

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

FM COAL, LLC., *et al.*,¹

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Case Number: **20-02783-TOM-11**

Jointly Administered

**ORDER AND NOTICE FOR HEARING
ON DISCLOSURE STATEMENT**

To the debtor, its creditors and other parties in interest:

A Disclosure Statement and Motion for Entry of an Order (I) Approving the Adequacy of the Disclosure Statement, (II) Approving the Solicitation and Notice Procedures with Respect to Confirmation of the Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code, (III) Approving the Forms of Ballots and Notices in Connection Therewith, and (IV) Scheduling Certain Dates with Respect Thereto under chapter 11 of the Bankruptcy Code having been filed by the debtor on **October 30, 2020**, therefore;

IT IS ORDERED and notice is hereby given, that:

1. A telephonic hearing to consider the approval of the Disclosure Statement and Motion shall be held on **November 30, 2020, at 11:00 a.m.** To participate in the hearing, all parties appearing shall dial the following number: 1-877-336-1280 and enter the following Access Code: 2653346#.

2. **November 23, 2020** is fixed as the last day for filing and serving in accordance with Fed. R. Bankr. P. 3017(a) written objections to the Disclosure Statement.

¹The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: FM Coal, LLC (1768); Cane Creek, LLC (3207); M. S. & R. Equipment Co., Inc. (3487); Cedar Lake Mining, Inc. (6132); Best Coal, Inc. (2487); and Xinergy of Alabama, Inc. (3009).

3. Requests for copies of the Disclosure Statement and Plan shall be mailed to the attorney for the debtor-in-possession: Jesse S Vogtle, Jr., Waller Lansden Dortch & Davis LLP, 1901 Sixth Ave N, Suite 1400, Birmingham, AL 35203.

4. The above referenced hearing to consider the approval of the Disclosure Statement may be continued from the courtroom at the hearing without further notice to any of the parties named above.

Dated this the 2nd day of November, 2020.

/s/ Tamara O. Mitchell
TAMARA O. MITCHELL
United States Bankruptcy Judge