 12-52102 |
| <input type="checkbox"/> Apogee Coal Company, LLC | 12-52026 | <input type="checkbox"/> Emerald Processing, L.L.C. | 12-52061 | <input type="checkbox"/> Patriot Leasing Company LLC | 12-52103 |
| <input type="checkbox"/> Appalachia Mine Services, I.I.C. | 12-52021 | <input type="checkbox"/> Gateway Eagle Coal Company, I.I.C. | 12-52062 | <input type="checkbox"/> Patriot Midwest Holdings, LLC | 12-52104 |
| <input type="checkbox"/> Beaver Dam Coal Company, LLC | 12-52022 | <input type="checkbox"/> Grand Eagle Mining, I.I.C. | 12-52064 | <input type="checkbox"/> Patriot Reserve Holdings, I.I.C. | 12-52105 |
| <input type="checkbox"/> Big Eagle, LLC | 12-52027 | <input type="checkbox"/> Heritage Coal Company LLC | 12-52063 | <input type="checkbox"/> Patriot Trading LLC | 12-52106 |
| <input type="checkbox"/> Big Eagle Rail, LLC | 12-52028 | <input type="checkbox"/> Highland Mining Company, LLC | 12-52065 | <input type="checkbox"/> Patriot Ventures LLC | 13-48728-659 |
| <input type="checkbox"/> Black Stallion Coal Company, LLC | 12-52030 | <input type="checkbox"/> Hillside Mining Company | 12-52066 | <input type="checkbox"/> PCX Enterprises, Inc. | 12-52019 |
| <input type="checkbox"/> Black Walnut Coal Company | 12-52029 | <input type="checkbox"/> Hobet Mining, LLC | 12-52068 | <input type="checkbox"/> Pine Ridge Coal Company, LLC | 12-52107 |
| <input type="checkbox"/> Bluegrass Mine Services, I.I.C. | 12-52031 | <input type="checkbox"/> Indian Hill Company I.I.C. | 12-52069 | <input type="checkbox"/> Pond Creek Land Resources, I.I.C. | 12-52108 |
| <input type="checkbox"/> Brody Mining, LLC | 13-48727-659 | <input type="checkbox"/> Infinity Coal Sales, LLC | 12-52070 | <input type="checkbox"/> Pond Fork Processing LLC | 12-52110 |
| <input type="checkbox"/> Brook Trout Coal, LLC | 12-52034 | <input type="checkbox"/> Interior Holdings, LLC | 12-52072 | <input type="checkbox"/> Remington Holdings LLC | 12-52117 |
| <input type="checkbox"/> Catenary Coal Company, LLC | 12-52036 | <input type="checkbox"/> IO Coal I.I.C. | 12-52073 | <input type="checkbox"/> Remington II LLC | 12-52118 |
| <input type="checkbox"/> Central States Coal Reserves of Kentucky, LLC | 12-52038 | <input type="checkbox"/> Jewell's Branch Coal Company | 12-52075 | <input type="checkbox"/> Remington I.I.C. | 12-52119 |
| <input type="checkbox"/> Charles Coal Company, LLC | 12-52037 | <input type="checkbox"/> Jupiter Holdings I.I.C. | 12-52076 | <input type="checkbox"/> Rivers Edge Mining, Inc. | 12-52120 |
| <input type="checkbox"/> Cleaton Coal Company | 12-52039 | <input type="checkbox"/> Kanawha Eagle Coal, I.I.C. | 12-52077 | <input type="checkbox"/> Robin Lund Company, I.I.C. | 12-52121 |
| <input type="checkbox"/> Coal Clean I.I.C. | 12-52040 | <input type="checkbox"/> Kanawha River Ventures I, LLC | 12-52078 | <input type="checkbox"/> Sentry Mining, I.I.C. | 12-52123 |
| <input type="checkbox"/> Coal Properties, I.I.C. | 12-52041 | <input type="checkbox"/> Kanawha River Ventures II, LLC | 12-52079 | <input type="checkbox"/> Snowberry Land Company | 12-52124 |
| <input type="checkbox"/> Coal Reserve Holding Limited Liability Company No. 2 | 12-52042 | <input type="checkbox"/> Kanawha River Ventures III, I.I.C. | 12-52080 | <input type="checkbox"/> Speed Mining LLC | 12-52125 |
| <input type="checkbox"/> Colony Bay Coal Company | 12-52043 | <input type="checkbox"/> KE Ventures, LLC | 12-52081 | <input type="checkbox"/> Sterling Smokeless Coal Company, I.I.C. | 12-52127 |
| <input type="checkbox"/> Cook Mountain Coal Company, LLC | 12-52044 | <input type="checkbox"/> Little Creek LLC | 12-52082 | <input type="checkbox"/> TC Sales Company, LLC | 12-52128 |
| <input type="checkbox"/> Corydon Resources I.I.C. | 12-52045 | <input type="checkbox"/> Logan Fork Coal Company | 12-52083 | <input type="checkbox"/> The Presidentia Energy Company LLC | 12-52130 |
| <input type="checkbox"/> Coventry Mining Services, I.I.C. | 12-52046 | <input type="checkbox"/> Magnum Coal Company I.I.C. | 12-52084 | <input type="checkbox"/> Thunderhill Coal LLC | 12-52131 |
| <input type="checkbox"/> Coyote Coal Company LLC | 12-52047 | <input type="checkbox"/> Magnum Coal Sales I.I.C. | 12-52085 | <input type="checkbox"/> Trout Coal Holdings, LLC | 12-52132 |
| <input type="checkbox"/> Cub Branch Coal Company I.I.C. | 12-52048 | <input type="checkbox"/> Martinka Coal Company, LLC | 12-52086 | <input type="checkbox"/> Union County Coal Co., LLC | 12-52133 |
| <input type="checkbox"/> Dakota LLC | 12-52050 | <input type="checkbox"/> Midland Trail Energy LLC | 12-52087 | <input type="checkbox"/> Viper I.I.C. | 12-52134 |
| <input type="checkbox"/> Day LLC | 12-52049 | <input type="checkbox"/> Midwest Coal Resources II, LLC | 12-52088 | <input type="checkbox"/> Weatherby Processing I.I.C. | 12-52135 |
| <input type="checkbox"/> Dixon Mining Company, LLC | 12-52051 | <input type="checkbox"/> Mountain View Coal Company, LLC | 12-52089 | <input type="checkbox"/> Wildcat Energy LLC | 12-52136 |
| <input type="checkbox"/> Dodge Hill Holding JV, LLC | 12-52053 | <input type="checkbox"/> New Trout Coal Holdings II, LLC | 12-52090 | <input type="checkbox"/> Wildcat, LLC | 12-52137 |
| <input type="checkbox"/> Dodge Hill Mining Company, I.I.C. | 12-52055 | <input type="checkbox"/> Newtown Energy, Inc. | 12-52091 | <input type="checkbox"/> Will Scarlet Properties LLC | 12-52138 |
| <input type="checkbox"/> Dodge Hill of Kentucky, LLC | 12-52054 | <input type="checkbox"/> North Page Coal Corp. | 12-52092 | <input type="checkbox"/> Winchester I.I.C. | 12-52139 |
| <input type="checkbox"/> EACC Camps, Inc. | 12-52056 | <input type="checkbox"/> Ohio County Coal Company, LLC | 12-52094 | <input type="checkbox"/> Winifrede Dock Limited Liability Company | 12-52140 |
| <input type="checkbox"/> Eastern Associated Coal, LLC | 12-52057 | <input type="checkbox"/> Panther LLC | 12-52095 | <input type="checkbox"/> Yankcetown Dock, LLC | 12-52141 |
| <input type="checkbox"/> Eastern Coal Company, LLC | 12-52059 | <input type="checkbox"/> Patriot Beaver Dam Holdings, LLC | 12-52017 | | |
| | | <input type="checkbox"/> Patriot Coal Company, L.P. | 12-52096 | | |
| | | <input type="checkbox"/> Patriot Coal Corporation | 12-51502 | | |
| | | <input type="checkbox"/> Patriot Coal Sales I.I.C. | 12-52097 | | |

NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.

PROOF OF CLAIM

| | | | |
|--|--|---|--|
| Name of Creditor (the person or other entity to whom the Debtor owes money or property): FIDELITY PENS on PLAN TRUST | | <input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim | Your Claim Is Scheduled As Follows: If an amount is identified above, you have a claim scheduled by the Debtor as shown. (This scheduled amount of your claim may be an amendment to a previously scheduled amount.) If you agree with the amount and priority of your claim as scheduled by the Debtor and you have no other claim against the Debtor, you do not need to file this proof of claim form. EXCEPT AS FOLLOWS. If the amount shown is listed as DISPUTED, UNLIQUIDATED, or CONTINGENT, a proof of claim MUST be filed in order to receive any distribution in respect of your claim. If you have already filed a proof of claim in accordance with the attached instructions, you need not file again. |
| Name and address where notices should be sent: FIDELITY PENSION PLAN TRUST 1104 HILLTOP ROAD MAHWAH NJ 07430-2231 ATT: MICHAEL FEWELL | | Court Claim Number: 1230 (If known) | |
| Telephone number: 201-825-1263 | | Original Claim Filed on: 12/5/12 | |
| Name and address where payment should be sent (if different from above): Telephone number: E-mail: PRINCIPAL | | <input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars. | |
| 1. Amount of Claim as of Date Case Filed (July 9, 2012): \$ 200,000 PLUS ACCRUED INTEREST (See instruction #1) If all or part of the claim is secured, complete item 4 If all or part of the claim is entitled to priority, complete item 5 <input type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges. | | From 5/5/12 to 7/9/12 = 94 DAYS AT 4.5% / DAY = 4534.20 TOTAL 204,534.20 | |
| 2. Basis for Claim: (See instruction #2) RETIREE BENEFITS AS DEFINED IN 11 U.S.C. § 114(a) SEE ATTACHED BIO (OFFICIAL FORM 10) 6/07 | | | |
| 3. Last four digits of any number by which creditor identifies Debtor: (See instruction #3) | | 3a. Debtor may have scheduled account as: (See instruction #3a) | 3b. Uniform Claim Identifier (optional): (See instruction #3b) |

THIS FORM WAS REQUESTED ON 11/22/13 AND DECEMBER 2013 PROXIE CALL TO PEG DUBLIN OH
 THIS FORM WAS NOT SENT TO CREDITOR UNTIL A COMPLAINT WAS FILED U.P. TRUSTEE 3/10/14

DVE



UNITED STATES BANKRUPTCY COURT
 FOR THE EASTERN DISTRICT OF MISSOURI

ADMINISTRATIVE EXPENSE Administrative Expense Claim Bar Date
PROOF OF CLAIM
 January 17, 2014 at 4:00 p.m. (C)

Note: This form should only be used by claimants asserting an Administrative Expense arising on and between (i) September 26, 2013 and December 18, 2013 with respect to Brody Mining, LLC and Patriot Ventures LLC, and (ii) July 9, 2012 and December 18, 2013 with respect to the remaining Debtors. THIS FORM SHOULD NOT BE USED FOR ANY CLAIMS THAT ARE NOT OF A KIND ENTITLED TO PRIORITY IN ACCORDANCE WITH 11 U.S.C. §§ 503(b) and 507(a)(2).

You may only check one Debtor box. If you want to assert an Administrative Expense against multiple Debtors listed below you must complete a separate proof of claim form for each such Debtor.

| Name of Debtor (Check Only One): | Case No. | Name of Debtor (Check Only One): | Case No. | Name of Debtor (Check Only One): | Case No. |
|---|----------|---|----------|---|----------|
| <input type="checkbox"/> Affinity Mining Company | 12-12902 | <input type="checkbox"/> Eastern Coal Company, LLC | 12-12935 | <input type="checkbox"/> Patriot Coal Corporation | 12-12900 |
| <input type="checkbox"/> Apogee Coal Company, LLC | 12-12903 | <input type="checkbox"/> Eastern Royalty, LLC | 12-12936 | <input type="checkbox"/> Patriot Coal Sales LLC | 12-12969 |
| <input type="checkbox"/> Appalachia Mine Services, LLC | 12-12904 | <input type="checkbox"/> Emerald Processing, L.L.C. | 12-12937 | <input type="checkbox"/> Patriot Coal Services LLC | 12-12970 |
| <input type="checkbox"/> Beaver Dam Coal Company, LLC | 12-12905 | <input type="checkbox"/> Gateway Eagle Coal Company, LLC | 12-12938 | <input type="checkbox"/> Patriot Leasing Company LLC | 12-12971 |
| <input type="checkbox"/> Big Eagle, LLC | 12-12906 | <input type="checkbox"/> Grand Eagle Mining, LLC | 12-12939 | <input type="checkbox"/> Patriot Midwest Holdings, LLC | 12-12972 |
| <input type="checkbox"/> Big Eagle Rail, LLC | 12-12907 | <input type="checkbox"/> Heritage Coal Company LLC | 12-12940 | <input type="checkbox"/> Patriot Reserve Holdings, LLC | 12-12973 |
| <input type="checkbox"/> Black Stallion Coal Company, LLC | 12-12908 | <input type="checkbox"/> Highland Mining Company, LLC | 12-12941 | <input type="checkbox"/> Patriot Trading LLC | 12-12974 |
| <input type="checkbox"/> Black Walnut Coal Company | 12-12909 | <input type="checkbox"/> Hillside Mining Company | 12-12942 | <input type="checkbox"/> Patriot Ventures LLC | 13-48728 |
| <input type="checkbox"/> Bluegrass Mine Services, LLC | 12-12910 | <input type="checkbox"/> Hobet Mining, LLC | 12-12943 | <input type="checkbox"/> PCX Enterprises, Inc. | 12-12899 |
| <input type="checkbox"/> Brody Mining, LLC | 13-48727 | <input type="checkbox"/> Indian Hill Company LLC | 12-12944 | <input type="checkbox"/> Pine Ridge Coal Company, LLC | 12-12975 |
| <input type="checkbox"/> Brook Trout Coal, LLC | 12-12911 | <input type="checkbox"/> Infinity Coal Sales, LLC | 12-12945 | <input type="checkbox"/> Pond Creek Land Resources, LLC | 12-12976 |
| <input type="checkbox"/> Catenary Coal Company, LLC | 12-12913 | <input type="checkbox"/> Interior Holdings, LLC | 12-12946 | <input type="checkbox"/> Pond Fork Processing LLC | 12-12977 |
| <input type="checkbox"/> Central States Coal Reserves of Kentucky, LLC | 12-12914 | <input type="checkbox"/> IO Coal LLC | 12-12947 | <input type="checkbox"/> Remington Holdings LLC | 12-12978 |
| <input type="checkbox"/> Charles Coal Company, L.L.C. | 12-12916 | <input type="checkbox"/> Jarrell's Branch Coal Company | 12-12948 | <input type="checkbox"/> Remington II LLC | 12-12979 |
| <input type="checkbox"/> Cleton Coal Company | 12-12917 | <input type="checkbox"/> Jupiter Holdings LLC | 12-12949 | <input type="checkbox"/> Remington LLC | 12-12980 |
| <input type="checkbox"/> Coal Clean LLC | 12-12918 | <input type="checkbox"/> Kanawha Eagle Coal, LLC | 12-12950 | <input type="checkbox"/> Rivers Edge Mining, Inc. | 12-12981 |
| <input type="checkbox"/> Coal Properties, LLC | 12-12919 | <input type="checkbox"/> Kanawha River Ventures I, LLC | 12-12951 | <input type="checkbox"/> Robin Land Company, LLC | 12-12982 |
| <input type="checkbox"/> Coal Reserve Holding Limited Liability Company No. 2 | 12-12920 | <input type="checkbox"/> Kanawha River Ventures II, LLC | 12-12952 | <input type="checkbox"/> Sentry Mining, LLC | 12-12983 |
| <input type="checkbox"/> Colony Bay Coal Company | 12-12921 | <input type="checkbox"/> Kanawha River Ventures III, LLC | 12-12953 | <input type="checkbox"/> Snowberry Land Company | 12-12984 |
| <input type="checkbox"/> Cook Mountain Coal Company, LLC | 12-12922 | <input type="checkbox"/> KE Ventures, LLC | 12-12954 | <input type="checkbox"/> Speed Mining LLC | 12-12985 |
| <input type="checkbox"/> Corydon Resources LLC | 12-12923 | <input type="checkbox"/> Little Creek LLC | 12-12955 | <input type="checkbox"/> Sterling Smokeless Coal Company, LLC | 12-12986 |
| <input type="checkbox"/> Coventry Mining Services, LLC | 12-12924 | <input type="checkbox"/> Logan Fork Coal Company | 12-12956 | <input type="checkbox"/> TC Sales Company, LLC | 12-12987 |
| <input type="checkbox"/> Coyote Coal Company LLC | 12-12925 | <input type="checkbox"/> Logan Fork Coal Company LLC | 12-12957 | <input type="checkbox"/> The Presidents Company LLC | 12-12988 |
| <input type="checkbox"/> Cub Branch Coal Company LLC | 12-12926 | <input type="checkbox"/> Magnum Coal Sales LLC | 12-12958 | <input type="checkbox"/> Thunderhill Coal LLC | 12-12989 |
| <input type="checkbox"/> Dakota LLC | 12-12927 | <input type="checkbox"/> Martinka Coal Company, LLC | 12-12959 | <input type="checkbox"/> Trout Coal Holdings, LLC | 12-12990 |
| <input type="checkbox"/> Day LLC | 12-12928 | <input type="checkbox"/> Midland Trail Energy LLC | 12-12960 | <input type="checkbox"/> Union County Coal Co., LLC | 12-12991 |
| <input type="checkbox"/> Dixon Mining Company, LLC | 12-12929 | <input type="checkbox"/> Midwest Coal Resources II, LLC | 12-12961 | <input type="checkbox"/> Viper LLC | 12-12992 |
| <input type="checkbox"/> Dodge Hill Holding JV, LLC | 12-12930 | <input type="checkbox"/> Mountain View Coal Company, LLC | 12-12962 | <input type="checkbox"/> Weatherby Processing LLC | 12-12993 |
| <input type="checkbox"/> Dodge Hill Mining Company, LLC | 12-12931 | <input type="checkbox"/> New Trout Coal Holdings II, LLC | 12-12963 | <input type="checkbox"/> Wildcat Energy LLC | 12-12994 |
| <input type="checkbox"/> Dodge Hill of Kentucky, LLC | 12-12932 | <input type="checkbox"/> Newtown Energy, Inc. | 12-12964 | <input type="checkbox"/> Wildcat, LLC | 12-12995 |
| <input type="checkbox"/> EACC Camps, Inc. | 12-12933 | <input type="checkbox"/> North Page Coal Corp. | 12-12965 | <input type="checkbox"/> Will Scarlet Properties LLC | 12-12996 |
| <input type="checkbox"/> Eastern Associated Coal, LLC | 12-12934 | <input type="checkbox"/> Ohio County Coal Company, LLC | 12-12966 | <input type="checkbox"/> Winchester LLC | 12-12997 |
| | | <input type="checkbox"/> Panther LLC | 12-12967 | <input type="checkbox"/> Winifrede Dock Limited Company | 12-12998 |
| | | <input type="checkbox"/> Patriot Beaver Dam Holdings, LLC | 12-12898 | <input type="checkbox"/> Yankeetown Dock, LLC | 12-12999 |
| | | <input type="checkbox"/> Patriot Coal Company, L.P. | 12-12968 | | |

Name of Creditor (The person or entity to whom the debtor owes money or property)
FIDELITY PENSION PLAN TRUST

Check box if you are aware that anyone else has filed a proof of claim relating to your administrative expense claim. Attach copy of statement giving particulars.

Name and Addresses Where Notices Should be Sent:
FIDELITY PENSION PLAN TRUST

Check here if this claim: replaces or amends a previously filed administrative expense claim.

Claim Number (if known): _____

Dated: _____

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR:
CLAIM # 1050 STATED BY KEVIN STEIN BUT NOT STATED ON COURT CLAIMS REGISTER

1. BASIS FOR CLAIM:

Goods sold Services performed Personal Injury/Wrongful Death Wages (Dates) _____

Money loaned Taxes Retiree Benefits as Defined in 11 U.S.C. § 1114(a) Other (Specify): _____

2. DATE DEBT WAS INCURRED (IF KNOWN): **8/16/2011 AND 9/22/2011**

3. DESCRIPTION OF CLAIM (IF KNOWN): **CORPORATE BONDS DATED 5/5/2010**

4. TOTAL AMOUNT OF ADMINISTRATIVE CLAIM: **\$216,500⁰⁰ PRINCIPAL PLUS INTEREST @ 2.50% PER ANNUM PER BOND COVERING PERIOD 11/5/12 TO 5/5/14 - TOTAL \$16,500⁰⁰**

5. CREDITS AND SETOFFS: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof. In filing this claim, claimant has deducted all amounts that claimant owes to debtor.

6. SUPPORTING DOCUMENTS: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, or evidence of security interests. Do not send original documents. If the documents are not available, explain. If the documents are voluminous, attach a summary.

7. Acknowledgment of Filing of Claim: Upon GCG's receipt of your proof of claim, GCG will send you an acknowledgement letter stating your assigned claim number and the date on which GCG received your proof of claim. Additionally, you may view your entire filed proof of claim at <http://www.patriotcascinfo.com>.

THIS SPACE IS FOR COURT USE ONLY



8 Signature: Check the appropriate box.

I am the creditor.

I am the creditor's authorized agent.

(Attach copy of power of attorney, if any.)

I am the trustee, or the Debtor, or their

authorized agent. (See Bankruptcy Rule 3004.)

I am a guarantor, surety, indorser, or other

codebtor. (See Bankruptcy Rule 3005.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name:

MICHAEL FENNELL

Title:

PLAN ADMINISTRATOR

Company:

FIDELITY COMPANY

Address and telephone number (if different from notice address above):

(Signature)

M. Fennell

(Date)

3/22/14

Telephone number:

201-225-1263

email:

FIDELITY@GMAIL.COM

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The attorneys for the Debtors and their court-appointed claims agent, GCG, are not authorized and are not providing you with, any legal advice.

PLEASE SEND YOUR ORIGINAL, COMPLETED CLAIM FORM AS FOLLOWS: **IF BY FIRST CLASS MAIL:** Patriot Coal Claims Processing Center, c/o GCG, P.O. Box 9898, Dublin, Ohio 43017-5798. **IF BY HAND DELIVERY OR OVERNIGHT MAIL:** Patriot Coal Claims Processing Center, c/o GCG, 5151 Blazer Parkway, Suite A, Dublin, OH 43017. **ANY PROOF OF CLAIM SUBMITTED BY FACSIMILE OR EMAIL WILL NOT BE ACCEPTED.**

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re

PATRIOT COAL CORPORATION, *et al.*,

Debtors.¹

Chapter 11

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

**REQUEST FOR INFORMATION FROM SENIOR NOTEHOLDERS
THAT WERE NOT CERTIFIED ELIGIBLE HOLDERS**

**INFORMATION GATHERED FOR THE PURPOSE OF DISTRIBUTING
SENIOR NOTES CLASS CASH CONSIDERATION PURSUANT TO THE DEBTORS' JOINT
PLAN OF REORGANIZATION UNDER CHAPTER 11 OF THE BANKRUPTCY CODE**

Do not fill out this form if you received Senior Notes Rights in the Patriot Coal Rights Offerings consummated in connection with the Debtors' Plan of Reorganization.

On December 18, 2013, the United States Bankruptcy Court for the Eastern District of Missouri confirmed the Debtors' Fourth Amended Joint Plan of Reorganization under Chapter 11 of the Bankruptcy Code [Docket No. 5169-1] (the "Plan"). The Effective Date of the Plan occurred on December 18, 2013.

THE PLAN IS AND WAS A SECURED
CERTIFIED NOTE HOLDER AUTOMATIC

Pursuant to Article III of the Plan, an Eligible Holder² of an Allowed Senior Notes Claim that held such Claim as of December 18, 2013 (the "Distribution Record Date") and was not a Certified Eligible Holder is entitled to a distribution of their Ratable Share of the Senior Notes Class Cash Consideration. The Plan defines Senior Notes Class Cash Consideration as Cash in the amount equal to the lesser of (i) ten percent (10%) of the principal amount of the Senior Notes underlying the Allowed Senior Notes Claims held by holders that are entitled to receive Senior Notes Class Cash Consideration pursuant to section 3.2(c) of the Plan and (ii) \$5 million.

Pursuant to Article III of the Plan, Certified Eligible Holders of Senior Note Claims that submitted valid Eligibility Certificates to the Subscription Agent by the Eligibility Certificate Deadline in connection with the Debtors' Rights Offerings are not eligible to receive Senior Notes Class Cash Consideration.

To receive your Ratable Share of the Senior Notes Class Cash Consideration, you must complete and return this instruction form (the "Senior Noteholder Information Form"). If you do not complete and timely submit this Senior Noteholder Information Form by March 7, 2014, you will not receive any distribution on the Initial Distribution Date and will not receive any further notice regarding distributions.

✓
THREAT
CRIMINAL?

¹ The Debtors are the entities listed on Schedule 1 attached hereto. The employer tax identification numbers and addresses for each of the Debtors are set forth in the Debtors' chapter 11 petitions.

² Capitalized terms not defined herein shall have the meaning ascribed to them in the Plan.

RECEIVED BY
PENSION PLAN
MON 3/3/14

02/21/14

NATIONAL FINANCIAL SERVICES LLC
PO BOX 673004
DALLAS, TX 75267-3004

THIRD PARTY

U.S. BANKRUPTCY
SECURITY DESCRIPTION: PATRIOT COAL CORP

CUSIP#: 70336TAC8
ACCOUNT#: 6807
QUANTITY: 200,000

*****AUTO**ALL FOR ADC 07099
MICHAEL JAMES FENNELL TTEE
FIDELITY MGMT PEN TR
1104 HILLTOP RD
MAHWAH NJ 07430-2231

Dear Client,

We have been requested to forward you the enclosed material. If you would like to participate, please forward your instructions using the enclosed noteholder form to Garden City Group prior to the deadline indicated. If you have any questions pertaining to this notice or on how to submit your instructions, please contact your Financial Institution.

→ AS REQUIRED BY THE RULES OF THE COURT, LEGAL DOCUMENTS MUST BE SENT DIRECTLY TO THE CREDITOR. SENDING IT TO AN OUTSIDE THIRD PARTY IS AN INVALID SERVING. IT IS UNKNOWN WHEN NATIONAL FINANCIAL SERVICES RECEIVED THE TIME CRITICAL DOCUMENT. IT USUALLY TAKES THEM THREE WEEKS TO RE-ROUTE THE DOCUMENT TO THE INTENDED PARTY OF THE MAILING.

FOR INFORMATION CALL: YOUR LOCAL BRANCH

JOB NUMBER: E80837 808

CONTROL#: 472635287242

NATIONAL FINANCIAL SERVICES LLC
PO BOX 673004
DALLAS, TX 75267-3004

000000727



3

DO NOT MAIL



*****AUTO**ALL FOR ADC 07099
MICHAEL JAMES FENNELL TTEE
FIDELITY MGMT PEN TR
1104 HILLTOP RD
MAHWAH NJ 07430-2231

CUSTOMER USE ONLY

FROM: (PLEASE PRINT) **FIDELITY PENSION TRUST** PHONE ()
1104 HILLTOP ROAD
MAHWAH NJ 07430-223



EK 180211975 US



**PRIORITY
 * MAIL *
 EXPRESS™**

PAYMENT BY ACCOUNT (if applicable)
 USPS® Corporate Acct. No. Federal Agency Acct. No. or Postal Service™ Acct. No.

DELIVERY OPTIONS (Customer Use Only)
 SIGNATURE REQUIRED (check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Registered Mail™ service. If not checked, the Postal Service will leave the item in the addressee's mail receptacle or other receptacle without attempting to obtain the addressee's signature on delivery.
 No Sunday Delivery (delivered next business day)
 Sunday/Holiday Delivery Required (additional fee, where available*)
 10:30 AM Delivery Required (additional fee, where available*)
 *Refer to USPS.com® or local Post Office™ for availability.

ORIGIN (POSTAL SERVICE USE ONLY)

| | | | |
|---|--|---|--------------------------------------|
| <input checked="" type="checkbox"/> 1-Day | <input type="checkbox"/> 2-Day | <input type="checkbox"/> Military | <input type="checkbox"/> DPO |
| PO ZIP Code 07450 | Scheduled Delivery Date (MM/DD/YY) 3/6 | Postage \$ 19.95 | |
| Date Accepted (MM/DD/YY) 3/5/14 | Scheduled Delivery Time <input type="checkbox"/> 10:30 AM <input type="checkbox"/> 3:00 PM <input checked="" type="checkbox"/> 12 NOON | Insurance Fee \$ | COD Fee \$ |
| Time Accepted 1:39 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM | 10:30 AM Delivery Fee \$ | Return Receipt Fee \$ | Live Animal Transportation Fee \$ |
| Weight lbs. 3 ozs. | Flat Rate <input checked="" type="checkbox"/> Sunday/Holiday Premium Fee \$ | Total Postage & Fees \$ 19.95 | |
| Acceptance Employee Initials SD | | | |

TO: (PLEASE PRINT) **PATRIOT COAL CORPORATION RETAL** PHONE ()
1/6 GCG INC
5151 BLAZER PARKWAY, SUITE A
DUBLIN OH 43017

DELIVERY (POSTAL SERVICE USE ONLY)

| | | |
|----------------------------------|---|--------------------|
| Delivery Attempt (MM/DD/YY) Time | <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature |
| Delivery Attempt (MM/DD/YY) Time | <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature |

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 ■ \$100.00 insurance included.

RIDGEMOOD
 RIDGEMOOD, New Jersey
 074509998
 3356730695-0098
 03/05/2014 (201)447-2135 01:40:50 PM

Sales Receipt
 Product Sale Unit Final Price
 Description Qty Price

66c Wedding 4 \$0.66 \$2.64
 Cake PSA
 66c Yes, I 3 \$0.66 \$1.98
 do PSA

~ DUBLIN OH 43017 Zone-4 \$19.99
 Priority Mail Express 1-Day
 Flat Rate Env
 2.60 oz.

USPS Tracking #: EK180211975US
 Scheduled Delivery Day: Thu
 03/06/14 12:00PM - Money Back
 Guarantee
 Includes \$100 insurance

Signature Requested
 Customer Postage
 Issue PVI: \$15.37

Total: \$19.99

Paid by: Discover \$19.99
 Account #: XXXXXXXXXXXXX0661
 Approval #: 00514R
 Transaction #: 298
 239033117101602870550

In a hurry? Self-service kiosks offer quick and easy check-out. Any Retail Associate can show you how.

RETURNED BY OVERNIGHT MAIL UNDER MALICIOUS ABUSE THE THREAT PENSION PLAN WOULD BE DENIED IT. RIGHTEFUL SECURED CLAIM

Patriot Coal Corporation, et al.
c/o GCG
P.O. Box 9898
Dublin, Ohio 43017-5798

PCX0264870626

FIDELITY PENSION PLAN TRUST
ATTN MICHAEL FENNELL
1104 HILLTOP RD
MAHWAH, NJ 07430-2231

OVER

Re: Patriot Coal Corporation, et al. - Case No. 12-51502 (KSS) (the "Debtors")

GCG, Inc. ("GCG") is the claims and noticing agent in the Debtors' Chapter 11 proceeding before the United States Bankruptcy Court for the Eastern District of Missouri.

Your proof of claim form (the "Claim") has been received and recorded as follows:*

Date Received: 03/27/2014

Claim Number: 4250

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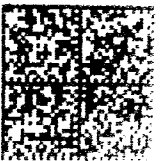
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TO SEE AN ENTIRE CLAIM ONE HAS TO KNOW HOW TO ACCESS THE SUB-PAGES WHICH CONTAIN CRUCIAL INFORMATION PERTAINING TO THE CLASS OF CLAIM. OTHERWISE IT IS HIDDEN FROM VIEW.

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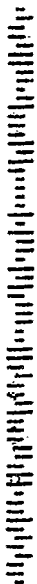
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sisting in an improper motive, not necessarily any positive malignity or corruption, but a willful disregard of the rights of others, whether it be to compass some unlawful end, or some lawful end by unlawful means, or to do a wrong and unlawful act knowing it to be such. 5 Am Jur 192.

In an action for malicious prosecution, the malice which is essential to support the action lies in the existence of an improper motive or purpose and need not involve any actual spite, ill will, or grudge. See 34 Am Jur 728. Such malice has been held to exist in any other motive than a desire to bring the person prosecuted to justice.

malice aforethought (a-för'thät). At common law, no distinction is drawn between malice and malice aforethought and such malice in murder is not limited to hatred, ill will, or malevolence, but denotes a wicked and corrupt disregard of the lives and safety of others—a failure to appreciate social duty. See 26 Am Jur 184.

The malice of murder which exists in the intentional killing of one human being by another without legal justification or excuse, and under circumstances which are insufficient to reduce the crime to manslaughter. See 38 L.R.A. (N.S.) 1055, note.

malice in fact (mal'is in fakt). In the law of libel and slander, the term implies a desire and an intention to injure. See 34 Am Jur 681.

malice in law (mal'is in lä). In the law of libel and slander, the term refers to a presumption of law which dispenses with proof of malice when words which raise such presumption are shown to have been published. This form of malice is not necessarily inconsistent with an honest or even laudable purpose, and does not imply ill will, hatred, or a purpose to injure. 33 Am Jur 113.

malice prepense (mal'is prē-pens'). Same as malice aforethought.

malicious (mā-lish'us). A word which imports nothing more than the wicked and perverse disposition with which a person commits an act. See Commonwealth v. York, 50 Mass. 93, 43 Am. Dec. 373.

malicious abuse of process (a-būs' of prō-sēs). The employment of legal process for some unlawful object not the purpose which it is intended by the law to effect. 34 Am Jur 704.

malicious arrest (a-rest'). The term is applied when the arrest on which an action for malicious prosecution is based was under civil, and not under criminal, process. 34 Am Jur 705.

An arrest regularly made by authority of law, but without probable cause and with an improper motive.

malicious attachment. See malice; probable cause.

maliciously (mā-lish'us-li). When used in an indictment, the word may pass as an equivalent for the word "wilfully." See Chapman v. Commonwealth, 5 Wharton (Penn.) 427, 34 Am. Dec. 565.

malicious mischief (mis'chif). The willful and unlawful injury to or destruction of the property of another with the malicious intent to injure the owner. This definition is supported by the cases construing the early English statute and is supported by most of the state courts, but the statutes of some of the states have either broadened or limited this definition. See 34 Am Jur 688.

malicious prosecution (pros-ē-kū'shon). The institution of any action or proceeding, either civil or criminal, against another, maliciously and without probable cause. See 34 Am Jur 703.

malicious prosecution of civil action (of siv'l ak'shon). The wrong of maintaining a civil action against a person without probable cause. The weight of authority upholds a right to recover for such a prosecution, even though there has been no arrest, attachment, or interference with property rights. See 34 Am Jur 708.

malignare (ma-lig-nā're). To malign; to defame; to maim.

malingering (mā-ling'gér). To pretend or feign illness or sickness, usually to avoid labor.

malison (mal'i-zon). Same as maledison.

malitia (ma-li'she-a). Malice.

Malitia est acida; est mali animi affectus (ma-li'she-a est a'si-da; est ma'li a'ni-mi af-fek'tus). Malice is sour; it is an affection of an evil heart.

malitia implicita (ma-li'she-a im-pli'si-ta). Implied malice.

malitia praecogitata (ma-li'she-a prē-kō-jitā'ta). Malice aforethought; malice prepense; evil intended beforehand. See 4 Bl. Comm. 198-200.

Malitia supplet aetatem (ma-li'she-a sup-plet ē-tā'tem). Malice supplies age.

malo animo (ma'lō ā'ni-mō). With bad intent; with a wicked or evil heart.

malo sensu (ma'lō sen'sū). In a bad sense; with an evil or wicked meaning.

malpractice (mal-prak'tis). The failure of a physician or surgeon in the treatment of a patient to possess and employ that reasonable degree of learning, skill, and experience which ordinarily is possessed by others of his profession; or his failure to exercise reasonable and ordinary care and diligence in the exertion of his skill and

ō in abrogate; e in valor. u in tub; ū in mute; ū in pull; ū in singular; ū in nature. One dot below vowel in unaccented syllable means a shortening of the sound, as in prelāte; two dots mean that the syllable is to have the short u-sound of but, pun, as in errant.

OVER

to add *absque hoc*, etc., to the plea of covenants performed. See *Martin v. Hammon*, 8 Pa. St. 270, 272.

absque impetitione vasti (abz'kwē im-pē-ti-she-ō'ne vās'ti). Without impeachment of waste, a clause in a deed or lease signifying that the grantee or lessee shall not be liable for waste. See 2 Bl. Comm. 283.

absque injuria (abz'kwē in-jū'ri-a). Without violation of a legal right. See *damnum absque injuria*.

absque tali causa (abz'kwē tā'li kâ'zâ). Without such cause.

abs. re. An abbreviation of *absente reo*.

abstract (ab'strakt). As commonly understood, the word means an abridgment, a less quantity containing the virtue and force of a greater quantity. 1 Cyc. 211.

As applied to a record, it would mean a complete history in short, abbreviated form, of the case as found in the record. It would have to be complete enough to show that the questions presented for review have been properly preserved in the case, only so much thereof as is necessary to a full understanding of the questions presented. See *Miller v. Kansas City Light & Power Co.* (Mont. C. C. A.) 13 Fed. Rep. (2d) 723.

abstract instruction. An instruction given by the court to the jury amounting to a mere abstract statement of the law. As the very purpose of instructions is to aid the jury in arriving at a proper verdict, the jury should be informed in clear, plain and concise terms as to the law which is applicable to the case at bar and it is erroneous to give instructions which are not applicable, but are mere abstract statements of the law. See 53 Am Jur 451.

abstract of a fine. An abstract of the writ of covenant and the concord, naming the parties, the parcels of land, and the agreement, in a proceeding to alienate land by levying a fine. See 2 Bl. Comm. 351.

abstract of judgment. A brief transcript of the essentials of a recorded judgment.

abstract of title. A summary or epitome of the conveyances, transfers and other facts relied on as evidence of title, together with all such facts appearing of record as may impair the title. It should contain a full summary of all grants, conveyances, wills and all records and judicial proceedings whereby the title is in any way affected, and all incumbrances and liens of record and show whether they have been released or not. 1 Am Jur 156. See, also, 55 Am Jur 731.

abstract on appeal. An abstract of the record made in the lower court, which the appellant or plaintiff in error is in some jurisdictions required by a rule of court or

by statute to furnish to the appellate court. The appellee is not bound by this abstract but may himself file an additional or amendatory abstract to supply any deficiencies. See 3 Am Jur 233.

absurdity (ab-sér'di-ti). Not only that which is physically impossible, but also that which is morally so; and that is to be regarded as morally impossible, which is contrary to reason, or in other words, which could not be attributed to a man in his right senses. See *State v. Hays*, 81 Mo 574, 585.

Aburdum etenim clericis est, immo etiam approbriatum, si peritos se velint ostendere disceptationum esse forensium (ab-ser'dur et'e-nim kle'ri-sis est im'mō e'she-am opprō'bri-ō'sum, si per'i-tos se ve'lint os-ten-de-re dis-sep-tā'she-ō'num es-se fo-ren'si-um). For it is absurd and also disgraceful for clergymen to wish to show off their skill in forensic disputes. See 3 Bl. Comm 97.

Abundans cautela non nocet (ab-un'dān:kā-tē'ia non nō'set). Abundance of caution works no injury.

Ab uno disce omnes (ab u'nō dī'se om'nēz). From one part all may be learned.

abuse (a-būz'). From the Latin, "ab" and "utor," to injure; to diminish in value; to wear away by using improperly.

abuse of discretion. The expression does not mean only the decision of a case by whim or caprice, arbitrarily, or from a bad motive, but it also means that the discretion has not been justly and properly exercised under the circumstances of the case. It has also been held to mean such an abuse as amounts practically to a denial of justice. In this view, it signifies a clearly erroneous conclusion and judgment: one that is clearly against the logic and effect of the facts presented. See 50 Am Jur 75.

abuse of distress. Making use of a distressed animal or chattel and thereby committing a conversion of it.

abuse of process. Irregular use of process; regular use of process for an unlawful purpose; wrongful use of process; the malicious misuse or misapplication of process to accomplish some purpose not warranted or commanded by the writ; the malicious perversion of a regularly issued process, whereby a result not lawfully or properly attainable under it is secured. It is essentially different from malicious abuse of process and malicious prosecution. 1 Am Jur 176.

abut (a-but'). To touch at the end; be contiguous; join at a border or boundary; terminate; rest—with on, upon, or against before the object, as his land abuts on mine; the building abuts on the highway;

Key to pronunciation: a in fat; ā in fate; ā in far; â in fall; â in ask; â in fare; â in prelate; a in errant; ā in Persia. e in met; ē in meet; ē in her; ē in ablegate; e in prudent. i in pin; î in pine; î in charity.