

SO ORDERED

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MISSOURI

Apr 17, 2013

Kathy A. Surratt - States
KATHY A. SURRATT-STATES
Chief United States Bankruptcy Judge

In Re:

Patriot Coal Corporation, *et al.*,

Debtors.

Chapter 11

Cause No. 12-51502-659

Hon. Kathy A. Surratt-States
(Jointly Administered)

Robin Land Company, LLC,

Plaintiff,

v.

Adv. Proc. No. 12-04355-659

STB Ventures, Inc., *et al.*,

Defendants.

**STB VENTURES, INC.'S MOTION FOR LEAVE TO EXCEED PAGE LIMITATIONS
IN ITS REPLY TO ROBIN LAND COMPANY, LLC'S OBJECTION TO THE MOTION
OF STB VENTURES, INC. UNDER 11 U.S.C. § 365(D)(3) TO (I) COMPEL ROBIN
LAND COMPANY, LLC TO PAY PART OR ALL OF THE POST-PETITION
AMOUNTS DUE UNDER THE STB OVERRIDE AGREEMENT OR, (II) IN THE
ALTERNATIVE, TO PROVIDE STB VENTURES, INC. ADEQUATE PROTECTION
OF ITS INTERESTS UNDER THE STB OVERRIDE AGREEMENT**

Defendant STB Ventures, Inc. ("STB") hereby moves the Court pursuant to Local Rule 9004C for an order granting it leave to exceed this Court's 15-page limitation in its Reply to Robin Land Company, LLC's Objection to the Motion of STB Ventures, Inc. under 11 U.S.C. § 365(d)(3) to (I) Compel Robin Land Company, LLC to Pay Part or All of the Post-Petition Amounts Due Under the STB Override Agreement or, (II) in the Alternative, to Provide STB Ventures, Inc. Adequate Protection of Its Interests Under the STB Override Agreement (the "Motion to Exceed Page Limitations"). In support of its Motion to Exceed Page Limitations, STB states as follows:

1. STB has filed concurrently herewith its Reply to Robin Land Company, LLC's Objection to the Motion of STB Ventures, Inc. under 11 U.S.C. § 365(d)(3) to (I) Compel Robin Land Company, LLC to Pay Part or All of the Post-Petition Amounts Due Under the STB Override Agreement or, (II) in the Alternative, to Provide STB Ventures, Inc. Adequate Protection of Its Interests Under the STB Override Agreement (the "Reply") [CM/ECF Doc. No. 65].

2. The Reply necessarily identifies the factual and legal misstatements made by Robin Land Company, LLC in its Objection to the Motion of STB Ventures, Inc. under 11 U.S.C. § 365(d)(3) to (I) Compel Robin Land Company, LLC to Pay Part or All of the Post-Petition Amounts Due Under the STB Override Agreement or, (II) in the Alternative, to Provide STB Ventures, Inc. Adequate Protection of Its Interests Under the STB Override Agreement (the "Objection").

3. The Reply also provides additional analysis in support of its requested relief under STB Ventures, Inc.'s Motion (I) Under Bankruptcy Code § 365(d)(3) to Compel Robin Land Company to Pay Part or All of the Post-Petition Amounts Due Under the STB Override Agreement Because (A) Payment of the STB Override is a Condition of at Least One Unexpired Nonresidential Real Property Lease, and/or (B) the STB Override Agreement is Integrated with Two Unexpired Nonresidential Real Property Leases, or (II) in the Alternative, under Bankruptcy Code § 363 to Provide STB Ventures Adequate Protection of its Interests under the STB Override Agreement (the "Motion").

4. As a consequence, the Motion exceeds the Court's 15-page limitations by approximately five pages.

5. STB has endeavored to be concise in its Reply, but believes that the additional pages in excess of the 15-page limitation are necessary to adequately set forth the relevant facts and argue the applicable legal theories.

6. Thus, STB requests leave to exceed the Court's 15-page limitation by approximately five pages in its Reply.

WHEREFORE, for the foregoing reasons, STB respectfully requests (i) leave from this Court to file its Reply in its current form, notwithstanding the fact that the Reply exceeds this Court's 15-page limitation by approximately five pages, and (ii) such other relief as this Court deems just and proper.

Dated: April 8, 2013

Respectfully submitted,

By: /s/ Joseph G. Bunn
Joseph G. Bunn, Esq.
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UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MISSOURI

In Re: Patriot Coal Corporation, et al., Debtors.	Chapter 11 Cause No. 12-51502-659 Hon. Kathy A. Surratt-States (Jointly Administered)
Robin Land Company, LLC, Plaintiff, v. STB Ventures, Inc., et al., Defendants.	Adv. Proc. No. 12-04355-659

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 8th day of April, 2013, a true and correct copy of *STB Ventures, Inc.'s Motion for Leave to Exceed Page Limitations in its Reply to Robin Land Company, LLC's Objection to the Motion of STB Ventures, Inc. under 11 U.S.C. § 365(d)(3) to (I) Compel Robin Land Company, LLC to Pay Part or All of the Post-Petition Amounts Due Under the STB Override Agreement or, (II) in the Alternative, to Provide STB Ventures, Inc. Adequate Protection of Its Interests Under the STB Override Agreement* was served via CM/ECF notification on all parties receiving such notification.

By: /s/ Joseph G. Bunn
Joseph G. Bunn, Esq. (W. Va. Bar # 11319)
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Robin Land Company, LLC,
Plaintiff

Adv. Proc. No. 12-04355-kss

STB Ventures, Inc.,
Defendant

CERTIFICATE OF NOTICE

District/off: 0865-4

User: pott
Form ID: pdfol

Page 1 of 2
Total Noticed: 1

Date Rcvd: Apr 18, 2013

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on
Apr 20, 2013.

aty +Brian M. Resnick, Davis Polk & Wardwell LLP, 450 Lexington Avenue, New York, NY 10017-3982

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

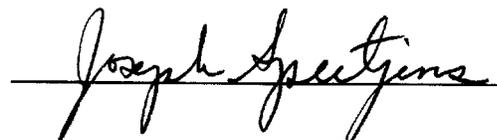
Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 20, 2013

Signature:



District/off: 0865-4

User: pott
Form ID: pdfol

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Total Noticed: 1

Date Rcvd: Apr 18, 2013

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 18, 2013 at the address(es) listed below:

Angela Ferrante on behalf of Other Professional Gcg, Inc. A/K/A The Garden City Group, Inc.
angela.ferrante@gcginc.com,
pacerteam@gcginc.com;elizabeth.vrato@gcginc.com;kevin.grover@gcginc.com;alison.moodie@gcginc.com;
jeffrey.demma@gcginc.com;ryan.nadick@gcginc.com
Catherine C Whittaker on behalf of Defendant STB Ventures, Inc. cwhittaker@shb.com
John J. Hall on behalf of Intervenor-Defendant Arch Coal, Inc. jhall@lewisrice.com
Joseph G. Bunn on behalf of Defendant STB Ventures, Inc. jgbunn@efjones.com
Mark Moedritzer on behalf of Defendant STB Ventures, Inc. mmoedritzer@shb.com,
mwarnecker@shb.com
Michelle M. McGreal on behalf of Plaintiff Robin Land Company, LLC
bankruptcy.routing@davispolk.com
Todd W. Ruskamp on behalf of Defendant STB Ventures, Inc. truskamp@shb.com,
dnunn@shb.com;cwhittaker@shb.com;mmoedritzer@shb.com

TOTAL: 7