

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

In re:

Westmoreland Coal Company, *et al.*,¹

Debtors.

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.

Chapter 11

Case No. 18-35672 (DRJ)

(Jointly Administered)

Adversary No. 19-03369

¹ 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. Westmoreland Coal Company's service address for the purposes of these chapter 11 cases is 9540 South Maroon Circle, Suite 300, Englewood, Colorado 80112.

**WESTERN COAL ACQUISITION PARTNERS, LLC’S AND
MERIDA NATURAL RESOURCES, LLC’S WITNESS AND EXHIBIT
LIST FOR THE MARCH 25, 2019 HEARING**

Western Coal Acquisition Partners, LLC (“WCA”) and Merida Natural Resources, LLC (“Merida”) file their Witness and Exhibit List for the hearing to be held on March 25, 2019 at 10:00 a.m. (prevailing Central Time) (the "Hearing") as follows:

WITNESSES

WCA and Merida may question or call the following witnesses at the Hearing:

1. Any witness designated by another party, any witness used for impeachment, any witness necessary to lay the foundation for admission of exhibits, and any witness necessary to rebut the testimony of other witnesses.

EXHIBITS

WCA and Merida reserve the right to introduce the following exhibits at the Hearing in connection with the Oxford Sale Motion:

No	Description	Mark	Offer	Object	Admit	W/D	Disposition After Trial
1.	<i>Expedited Motion of Westmoreland Resource Partners, LP and its Subsidiaries For Entry of (I) An Order (A) Establishing Bidding and Sale Procedures with Respect to the Sale of the Kemmerer Mine and Substantially All Assets Related Thereto, (B) Authorizing the Entry Into a Stalking Horse Agreement and the Provision of Stalking Horse Protections, (C) Scheduling an Auction and</i>						

	<i>Sale Hearing and Approving the Form and Manner of Notice Thereof and (D) Granting Related Relief; and (II) An Order Approving the Sale of Such Assets and Granting Related Relief (Docket No. 1101)</i>						
2.	Notice of Successful Bid in Connection with the Sale of the Kemmerer Mine and Related Assets (Docket No. 1401)						
3.	<i>Declaration of Thomas M. Clarke In Support of the Expedited Motion of Westmoreland Resource Partners, LP and its Subsidiaries For Entry of (I) An Order (A) Establishing Bidding and Sale Procedures with Respect to the Sale of the Kemmerer Mine and Substantially All Assets Related Thereto, (B) Authorizing the Entry Into a Stalking Horse Agreement and the Provision of Stalking Horse Protections, (C) Scheduling an Auction and Sale Hearing and Approving the Form and Manner of Notice Thereof and (D) Granting Related Relief; and (II) An Order Approving the Sale of Such Assets and Granting Related Relief (Docket No. 1502)</i>						
4.	<i>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</i>						

	<i>Assignment of Certain Executory Contracts and Unexpired Leases and (III) Granting Related Relief (Docket No. 1560)</i>						
5.	<i>Asset Purchase Agreement among Westmoreland Resource Partners, LP, Westmoreland Kemmerer, LLC, Westmoreland Kemmerer Fee Coal Holdings, LLC, Western Coal Acquisition Partners, LLC and Merida Natural Resources, LLC (Docket No. 1401)</i>						
6.	<i>Order Confirming the Amended Joint Chapter 11 Plan of Westmoreland Coal Company and Certain of its Debtor Affiliates (Docket No. 1561)</i>						
7.	Letter from Indemnity National Insurance Company to Tom Clarke dated March 18, 2019						
8.	Email from Brian Hodges (Zurich) to Anne Gliedt (Lockton) dated February 26, 2019						
9.	Email from Anne Gliedt (Lockton) to Brian Hodges (Zurich) dated March 11, 2019						
10.	Any exhibit necessary for impeachment and/or rebuttal purposes						
11.	Any exhibit identified or offered by any other party						

RESERVATION OF RIGHTS

WCA and Merida 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. WCA and Merida 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 bankruptcy.

Dated: March 23, 2019
Houston, Texas

Respectfully submitted,

/s/ Jay R. Bender

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CERTIFICATE OF SERVICE

I certify that on March 23, 2019, a true and correct copy of this pleading was served on all parties authorized to receive notice through the ECF notice system in this case.

/s/ Jay R. Bender

OF COUNSEL