

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

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In re:	:	Chapter 11
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WESTMORELAND COAL COMPANY, <i>et al.</i> , <sup>1</sup>	:	Case No. 18-35672 (DRJ)
	:	
Debtors.	:	(Jointly Administered)
	:	
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**ORDER GRANTING EMERGENCY MOTION OF THE  
WLB PURCHASER TO ENFORCE COURT ORDER  
CONCERNING SALE OF KEMMERER MINE [Dkt. No. ]**

Upon the *Emergency Motion of the WLB Purchaser to Enforce Court Order Concerning Sale of Kemmerer Mine* (the “Motion”);<sup>2</sup> and the Court having reviewed the Motion; and the Court finding that: (i) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (iii) notice of the Motion and the hearing thereon was sufficient under the circumstances; and (iv) the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor,

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Motion is GRANTED as set forth herein.

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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.

<sup>2</sup> Capitalized terms not otherwise defined herein shall have the same meaning ascribed to them in the Motion.

2. Pursuant to sections 105 and 363 of the Bankruptcy Code and the Kemmerer Sale Order,<sup>3</sup> the sale of the Kemmerer mine shall not be consummated unless and until either (i) the parties to the Kemmerer Purchase Agreement meet all closing conditions that cannot be waived without the consent of the WLB Purchaser, including all surety, bonding, and permit requirements or (ii) the WLB Purchaser waives such closing conditions.

3. The terms and conditions of this Order are immediately effective and enforceable upon its entry.

4. This Court shall retain exclusive jurisdiction over any and all matters arising from or related to the implementation or interpretation of this Order.

Dated \_\_\_\_\_, 2019  
Houston, Texas

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THE HONORABLE DAVID R. JONES  
UNITED STATES BANKRUPTCY JUDGE

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<sup>3</sup> Order (I) Approving the Sale of The Kemmerer Mine and Substantially all Assets Related Thereto Free and Clear of All Non-Assumed Liens, Claims, Encumbrances and Interests, (II) Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases and (III) Granting Related Relief [Docket No. 1560].