

NOTICE OF APPEARANCE



CASE NAME	FILE/DOCKET NUMBER
In the Matter of Arch Coal, Inc. et al	Docket No. D09316

Pursuant to Section 4.1 of the Commission's Rule of Practice, enter in the above proceeding the appearance of

- counsel or representative for the respondent (Complete items 1, 2, 4, and 5 below)
 counsel supporting the complaint (Complete items 1, 3, 4, and 5 below)

1. COUNSEL OR REPRESENTATIVE	2. RESPONDENTS
<p>Include name, address and telephone of each</p> <p>James F. Rill Roxann E. Henry Wm. Bradford Reynolds J. Douglas Baldrige Stephen Weissman James Kress</p> <p>Howrey Simon Arnold & White, LLP 1299 Pennsylvania Avenue, NW Washington, DC 20004 (202) 783-0800</p>	<p>Include address and telephone numbers of all persons, partnerships, corporations, or associations</p> <p>Arch Coal, Inc. One CityPlace Drive Suite 300 St. Louis, MO 63141 (314) 994-2700</p>

3. ASSOCIATE/ASSISTANT DIRECTOR	
4. SIGNATURE OF SENIOR COUNSEL	5. DATE SIGNED
	4 28 04

Return this form to: H-159
Federal Trade Commission
600 Pennsylvania Ave. NW
Washington, D.C. 20580

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES

In the Matter of)

ARCH COAL, INC.,)
a corporation,)

NEW VULCAN COAL HOLDINGS, LLC,)
a limited liability company,)

and)

TRITON COAL COMPANY, LLC,)
a limited liability company.)

) Docket No. 9316

DECLARATION OF JAMES F. RILL

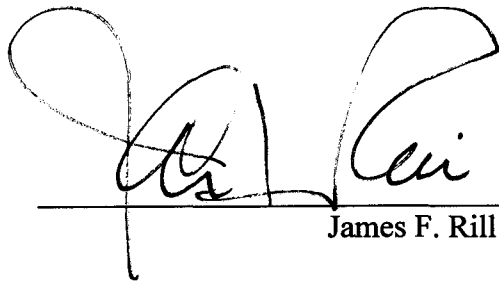
I, James F. Rill, declare as follows:

1. I am an attorney with the law firm of Howrey Simon Arnold & White, LLP, counsel for Defendants Arch Coal, Inc. I make this declaration pursuant to Rule 4.1(d) of the Federal Trade Commission's Rules of Practice.

2. I am a member of the Bar of the District of Columbia (#52027). I am admitted to practice before the United States Courts of Appeals for the 4th, 5th, 6th, 7th, 9th, 11th, and District of Columbia Circuits; the United States District Courts for the Northern District of Texas, Eastern District of Wisconsin and the District of Columbia. I further attest that I am in good standing within the legal profession.

I declare under penalty of perjury that the foregoing is true and correct.

Executed: April 28, 2004



James F. Rill

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES

In the Matter of)
)
ARCH COAL, INC.,)
a corporation,)
) Docket No. 9316
NEW VULCAN COAL HOLDINGS, LLC,)
a limited liability company,)
)
and)
)
TRITON COAL COMPANY, LLC,)
a limited liability company.)

DECLARATION OF ROXANN E. HENRY

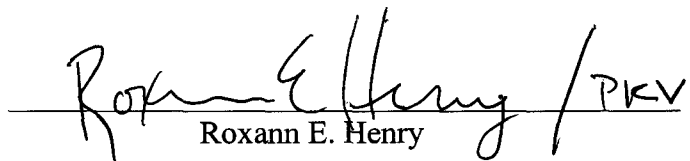
I, Roxann E. Henry, declare as follows:

1. I am an attorney with the law firm of Howrey Simon Arnold & White, LLP, counsel for Defendants Arch Coal, Inc. I make this declaration pursuant to Rule 4.1(d) of the Federal Trade Commission's Rules of Practice.

2. I am a member of the Bars of the District of Columbia (#351569), New Jersey (#14587) and Pennsylvania (#29148). I am admitted to practice before the United States Supreme Court; the United States Courts of Appeals for the 6th, 11th and D.C. Circuits; the United States District Courts for the Eastern District of Pennsylvania, New Jersey and District of Columbia; the Supreme Courts for the states of New Jersey and Pennsylvania; and the District of Columbia Court of Appeals. I further attest that I am in good standing within the legal profession.

I declare under penalty of perjury that the foregoing is true and correct.

Executed: April 28, 2004

 / PKV
Roxann E. Henry

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
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) Docket No. 9316

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)

and)
)
)

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a limited liability company.)

DECLARATION OF WM. BRADFORD REYNOLDS

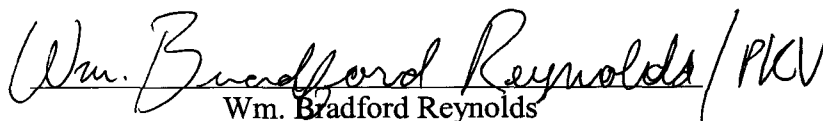
I, Wm. Bradford Reynolds, declare as follows:

1. I am an attorney with the law firm of Howrey Simon Arnold & White, LLP, counsel for Defendants Arch Coal, Inc. I make this declaration pursuant to Rule 4.1(d) of the Federal Trade Commission's Rules of Practice.

2. I am a member of the Bars of the District of Columbia (#179010), New York (#2834430), Louisiana (#7-2004) and Nebraska. I am admitted to practice before the United States Supreme Court; the United States Courts of Appeals for the 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th and D.C. Circuits; the United States District Court for the District of Columbia and Southern District of New York. I further attest that I am in good standing within the legal profession.

I declare under penalty of perjury that the foregoing is true and correct.

Executed: April 28, 2004


Wm. Bradford Reynolds

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
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DECLARATION OF J. DOUGLAS BALDRIDGE

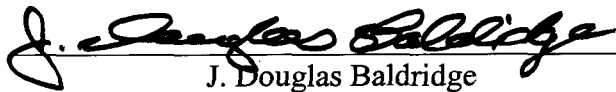
I, J. Douglas Baldrige, declare as follows:

1. I am an attorney with the law firm of Howrey Simon Arnold & White, LLP, counsel for Defendants Arch Coal, Inc. I make this declaration pursuant to Rule 4.1(d) of the Federal Trade Commission's Rules of Practice.

2. I am a member of the Bars of the District of Columbia (#437678), Florida (#0708070), Maryland (#930617) and Virginia (#34327). I am admitted to practice before the United States Supreme Court; the United States Courts of Appeals for the 4th, 11th and District of Columbia Circuits; the United States Courts of Appeals for Maryland, Virginia and the District of Columbia; the United States District Courts for the Eastern District of Virginia, Maryland, Florida, Colorado and District of Columbia; the Supreme Courts for the states of Florida and Virginia; the District of Columbia Court of Appeals; United States Bankruptcy courts for Maryland, Virginia and the District of Columbia; and United States Claims Court. I further attest that I am in good standing within the legal profession.

I declare under penalty of perjury that the foregoing is true and correct.

Executed: April 28, 2004



J. Douglas Baldrige

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
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_____)

DECLARATION OF STEPHEN WEISSMAN

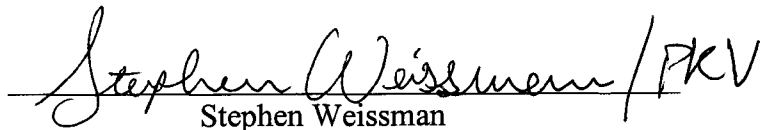
I, Stephen Weissman, declare as follows:

1. I am an attorney with the law firm of Howrey Simon Arnold & White, LLP, counsel for Defendants Arch Coal, Inc. I make this declaration pursuant to Rule 4.1(d) of the Federal Trade Commission's Rules of Practice.

2. I am a member of the Bars of the District of Columbia (#451063), Maryland and Virginia (#40577) and am admitted to practice before the 4th Circuit Court of Appeals and the United States District Courts for the District of Columbia, Maryland and Eastern District of Virginia. I further attest that I am in good standing within the legal profession.

I declare under penalty of perjury that the foregoing is true and correct.

Executed: April 28, 2004


Stephen Weissman

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES

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DECLARATION OF JAMES KRESS

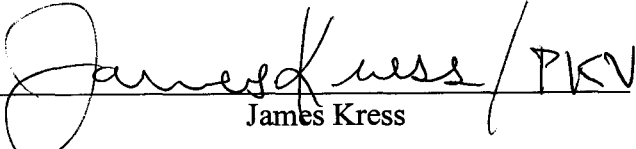
I, James Kress, declare as follows:

1. I am an attorney with the law firm of Howrey Simon Arnold & White, LLP, counsel for Defendants Arch Coal, Inc. I make this declaration pursuant to Rule 4.1(d) of the Federal Trade Commission's Rules of Practice.

2. I am a member of the Bars of the District of Columbia (#435141) and Maryland (#578648114). I am admitted to practice before the 1st and 9th Circuit Courts of Appeals; the United States District Courts for Arizona and the District of Columbia. I further attest that I am in good standing within the legal profession.


I declare under penalty of perjury that the foregoing is true and correct.

Executed: April 28, 2004


James Kress

CERTIFICATE OF SERVICE

I HEREBY certify that copies of the foregoing Answers of Defendant Arch Coal, Inc. to the FTC's Administrative Complaint were served on the following parties on this 28th day of April, 2004.



Pradeep Victor

Hon. D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
Room H-104
600 Pennsylvania Ave., NW
Washington, DC 20530

(by hand)

COMPLAINT COUNSEL
E. Eric Elmore
Federal Trade Commission
601 New Jersey Ave., NW
Washington, DC 20530

(by hand and email)

Michael Knight
Federal Trade Commission
601 New Jersey Ave., NW
Washington, DC 20580

(by hand and email)

COUNSEL FOR DEFENDANT NEW VULCAN COAL
HOLDINGS, LLC AND TRITON COAL COMPANY
Richard G. Parker
O'Melveny & Myers LLP
1625 Eye Street, NW
Washington, DC 20006-4001

(by email)