

**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: August 20, 2013

Hearing Time: 10:00 a.m. Central

Location: Courtroom 7-N, St. Louis

DEBTORS' ELEVENTH 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 Eleventh 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.¹

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.

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: July 19, 2013
St. Louis, Missouri

Respectfully submitted,
BRYAN CAVE LLP

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*Local Counsel to the Debtors
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-and-

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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	CLARENCE E. MITCHELL, II 635 STRINGTOWN RD CENTRAL CITY, KY 42330 Date Filed: 12/14/12 ED MO Date Filed: 02/25/13 Debtor: PATRIOT COAL CORPORATION	3160	1225-1	Unsecured: Unliquidated
2	GORDON R. INGRAM 460 GARDEN HEIGHTS RD HARRISBURG, IL 62946 Date Filed: 12/14/12 ED MO Date Filed: 02/25/13 Debtor: HERITAGE COAL COMPANY LLC	2670	1221-1	Unsecured: Unliquidated
3	GREGORY D. ARMSTRONG 224 MELLWOOD DRIVE GREENVILLE, KY 42345 Date Filed: 12/14/12 ED MO Date Filed: 02/25/13 Debtor: PATRIOT COAL CORPORATION	2647	1223-1	Priority: Unliquidated
4	JAMES R. RAMSEY HC 35 BOX 25 LAYLAND, WV 25864 Date Filed: 11/26/12 ED MO Date Filed: 02/25/13 Debtor: PATRIOT COAL CORPORATION	786	1238-1	Secured: Unliquidated Priority: Unliquidated
5	LINDA F. LUEBBERT 888 MCGUIRE LN #A HENDERSON, KY 42420 Date Filed: 12/10/12 ED MO Date Filed: 02/25/13 Debtor: HERITAGE COAL COMPANY LLC	1436	1228-1	Unsecured: \$0.00*
6	JOE E. WILLS 3742 COAL RIVER RD ARNETT, WV 25007 Date Filed: 12/13/12 ED MO Date Filed: 02/27/13 Debtor: APPALACHIA MINE SERVICES, LLC	2158	3004-1	Unsecured: \$23,691.20

* Denotes an unliquidated component.

EXHIBIT B

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**DECLARATION OF ROBERT L. MEAD IN SUPPORT
OF DEBTORS' ELEVENTH 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' Eleventh 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 July 18, 2013.

/s/ Robert L. Mead
Robert L. Mead