

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

In re:

Westmoreland Coal Company, et al.,<sup>1</sup>

Debtors.

Chapter 11

Case No. 18-35672 (DRJ)

(Jointly Administered)

**THE WMLP DEBTORS' WITNESS AND EXHIBIT  
LIST FOR THE FEBRUARY 26, 2019 HEARING**

Westmoreland Resource Partners, LP ("WMLP") and WMLP's direct and indirect subsidiaries (collectively with WMLP, the "WMLP Debtors"), as debtors and debtors in possession in the above-captioned cases, file their Witness and Exhibit List for the hearing to be held on February 26, 2019 at 1:00 p.m. (prevailing Central Time) (the "Hearing") as follows:

**WITNESSES**

The WMLP Debtors may call the following witnesses at the Hearing in connection with the *Debtors' Emergency Motion for Entry of an Order Authorizing and Approving Intercompany Settlement Term Sheet* (Docket No. 1367) (the "Intercompany Settlement Motion"):

1. Gerald A. Tywoniuk, Chairman of the Conflicts Committee of the Board of Directors of Debtor Westmoreland Resources GP, LLC, the general partner of WMLP; and
2. The WMLP Debtors reserve the right to call any other witness designated by another

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<sup>1</sup> Due to the large number of Debtors in these chapter 11 cases, for which joint administration has been granted, 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' claims and noticing agent in these chapter 11 cases at [www.donlinrecano.com/westmoreland](http://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.

party, any witness used for impeachment, and any witness necessary to lay the foundation for admission of exhibits.

### EXHIBITS

The WMLP Debtors reserve the right to introduce into evidence the following exhibits at the Hearing in connection with the Intercompany Settlement Motion:

No	Description	Mark	Offer	Object	Admit	W/D	Disposition After Trial
1.	<i>Declaration of Gerald A. Tywoniuk in Support of the Debtors' Emergency Motion for Entry of an Order Authorizing and Approving Intercompany Settlement Term Sheet</i> (Docket No. 1435)						
2.	Intercompany Settlement Term Sheet (Docket No. 1367-1 Annex 1)						
3.	Schedule to Tender Offer Statement (February 13, 2019)						
4.	Shared Services Agreement and all amendments thereto						
5.	Any other document or pleading filed in the above captioned main cases cited herein						
6.	Any exhibit necessary for impeachment and/or rebuttal purposes						
7.	Any exhibit identified or offered by any other party						

### RESERVATION OF RIGHTS

The WMLP Debtors reserve (a) the right to amend and/or supplement this Witness and Exhibit List at any time prior to the Hearing and (b) the right to use additional exhibits for purposes of rebuttal or impeachment and to further supplement the foregoing Witness and

Exhibit List as appropriate. The WMLP Debtors also reserve the right to rely upon and use as evidence (a) exhibits included on the exhibit lists of any other parties in interest and (b) any pleading, hearing transcript, or other document filed with the Court in the above-captioned matter.

Dated: February 22, 2019  
Houston, Texas

Respectfully submitted,

/s/ Matthew C. Corcoran

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*Conflicts Counsel to the WMLP Debtors and  
Counsel to the Conflicts Committee of Debtor  
Westmoreland Resources GP, LLC*

**Certificate of Service**

I certify that on February 22, 2019, 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/ Matthew C. Corcoran*

Matthew C. Corcoran