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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

2004 NOV 19 AM 6: 22

U.S. BANKRUPTCY COURT
MIDDLE DISTRICT OF TN.

In re:	:	
	:	
JAMES RIVER COAL COMPANY,	:	Chapter 11
<i>et al.</i> ,	:	Case No. 303-04095
	:	
	:	Jointly Administered
Reorganized Debtors.	:	Judge Harrison

**ORDER ON OMNIBUS OBJECTION PURSUANT TO 11 U.S.C. §§ 502(b), 503, AND 507
TO CERTAIN ADMINISTRATIVE AND/OR PRIORITY CLAIMS**

Upon the omnibus objection dated September 1, 2004 (Docket No. 868, the "Objection"),¹ of the above-captioned Reorganized Debtors, to certain claims as more fully described in the Objection; and the deadline for responding to the Objection having passed; and there having been no responses to the Objection timely filed and served; and it appearing that the relief requested is in the best interest of the Reorganized Debtors, their estate, creditors and other parties in interest; all parties in interest having been heard or having had the opportunity to be heard, it appearing that good and sufficient notice of the Objection having been given and a reasonable opportunity to respond to, or be heard regarding, the relief requested in the Objection has been afforded to any entity known to have an interest in the Claim, and no other or further notice of the Objection or of the entry of this Order need be provided; and upon the entire record herein; and good and sufficient cause appearing therefor,

IT IS ORDERED, ADJUDGED AND DECREED:

1. The Reorganized Debtors' Objection is SUSTAINED.

¹ Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Objection.

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2. Each Claim identified on the Exhibit attached hereto shall be RECLASSIFIED as a general unsecured nonpriority claim if the next to last column on the attached Exhibit is marked "unsecured".

3. Each Claim identified on the Exhibit attached hereto shall be DISALLOWED to the extent it exceeds the Maximum Allowable Amount identified in the last column of the attached Exhibit and shall be DISALLOWED in its entirety if the Maximum Allowable Amount is identified as "0.00" in the last column of the attached Exhibit.²

4. The rights of the Reorganized Debtors and/or the Liquidating Trustee to object to any of the Claims on any other ground is hereby preserved.

/s/Marian F. Harrison

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Hon. Marian F. Harrison
United States Bankruptcy Judge

APPROVED FOR ENTRY:

/s/ Gene L. Humphreys
Paul G. Jennings
Gene L. Humphreys
BASS, BERRY & SIMS PLC
315 Deaderick Street, Suite 2700
Nashville, TN 37238-0002
Tel: (615) 742-6200
Fax: (615) 742-6293

Attorneys for Reorganized Debtors

A copy of this order shall be mailed in accordance with
Fed. R. Bankr. P. 2002, LBR 0013-1 and 0013-3 by:

Debtor or Dr's Atty
 Trustee or Tr's Atty
 Atty for Movant

Clerk's Office
 Chief Clerk
 Filings Clerk
 Judgment Book
 Adversary Case
 UST
 Debtor and Dr's Atty
 Trustee or Tr's Atty
 Movant or Tr's Atty
 All parties to agreed order
 All parties in cert of swr
 All creditors

² One or more of the Claimants listed on Exhibit A may have elected the "cash option" on the ballot voting on confirmation of the Plan (hereinafter, a "Convenience Claimant"). All Convenience Claimants' Claims have been fully satisfied by payment pursuant to the terms of the confirmed Plan. Thus, the fact that a Convenience Claimant is listed on Exhibit A does not entitle that Convenience Claimant to any further distribution from the Reorganized Debtors' bankruptcy estates, even if the "maximum allowable amount" is higher than the Convenience Claim. In addition, the fact that a Convenience Claimant is listed on Exhibit A does not affect the distribution already received by the Convenience Claimant.

EXHIBIT A
Administrative and/or Priority Claims

CLAIMANT	CLAIM NUMBER(S)	CLAIM DATE	TOTAL CLAIM(S) AMOUNT	CLASSIFICATION	MAXIMUM ALLOWABLE AMOUNT
COMBS, RONALD G., ESQ.		6/28/2004	11,384.50		6,851.00
COMMONWEALTH OF KENTUCKY	97, 126, 1235	5/11/2004	876,234.80	UNSECURED	0.00
DEPARTMENT OF THE TREASURY	120	8/5/2003	1,893.19		1580.78