

**UNITED STATES BANKRUPTCY COURT
Southern District of New York**

In re: Patriot Coal Corporation

Bankruptcy Case No.: 12-12900-scc

HIGHLAND MINING COMPANY, LLC

Plaintiff(s),

–against–

Adversary Proceeding No. 12-01792-scc

TAMPA ELECTRIC COMPANY

Defendant(s)

**SUMMONS AND NOTICE OF PRETRIAL CONFERENCE
IN AN ADVERSARY PROCEEDING**

YOU ARE SUMMONED and required to submit a motion or answer to the complaint which is attached to this summons to the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall submit a motion or answer to the complaint within 35 days, to:

Address of Clerk:

**Clerk of the Court
United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, NY 10004-1408**

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

**Name and Address of
Plaintiff's Attorney:**

**Timothy E. Graulich
Davis Polk & Wardwell LLP
450 Lexington Avenue
New York, NY 10017**

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

YOU ARE NOTIFIED that a pretrial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place:

United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, NY 10004-1408

Room: Courtroom 621 (SCC), One Bowling
Green, New York, NY 10004-1408

Date and Time: 9/19/12 at 02:00 PM

**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR
CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT
MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

Dated: 8/17/12

Vito Genna

Clerk of the Court

By: /s/ Tiffany Campbell

Deputy Clerk