Exhibit H

JONES DAY

NORTH POINT • 901 LAKESIDE AVENUE • CLEVELAND, OHIO 44114.1190
TELEPHONE: +1.216.586.3939 • FACSIMILE: +1.216.579.0212

Direct Number: (216) 586-7548
pbwilson@JonesDay.com

JP468119
168371

March 19, 2013

VIA E-MAIL ONLY

Michael J. Russano, Esq.
Davis Polk & Wardwell LLP
450 Lexington Avenue
New York, NY 10017

P. Bradley O'Neill, Esq.
1177 Avenue of the Americas
New York, NY 10036

Re: *In re Patriot Coal Corporation, et al., Case No. 12-51502 (Jointly Administered)*

Dear Mr. Russano and Mr. O'Neill:

Thank you for your letter of March 12, 2013, which made reference to our earlier conference call on Wednesday, March 6, 2013. The position taken by Patriot and the Creditors' Committee during that call was – obviously – unexpected and, in our view, inconsistent with our discussions over the last several weeks.

As we mentioned during our call on March 14, 2013, we disagree with many statements in your letter, but belaboring them individually simply burdens all of us and the Court. As you appear to be declaring an impasse, with which we do not agree, let me simply summarize our principal views and Peabody's revised offer with respect to the restoration of back-up tapes.

Production of Hard Copy Documents

Peabody has been ready to produce documents for nearly two weeks (since March 6, 2013), subject only to the entry of a confidentiality protective order. We are still waiting for you to send us your proposed form of confidentiality protective order, which we have requested three times since mid-February, and which you said again on March 14, 2013 that you would send directly, so that we can move forward toward a stipulated order and file it pursuant to Fed. R. Evid. 502.

Confidentiality Issues

This letter also confirms what we stated to you on March 14, 2013 with respect to Peabody's positions on disclosure of its discovery materials to the United Mine Workers of America ("UMWA") and American Electric Power ("AEP").

With respect to the UMWA, disclosure of discovery produced by Peabody is permitted to the following two categories of attorneys and financial advisors: (1) counsel and financial advisors for the Creditors' Committee (Kramer Levin); and (2) outside counsel and financial advisors for UMWA (Fred Perillo, Esq. & his firm), based on the representation of counsel that neither Mr Perillo, his firm, nor his financial advisors have had, or will have, any involvement with the pending *Lowe* litigation, but is restricted beyond that. This provision also expressly excludes from permission the general counsel for the UMWA, Grant Crandall, who is representing the UMWA in the *Lowe* litigation.

With respect to AEP, disclosure of Peabody's internal documents relating to negotiating contract terms with AEP, including, without limitation, pricing documents, is permitted to the following two categories of attorneys and financial advisors: (1) Kramer Levin and financial advisors, representing the Creditors' Committee; and (2) Davis Polk and financial advisors, representing the debtors, but is restricted beyond that. Peabody understands this category of documents, as phrased originally by Kramer Levin, to include commercially sensitive information about contracts with AEP. With respect to AEP, if professionals retained by either firm believe they need to show specific documents to their clients for specific reasons, Peabody will consider revisiting its position on a document-by-document basis.

Custodian-Based Discovery

On March 6, 2013, both sides articulated different understandings on the scope of discovery that had been under discussion for many weeks.

Peabody already is collecting and reviewing documents based on its understanding that Patriot and the Creditors' Committee had agreed in good faith to narrow their original 67 broad requests to a request for documents and information from 15 custodians covering five broad "topics." As you know, Peabody agreed to 14 of the 15 custodians (and you had agreed not to insist upon the fifteenth) and Peabody further agreed to produce documents responsive to the five broad "topics" from those 14 custodians.[1]

[1] With respect to one of the 14 custodians, Vic Svec, it was agreed that production would be limited to investor presentations, press releases, etc. and drafts thereof.

On March 6, 2013, Patriot and the Creditors' Committee advised that they had intended all along that their request be construed to demand far-reaching discovery – a wholesale search of the company's documents, not limited by custodian, using unspecified search terms, on their five "topics."

Viewed neutrally, this is a misunderstanding of several weeks' worth of discussion. Peabody submits, however, that its understanding is consistent with both the underlying circumstances and Peabody's belief that Patriot and the Creditors' Committee were acting to narrow their discovery requests meaningfully and in good faith.

Specifically, the suggestion of Patriot and the Creditors' Committee to proceed based on collecting documents from 14 targeted Peabody custodians has some logic in the context of this matter. Here, Patriot's executives – who had a long history with Peabody and were deeply involved in the underlying transactions while negotiating with Peabody on behalf of Patriot – obviously were able to give you significant direction as to which custodians to identify.

Of course, had Peabody understood Patriot and the Creditors' Committee to be suggesting anything other than custodian-based discovery, Peabody would not have accepted the five broad "topics" without objection and certainly would not have agreed to search for, review and produce the mass of documents that could fall into topics as broad as "the reorganization of Peabody's assets," "Patriot's solvency," "legacy liabilities," "consideration of the spin-off" and "the sale case." Moreover, Peabody would not have agreed to negotiate over a list of custodians – much less accepted a list of 14 custodians — if it had understood that it was not the intention of Patriot and the Creditors' Committee to narrow discovery in good faith to the records related to the custodians.

Therefore, believing that Patriot and the Creditors' Committee were indeed narrowing the scope of the Rule 2004 discovery request before deciding whether to file an adversary proceeding, Peabody agreed to a good faith search for relevant, responsive documents based on information provided by the 14 custodians (regardless whether the custodian or another person was the "author" of the document).

Specifically, Peabody agreed to produce non-privileged documents responsive to the five broad "topics" found in the following locations:

- the 14 custodians' active mailboxes, plus all documents attached to those emails;

- hard copy documents collected from the 14 custodians (recognizing that some are retired and one is deceased); and

- the personal computers or any external storage devices of the 14 custodians.

Peabody also agreed to produce non-privileged documents responsive to the five broad "topics" found in the following additional locations:

- specific folders on shared drives that are labeled with the custodians' own names, in which they stored documents and which were identified as likely containing responsive information;

- specific folders on shared drives that any of the 14 custodians identified as folders where they stored documents relating to the five broad "topics" (even though the folders were accessible to, and used by, others (for example, others in a department)); and

- specific folders to which we understand that Rick Navarre (retired), Curtis Tichenor (deceased) and Jeff Klinger (retired) had access.

In the unlikely event that specific documents identified by Patriot and the Creditors' Committee in connection with their five broad "topics" do not appear in the custodians' emails or files, Peabody would be willing to consider those requests individually.

Where Patriot's executives are former Peabody executives who were intimately involved in the underlying transactions, demanding that Peabody do wholesale searches of company records by search terms, for documents from more than five years ago is both unnecessary and inconsistent with the genuine purpose of determining whether a claim exists.

Former Peabody Employees Now Employed By Patriot

In our discussions, we all have agreed that Peabody employees who went to Patriot were invited to take — and did take — documents and emails they considered relevant to their responsibilities for Patriot's ongoing operations. Although our inquiry about the actual transition events is not complete, we understand the universe of transferred data and documents generally to have covered a wide range of current and historical employee, financial, and operational information. You have not mentioned, and your letter does not mention, any documents or emails that these individuals wanted to take that they were not permitted to take.

On March 6, 2013, however, you requested that Peabody undertake and pay for the restoration from back-up tapes of nine former employees' mailboxes. In effect, since these employees were permitted to take with them emails relating to Patriot, you have requested that Peabody pay to restore emails that do *not* relate to Patriot. In Peabody's view, this request is overbroad and premature. These nine employees were working alongside the 14 custodians whose emails Peabody already has agreed to restore and produce as discussed below. The nine employees undoubtedly appear in that email correspondence. Peabody respectfully suggests that requesting an additional nine custodians above the 14 already agreed upon – roughly 2/3 more custodians -- is both costly and unnecessary.

Production of E-mails from Back-Up Tapes

Last Wednesday, I confirmed to you that Peabody authorized us to offer the restoration of one back-up at Peabody's expense. There was nothing "opaque" about your question or my answer.

In an effort to compromise further, Peabody has authorized us to make a revised offer. You are familiar with the retention protocol of Peabody's former email system. Based on that retention protocol, we believe your request for restoration of back-ups every 30 days for more than three years is not necessary and not consistent with what we previously discussed.

Instead, based on the same retention protocol, Peabody is willing to restore four back-ups on the dates of your choice between January 1, 2005 and October 31, 2007 and to produce the resulting email and attachments from the restored mailboxes of the 14 custodians on your original list. Peabody's offer is grounded in the logic of the retention protocol, *i.e.*, in the fact that this production should include one full year's worth of inbox email, one full year's worth of foldered email, 60 days' worth of sent folders, and one day's worth of trash folders. As noted above, we fully anticipate that the restored email of the 14 custodians will include email exchanged with the nine Peabody employees who ultimately went to Patriot.

Cost of Restoration of Back-Up Tapes

To date, Patriot and the Creditors' Committee have refused to share costs. Separately, Patriot and the Creditors' Committee disagree with Peabody on the proper measure of cost, and thus the proper measure of the burden on Peabody of restoring back-up tapes. With respect to actual costs, the vendor we selected is cheaper than the vendors you suggested, both on the lesser measure of cost that you advocate,[2] and the full measure of vendor cost that Peabody will incur.[3]

[2] We have contacted the four vendors you identified, and the vendor we selected was less expensive than any of them. The cost of extracting mailboxes from back-up tapes quoted by these four vendors is $225 per tape (the Oliver Group), $325 per tape (Trusted Data) and $450 per tape (Capsicum and CDS Legal). As we have previously said, Xact Data quoted us a cost at $165 per tape.

For purposes of Peabody's offer, however, it is not necessary to resolve this measure-of-cost issue. Without waiving its right to object to any further restoration on grounds of undue burden and cost, and despite its belief that any restoration costs should be shared by Patriot and the Creditors' Committee, Peabody is willing to restore the four back-ups as offered above at its own cost.

Discovery Dates

Having acceded to a start date of January 1, 2005, which is earlier than it reasonably believes is necessary (nearly three years before the spin-off), Peabody declines your request to extend discovery past the date of the spin-off. Peabody is confident that its former employees, now at Patriot, are well aware of the communications between Patriot and Peabody that took place after the spin-off.

Conclusion

We continue to believe that custodian-based discovery, supplemented by the restoration of four back-ups on the dates of your choice, provides the basis for a reasonable compromise, and we look forward to continued discussions with you.

Very truly yours,

Paula Batt Wilson

cc: Stephen N. Cousins, Esq.

(continued...)

[3] The cost for processing the data for native file review quoted by those of your suggested vendors who do this work was $250 per GB (Capsicum) and $295 per GB (CDS Legal). Xact Data quoted us this cost at $155 per GB. Therefore, Xact Data is the lowest vendor in both categories of costs.