

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

**In re:**

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

**Debtors.**

**Chapter 11**

**Case No. 12-51502-659**

**(Jointly Administered)**

Hearing Date: July 23, 2013

Hearing Time: 10:00 a.m. Central

Location: Courtroom 7-N, St. Louis

**DEBTORS' SIXTH OMNIBUS OBJECTION TO CLAIMS**  
**(Insufficiently Documented Claims)**

Patriot Coal Corporation (“Patriot”) and its affiliated debtors (collectively, the “Debtors”), pursuant to 11 U.S.C. § 502 and Fed. R. Bankr. P. 3007, respectfully file this Sixth Omnibus Objection to Claims (the “Objection”). In support of the Objection, the Debtors show the Court as follows:

**Relief Requested**

1. By this Objection, the Debtors object to certain claims listed on Exhibit A attached hereto (the “Claims”) because the Claims do not establish any legal basis for liability by the Debtors or otherwise include sufficient documentation to permit the Debtors to ascertain the nature or validity of the Claims. The Debtors request entry of an order, pursuant to Section 502 of the Bankruptcy Code and Fed. R. Bankr. P. 3007, disallowing the Claims.

2. **Parties receiving this Objection should locate their names on Exhibit A.** Any response to this Objection should include, among other things, (i) an appropriate caption, including the title and date of this Objection; (ii) the name of the claimant, both the EDMO and GCG claim numbers of the claim that the Debtors are seeking to disallow, and a description of

the basis for the amount claimed; (iii) a concise statement setting forth the reasons why the Court should not sustain this Objection, including, but not limited to, the specific factual and legal bases upon which the claimant relies in opposing this Objection; (iv) copies of any documentation and other evidence which the claimant will rely upon in opposing this Objection at a hearing; and (v) the name, address, telephone number and facsimile number of a person authorized to reconcile, settle or otherwise resolve the claim on the claimant's behalf. A claimant that cannot timely provide such documentation and other evidence should provide a detailed explanation as to why it is not possible to timely provide such documentation and other evidence.

### **Jurisdiction**

3. This Court has jurisdiction over this Objection under 28 U.S.C. § 1334. Venue of this proceeding is proper pursuant to 28 U.S.C. § 1409. This is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).

4. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

### **Background**

5. The Debtors filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code on July 9, 2012 in the United States Bankruptcy Court for the Southern District of New York.

6. On December 19, 2012, the Debtors' cases were transferred to the United States Bankruptcy Court for the Eastern District of Missouri [Dkt. No. 1789].

7. The bar date for filing proofs of claim was December 14, 2012 [Dkt. No. 1388].

8. On March 1, 2013, the Court entered its Order Establishing Procedures for Claims Objections [Dkt. No. 3021].

### **Objection and Argument**

9. The Debtors object to the Claims identified on Exhibit A, incorporated herein by reference, because they do not establish any legal basis for liability by the Debtors or otherwise include sufficient documentation to permit the Debtors to ascertain the validity of such Claims.<sup>1</sup>

10. The Debtors have reviewed each of the Claims listed on Exhibit A in an effort to ascertain their validity. The Claims do not identify any valid claim against the Debtors, nor do the documents attached to the Claims (for those Claims that have any supporting information at all) permit the Debtors to determine the nature and basis of the Claim. *See* Declaration of Robert L. Mead, attached hereto as Exhibit B.

11. A proof of claim that is executed and filed in accordance with the Federal Rules of Bankruptcy Procedure ordinarily is prima facie evidence of the validity and amount of the claim. Fed. R. Bankr. P. 3001(f). Nevertheless, a proof of claim that, on its face, provides “absolutely no legal basis for liability by the Debtor” is appropriately disallowed. In re AFY, Inc., 463 B.R. 483 (B.A.P. 8th Cir. 2012). Because the Claims do not state cognizable claims against the Debtors, nor do they include sufficient information to allow the Debtors to understand what the claimant might be seeking to recover, they should be disallowed.

---

<sup>1</sup> Certain creditors listed on Exhibit A may be clients of one or more of the law firms representing the Debtors. Any dispute regarding this Objection will be handled by attorneys for the Debtors from a law firm that does not represent the applicable creditor.

WHEREFORE, the Debtors respectfully request that this Court:

- (a) disallow the Claims; and
- (b) grant such other and further relief as is just and proper.

Dated: June 20, 2013  
St. Louis, Missouri

Respectfully submitted,  
BRYAN CAVE LLP

/s/ Brian C. Walsh  
Lloyd A. Palans, #22650MO  
Brian C. Walsh, #58091MO  
One Metropolitan Square  
211 N. Broadway, Suite 3600  
St. Louis, Missouri 63102  
(314) 259-2000  
Fax: (314) 259-2020  
*Local Counsel to the Debtors  
and Debtors in Possession*

-and-

DAVIS POLK & WARDWELL LLP  
Marshall S. Huebner  
Damian S. Schaible  
Brian M. Resnick  
Michelle M. McGreal  
450 Lexington Avenue  
New York, New York 10017  
(212) 450-4000  
Fax: (212) 607-7983  
*Counsel to the Debtors  
and Debtors in Possession*

## Exhibit A - Insufficient Documentation Claims

**Omnibus Objection to Claims**

**Patriot Coal Corporation  
12-51502 (KSS)**

Note: Claims on the exhibit are sorted in alphabetical order based on the creditor name as listed on proof of claim form.

SEQ NO.	CLAIM(S) TO BE DISALLOWED			
	NAME	GCG CLAIM NO.	ED MO CLAIM NO.	CLAIM AMOUNT
1	ADA HUMFLEET P.O. BOX 3173 LONDON, KY 40743  Date Filed: 11/17/12 ED MO Date Filed: 02/25/13 Debtor: PATRIOT COAL CORPORATION	673	1295-1	Unsecured: Unliquidated
2	ALEXANDER J. FEHER 544 JOHNSON RD BOX 746 LYNCH, KY 40855  Date Filed: 11/15/12 ED MO Date Filed: 02/25/13 Debtor: PATRIOT COAL CORPORATION	615	1251-1	Unsecured: Unliquidated
3	ALLEN, FRANCES C/O CLOTIE A. OLD 719 FENTRESS ROAD CHESAPEAKE, VA 23322  Date Filed: 12/05/12 ED MO Date Filed: 02/28/13 Debtor: HIGHLAND MINING COMPANY, LLC	1113	3612-1	Unsecured: Unliquidated
4	BRENDA D. GARLICH 11675 MCSPARREN ROAD PITTSBURG, IL 62974  Date Filed: 11/20/12 ED MO Date Filed: 02/25/13 Debtor: PATRIOT COAL CORPORATION	736	1247-1	Priority: Unliquidated
5	BRUCE G. BRACKETT 66 DENNIS ST PO BOX 695 UNEEDA, WV 25205  Date Filed: 11/15/12 ED MO Date Filed: 02/27/13 Debtor: EASTERN ASSOCIATED COAL, LLC	619	3320-1	Unsecured: Unliquidated
6	BURTON FORMAN & SANDRA FORMAN 56 SHADY BROOK DR LANGHORNE, PA 19047  Date Filed: 12/06/12 ED MO Date Filed: 02/25/13 Debtor: PATRIOT COAL CORPORATION	1152	726-1	Secured: \$12,421.00

## Exhibit A - Insufficient Documentation Claims

**Omnibus Objection to Claims**

**Patriot Coal Corporation  
12-51502 (KSS)**

Note: Claims on the exhibit are sorted in alphabetical order based on the creditor name as listed on proof of claim form.

SEQ NO.	CLAIM(S) TO BE DISALLOWED			
	NAME	GCG CLAIM NO.	ED MO CLAIM NO.	CLAIM AMOUNT
7	CONNIE J ROBERTS 265 LUCKY LANE ALKOL, WV 25501  Date Filed: 12/08/12 ED MO Date Filed: 02/27/13 Debtor: PATRIOT COAL CORPORATION	1318	2591-1	Unsecured: \$4,295.48
8	D. C. HALL, JR. 419 W ATLANTA ST BROKEN ARROW, OK 74012  Date Filed: 12/03/12 ED MO Date Filed: 02/27/13 Debtor: PATRIOT COAL COMPANY, L.P.	1038	3254-1	Unsecured: Unliquidated
9	DARREL W. EGGEMEYER R. R. #1 BOX 183D CHESTER, IL 62233  Date Filed: 01/03/13 ED MO Date Filed: 02/25/13 Debtor: PATRIOT COAL CORPORATION	3679	1222-1	Unsecured: Unliquidated
10	DARRELL E. ROBINETTE BOX 102 LOOKOUT, WV 25868  Date Filed: 11/15/12 ED MO Date Filed: 02/25/13 Debtor: PATRIOT COAL CORPORATION	612	1255-1	Unsecured: \$500.00
11	DAVID R. MARCUM JR. P. O. BOX 112 KISTLER, WV 25628  Date Filed: 12/10/12 ED MO Date Filed: 02/25/13 Debtor: IO COAL LLC	1404	1254-1	Unsecured: Unliquidated
12	DR KEN HOWARD 1144 SPRING HILL RD ALEXANDRA CITY, AL 35010  Date Filed: 12/18/12 ED MO Date Filed: 02/27/13 Debtor: PATRIOT COAL CORPORATION	3643	2278-1	Priority: \$22,140.00

## Exhibit A - Insufficient Documentation Claims

**Omnibus Objection to Claims**

**Patriot Coal Corporation  
12-51502 (KSS)**

Note: Claims on the exhibit are sorted in alphabetical order based on the creditor name as listed on proof of claim form.

SEQ NO.	CLAIM(S) TO BE DISALLOWED			
	NAME	GCG CLAIM NO.	ED MO CLAIM NO.	CLAIM AMOUNT
13	DUSTIN R DAVIS RT 8 BOX 169A FAIRMONT, WV 26554  Date Filed: 12/20/12 ED MO Date Filed: 02/27/13 Debtor: PATRIOT COAL CORPORATION	3647	2282-1	Unsecured: Unliquidated
14	EDDY D. SIMPSON 433 STINSON LOOP HARTFORD, KY 42347  Date Filed: 11/09/12 ED MO Date Filed: 02/25/13 Debtor: HIGHLAND MINING COMPANY, LLC	450	1215-1	Unsecured: Unliquidated
15	JACK H. LAMBERT BOX 111 COVEL, WV 24719  Date Filed: 11/09/12 ED MO Date Filed: 02/25/13 Debtor: PATRIOT COAL CORPORATION	453	1245-1	Unsecured: Unliquidated
16	JANICE A. ELLIS BOX 191 MAN, WV 25635  Date Filed: 11/08/12 ED MO Date Filed: 02/25/13 Debtor: PATRIOT COAL CORPORATION	441	1294-1	Unsecured: Unliquidated
17	JASON D. WICKS 6188 FOLSOMVILLE-DEGONIA RD TENNYSON, IN 47637  Date Filed: 12/10/12 ED MO Date Filed: 02/25/13 Debtor: HERITAGE COAL COMPANY LLC	1440	1226-1	Priority: Unliquidated
18	KENDRA M. TRENT HC71 BOX 23A GILBERT, WV 25621  Date Filed: 12/12/12 ED MO Date Filed: 02/25/13 Debtor: HOBET MINING, LLC	1802	1300-1	Unsecured: Unliquidated

## Exhibit A - Insufficient Documentation Claims

**Omnibus Objection to Claims**

**Patriot Coal Corporation  
12-51502 (KSS)**

Note: Claims on the exhibit are sorted in alphabetical order based on the creditor name as listed on proof of claim form.

SEQ NO.	CLAIM(S) TO BE DISALLOWED			
	NAME	GCG CLAIM NO.	ED MO CLAIM NO.	CLAIM AMOUNT
19	LORENE AND DONALD GRAFTON PO BOX 182 ANDOUR, OH 44003  Date Filed: 12/10/12 ED MO Date Filed: 02/27/13 Debtor: PATRIOT COAL CORPORATION	1376	2814-1	Unsecured: Unliquidated

\* Denotes an unliquidated component.



**EXHIBIT B**

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

**In re:**

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

**Debtors.**

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

**DECLARATION OF ROBERT L. MEAD IN SUPPORT  
OF DEBTORS' SIXTH OMNIBUS OBJECTION TO CLAIMS**

Robert L. Mead declares, pursuant to 28 U.S.C. § 1746, to the best of his knowledge and based upon the documents available to him, as follows:

1. I am Vice President & Treasurer of Patriot Coal Corporation.
2. I, or my colleagues, have reviewed each of the proofs of claim identified on Exhibit A to the Debtors' Sixth Omnibus Objection to Claims (the "Claims") in an effort to ascertain the validity of the Claims. I also have requested that legal issues underlying the Claims be reviewed by the Debtors' in-house counsel or bankruptcy counsel.
3. The Claims do not identify any valid legal basis for liability by the Debtors. The documents attached to the Claims, if any, also do not permit the Debtors to ascertain the nature and validity of the Claims.
4. The facts set forth in this Declaration are based on my firsthand knowledge as the person responsible for overseeing the Debtors' claims reconciliation process, as well as on information provided to me by other employees of the Debtors involved in the claims reconciliation process.

5. I declare under penalty of perjury that the foregoing is true and correct. Executed  
on June 20, 2013.

/s/ Robert L. Mead  
Robert L. Mead