

FILED
FEE ENTRY

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

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U.S. BANKRUPTCY COURT
MIDDLE DISTRICT OF TN.

-----X	
In re:	:
	:
JAMES RIVER COAL COMPANY,	:
<i>et al.</i> ,	:
	:
	:
Reorganized Debtors.	:
-----X	

Chapter 11
Case No. 303-04095
Jointly Administered
Judge Harrison

**ORDER ON OMNIBUS OBJECTION PURSUANT TO
11 U.S.C. §502(b) TO CERTAIN CLAIMS BASED ON THE REORGANIZED
DEBTORS' BOOKS AND RECORDS**

Upon the omnibus objection dated September 1, 2004 (Docket No. 876, 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 is DISALLOWED to the extent that it exceeds the "Maximum Allowable Amount" contained in the last column of the Exhibit attached hereto.²

3. 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 NOV 18 2004

Hon. Marian F. Harrison
United States Bankruptcy Judge

APPROVED FOR ENTRY:

/s/ Gene L. Humphreys

Paul G. Jennings
Gene L. Humphreys
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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 9013-1 and 9013-3 by:

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

Clerk's Office only:
 Chief Deputy
 Financial Clerk
 Judgment Clerk
 Adversary Case
 UST
 Debtor and Dr's Atty
 Trustee &/or Tr's Atty
 Movant &/or Mvt's Atty
 All parties to agreed order
 All parties in cert of svc
 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
Books and Records

CLAIMANT	CLAIM NUMBER(S)	CLAIM DATE	FILED CLAIM(S) TOTAL AMOUNT	MAXIMUM ALLOWABLE AMOUNT
A&C EQUIP & SUPPLY	302, 303, 304, 305	10/14/2003	71,745.90	66,126.01
ARAMARK UNIFORM SERVICES, INC	5, 227	10/10/2003	98,243.60	31,656.58
BAKER, FRANK	1154	11/20/2003	600,000.00	0.00
BIG K, INC.	50, 55, 851, 748	11/3/2003	58,265.70	52,975.16
BLUEGRASS MINING CO., INC.	623, 624, 625	11/3/2003	194,592.15	118,545.90
BROCK, GARY	915	11/14/2003	1,000,000.00	0.00
BROCK, JERRY W.	1177	11/17/2003	18,425.00	8,170.00
BROOKS OIL COMPANY, INC.	831	11/3/2003	7,420.98	1,807.37
CBC ENGINEERS & ASSOCIATES LTD	517, 518, 551, 893, 694, 696	11/10/2003	96,914.18	78,868.85
CHILDERS, SPENCER	359	10/17/2003	242,000.00	234,000.00
CINCINNATI MINE MACHINERY COMP	284	10/14/2003	52,098.49	37,236.08
COAL SOFTWARE AND SYSTEMS INC	183, 184	10/7/2003	12,315.50	2,300.00
CONLEY TIRE	1104, 1121, 1122, 1123	11/17/2003	193,245.85	120,875.96
CUMBERLAND VALLEY ELECTRIC INC	296	10/14/2003	325,772.09	0.00
DBT AMERICA INC.	736, 737, 780, 781, 782, 783	11/13/2003	521,066.46	440,283.56
DEBRA LYNN COALS, INC.	49, 58, 852, 749	11/3/2003	203,289.76	0.00
EVERSOLE HEIRS	718	11/11/2003	56,396.77	0.00
GENERAL ELECTRIC CAPITAL CORPORATION	135	9/5/2003	10,826.81	0.00
HALL, VELMA COCHRAN	807	11/13/2003	59,000.00	0.00
HAMITON HOLDINGS LTD	994	11/17/2003	278,000.00	0.00
HENSLEY, BRANDON	295	10/14/2003	5,472.00	0.00
HI-LINE ELECTRIC CO. INC.	33	5/5/2003	35,362.80	28,648.46
HOWARD ENGINEERING & GEOLOGY, INC.	54, 574	5/27/2003	42,019.50	22,752.50
HUNTINGTON STEEL & SUPPLY CO.	148	10/8/2003	5,958.87	0.00
J H FLETCHER & CO	1039, 1040, 1041, 1042	11/17/2003	181,507.83	172,313.78
JABO SUPPLY CORPORATION	153, 154, 155	10/6/2003	81,685.89	74,734.47
JUSTICE, BILLY & PATTY	81, 92, 494	6/17/2003	20,000.00	0.00
JUSTICE, MARY ET AL	497	10/27/2003	7,500.00	0.00
KEENE, DAVID O.	913	11/14/2003	108,000.00	0.00
KINDER, LINTON	74, 496	10/27/2003	73,572.00	0.00
LOVELY, SR., JACK D.	193	10/9/2003	200,000.00	15,625.02
LOWE, JOE	47	5/16/2003	40,000.00	0.00
MINE POWER SYSTEMS	708	11/10/2003	24,453.00	18,912.33
NAPIER REECE & ASSOCIATES PSC	739, 740, 741, 742	11/12/2003	41,354.67	33,877.40
NORTH CAROLINA DEPARTMENT OF REVENUE	1237	6/8/2004	929.16	0.00
OLD REPUBLIC INSURANCE CO	1113, 1114, 1115, 1116	11/17/2003	1,163,422.00	0.00
PINION, ZELLA	500, 501	10/27/2003	6,000.00	0.00
R.E.B. COAL COMPANY, INC.	30	4/25/2003	73,636.78	66,563.94
RATLIFF, THOMAS AND MYRTLE	235	10/14/2003	987,500.00	13,732.10

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CLAIMANT	CLAIM NUMBER(S)	CLAIM DATE	FILED CLAIM(S) TOTAL AMOUNT	MAXIMUM ALLOWABLE AMOUNT
ROGERS PETROLEUM SERVICES INC	252, 289	10/14/2003	76,527.65	68,464.63
ROWE, GEORGE A	393	10/20/2003	773,126.64	0.00
S & S SERVICE, INC.	368, 369, 370, 371, 372	10/20/2003	209,453.67	197,795.45
SCRUBET, INC.	78	6/20/2003	825,000.00	654,613.39
SLONE, JAMES, ET AL.	498	10/27/2003	6,000.00	0.00
SLONE, ROY, ET AL.	499	10/27/2003	40,000.00	0.00
SMITH, WILLIS & BILLIE	470	10/24/2003	6,000.00	0.00
SUPERIOR ALLOY STEEL	1014, 1015, 1026	11/17/2003	67,793.93	38,586.93
THACKER, EDDIE & REGINA	82, 493	10/27/2003	15,000.00	0.00
US BANCORP BUSINESS EQUIPMENT GROUP	18, 32	5/6/2003	17,843.27	0.00
VERIZON CREDIT INC	248	10/14/2003	11,774.98	606.51
WEATHERLY, TOMMIE L.	778	11/13/2003	14,921.04	0.00
WHAYNE SUPPLY COMPANY	84, 85, 86, 87, 88, 89	6/19/2003	290,563.55	254,189.27
WORLDCOM, INC & SUBSIDIARIES	68	5/29/2003	14,656.27	0.00
ZURICH NORTH AMERICA	614	11/3/2003	117,247.00	0.00