

RECEIVED 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.

-----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 LATE-FILED CLAIMS

Upon the omnibus objection dated September 1, 2004 (Docket No. 875, 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 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.

NOV 18 2004

/s/ Marian F. Harrison

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
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Attorneys for Reorganized Debtors

A copy of this order shall be mailed in accordance with
Fed. R. Bankr. P. 2002, unless otherwise directed by:

Debtor or Debtor's Attorney All interested parties
 Trustee or Trustee's Attorney _____

For the Clerk of the Court:

Chief Deputy Debtor and Debtor's Attorney
 Financial Clerk Trustee or Trustee's Attorney
 Judgment Book Movant or Movant's Attorney
 Adversary Case All parties to agreed order
 UST All parties in care 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
Late-Filed**

CLAIMANT	CLAIM NUMBER	CLAIM DATE	TOTAL CLAIMED AMOUNT
ASHER, WILLARD J.	1202	1/7/2004	0.00
BEVINS, DIANE	1190	11/20/2003	0.00
BOSTON PROPERTIES LIMITED PART	1138	11/18/2003	2,564.21
BOYD CONTRACTING INC.	1188	11/25/2003	46,903.50
BRANSON, CHARLES L	1185	11/24/2003	0.00
BROCK, GEORGE & BESSIE	1184	11/24/2003	0.00
CAUDILL SEED AND WAREHOUSE CO., INC.	1172	11/21/2003	3,579.00
CAUDILL SEED AND WAREHOUSE CO., INC.	1173	11/21/2003	501.23
COCHRAN INDUSTRIES INC - KY	1204	12/3/2003	8,685.80
COYNE TEXTILE SERVICES	1142	11/19/2003	584.44
COYNE TEXTILE SVC	1141	11/19/2003	961.25
COYNE TEXTILE SVC	1143	11/19/2003	22,227.25
CREECH CHEVY OLDS BUICK PONTIAC	1201	12/29/2003	5,968.35
DEISTER PRODUCTS	1157	11/20/2003	3,906.20
DEWAR INC.	1189	11/26/2003	7,576.44
DONARC INC	1217	1/8/2004	13,365.00
DOTSON, SADIE S.	1140	11/19/2003	534.80
FLETCHER & HALL MOTOR CORP.	1153	11/19/2003	4,948.78
GRAHAM, PAT	1203	1/8/2004	750,000.00
HUNT, HERMAN	1212	1/8/2004	72,500.00
INTERSTATE CONSTRUCTION PRODUC	1220	2/6/2004	275.39
KENTUCKY WEST VIRGINIA GAS COMPANY, L	1227	4/20/2004	32,428.99
MAY BLOCK & CONCRETE PRODUCTS	1175	11/21/2003	26,821.32
MAY BLOCK & CONCRETE PRODUCTS	1183	11/21/2003	28,330.09
MAYHORN'S INC	1147	11/19/2003	5,677.06
MAYHORN'S INC	1148	11/19/2003	362.52
MAYHORN'S INC	1149	11/19/2003	2,134.05
MORRIS, JOSEPH T.	1205	12/24/2003	580.62
OVERNITE TRANSPORTATION CO.	1197	12/11/2003	46.00
PREMIUM CONTRACTING INC.	1219	2/4/2004	6,010.37
R & R DRILLING, INC.	1159	11/21/2003	4,990.00
RICE, KEN	1146	11/19/2003	320,090.40
RICE, KENNETH E	1144	11/19/2003	320,090.40
SKYHAWK CONSTRUCTION, INC.	1191	12/4/2003	5,705.00
STIDHAM JR, MICHAEL Q	1215	1/18/2004	0.00
UNIVERSAL COAL FILTER & SUPPLY	1218	2/4/2004	5,669.80
W.W. GRAINGER, INC.	1198	12/9/2003	2,024.57

EXHIBIT A