

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

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<i>In re</i>	:	Chapter 11
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Patriot Coal Corporation, <i>et al.</i> ,	:	Case No. 12-51502-659
	:	
Debtors.	:	(Jointly Administered)
	:	
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	:	
Robin Land Company, LLC,	:	
	:	
Plaintiff,	:	Adv. Proc. No. 12-04355-659
	:	
v.	:	
	:	Response Due: March 19, 2013
STB Ventures, Inc., <i>et al.</i> ,	:	Hearing Date: March 19, 2013
	:	Hearing Time: 10:00 a.m.
Defendant.	:	Location: Courtroom 7-North
	:	
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**NOTICE OF EMERGENCY MOTION TO DISMISS PLAINTIFF’S MOTION
FOR JUDGMENT ON THE PLEADINGS AND MOTION TO EXPEDITE
HEARING ON EMERGENCY MOTION TO DISMISS PLAINTIFF’S
MOTION FOR JUDGMENT ON THE PLEADINGS**

PLEASE TAKE NOTICE that on March 15, 2013, Arch Coal, Inc., Ark Land Company and Ark Land KH, Inc. filed (i) an Emergency Motion of Arch Coal, Inc., Ark Land Company and Ark Land KH, Inc. to Dismiss Plaintiff’s Motion for Judgment on the Pleadings as Premature and in Violation of Federal Rule 12(c) as the Pleadings Are Not Closed (the “Emergency Motion”) and (ii) a Motion to Expedite Hearing on the Emergency Motion (together with the Emergency Motion, the “Motions”) in the above-captioned adversary proceeding.

PLEASE TAKE FURTHER NOTICE that any party wishing to oppose the entry of an order approving these Motions must file a response or objection (“Objection”) if any, to the Motions in accordance with this Court’s Order Establishing Certain Notice, Case Management and Administrative Procedures entered by the Court on October 18, 2012 [Docket No. 1386] (the “Case Management Order”), so as to be actually received by (a) the chambers of the Honorable Kathy A. Surratt-States of the United States Bankruptcy Court for the Eastern District of Missouri, Thomas F. Eagleton U.S. Courthouse, 111 S. 10th Street, St. Louis,

Missouri 63102; (b) counsel to the Debtors, Davis Polk & Wardwell LLP, 450 Lexington Avenue, New York, NY 10017, Attn: Marshall S. Huebner and Brian M. Resnick; (c) conflicts counsel to the Debtors, Curtis, Mallet-Prevost, Colt & Mosle LLP, 101 Park Avenue, New York, NY 10178, Attn: Steven J. Reisman and Michael A. Cohen; (d) local counsel to the Debtors, Bryan Cave LLP, 211 North Broadway, Suite 3600, St. Louis, Missouri, Attn: Lloyd A. Palans and Brian C. Walsh; (e) the Office of the United States Trustee for the Eastern District of Missouri, 111 South 10th Street, Suite 6.353, St. Louis, Missouri 63102, Attn: Leonora S. Long and Paul A. Randolph (the “U.S. Trustee”); (f) Kramer, Levin, Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, NY 10036, Attn: Thomas Moers Mayer, Adam C. Rogoff and Gregory G. Plotko, counsel to the official committee of unsecured creditors in these cases (the “Committee”); (g) local counsel to the Committee, Carmody MacDonald P.C., 120 South Central Avenue, St. Louis, Missouri, 63105-1705, Attn: Gregory D. Willard and Angela L. Schisler; (h) Debtors’ authorized claims and noticing agent, Patriot Coal Corporation, c/o GCG, Inc., P.O. Box 9898, Dublin, OH 43017-5798; (i) the attorneys for the administrative agents for the Debtors’ postpetition lenders, (1) Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, NY 10153, Attn: Marcia Goldstein and Joseph Smolinsky and (2) Willkie Farr & Gallagher LLP, 787 Seventh Avenue, New York, NY 10019, Attn: Margot B. Schonholtz and Ana Alfonso; (j) counsel for Defendant STB Ventures, Inc., (1) Shook, Hardy & Bacon L.L.P., 2555 Grand Blvd, Kansas City, Missouri 64108-2613, Attn: Mark Moedritzer and (2) Jones & Associates, 13 Kanawha Blvd. West, Suite 200, Charleston, West Virginia 25302, Attn: Joseph G. Bunn; and (k) counsel for Arch Coal, Inc., Ark Land Company and Ark Land KH, Inc., (1) Cleary Gottlieb Steen & Hamilton LLP, One Liberty Plaza, New York, New York 10006, Attn: Sean A. O’Neal and Avram E. Luft, and (2) Lewis, Rice & Fingersh, L.C., 600 Washington Avenue, Suite 2500, St. Louis, Missouri 63101, Attn: Joseph J. Trad and John J. Hall, on or before the objection deadline of **March 19, 2013 at 10:00 a.m. (Central Time)** (the “Objection Deadline”).

PLEASE TAKE FURTHER NOTICE that the Omnibus Hearing at which the Motions shall be considered by the Court will be held on March 19, 2013 at 10:00 a.m. (Central Time).

PLEASE TAKE FURTHER NOTICE that if no Objection has been properly filed, served and received by the Objection Deadline, the Court may enter an order approving the Motions without further notice, submission or hearing.

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Dated: New York, New York
March 15, 2013

Respectfully submitted,

CLEARY GOTTLIEB STEEN & HAMILTON LLP

By: /s/ Avram E. Luft

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