

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re:)	
)	Chapter 11
)	
WESTMORELAND COAL COMPANY, <i>et al.</i> , ¹)	Case No. 18-35672 (___)
)	
Debtors.)	(Joint Administration Requested)
)	(Emergency Hearing Requested)

**NOTICE OF AGENDA FOR HEARING
ON FIRST DAY MOTIONS SCHEDULED
FOR OCTOBER 9, 2018, AT 2:30 P.M. (PREVAILING
CENTRAL TIME), BEFORE THE HONORABLE DAVID R. JONES AT
THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT
OF TEXAS, AT COURTROOM 400, 515 RUSK STREET, HOUSTON, TEXAS 77002**

The above-referenced debtors and debtors in possession (collectively, the “Debtors”) hereby file their agenda for matters set for hearing on October 9, 2018, at 2:30 p.m. (prevailing Central Time).

1. ***Joint Administration Motion.*** Debtors’ Emergency Motion for Entry of an Order Directing Joint Administration of Chapter 11 Cases [Docket No. 19].

Status: This matter is going forward.

2. ***Notice of Complex Case.*** Notice of Designation as Complex Chapter 11 Bankruptcy Case [Docket No. 2].

Status: This matter is going forward.

¹ Due to the large number of debtors in these chapter 11 cases, for which joint administration has been requested, a complete list of the debtors and the last four digits of their tax identification, registration, or like numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ proposed claims and noticing agent in these chapter 11 cases at www.donlinrecano.com/westmoreland. Westmoreland Coal Company’s service address for the purposes of these chapter 11 cases is 9540 South Maroon Circle, Suite 300, Englewood, Colorado 80112.

3. ***WLB DIP Motion.*** Emergency Motion of Westmoreland Coal Company and Certain Debtor Affiliates for Entry of Interim and Final Orders (I) Authorizing Westmoreland Coal Company and Certain of Its Affiliates to Obtain Postpetition Secured Financing, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Authorizing the Use of Cash Collateral, (IV) Granting Adequate Protection, (V) Modifying the Automatic Stay, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief [Docket No. 17].
 - A. Declaration of Marc D. Puntus in Support of the Emergency Motion of Westmoreland Coal Company and Certain Debtor Affiliates for Entry of Interim and Final Orders (I) Authorizing Westmoreland Coal Company and Certain of Its Affiliates to Obtain Postpetition Secured Financing, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Authorizing the Use of Cash Collateral, (IV) Granting Adequate Protection, (V) Modifying the Automatic Stay, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief [Docket No. 17-B].
 - B. Declaration of Robert A. Campagna in Support of the Emergency Motion of Westmoreland Coal Company and Certain Debtor Affiliates for Entry of Interim and Final Orders (I) Authorizing Westmoreland Coal Company and Certain of Its Affiliates to Obtain Postpetition Secured Financing, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Authorizing the Use of Cash Collateral, (IV) Granting Adequate Protection, (V) Modifying the Automatic Stay, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief [Docket No. 17-C].

Status: This matter is going forward.

4. ***WMLP Cash Collateral Motion.*** Emergency Motion of Westmoreland Resource Partners, LP and Certain Debtor Affiliates for the Entry of Interim and Final Orders (I) Authorizing WMLP Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Certain Protections to Prepetition Lenders Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing [Docket No. 18].
 - A. Declaration of Robert A. Campagna in Support of the Emergency Motion of Westmoreland Resource Partners, LP and Certain Debtor Affiliates for the Entry of Interim and Final Orders (I) Authorizing MLP Debtors to Use Cash Collateral Pursuant to 11 U.S.C. §363, (II) Granting Certain Protections to Prepetition Lenders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, and 507, and (III) Scheduling a Final Hearing [Docket No. 18-B].

Status: This matter is going forward.

5. **Cash Management Motion.** Debtors' Emergency Motion for Entry of Interim and Final Orders Authorizing Debtors to (I) Continue to Operate Their Cash Management System, (II) Honor Certain Prepetition Obligations Related Thereto, (III) Maintain Existing Business Forms, and (IV) Continue to Perform Intercompany Transactions [Docket No. 16].

Status: This matter is going forward.

6. **Wages Motion.** Debtors' Emergency Motion for Entry of Interim and Final Orders Authorizing Debtors to (I) Pay Prepetition Wages, Salaries, Other Compensation, and Reimbursable Expenses, and (II) Continue Employee Benefits Programs [Docket No. 10].

Status: This matter is going forward.

7. **Coal Sales Motion.** Debtors' Emergency Motion for Entry of Interim and Final Orders Authorizing Debtors to Enter into and Perform Under Coal Sale Contracts in the Ordinary Course of Business [Docket No. 15].

Status: This matter is going forward.

8. **Creditor Matrix Motion.** Debtors' Emergency Motion for Entry of an Order (I) Authorizing Consolidated Creditors Lists, (II) Authorizing the Redaction of Certain Personal Identification Information, (III) Waiving the Requirement to File Equity Lists and Modifying Equity Holder Notice Requirements, and (IV) Approving the Form and Manner of Notifying Creditors of the Commencement of the Chapter 11 Cases and Other Information [Docket No. 4].

Status: This matter is going forward.

9. **Automatic Stay Motion.** Debtors' Emergency Motion Seeking Entry of an Order (I) Restating and Enforcing the Worldwide Automatic Stay, Anti-Discrimination Provisions, and *Ipsa Facto* Protections of the Bankruptcy Code and (II) Approving the Form and Manner of Notice Related Thereto [Docket No. 6].

Status: This matter is going forward.

10. **Customer Programs Motion.** Debtors' Emergency Motion for Entry of Interim and Final Orders Authorizing Debtors to (I) Honor Prepetition Obligations to Customers in the Ordinary Course of Business and (II) Continue, Renew, Replace, Implement, or Terminate Customer Programs [Docket No. 12].

Status: This matter is going forward.

11. ***Insurance Motion.*** Debtors' Emergency Motion for Entry of Interim and Final Orders Authorizing Debtors to (I) Continue Insurance Policies Entered into Prepetition and Satisfy Prepetition Obligations Related Thereto, (II) Renew, Amend, Supplement, Extend, or Purchase Insurance Policies, (III) Honor the Terms of the Premium Financing Agreement and Pay Premiums Thereunder, and (IV) Enter into New Premium Financing Agreements in the Ordinary Course of Business [Docket No. 7].

Status: This matter is going forward.

12. ***Lienholders Motion.*** Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Payment of Specified Trade Claims and (II) Confirming Administrative Expense Priority of Outstanding Orders [Docket No. 11].

Status: This matter is going forward.

13. ***NOL Motion.*** Debtors' Emergency Motion for Entry of Interim and Final Orders Approving Notification and Hearing Procedures for Certain Transfers of and Declarations of Worthlessness with Respect to Common Stock [Docket No. 13].

Status: This matter is going forward.

14. ***DRC Retention Application.*** Debtors' Emergency Application for Entry of an Order Authorizing the Debtors to Employ and Retain Donlin, Recano & Company, Inc., as Claims, Noticing, and Solicitation Agent, Effective *Nunc Pro Tunc* to the Petition Date [Docket No. 5].

Status: This matter is going forward.

15. ***Schedules Extension Motion.*** Debtors' Emergency Motion for Entry of an Order Extending the Time to File Schedules of Assets and Liabilities, Schedules of Current Income and Expenditures, Schedules of Executory Contracts and Unexpired Leases, and Statements of Financial Affairs [Docket No. 3].

Status: This matter is going forward.

16. ***Surety Bond Motion.*** Debtors' Emergency Motion for Entry of Interim and Final Orders Approving Continuation of Surety Bond Program [Docket No. 14].

Status: This matter is going forward.

17. ***Taxes Motion.*** Debtors' Emergency Motion for Entry of Interim and Final Orders Authorizing the Payment of Certain Prepetition Taxes and Fees [Docket No. 9].

Status: This matter is going forward.

18. **Utilities Motion.** Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Approving the Debtors' Proposed Adequate Assurance of Payment for Future Utility Services, (II) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Services, and (III) Approving the Debtors' Proposed Procedures for Resolving Additional Assurance Requests [Docket No. 8].

Status: This matter is going forward.

19. **Emergency Consideration.** Request for Emergency Consideration of Certain "First Day" Matters [Docket No. 20].

Status: This matter is going forward.

20. **First Day Declaration.** Declaration of Jeffrey S. Stein, Chief Restructuring Officer of Westmoreland Coal Company, in Support of Chapter 11 Petitions and First Day Pleadings

Status: This Declaration will be relied upon as evidentiary support for the voluntary chapter 11 petitions and the first day matters listed below. Mr. Stein will be present in the courtroom and prepared to testify regarding the subject matter of his declaration.

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Houston, Texas
October 9, 2018

/s/ Patricia B. Tomasco

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Certificate of Service

I certify that on October 9, 2018, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Patricia B. Tomasco

Patricia B. Tomasco