

FILED
FOR 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.

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

**ORDER ON OMNIBUS OBJECTION TO
CERTAIN CONTINGENT CLAIMS**

Upon the omnibus objection dated September 1, 2004 (Docket No. 874, 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 in its entirety.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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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 Atty for Movant
 Trustee or TP's Atty

Clerk's Office only:
 Chief Deputy Debtor and Dr's Atty
 Financial Clerk Trustee S/or TP's Atty
 Judgment book Movant S/or Mvt's Atty
 Adversary Case All parties to agreed order
 UST 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
Certain Contingent Claims

CLAIMANT	CLAIM NUMBER	CLAIM DATE	CLAIM AMOUNT
ST PAUL FIRE & MARINE LIFE INSURANCE CO.	953	11/14/2003	unliquidated
ST PAUL FIRE & MARINE LIFE INSURANCE CO.	954	11/14/2003	unliquidated
ST PAUL FIRE & MARINE LIFE INSURANCE CO.	955	11/14/2003	unliquidated
ST PAUL FIRE & MARINE LIFE INSURANCE CO.	956	11/14/2003	unliquidated
ST PAUL FIRE & MARINE LIFE INSURANCE CO.	957	11/14/2003	unliquidated
ST PAUL FIRE & MARINE LIFE INSURANCE CO.	958	11/14/2003	unliquidated
ST PAUL FIRE & MARINE LIFE INSURANCE CO.	959	11/14/2003	unliquidated
ST PAUL FIRE & MARINE LIFE INSURANCE CO.	960	11/14/2003	unliquidated
ST PAUL FIRE & MARINE LIFE INSURANCE CO.	961	11/14/2003	unliquidated
ST PAUL FIRE & MARINE LIFE INSURANCE CO.	962	11/14/2003	unliquidated
ST PAUL FIRE & MARINE LIFE INSURANCE CO.	963	11/14/2003	unliquidated
ST PAUL FIRE & MARINE LIFE INSURANCE CO.	964	11/14/2003	unliquidated
ST PAUL FIRE & MARINE LIFE INSURANCE CO.	965	11/14/2003	unliquidated
TRAVELERS CASUALTY & SURETY CO	938	11/14/2003	unliquidated
TRAVELERS CASUALTY & SURETY CO	939	11/14/2003	unliquidated
TRAVELERS CASUALTY & SURETY CO	940	11/14/2003	unliquidated
TRAVELERS CASUALTY & SURETY CO	941	11/14/2003	unliquidated
TRAVELERS CASUALTY & SURETY CO	942	11/14/2003	unliquidated
TRAVELERS CASUALTY & SURETY CO	943	11/14/2003	unliquidated
TRAVELERS CASUALTY & SURETY CO	944	11/14/2003	unliquidated
TRAVELERS CASUALTY & SURETY CO	945	11/14/2003	unliquidated
TRAVELERS CASUALTY & SURETY CO	946	11/14/2003	unliquidated
TRAVELERS CASUALTY & SURETY CO	947	11/14/2003	unliquidated
TRAVELERS CASUALTY & SURETY CO	948	11/14/2003	unliquidated
TRAVELERS CASUALTY & SURETY CO	949	11/14/2003	unliquidated
TRAVELERS CASUALTY & SURETY CO	950	11/14/2003	unliquidated
TRAVELERS CASUALTY & SURETY CO	951	11/14/2003	unliquidated
TRAVELERS CASUALTY & SURETY CO	952	11/14/2003	unliquidated
TRAVELERS CASUALTY & SURETY CO	967	11/14/2003	unliquidated