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

U.S. BANKRUPTCY COURT  
MIDDLE DISTRICT OF TN.

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

**ORDER ON OMNIBUS OBJECTION TO DUPLICATE CLAIMS**

Upon the omnibus objection dated September 1, 2004 (Docket No. 871, the "Objection"),<sup>1</sup> 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.

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

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2. Each Duplicate Claim identified in column 2 on the Exhibit hereto shall be disallowed in its entirety, without prejudice to the Surviving Claim(s) listed in column 4 on the Exhibit attached hereto.<sup>2</sup>

3. The rights of the Reorganized Debtors and/or the Liquidating Trustee to object to any of the Surviving 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  
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  
F.C.R. Bankr. P. 2002. LSR 0013-1 and 0013-3 by:

<input checked="" type="checkbox"/> Debtor's Atty	<input type="checkbox"/> Atty for Movant
<input type="checkbox"/> Debtor and Cr's Atty	
<input type="checkbox"/> Trustee for Cr's Atty	
<input type="checkbox"/> Liquidating Trustee's Atty	
<input type="checkbox"/> All parties to agreed order	
<input type="checkbox"/> All parties in court of svc	
<input type="checkbox"/> All creditors	

<sup>2</sup> 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  
Duplicate**

CLAIMANT	DUPLICATE CLAIM NUMBER(S)	ORIGINAL CLAIM DATE	SURVIVING CLAIM NUMBER(S)	SURVIVING CLAIM(S) AMOUNT
AJJ TRUCKING CO., INC.	51, 57, 653	5/19/2003	747	30,562.40
ARAMARK	5	4/18/2003	227	44,381.40
ASHEN ALI MD FACP	756	11/6/2003	761	8,634.00
ASHER COAL & LUMBER CO. INC.	887	11/13/2003	888	0.00
B&M MACHINE SHOP	36	5/7/2003	1180, 1181, 1182	36,793.60
BANKS MILLER SUPPLY CO	35	5/6/2003	284	3,554.95
BEVINS, ERMEL & ELOISE	91	6/20/2003	491	85,920.47
BIG K, INC.	50, 55, 651	5/19/2003	748	58,285.70
BKW TIMBER COMPANY INC.	1017	11/17/2003	1049	35,945.90
BKW TIMBER COMPANY INC.	1018	11/17/2003	1050	50,884.70
BKW TIMBER COMPANY INC.	1019	11/17/2003	1051	44,106.60
BKW TIMBER COMPANY INC.	1020	11/17/2003	1052	40,050.40
BKW TIMBER COMPANY INC.	1021	11/17/2003	1053	54,786.40
BLUEGRASS MINING COMPANY INC	623, 624	11/3/2003	625	194,592.15
BOSTIC, BILL & PEGGY	70	6/8/2003	492	10,000.00
C & G ELECTRIC COMPANY	67, 98	6/2/2003	349, 350, 351	132,498.98
C & M GIANT TIRE, LLC	272	10/14/2003	273	772.96
CAUDILL SEED & WAREHOUSE CO., INC.	730	11/12/2003	1172	3,579.00
CAUDILL SEED & WAREHOUSE CO., INC.	731	11/12/2003	1173	501.23
CBJ PLATING & MACHINE, INC.	39, 40, 98	5/14/2003	975, 976, 990, 991	109945.12
COMMONWEALTH OF KENTUCKY	97, 126	6/30/2003	1235	876,243.80
COOK TIRE CO. INC.	76	6/20/2003	331	32,748.80
COOK TIRE CO. INC.	77	6/20/2003	332	1,694.04
COOK, JAMES G.	270	10/15/2003	271	0.00
CRONATRON WELDING SYSTEMS, INC.	23	4/29/2003	466	2,869.57
CSE CORPORATION	174	10/6/2003	726, 727	1,630.01
DEBRA LYNN COALS, INC.	49, 56, 652	5/19/2003	749	203,289.76
DYNATECH ELECTRONICS	241	10/14/2003	261	37,606.28
EASTERN WELL & PUMP, INC	34	5/12/2003	1193, 1195	18,299.86
ESTATE OF MADGE REINKE	771, 772, 773	11/13/2003	774	0.00
ESTATE OF MICHAEL K. NORMAN	65	6/6/2003	690	438,723.29
EXPORT DEVELOPMENT CANADA	124	8/15/2003	670	17,167.71
GEIGER, DANIEL J	615	11/3/2003	1225	150,000.00
GEIGER, DANIEL J	616, 1107	11/3/2003	1224	183,873.00
GENERAL RUBBER & PLASTICS CO., INC.	60	5/27/2003	558	4,487.19
GENERAL RUBBER & PLASTICS CO., INC.	61	5/27/2003	557	29,404.24
GENERAL RUBBER & PLASTICS CO., INC.	62	5/27/2003	556	32,652.09
GENERAL RUBBER & PLASTICS CO., INC.	64	5/27/2003	555	43,245.67
GREENERAUM DOLL & McDONALD PLLC	1001, 1002	11/17/2003	1003	8,582.42
ISOM DRILLING INC	382	10/20/2003	383	51,400.00
JUSTICE, BILLY & PATTY	81, 92	6/16/2003	494	20,000.00
KENTUCKY FIELD SERVICE REALTY INC	14	4/29/2003	1187	500.00
KINDER, LINTON	74	6/11/2003	496	73,572.00
KY STATE TREASURER	1111	11/17/2003	1112	569.13
LABRECHE, JOHN & SHALIMAR	537	10/27/2003	538	0.00
LOWE, EMOGENE	73	6/11/2003	495	86,600.00

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CLAIMANT	DUPLICATE CLAIM NUMBER(S)	ORIGINAL CLAIM DATE	SURVIVING CLAIM NUMBER(S)	SURVIVING CLAIM(S) AMOUNT
MILLER, RETHA TURNER	528, 579	10/27/2003	646	0.00
MORRIS, DOROTHY	280	10/14/2003	1092	307.08
NASH, JAMES	677	11/10/2003	678	0.00
OLD REPUBLIC INSURANCE CO	1113, 1114, 1115	11/17/2003	1116	1,163,422.00
PINION, ZELLA	500	10/27/2003	501	6,000.00
POCAHONTAS DEVELOPMENT CORP.	95	6/25/2003	112	174,593.12
SMITH ADJUSTING, INC.	53	5/16/2003	539	20,704.60
SOUTHERN COMPANY SERVICES, INC.	75, 278, 1222	6/10/2003	1226	275,212.15
STANDARD CORE DRILLING CO., INC.	15	4/29/2003	355	23,702.60
STIDHAM, ERNEST R	1095	11/17/2003	1096	413.00
THACKER, EDDIE & REGINA	82	6/16/2003	493	15,000.00