

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

In re:

PATRIOT COAL CORPORATION, *et al.*,

Debtors.<sup>1</sup>

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

Re: ECF No. 5578

**NOTICE OF WITHDRAWAL OF MOTION OF REORGANIZED  
DEBTORS CATENARY COAL COMPANY, LLC, COYOTE COAL  
COMPANY LLC AND PANTHER LLC FOR AN ORDER ENFORCING  
CLAIM SETTLEMENT AGREEMENT AMONG THE  
DEBTORS AND THE WEST VIRGINIA STATE TAX DEPARTMENT**

PLEASE TAKE NOTICE THAT the Reorganized Debtors hereby withdraw without prejudice the *Motion of Reorganized Debtors Catenary Coal Company, LLC, Coyote Coal Company LLC and Panther LLC for an Order Enforcing Claim Settlement Agreement Among the Debtors and the West Virginia State Tax Department* filed on February 6, 2015 [ECF No. 5578] (the "Motion"). In light of the statement set forth in the *Response of West Virginia State Tax Department to Debtors Motion of Reorganized Debtors Catenary Coal Company, LLC, Coyote Coal Company, LLC, and Panther, LLC for an Order Enforcing Claim Settlement Agreement* filed on February 23, 2015 [ECF No. 5585] that "the West Virginia State Tax Department has concluded that if Patriot Coal is due a tax refund under West Virginia law, the Settlement Agreement does not preclude issuing such refunds[.]" the Reorganized Debtors have determined that the Motion is not necessary at this time.

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<sup>1</sup> The Debtors and their employer tax identification numbers are set forth on Schedule A to the Debtors' Fourth Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code [ECF No. 5169-1].

Dated: February 24, 2015  
New York, New York

Respectfully submitted,

DAVIS POLK & WARDWELL LLP

*/s/ Brian M. Resnick*

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