

**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' NINTH OMNIBUS OBJECTION TO CLAIMS
(Duplicate Claims)

Patriot Coal Corporation and its affiliated debtors (the "Debtors"), pursuant to 11 U.S.C. § 502 and Fed. R. Bankr. P. 3007, respectfully file this Ninth 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 proofs of claim (the "Claims") listed on Exhibit A attached hereto because the Claims are duplicative of other proofs of claim filed. The Debtors request entry of an order, pursuant to Section 502 of the Bankruptcy Code and Fed. R. Bankr. P. 3007, finding that the Claims have been filed in duplicate and directing that the Claims be disallowed, without prejudice to any party's rights as to the surviving counterpart proofs of claim.

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 are duplicative of other proofs of claim filed against the Debtors.¹

10. In the column entitled “Claim(s) to be Disallowed,” Exhibit A sets forth the creditor’s name, the number assigned to the Claim by the Debtors’ claims agent, the number assigned to the Claim when it was docketed on the Court’s claim register, the Debtor against which the Claim was filed, and the amount and classification of the Claim. In the column entitled “Surviving Claim(s),” Exhibit A lists the same information for each corresponding proof of claim (the “Surviving Claims”).

11. The Debtors have reviewed each of the Claims listed on Exhibit A. The Claims are substantively identical to the Surviving Claims. *See* Declaration of Robert L. Mead, attached hereto as Exhibit B.

12. The Debtors request that the Court disallow the Claims because the relevant proofs of claim are preserved as Surviving Claims.

13. This Objection does not affect the Surviving Claims; however, the Debtors reserve the right to object to the Surviving Claims in the future on any appropriate grounds.

¹ 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
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*Local Counsel to the Debtors
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-and-

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Exhibit A - Duplicate 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 | | | | SURVIVING CLAIM(S) | | | |
|---------|---|---------------|-----------------|------------------------|--|-----------|-----------------|------------------------|
| | NAME | GCG CLAIM NO. | ED MO CLAIM NO. | CLAIM AMOUNT | NAME | CLAIM NO. | ED MO CLAIM NO. | CLAIM AMOUNT |
| 1 | RJW CONSTRUCTION CO INC ATTN PRESIDENT OR MANAGING/GENERAL AGENT 130 SHOPPERS CIRCLE BUFFALO, WV 25033 Date Filed: 01/11/13 ED MO Date Filed: 02/27/13 Debtor: WINIFREDE DOCK LIMITED LIABILITY COMPANY | 3691 | 2975 | Priority: \$15,236.50 | R.J.W. CONSTRUCTION CO., INC. 130 SHOPPER CIRCLE BUFFALO, WV 25033 Date Filed: 12/21/12 ED MO Date Filed: 02/27/13 Debtor: WINIFREDE DOCK LIMITED LIABILITY COMPANY | 3661 | 2795 | Priority: \$15,236.50 |
| 2 | SAULS SEISMIC INC C/O ZARZAUR & SCHWARTZ PC PO BOX 11366 BIRMINGHAM, AL 35202 Date Filed: 09/27/12 ED MO Date Filed: 02/25/13 Debtor: PATRIOT COAL CORPORATION | 263 | 267 | Unsecured: \$25,625.00 | SAULS SEISMIC INC C/O ZARZAUR & SCHWARTZ PC PO BOX 11366 BIRMINGHAM, AL 35202 Date Filed: 11/26/12 ED MO Date Filed: 02/25/13 Debtor: PATRIOT COAL CORPORATION | 857 | 582 | Unsecured: \$25,625.00 |

Any 503(b)(9) amount is included in the Admin amount as a subset.

EXHIBIT B

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**DECLARATION OF ROBERT L. MEAD IN SUPPORT
OF DEBTORS' NINTH 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 claims listed on Exhibit A to the Debtors' Ninth Omnibus Claims Objection.
3. The proofs of claim listed in the "Claim(s) to be Disallowed" column are substantively identical to the corresponding proofs of claim listed in the "Surviving Claim(s)" column.
4. The facts set forth in this Declaration are based on my firsthand knowledge as the person at Patriot responsible for the overseeing the claims reconciliation process, as well as on information provided to me by other employees of the Debtors involved in the claims reconciliation process.

Dated: June 20, 2013

/s/ Robert L. Mead
Robert L. Mead