

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE 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)

Westmoreland Mining Holdings LLC,  
Westmoreland Mining LLC, Westmoreland  
Canada Holdings Inc., Prairie Mines & Royalty  
ULC, Westmoreland Risk Management, Inc.,  
Westmoreland San Juan Mining LLC,  
Westmoreland Absaloka Mining LLC,  
Westmoreland Rosebud Mining LLC,  
Westmoreland Haystack Mining LLC,  
Westmoreland Beulah Mining LLC,  
Westmoreland Savage Mining LLC, and  
Westmoreland Jewett Mining LLC,

Plaintiffs,

v.

Western Coal Acquisition Partners, LLC,  
Merida Natural Resources, LLC, Westmoreland  
Resource Partners, LP, Westmoreland Kemmerer,  
LLC, and Westmoreland Kemmerer Fee Coal  
Holdings, LLC,

Defendants.

Adversary No. 19-\_\_\_\_\_

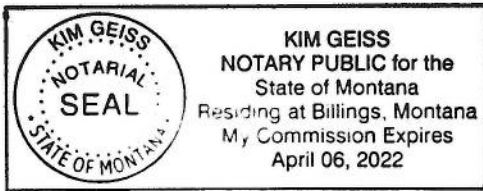
Affidavit of Joseph E. Micheletti

<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.



7. After my call with Mr. Hodges, the WLB Purchaser's management determined that waiver or modifying the bond-related provisions of the Kemmerer Purchaser Agreement would materially adversely affect the WLB Purchaser and that it therefore would not consent to any such waiver or modification.

8. The WLB Purchaser informed WMLP and Merida of this determination by letter sent by e-mail on the afternoon of Wednesday, March 20. See March 20, 2019 letter, attached as Exhibit 1 to the TRO Application.



*Joseph E. Micheletti*  
\_\_\_\_\_  
Joseph E. Micheletti

Sworn to before me this  
22nd day of March 2019

*Kim Geiss*  
\_\_\_\_\_  
Notary Public