



ENTERED  
03/27/2019

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:	)	
	)	Chapter 11
WESTMORELAND COAL COMPANY, <i>et al.</i> , <sup>1</sup>	)	Case No. 18-35672 (DRJ)
	)	
Debtors.	)	(Jointly Administered)
	)	
	)	<b>Re: Docket No. <u>1212</u></b>

**ORDER APPROVING OMNIBUS CLAIMS OBJECTION PROCEDURES  
AND FILING OF SUBSTANTIVE OMNIBUS CLAIMS OBJECTIONS**

Upon the motion (the “Motion”)<sup>2</sup> of the above-captioned debtors and debtors in possession (collectively, the “Debtors”) for entry of an order (this “Order”), approving the Objection Procedures attached hereto as **Exhibit 1**, all as more fully set forth in the Motion; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and that this Court may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is in the best interests of the Debtors’ estates, their creditors, and other parties in interest; and this Court having found that the Debtors’ notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having

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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 used but not otherwise defined herein have the meanings ascribed to them in the Motion.

reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court (the "Hearing"); and this Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Motion is granted as set forth herein.
2. Notwithstanding anything to the contrary in the Bankruptcy Code and the Bankruptcy Rules, and pursuant to Bankruptcy Rule 3007(c) and Bankruptcy Local Rule 3007-1, the Debtors may file Omnibus Objections that include objections to claims on any basis provided for in Bankruptcy Rule 3007(d), Bankruptcy Local Rule 3007-1, and/or the Additional Grounds.
3. The Debtors shall file and prosecute any Omnibus Objections in accordance with (a) the Objection Procedures attached hereto as **Exhibit 1**, which are hereby approved, and (b) the other procedural safeguards set forth in Bankruptcy Rule 3007(e) and Bankruptcy Local Rule 3007-1.
4. The form of Objection Notice attached hereto as **Exhibit 2** is hereby approved.
5. The withdrawal of proof of claim form attached hereto as **Exhibit 3** is hereby approved.
6. Nothing in this Order shall affect the Debtors' authority to pay claims to the extent authorized by a separate order of the Court.
7. Nothing in this Order shall obligate the Debtors to settle or pursue a settlement of any particular claim. Settlements of claims may be negotiated and compromised by the Debtors in their sole discretion (subject to applicable law) and the applicable provisions of a confirmed

chapter 11 plan of the WMLP Debtors<sup>3</sup> and the WLB Debtors,<sup>4</sup> respectively; *provided, however*, that the Debtors shall obtain the prior written consent (not to be unreasonably withheld) of (i) the MLP Required Lenders<sup>5</sup> prior to entering into any settlement or compromise relating to any WMLP Debtor, and (ii) the Required Consenting Stakeholders<sup>6</sup> prior to entering into any settlement or compromise relating to any WLB Debtor.

8. Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order, the Motion, or the Objection Procedures shall be deemed: (a) an admission as to the validity of any prepetition claim against a Debtor entity; (b) a waiver of any right of any Debtor to dispute any prepetition claims on any grounds; (c) a promise or requirement to pay any prepetition claim; (d) an implication or admission that any particular claim is of a type specified or defined in this Motion or any order granting the relief requested by this Motion; (e) a request or authorization to assume any prepetition agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; or (f) a waiver of any right of any Debtor under the Bankruptcy Code or any other applicable law.

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<sup>3</sup> “WMLP Debtors” means, collectively, Westmoreland Resources GP, LLC, Westmoreland Resource Partners, LP, Westmoreland Kemmerer, LLC, Oxford Mining Company, LLC, Harrison Resources, LLC, Oxford Mining Company-Kentucky, LLC, Daron Coal Company, LLC, Oxford Conesville, LLC and Westmoreland Kemmerer Fee Coal Holdings, LLC.

<sup>4</sup> “WLB Debtors” means, collectively, Westmoreland Coal Company and certain of its subsidiaries other than WMLP Debtors.

<sup>5</sup> “MLP Required Lenders” shall have the meaning in the Final Order (I) Authorizing the 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, (III) Modifying the Automatic Stay and (IV) Granting Related Relief [Docket No. 521] (as amended, modified or supplemented from time to time in accordance with the terms thereof, the “Final Cash Collateral Order”).

<sup>6</sup> “Required Consenting Stakeholders” shall have the meaning in the Restructuring Support Agreement (the “RSA”) dated as of October 9, 2018, attached as Exhibit A to the *Declaration of Jeffrey S. Stein, Chief Restructuring Officer of Westmoreland Coal Company, in Support of Chapter 11 Petitions and First Day Pleadings* [Docket No. 54].

9. This Order, and the Objection Procedures are subject to the terms of the Final Cash Collateral Order and the RSA.

10. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of Bankruptcy Rule 6004(a) and the Bankruptcy Local Rules are satisfied by such notice.

11. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Order are immediately effective and enforceable upon its entry.

12. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

13. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

**Signed: March 27, 2019.**



DAVID R. JONES  
UNITED STATES BANKRUPTCY JUDGE

**Exhibit 1**

**Objection Procedures**

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

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In re:	)	Chapter 11
	)	
WESTMORELAND COAL COMPANY, <i>et al.</i> , <sup>1</sup>	)	Case No. 18-35672 (DRJ)
	)	
Debtors.	)	(Jointly Administered)
	)	

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**PROCEDURES FOR FILING OMNIBUS CLAIMS OBJECTIONS**

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1. Grounds for Omnibus Objections. In addition to those grounds expressly set forth in Bankruptcy Rule 3007(d), the Debtors<sup>2</sup> may file omnibus objections (each, an “Omnibus Objection”) to claims on the grounds (collectively, the “Additional Grounds”) that such claims, in part or in whole:

- (a) are inconsistent with the Debtors’ books and records;
- (b) fail to specify the asserted claim amount (other than “unliquidated”);
- (c) seek recovery of amounts for which the Debtors are not liable;
- (d) are incorrectly or improperly classified;
- (e) have not been formally withdrawn by the claimant through the filing of a withdrawal of proof of claim form, substantially in the form attached to the Order as **Exhibit 3** or through the entry of a Court order indicating withdrawal of the claim;

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<sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

- (f) are filed against non-Debtors or are filed against multiple Debtors;
- (g) fail to specify a Debtor against whom the claim is asserted;
- (h) should be disallowed pursuant to section 502 of the Bankruptcy Code;
- (i) are disallowed or subordinated to all claims and interests senior to or equal to the asserted claim or interest arising out of the purchase or sale of a security of the Debtor or affiliate pursuant to section 510(b) of the Bankruptcy Code; or
- (j) fail to sufficiently specify the basis for the claim or provide sufficient supporting documentation therefor.

2. Numbering of Omnibus Objections. Each Omnibus Objection will be numbered consecutively, regardless of basis.

3. Supporting Documentation. To the extent appropriate, Omnibus Objections may include an affidavit or declaration that provides a factual basis for the Debtors' objection to the applicable claims, including from an individual with personal knowledge of the Debtors' books and records and the manner in which they are maintained, which states that the affiant or the declarant has reviewed the applicable claims included therein and supporting information and documentation provided therewith, made reasonable efforts to research the claims on the Debtors' books and records, and determined that the books and records do not reflect the debt or the amount of debt that is alleged in the claims.

4. Claim Exhibits. An exhibit listing the claims that are subject to the particular Omnibus Objection will be attached thereto. Each exhibit will include only the claims to which there is a common basis for the objection. Claims for which there is more than one basis for the objection will be referenced on each exhibit applicable thereto. The exhibits will include, without limitation, the following information alphabetized by claimant:

- (a) the claims that are the subject of the Omnibus Objection and, if applicable, the proof of claim number related thereto from the claims register;
- (b) the asserted amount of the claim;
- (c) the grounds for the objection;
- (d) a cross-reference to the section of the Omnibus Objection discussing such claim; and
- (e) other information, as applicable, including (i) the proposed reclassification or redesignation of claims the Debtors are seeking to implement, (ii) the reduced claim amounts of claims the Debtors are seeking to reduce; or (iii) the surviving claims of claimants affected by the Omnibus Objection.

5. Objection Notice. Each Omnibus Objection will be accompanied by a customized objection notice, substantially in the form annexed to the Order as **Exhibit 2** (the “Objection Notice”), tailored, as appropriate, to address a particular creditor, claim, or objection, which will:

- (a) describe the basic nature of the objection;
- (b) inform creditors that their rights may be affected by the objection;
- (c) describe the procedures for filing a written response (each, a “Response”) to the objection, including all relevant dates and deadlines related thereto;
- (d) identify the hearing date, if applicable, and related information; and
- (e) describe how copies of proofs of claim, the Omnibus Objection, and other pleadings filed in the chapter 11 cases may be obtained.

6. Notice and Service. Each Omnibus Objection will be filed with the Court and served electronically using the Court’s electronic filing system. In addition, each affected claimant will receive a customized notice by regular mail.

7. Omnibus Claims Objection Hearings. Each Omnibus Objection shall be set for hearing no less than 44 calendar days after service of the Omnibus Objection (each, a “Hearing”), unless otherwise ordered by the Court. In the Debtors’ sole discretion, and after notice to the affected claimant and the Notice Parties (as defined herein), the Debtors may (without further order of the Court) adjourn the Hearing on the Omnibus Objection to a subsequent hearing date by filing



a notice or statement on the record. For claims subject to an Omnibus Objection and with respect to which either no Response is filed in accordance with the proposed response procedures and no appearance is made at the Hearing, or a Response is filed in accordance with the proposed response procedures but such Response is resolved prior to the Hearing, the Debtors may request at the Hearing that the Court enter an order granting the Omnibus Objection with respect to such claim. Contested claims for which (a) a Response is filed in accordance with the proposed response procedures but such Response is not resolved prior to the Hearing *and* (b) an appearance is made at the Hearing, may be heard at the Hearing or adjourned to a subsequent hearing date in the Debtors' sole discretion with prior notice to the affected parties and the Notice Parties. If a subsequent hearing is determined to be necessary, the Debtors shall file with the Court and serve on the affected claimants and the Notice Parties a notice of the subsequent hearing (the date of which shall be determined in consultation with the affected claimant(s)) or announce such adjournment on the record.

8. Contested Matter. Each claim subject to an Omnibus Objection and the Response thereto shall constitute a separate contested matter as contemplated by Bankruptcy Rule 9014, and any order entered by the Court will be deemed a separate order with respect to such claim. The Debtors may, in their discretion and in accordance with other orders of this Court, and the provisions of the Bankruptcy Code and the Bankruptcy Rules, settle the priority, amount, and validity of such contested claims without any further notice to or action, order, or approval of the Court, subject to the requirements set forth in any confirmed chapter 11 plan and obtaining the prior written consent (not to be unreasonably withheld) of (i) the MLP Required Lenders prior to entering into any settlement or compromise relating to any WMLP Debtor and (ii) the Required

Consenting Stakeholders prior to entering into any settlement or compromise relating to any WLB Debtor.

**Responses to Omnibus Objections**

9. Parties Required to File a Response. Any party who disagrees with an Omnibus Objection is required to file a Response in accordance with the procedures set forth herein, and to appear at the Hearing (which appearance may be made telephonically, if permission is requested and granted by the Court in advance of the Hearing in accordance with the Court's *Court Procedures and Practice Tips*). If a claimant whose claim is subject to an Omnibus Objection does not file and serve a Response in compliance with the procedures below or fails to appear at the Hearing, the Court may grant the objection with respect to such claim without further notice to the claimant.

10. Response Contents. Each Response must contain the following (at a minimum):

- (a) a caption stating the name of the Court, the name of the Debtors, the case number, and the Omnibus Objection to which the Response is directed;
- (b) a concise statement setting forth the reasons why the Court should not grant the objection with respect to such claim, including the factual and legal bases upon which the claimant will rely in opposing the Omnibus Objection;
- (c) a copy of any other documentation or other evidence of the claim, to the extent not already included with the claim, upon which the claimant will rely in opposing the objection; *provided* that the claimant need not disclose confidential, proprietary, or otherwise protected information in the Response; and, *provided, further*, that the claimant shall disclose to counsel to the Debtors, Committee, the WLB Ad Hoc Group, and the MLP Required Lenders all information and provide copies of all documents that the claimant believes to be confidential, proprietary, or otherwise protected and upon which the claimant intends to rely in support of its claim, subject to appropriate confidentiality constraints;
- (d) a declaration or other statement of a person with personal knowledge of the relevant facts that support the Response; and
- (e) the following contact information for the responding party:

- (i) the name, address, telephone number, and email address of the responding claimant or the name, address, telephone number, and email address of the claimant’s attorney or designated representative to whom the attorneys for the Debtors should serve a reply to the Response, if any; or
- (ii) the name, address, telephone number, and email address of the party with authority to reconcile, settle, or otherwise resolve the objection on the claimant’s behalf.

11. Filing and Service of the Response. A Response will be deemed timely only if it is filed with the Court and served electronically using the Court’s electronic filing system and actually received by 4:00 p.m. (prevailing Central Time) on the day that is thirty (30) calendar days from the date the Omnibus Objection is served (the “Response Deadline”), unless as otherwise ordered by the Court, by the following parties (the “Notice Parties”):

<b>Counsel to the Debtors</b>	<b>The United States Trustee</b>
<p>Kirkland &amp; Ellis LLP 601 Lexington Avenue New York, New York 10022 Attn.: Stephen E. Hessler, P.C. (stephen.hessler@kirkland.com)</p> <p>Kirkland &amp; Ellis LLP 300 North LaSalle Chicago, Illinois 60654 Attn.: Gregory F. Pesce (gregory.pesce@kirkland.com) and Christopher S. Koenig (chris.koenig@kirkland.com)</p>	<p>Office of the United States Trustee for the Southern District of Texas 515 Rusk Street, Suite 3516 Houston, Texas 77002 Attn.: Stephen Statham</p>
<b>Counsel to the WLB Ad Hoc Group</b>	<b>Counsel to the Official Committee of Unsecured Creditors</b>
<p>Kramer Levin Naftalis &amp; Frankel LLP 1177 Avenue of the Americas New York, New York 10036 Attn.: Thomas Moers Mayer (tmayer@kramerlevin.com) and Stephen D. Zide (szide@kramerlevin.com)</p>	<p>Morrison &amp; Foerster LLP 250 West 55th Street New York, New York 10019 Telephone: (212) 468-8000 Facsimile: (212) 468-7900 Attn: Lorenzo Marinuzzi, Esq. (lmarinuzzi@mof.com) Todd M. Goren, Esq. (tgoren@mof.com) and Jennifer L. Marines, Esq. (jmarines@mof.com)</p>

<b>Counsel to the MLP Secured Lenders/MLP Ad Hoc Group</b>	<b>Counsel to the Conflicts Committee of the Board of Directors of Westmoreland Resources GP, LLC</b>
Schulte Roth & Zabel LLP 919 Third Avenue New York, New York 10022 Attn.: David M. Hillman (david.hillman@srz.com) and Kristine G. Manoukian (kristine.manoukian@srz.com)	Jones Day 901 Lakeside Avenue Cleveland, Ohio 44114 Attn.: Heather Lennox (hlennox@jonesday.com) and Oliver Zeltner (ozeltner@jonesday.com)
<b>Counsel to the Claims Administrator (solely with respect to claims filed against the WLB Debtors)</b>	

12. Discovery. If the Debtors determine that discovery is necessary in advance of a hearing on an Omnibus Objection, the Debtors will serve notice on the affected claimant and its counsel of record and the Notice Parties that the scheduled hearing will be treated as a status conference during which the parties will request that the Court issue a scheduling order to facilitate dismissal or resolution of the litigation. Such notice may be incorporated into the initial agenda letter for the hearing, or may be provided by separate notice.

13. Failure to Respond. A Response that is not filed and served in accordance with the procedures set forth herein may not be considered by the Court at the Hearing. **Absent reaching an agreement with the Debtors resolving the objection to a claim (as described in the Objection Notice), failure to timely file and serve a Response as set forth herein or to appear at the Hearing may result in the Court granting the Omnibus Objection without further notice or hearing.** Upon entry of an order sustaining an Omnibus Objection, affected creditors will be served with such order.

14. Reply to a Response. The Debtors shall be permitted to file a reply to any Response no later than seven (7) business days before the hearing with respect to the relevant Omnibus Objection.

**Miscellaneous**

15. Additional Information. Copies of these procedures, the Motion, the Order or any other pleadings (the “Pleadings”) filed in these chapter 11 cases are available at no cost at the Debtors’ Claims and Noticing Agent’s website [www.donlinrecano.com/westmoreland](http://www.donlinrecano.com/westmoreland). You may also obtain copies of any of the Pleadings filed in these chapter 11 cases for a fee at the Court’s website at <http://www.txs.uscourts.gov/bankruptcy>. A login identification and password to the Court’s Public Access to Court Electronic Records (“PACER”) are required to access this information and can be obtained through the PACER Service Center at <http://www.pacer.psc.uscourts.gov>.

16. Reservation of Rights. **NOTHING IN ANY OMNIBUS OBJECTION OR OBJECTION NOTICE IS INTENDED OR SHALL BE DEEMED TO CONSTITUTE (A) AN ADMISSION AS TO THE VALIDITY OF ANY PREPETITION CLAIM AGAINST A DEBTOR ENTITY; (B) A WAIVER OF ANY RIGHT OF ANY DEBTOR TO DISPUTE ANY PREPETITION CLAIM ON ANY GROUNDS; (C) A PROMISE OR REQUIREMENT TO PAY ANY PREPETITION CLAIM; (D) AN IMPLICATION OR ADMISSION THAT ANY PARTICULAR CLAIM IS OF A TYPE SPECIFIED OR DEFINED IN THIS MOTION OR ANY ORDER GRANTING THE RELIEF REQUESTED BY THIS MOTION; (E) A REQUEST OR AUTHORIZATION TO ASSUME ANY PREPETITION AGREEMENT, CONTRACT, OR LEASE PURSUANT TO SECTION 365 OF THE BANKRUPTCY CODE; OR (F) A WAIVER OF ANY RIGHT OF ANY DEBTOR OR UNDER THE BANKRUPTCY CODE OR ANY OTHER APPLICABLE LAW.**

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

/s/

Patricia B. Tomasco (Bar No. 01797600)  
Matthew D. Cavanaugh (Bar No. 24062656)

**JACKSON WALKER L.L.P.**

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Email: anna.rotman@kirkland.com

*Counsel to the Debtors and Debtors in Possession*

**Exhibit 2**

**Objection Notice**

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

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In re:	)	
	)	Chapter 11
WESTMORELAND COAL COMPANY, <i>et al.</i> , <sup>1</sup>	)	Case No. 18-35672 (DRJ)
	)	
Debtors.	)	(Jointly Administered)

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**NOTICE OF DEBTORS' [NUMBER] OMNIBUS CLAIMS OBJECTION**

<p><b>THIS IS AN OBJECTION TO YOUR CLAIM. THIS OBJECTION ASKS THE COURT TO DISALLOW THE CLAIM THAT YOU FILED IN THIS BANKRUPTCY CASE. YOU SHOULD IMMEDIATELY CONTACT THE OBJECTING PARTY TO RESOLVE THE DISPUTE. IF YOU DO NOT REACH AN AGREEMENT, YOU MUST FILE A RESPONSE TO THIS OBJECTION AND SEND A COPY OF YOUR RESPONSE TO THE OBJECTING PARTY WITHIN 30 DAYS AFTER THE OBJECTION WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE OBJECTION IS NOT VALID. IF YOU DO NOT FILE A RESPONSE WITHIN 30 DAYS AFTER THE OBJECTION WAS SERVED ON YOU, YOUR CLAIM MAY BE DISALLOWED WITHOUT A HEARING.</b></p> <p><b>A HEARING WILL BE HELD ON THIS MATTER ON [____], 2019, AT [TIME] (CT) BEFORE THE HONORABLE DAVID R. JONES, 515 RUSK STREET, COURTROOM 400, HOUSTON, TEXAS 77002.</b></p>
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**Important Information Regarding the Objection**

Grounds for the Objection. By the Objection, the Debtors are seeking to **[disallow/expunge/reclassify/reduce/subordinate]** your claim(s) listed in the table below on the grounds that your claim(s) [is/are] [\_\_\_\_\_]. The claim(s) subject to the Objection may also be found on the schedules attached to the Objection, a copy of which has been provided with this notice.

Objection Procedures. On [\_\_\_\_], 2019, the United States Bankruptcy Court for the Southern District of Texas (the “Court”) entered an order [Docket No. \_\_\_\_] approving procedures for filing and resolving objections to claims asserted against the Debtors in these chapter 11 cases (the “Objection Procedures”).<sup>2</sup> A copy of the Objection Procedures is included with this notice.

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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 used but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.



**Please review the Objection Procedures to ensure your response to the Objection, if any, is timely and correctly filed and served.**

**Resolving the Objection**

Parties Required to File a Response. If you disagree with the Objection filed with respect to your claim, you must file a response (each, a “Response”) with the Court in accordance with the procedures described below and appear at the Hearing (as defined herein).

Response Contents. Each Response must contain the following (at a minimum):

- (a) a caption with the name of the Court, the name of the Debtors, the case number, and the title of the Objection to which the Response is directed;
- (b) a concise statement setting forth the reasons why the Court should not grant the Objection with respect to your claim, including the specific factual and legal bases upon which you rely in opposing the Objection;
- (c) copies of documentation or other evidence of your claim not previously filed with proof of such claim on which your Response is based (excluding confidential, proprietary, or other protected information, copies of which *must* be provided to the counsel to the Debtors, Committee, the WLB Ad Hoc Group, and the MLP Required Lenders subject to appropriate confidentiality constraints, if any);
- (d) a declaration or other statement of a person with personal knowledge of the relevant facts that support the Response; and
- (e) the following contact information for the responding party:
  - (i) the name, address, telephone number, and email address of the responding claimant or the name, address, telephone number, and email address of the claimant’s attorney or designated representative to whom the attorneys for the Debtors should serve a reply to the Response, if any; or
  - (ii) the name, address, telephone number, and email address of the party with authority to reconcile, settle, or resolve the Objection on your behalf.

Notice and Service. Your Response must be filed with the Court and served so as to be ***actually received*** by 4:00 p.m. (prevailing Central Time) on [\_\_\_], 2019 (the “Response Deadline”) by the following parties (the “Notice Parties”):

<b>Counsel to the Debtors</b>	<b>The United States Trustee</b>
<p>Kirkland &amp; Ellis LLP 601 Lexington Avenue New York, New York 10022 Attn.: Stephen E. Hessler, P.C. (stephen.hessler@kirkland.com)</p> <p>Kirkland &amp; Ellis LLP 300 North LaSalle Chicago, Illinois 60654 Attn.: Gregory F. Pesce (gregory.pesce@kirkland.com) and Christopher S. Koenig (chris.koenig@kirkland.com)</p>	<p>Office of the United States Trustee for the Southern District of Texas 515 Rusk Street, Suite 3516 Houston, Texas 77002 Attn.: Stephen Statham</p>
<b>Counsel to the WLB Ad Hoc Group</b>	<b>Counsel to the Official Committee of Unsecured Creditors</b>
<p>Kramer Levin Naftalis &amp; Frankel LLP 1177 Avenue of the Americas New York, New York 10036 Attn.: Thomas Moers Mayer (tmayer@kramerlevin.com) and Stephen D. Zide (szide@kramerlevin.com)</p>	<p>Morrison &amp; Foerster LLP 250 West 55th Street New York, New York 10019 Telephone: (212) 468-8000 Facsimile: (212) 468-7900 Attn: Lorenzo Marinuzzi, Esq. (lmarinuzzi@mofocom) and Todd M. Goren, Esq. (tgoren@mofocom) and Jennifer L. Marines, Esq. (jmarines@mofocom)</p>
<b>Counsel to the MLP Secured Lenders/MLP Ad Hoc Group</b>	<b>Counsel to the Conflicts Committee of the Board of Directors of Westmoreland Resources GP, LLC</b>
<p>Schulte Roth &amp; Zabel LLP 919 Third Avenue New York, New York 10022 Attn.: David M. Hillman (david.hillman@srz.com) and Kristine G. Manoukian (kristine.manoukian@srz.com)</p>	<p>Jones Day 901 Lakeside Avenue Cleveland, Ohio 44114 Attn.: Heather Lennox (hlennox@jonesday.com) and Oliver Zeltner (ozeltner@jonesday.com)</p>
<b>Counsel to the Claims Administrator (solely with respect to claims filed against the WLB Debtors)</b>	

**Failure to Respond.** A Response that is not filed and served in accordance with the procedures set forth herein may not be considered by the Court at the Hearing. **Absent reaching an agreement with the Debtors resolving the objection to a claim (as described in the Objection Notice), failure to timely file and serve a Response as set forth herein or to appear at the Hearing may result in the Court granting the Omnibus Objection without further notice or hearing.** Upon entry of an order sustaining an Omnibus Objection, affected creditors will be served with such order.

### **Hearing on the Objection**

**Date, Time, and Location.** A hearing (the “Hearing”) on the Objection will be held on [\_\_\_\_], 2019, at [\_\_\_\_] prevailing Central Time, before the Honorable David R. Jones, United States Bankruptcy Judge, in Courtroom 400, 515 Rusk, Houston, Texas 77002. The Hearing may be adjourned to a subsequent date in these chapter 11 cases in the Debtors’ sole discretion and with notice to the affected party and the Notice Parties. **You must attend the Hearing if you disagree**

**with the Objection and have filed a Response; provided that you may appear telephonically if permission is requested and granted by the Court in advance of the Hearing in accordance with the Court's *Court Procedures and Practice Tips*.** Contested claims for which (a) a Response is filed in accordance with the proposed response procedures but such Response is not resolved prior to the Hearing *and* (b) an appearance is made at the Hearing, may be heard at the Hearing or adjourned to a subsequent hearing date in the Debtors' sole discretion, with advance notice to the affected parties and the Notice Parties. If a subsequent hearing is determined to be necessary, the Debtors shall file with the Court and serve on the affected claimants and the Notice Parties a notice of the hearing (the date of which shall be determined in consultation with the affected claimant(s)) or announce such adjournment on the record.

Discovery. If the Debtors determine that discovery is necessary in advance of a hearing on an Omnibus Objection, the Debtors will serve notice on the affected claimant and its counsel of record and the Notice Parties that the scheduled hearing will be treated as a status conference during which the parties will request that the Court issue a scheduling order to facilitate dismissal or resolution of the litigation. Such notice may be incorporated into the initial agenda letter for the hearing, or may be provided by separate notice.

#### **Additional Information**

Questions or Information. Copies of these procedures, the Motion, the Order or any other pleadings (the "Pleadings") filed in these chapter 11 cases are available at no cost at the Debtors' Claims and Noticing Agent's website [www.donlinrecano.com/westmoreland](http://www.donlinrecano.com/westmoreland). You may also obtain copies of any of the Pleadings filed in these chapter 11 cases for a fee at the Court's website at <http://www.txs.uscourts.gov/bankruptcy>. A login identification and password to the Court's Public Access to Court Electronic Records ("PACER") are required to access this information and can be obtained through the PACER Service Center at <http://www.pacer.psc.uscourts.gov>. **Please do not contact the Court to discuss the merits of any claim or any Objection filed with respect thereto.**

#### **Reservation of Rights**

**NOTHING IN ANY OMNIBUS OBJECTION OR OBJECTION NOTICE IS INTENDED OR SHALL BE DEEMED TO CONSTITUTE (A) AN ADMISSION AS TO THE VALIDITY OF ANY PREPETITION CLAIM AGAINST A DEBTOR ENTITY; (B) A WAIVER OF ANY RIGHT OF ANY DEBTOR TO DISPUTE ANY PREPETITION CLAIM ON ANY GROUNDS; (C) A PROMISE OR REQUIREMENT TO PAY ANY PREPETITION CLAIM; (D) AN IMPLICATION OR ADMISSION THAT ANY PARTICULAR CLAIM IS OF A TYPE SPECIFIED OR DEFINED IN THIS MOTION OR ANY ORDER GRANTING THE RELIEF REQUESTED BY THIS MOTION; (E) A REQUEST OR AUTHORIZATION TO ASSUME ANY PREPETITION AGREEMENT, CONTRACT, OR LEASE PURSUANT TO SECTION 365 OF THE BANKRUPTCY CODE; OR (F) A WAIVER OF ANY RIGHT OF ANY DEBTOR OR UNDER THE BANKRUPTCY CODE OR ANY OTHER APPLICABLE LAW.**

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

/s/

Patricia B. Tomasco (Bar No. 01797600)  
Matthew D. Cavanaugh (Bar No. 24062656)

**JACKSON WALKER L.L.P.**

1401 McKinney Street, Suite 1900  
Houston, Texas 77010

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Counsel to the Debtors and Debtors in  
Possession*

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-and-

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Anna G. Rotman, P.C. (Bar No. 24046761)

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Houston, Texas 77002

Telephone: (713) 836-3600

Email: anna.rotman@kirkland.com

*Counsel to the Debtors and Debtors in Possession*

<b>Date Filed</b>	<b>Court Claim No.</b>	<b>Donlin Recano No.</b>	<b>Debtor</b>	<b>Asserted Claim Amount<sup>1</sup></b>	<b>Basis for Objection</b>	<b>Proposed Treatment</b>	<b>Surviving Claim No.</b>

---

<sup>1</sup> Asserted claim amounts listed as \$0.00 reflect that the claim amount asserted is unliquidated.

**Exhibit 3**

**Withdrawal of Proof of Claim Form**

UNITED STATES BANKRUPTCY COURT  
THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

	)		
In re:	)	Chapter 11	
	)		
WESTMORELAND COAL COMPANY, <i>et al.</i> , <sup>1</sup>	)	Case No. 18-35672 (DRJ)	
	)		
Debtors.	)	(Jointly Administered)	
	)		

**WITHDRAWAL OF PROOF OF CLAIM NO. XXXX**

COMES NOW, the claimant, [CLAIMANT], and hereby withdraws with prejudice its proof of claim No. [●], filed in Case No. [●].

Respectfully submitted this \_\_\_\_\_ day of [month] 2019.

Print Name: \_\_\_\_\_  
 Title: \_\_\_\_\_

[CLAIMANT]  
 Address:  
 Address:  
 City, State, Zip:  
 Phone:

---

<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.

United States Bankruptcy Court  
Southern District of Texas

In re:  
Westmoreland Coal Company  
Westmoreland Texas Jewett Coal Company  
Debtors

Case No. 18-35672-drj  
Chapter 11

**CERTIFICATE OF NOTICE**

District/off: 0541-4

User: VrianaPor  
Form ID: pdf002Page 1 of 6  
Total Noticed: 164

Date Rcvd: Mar 27, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 29, 2019.

db +Absaloka Coal, LLC, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730  
db +Basin Resources, Inc., 9540 South Maroon Circle, Suite 300, Englewood, co 80112-5730  
db +Buckingham Coal Company, LLC, 9540 South Maroon Circle, Suite 300, x,  
Englewood, CO 80112-5730  
db +Dakota Westmoreland Corporation, 9540 South Maroon Circle, Suite 300,  
Englewood, CO 80112-5730  
db Daron Coal Company, LLC, 9450 South Maroon Circle, Suite 300, Englewood, CO 80112  
db +Harrison Resources, LLC, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730  
db +Haystack Coal Company, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730  
db +Oxford Conesville, LLC, 9540 South Maroon Circle, Suite 300, Englewood, co 80112-5730  
db +Oxford Mining Company, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730  
db +Oxford Mining Company - Kentucky, LLC, 9540 South Maroon Circle, Suite 300,  
Englewood, CO 80112-5730  
db +San Juan Coal Company, 9540 South Maroon Circle, Suite 300, Englewood, Co 80112-5730  
db +San Juan Transportation Company, 9540 South Maroon Circle, Suite 300,  
Englewood, CO 80112-5730  
db +Texas Westmoreland Coal Company, 9540 South Maroon Circle, Suite 300,  
Englewood, Co 80112-5735  
db +WCC Land Holding Company, Inc., 9540 South Maroon Circle, Suite 300,  
Englewood, co 80112-5730  
db +WEI - Roanoke Valley, Inc., 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730  
db WLB Debtors, Jackson Walker, L.L.P., Patricia B. Tomasco, Houston, TX 77010  
db +Western Energy Company, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730  
db +Westmoreland Coal Company, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5735  
db +Westmoreland Coal Company Asset Corp., 9540 South Maroon Circle, Englewood, co 80112-5735  
db +Westmoreland Coal Sales Company, Inc., 9540 South Maroon Circle, Suite 300,  
Englewood, CO 80112-5735  
db +Westmoreland Energy Services New York, Inc., 9540 South Maroon Circle, Suite 300,  
Englewood, Co 80112-5730  
db +Westmoreland Energy Services, Inc., 9540 South Maroon Circle, Suite 300,  
Englewood, co 80112-5730  
db +Westmoreland Energy, LLC, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730  
db +Westmoreland Kemmerer Fee Coal Holdings, LLC, 9540 South Maroon Circle, Suite 300,  
Englewood, CO 80112-5730  
db +Westmoreland Kemmerer, LLC, 9540 South Maroon Circle, Suite 300, Englewood, co 80112-5730  
db +Westmoreland Mining LLC, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730  
db +Westmoreland North Carolina Power, LLC, 9540 South Maroon Circle, Suite 300,  
Englewood, Co 80112-5730  
db +Westmoreland Partners, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5735  
db +Westmoreland Power, Inc., 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730  
db +Westmoreland Resource Partners, LP, 9540 South Maroon Circle, Suite 300,  
Englewood, CO 80112-5730  
db +Westmoreland Resources GP, LLC, 9540 South Maroon Circle, Suite 300,  
Englewood, CO 80112-5730  
db +Westmoreland Resources, Inc., 9540 South Maroon Circle, Suite 300,  
Englewood, CO 80112-5730  
db +Westmoreland San Juan Holdings, Inc., 9540 South Maroon Circle, Suite 300,  
Englewood, Co 80112-5730  
db +Westmoreland San Juan, LLC, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730  
db +Westmoreland Savage Corporation, 9540 South Maroon Circle, Suite 300,  
Englewood, CO 80112-5730  
db +Westmoreland Texas Jewett Coal Company, 9540 South Maroon Circle, Suite 300,  
Englewood, CO 80112-5730  
db +Westmoreland-Roanoke Valley LP, 9540 South Maroon Circle, Suite 300,  
Englewood, CO 80112-5730  
dbpos +WRI Partners, Inc., 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730  
aty +Anne Piero-Silagay, Silagy Law Offices, 1225 South Main St., Ste. 1,  
North Canton, OH 44720-4247  
aty +Anupama Yerramalli, Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas,  
New York, NY 10036-2714  
aty Boies Schiller Flexner LLP, 55 Hudson Yards, New York, NY 10001  
aty +Christine R. Etheridge, 1738 Bass Road, P.O.Box 13708, Macon, GA 31208-3708  
aty +Demme Doufekias, Morrison Forester LLP, 2000 Pennsylvania Avenue, NW, Suite 6000,  
Washington, DC 20006-1909  
aty +Douglas J. Lipke, VEDDER PRICE, 222 North LaSalle Street, Chicago, IL 60601-1104  
aty +Erica J. Richards, Morrison Foerster LLP, 250 West 55th Street, New York, NY 10019-0050  
aty +Felice Yudkin, Cole Schotz P.C., 25 Main St., Hackensack, NJ 07601-7189  
aty +Gregory J. Ossi, Venable LLP, 8010 Towers Crescent Drive, Suite 300,  
Tysons Corner, VA 22182-2723  
aty +Jennifer L Marines, Morrison Foerster LLP, 250 West 55th Street, New York, NY 10019-0050  
aty +Jennifer R. Sharret, Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas,  
New York, NY 10036-2714



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aty +John C. Goodchild, III, Morgan, Lewis & Bockius LLP, 1701 Market Street,  
 Philadelphia, PA 19103-2987  
 aty +John R. Mooney, Mooney, Green, Saindon, Murphy & Welch, 1920 L Street N.W., Suite 400,  
 Washington, DC 20036-5041  
 aty +Laura McCarthy, Morgan, Lewis & Bockius LLP, One Federal Street, Boston, MA 02110-2003  
 aty +Leonard Gerson, 200 Constitution Ave. N.W., STE N-4611, Washington, DC 20210-0001  
 aty +Lorenzo Marinuzzi, Morrison Foerster LLP, 250 West 55th Street, New York, NY 10019-0050  
 aty +Mark A. Lightner, Morrison Foerster LLP, 250 West 55th Street, New York, NY 10019-0050  
 aty +Mark E. Hindley, SToel Rives LLP, 201 Main St #1100, Salt Lake City, UT 84111-2208  
 aty +Matthew E. McClintock, K&L Gates LLP, 70 West Madison Street, Suite 3100,  
 Chicago, IL 60602-4244  
 aty +Matthew Ziegler, Morgan Lewis & Bockius LLP, 101 Park Avenue, New York, NY 10178-0060  
 aty Michael E. Petrella, Bois Schiller Flexner LLP, 55 Hudson Yards, New York, NY 10001  
 aty Nakisha Duncan, Morgan, Lewis & Bockius, LLP, 101 Park Avenue, New York, NY 10178-0060  
 aty +Nicholas J. Brannick, Cole Shotz PC, 50 Delaware Avenue, Suite 1410,  
 Wilmington, DE 19803  
 aty +Paul Andrew Green, Mooney, Green, Saindon, Murphy & Welch, 1920 L Street, N.W., Suite 400,  
 Washington, DC 20036-5041  
 aty +Rachel Jaffe Mauceri, Morgan Lewis & Bockius LLP, 1701 Market Street,  
 Philadelphia, PA 19103-2987  
 aty Sean F. O'Shea, Bois Schiller Flexner LLP, 55 Hudson Yards, New York, NY 10001  
 aty +Steven Rhodes, Steven Rhodes Consulting, LLC, 1610 Arborview Rd.,  
 Ann Arbor, MI 48103-3650  
 aty +Todd M. Goren, Morrison Foerster LLP, 250 West 55th Street, New York, NY 10019-0050  
 cr +Alex J. Sanchez, 2603 Espinoza, Trinidad, CO 81082-3912  
 cr +Alva Ray Trail, 193 Dusty Miller St., Princeton, WV 24740-7663  
 cr +American Guarantee and Liability Insurance Company, c/o Duane J. Brescia,  
 Clark Hill Strasburger, 720 Brazos, Suite 700, Austin, TX 78701-2531  
 intp +Bayou Coal Partners, LLC, Bradley Arant Boulton Cummings LLP, 600 Travis Street, Suite 4800,  
 Attn: Nathan Graham, Houston, TX 77002-3024  
 cr +Ben Epifanio Palomino, 537 Railroad Ave, Raton, NM 87740-3222  
 intp +Bethel J. Brock, 6223 Bear Creek Meadows Drive, Wise, VA 24293-4434  
 cr +Big Horn County, c/o Tara LeDay, PO Box 1269, Round Rock, TX 78680-1269  
 intp +Bond Safeguard Insurance Company, Philip Eisenberg, 600 Travis, Suite 2800,  
 Houston, TX 77002-2914  
 cr +Bridgestone Americas Tire Operations, c/o Waller, 511 Union Street, 27th Fl,  
 Attn: Blake Roth, Nashville, TN 37219-1733  
 cr +CRG Financial LLC, 100 Union Avenue, Cresskill, NJ 07626-2141  
 cr +Carl N Neace, 236 East Lynn Rd, Ranger, WV 25557-7003  
 cr +Caterpillar Financial Services Corporation, 2120 West End Avenue, Nashville, TN 37203-5341  
 cr +Colonial American Casualty and Surety Company, c/o Duane J. Brescia, Clark Hill Strasburger,  
 720 Brazos, Suite 700, Austin, TX 78701-2531  
 cr CornerStone Education Loan Services, PO Box 145123, Salt Lake City, UT 84114-5123  
 cr +Davis Graham & Stubbs LLP, 1550 17th Street Suite 500, Denver, CO 80202,  
 UNITED STATES 80202-1500  
 cr +Dennis Neuberger, 417 Front Street, Beulah, ND 58523-6729  
 cr +Donna Ramsey, c/o Edwards Law Firm, 1648 Poly Drive, Suite 206, Billings, MT 59102-1704  
 cr +Double M. Mud Co., Inc., PO Box 1618, Aztec, NM 87410-4618  
 cr +Earl Spears, 115 Fox Dr., Pennington Gap, VA 24277-8166  
 cr +Edward Leon Freeman, 8314 Birchfield Heights Rd., Wise, VA 24293  
 intp +Edward Velasquez, P.O. Box 516, Aguilar, CO 81020-0516  
 cr +Eugene S Castillo, 1012 Pierce Street, Trinidad, CO 81082-3649  
 cr +Fidelity and Deposit Company of Maryland, c/o Duane J. Brescia, Clark Hill Strasburger,  
 720 Brazos, Suite 700, Austin, TX 78701-2531  
 cr +Frank Colangelo, 312 Robard Ave, Trinidad, CO 81082-3137  
 cr +Freestone County et al, c/o Tara LeDay, PO Box 1269, Round Rock, TX 78680-1269  
 cr +G.R. Peart, POB 114, Randolph, UT 84064-0114  
 cr +Gloria Chavez, 8060 CR 69.1, Trinidad, CO 81082-9716  
 intp +Harold Ray Ball, 4526 Main Hewett Creek Rd., Hewett, WV 25108-9804  
 intp +Harold Richard Guptill, 790 Legion Street, Craig, CO 81625-1758  
 cr +Holt Texas Ltd. dba Holt CAT and dba Holt Rental S, c/o Caldwell East & Finlayson PLLC,  
 700 N. St. Mary's Street, Attn: Zachary J. Fanucchi, Suite 1825,  
 San Antonio, TX 78205-3545  
 intp +James K. Bills, 1125 Sorensen Dr., Kemmener, WY 83101-3442  
 cr +Jim S. Villos, P O Biox 621, Kenimerer, WY 83101-0621  
 intp +Joe McGuire, P.O. Box 344, Diamondville, WY 83116-0344  
 cr +John Montano, 9315 CR 43.6, Trinidad, CO 81082-9509  
 cr +Karol Kolle Latham, c/o S Marek, 1614 Crestmont, Wharton, TX 77488-3433  
 cr +Katherine Kolle King, c/o S Marek, 1614 Crestmont, Wharton, TX 77488-3433  
 intp +Ken Lloyd, 210 Webster St., Montpelier, ID 83254-1076  
 intp +Kenneth Clark, 518 Upper Sunset Dr., Kemmerer, WY 83101-3309  
 intp +Kim McKee, PO Box 27, Kemmerer, WY 83101-0027  
 cr +Komatsu Financial Limited Partnership, c/o Kane Russell Coleman Logan PC,  
 5051 Westheimer Road, Suite 1000, Houston, TX 77056-5749  
 cr Larry Rutherford, 205 E. 11th St W, Big Stone Gap, VA 24219  
 cr Larry Wharton, 620 N 12th St, Herrin, IL 62948-3226  
 cr +Lewis A. Clark, 210 Howard Lawson Dr, Big Stone Gap, VA 24219-8522  
 intp +Lexon Insurance Company, Inc., Locke Lord LLP, c/o Philip G. Eisenberg, Esq.,  
 2800 JPMorgan Chase Tower, 600 Travis St., Houston, TX 77002-3009

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intp +Lexon Insurance Company, Inc. / Sompo Internationa, Harris Beach PLLC, ATTN: Lee Woodard,  
333 W. Washington St., Ste. 200, Syracuse, NY 13202-5202

intp +Lonnie Smith, PO Box 406, Diamondville, WY 83116-0406

cr +Marvin Bauer, 309 2nd Ave SE, POB 712, Beulah, ND 58523-0712

intp +Marvin Kern, 180 Mississippi Dr., Duffield, VA 24244-4375

cr +Max Casias, 2607 Espinoza St, Trinidad, CO 81082-3936

intp +Melvin & Trudy Hatch, 405 Sixth Street, PO Box 254, Cokeville, WY 83114-0254

intp +Merida Natural Resources, LLC, Bradley Arant Boulton Cummings LLP,  
600 Travis Street, Suite 4800, Attn: Nathan Graham, Houston, TX 77002-3024

intp +Mining and Minerals Division, NM Energy, Minerals, 1220 South St. Frances Dr.,  
Santa Fe, NM 87505-4225

cr +Monsanto Company, c/o Husch Blackwell, Attn: Buffey Klein, 1900 N. Pearl, Suite 1800,  
Dallas, TX 75201-2451

intp +Montana State Fund, c/o Kelly Hart & Hallman, 201 Main Street, Suite 2500,  
Fort Worth, TX 76102-3129

cr +New Mexico State Land Office, 310 Old Santa Fe Trail, Santa Fe, NM 87501-2708

intp +Merida Natural Resources, LLC, Bradley Arant Boulton Cummings LLP, 600 Travis, Suite 4200,  
Houston, TX 77002-2929

intp +NorthWestern Corporation, a Delaware Corporation,, 208 N. Montana Ave., Suite 205,  
Helena, MT 59601-3837

cr +PNM Resources, Inc. and Public Services Company of, c/o Annie Catmull, Sanders McGarvey LLP,  
12 Greenway Plaza #210, Houston, TX 77046-1216

cr +PacifiCorp, c/o Mark E. Hindley, STOEL RIVES LLP, 201 Main St., #1100,  
Salt Lake City, UT 84111-2208

cr +PacifiCorp, c/o Oren Buchanan Haker, STOEL RIVES LLP, 760 SW Ninth, Suite 3000,  
Portland, OR 97205-2587

intp +Pat Argyle, PO Box 339, Garden City, UT 84028-0339

cr +Perry Norris, P O Box 235, Randolph, UT 84064-0235

intp Railroad Commission of Texas, c/o Office of the Attorney General,  
Bankruptcy & Collections Division, P. O. Box 12548, Austin, TX 78711-2548

cr Rick Halter, POB 1031, Beulah, ND 58523-1031

intp +Rick Whitmore, PO Box 201, Kemmerer, WY 83101-0201

cr +Ronald E. George, Sr., POB 461, Craigsville, WV 26205-0461

cr +Rosebud County, c/o Tara LeDay, PO Box 1269, Round Rock, TX 78680-1269

cr +Rosebud County et al, c/o Tara LeDay, PO Box 1269, Round Rock, TX 78680-1269

cr +Roy R. Townsend, 145 Boat Docket Lane, Gate City, VA 24251-4596

intp +Sabine Pass Coal Group, LLC, Bradley Arant Boulton Cummings LLP,  
600 Travis Street, Suite 4800, Attn: Nathan Graham, Houston, TX 77002-3024

cr +Salvador Sanchez, 1601 Garfield Ave, Trinidad, CO 81082-3714

cr +Silver Spur Conveyors, Inc., Silver Spur Conveyors, Inc., P.O. Box 490, 578 Raven Road,  
Raven, VA 24639, UNITED STATES 24639-0490

intp +Sompo International Insurance, c/o Philip G. Eisenberg, 2800 JP Morgan Chase Tower,  
600 Travis, Suite 2800, Houston, TX 77002-2914

intp +Sonia Chae United States Securities & Exchange Com, 175 W. Jackson Blvd., Suite 1450,  
Chicago, IL 60604-2710

cr +Stephanie Raver, PO Box 5128, Etna, WY 83118-0128

cr +Stephen Earl Kolle, c/o S Marek, 1614 Crestmont, Wharton, TX 77488-3433

intp +Steven Roberts, P.O. Box 4, Kemmerer, WY 83101-0004

cr +Susan K Marek, 1614 Crestmon, Wharton, TX 77488-3433

cr +Texas Comptroller of Public Accounts, John Stern, P.O. Box 12548, Austin, TX 78711-2548

cr +The Crow Tribe of Indians, c/o Barnet B. Skelton, Jr., 815 Walker, Suite 1502,  
Houston, TX 77002-5832

cr The Texas Ad Valorem Taxing Jurisdictions, c/o Tara LeDay, PO Box 1269,  
Round Rock, TX 78680-1269

cr +Tractor & Equipment Co., Perkins Coie LLP, 1201 Third Avenue, Suite 4900,  
Seattle, WA 98101-3095

intp +Trustees of the United Mine Workers of America 199, c/o Morgan, Lewis & Bockius LLP,  
Attn: Crystal Axelrod, 1000 Louisiana Street, Suite 4000, Houston, TX 77002-5048

intp +Trustees of the the United Mine Workers of America, c/o Morgan, Lewis & Bockius LLP,  
Attn: Crystal Axelrod, 1000 Louisiana Street, Suite 4000, Houston, TX 77002-5048

cr +U.S. Bank National Association, as Trustee and Not, Shipman & Goodwin LLP,  
One Constitution Plaza, Hartford, CT 06103-1919

cr +Virginia Bates Kolle, c/o S Marek, 1614 Crestmont, Wharton, TX 77488-3433

cr +Virginia Bates Kolle Family Trust, 1614 Crestmont St, Wharton, TX 77488-3433

cr Wells Fargo Vendor Financial Services, LLC, PO Box 13708, Macon, GA 31208-3708

intp +Western Coal Acquisition Partners, LLC, Bradley Arant Boulton Cummings LLP,  
Attn: Jay R. Bender, 1819 Fifth Avenue North, Birmingham, AL 35203-2120

intp +Westmoreland Mining Holdings, LLC, c/o John F. Higgins, Porter Hedges LLP,  
1000 Main Street, 36th Floor, Houston, TX 77002-6341

cr +Zurich American Insurance Company, c/o Duane J. Brescia, Clark Hill Strasburger,  
720 Brazos, Suite 700, Austin, TX 78701-2531

cr +Zurich Insurance Company Ltd., c/o Duane J. Brescia, Clark Hill Strasburger,  
720 Brazos, Suite 700, Austin, TX 78701-2531

cr +Zurich Insurance Group, Ltd., c/o Duane J. Brescia, Clark Hill Strasburger,  
720 Brazos, Suite 700, Austin, TX 78701-2531

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User: VrianaPor  
Form ID: pdf002

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Date Rcvd: Mar 27, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

aty +E-mail/Text: ccooper@mooneygreen.com Mar 27 2019 21:17:31 Diana Bardes,  
Mooney, Green, Saindon, Murphy & Welch, 1920 L Street, N.W., Suite 400,  
Washington, DC 20036-5041

aty +E-mail/Text: sst@lawtoll.com Mar 27 2019 21:16:02 Sheldon S Toll,  
Law Office of Sheldon S. Toll PLLC, 29580 Northwestern Hwy., Suite 1000,  
Southfield, MI 48034-1031

cr E-mail/Text: houston\_bankruptcy@LGBS.com Mar 27 2019 21:16:52 Harris County,  
Linebarger Goggan Blair & Sampson LLP, C/O John P. Dillman, PO Box 3064,  
Houston, TX 77253-3064

cr +E-mail/Text: stephen@youtzvaldez.com Mar 27 2019 21:16:05  
International Union of Operating Engineers, Local, c/o Youtz & Valdez PC,  
900 Gold Avenue SW, Albuquerque, NM 87102-3043

cr E-mail/Text: pat@pmfpc.com Mar 27 2019 21:17:25 United Mine Workers of America,  
c/o Patrick M. Flynn, P.C., 1225 North Loop W, STE 1000, Houston, TX 77008-1775  
TOTAL: 5

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

aty The WMLP Debtors and the Conflicts Committee of th  
aty Vedder Price P.C.  
cr ACE American Insurance Company  
cr ACE Insurance Company of Texas  
cr ACE Property & Casualty Insurance Company  
intp Andrew Skillin  
intp Ankura Trust Company, LLC  
intp Anthony Winder  
intp Argonaut Insurance Company  
cr Avista Corporation  
cr Benjamin J. Smith  
intp Brett Grunig  
intp Brian Nelson  
intp CCU Coal and Construction LLC  
intp CIBC Bank USA  
intp Calder Lutz  
cr Canadian Imperial Bank of Commerce  
intp Charles M. Hunzie  
cr Chevron Products Company, a division of Chevron U.  
cr Chrystella Montoya  
cr Chubb Insurance Company of Canada  
cr City of Dover, Ohio  
intp Clarson Moore  
cr Claud E Onrada  
intp Claudia Ourada  
intp Clint Bowen  
op Coal Act Retirees Committee  
intp Connie Gunter  
cr Conveyors & Equipment, Inc.  
intp David Auilg  
intp Dower Rolex  
intp Eddie W Gomez  
intp Emily Oddino  
intp Epsilon Palomins  
inre Ethel Nadine Mead, Trust  
cr Everly I Silva, Sr.  
cr Federal Insurance Company  
cr First Surety Corporation  
cr GT Nix Construction, Inc.  
intp Gary Biebinger, Jr.  
cr Genesis Alkali, LLC  
intp Gilbert Remmal  
cr Great Northern Insurance Company  
intp Great Northern Properties L.P.  
cr HYG Financial Services, Inc. fka NMHG Financial Se  
cr Henry Moore  
intp Hopedale Mining LLC  
cr Illinois Union Insurance Company  
cr James Cardill, Birdstone Gap, VT  
intp James W Barker  
intp Jason B Chandler  
intp Jason K.  
intp John B. McKnight, IV  
intp John Beachler  
intp Johnny L. Cantor  
intp Joni Henderson  
intp Kathleen Plaistd  
intp Kevin L.  
cr Kinder Morgan Utopia LLC

District/off: 0541-4

User: VrianaPor  
Form ID: pdf002

Page 5 of 6  
Total Noticed: 164

Date Rcvd: Mar 27, 2019

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

intp Larry Kennedy  
 cr Lenders and Ad Hoc Noteholders  
 intp Les Rex  
 intp MKiall  
 cr MLP Ad Hoc Group  
 intp Mar-Bow Value Partners, LLC  
 cr Marie Crum  
 consult McKinsey Recovery & Transformation Services U.S.,  
 intp Mickil Klinginbury  
 cr Montana Department of Natural Resources and Conser  
 cr Montana Department of Revenue  
 intp Moody's Investors Service, Inc.  
 cr NRG Texas Power LLC  
 intp Natural Resource Partners L.P.  
 intp Navakai, Inc  
 intp Neil L Argyle  
 cr Nelson Brothers Mining Services, LLC  
 cr Norman R. Mestos  
 intp North Dakota Public Service Commissio  
 cr Northwest Colstrip Owners (NWC0)  
 intp Ohio Department of Natural Resources  
 intp Ohio Environmental Protection Agency  
 cr Ohio Machinery Co. ("Ohio Cat") and OMCO Leasing C  
 cr Paul Buchanan  
 cr Pension Benefit Guaranty Corporation  
 cr Portland General Electric Company  
 consult PricewaterhouseCoopers LLP  
 cr Prudential Retirement Insurance and Annuity Company  
 cr Puget Sound Energy, Inc.  
 intp Robert Huff  
 cr Robert T Sanchez  
 cr Rock Springs Royalty Company LLC  
 cr Ronald Crum  
 intp Samoa Hale Jordan  
 cr San Juan County Museum Association  
 intp State of Montana, Department of Revenue  
 cr Stephanie Crum  
 cr Talen Montana, LLC  
 cr Tenaska Power Services Co.  
 intp Thayne Christensen  
 crcm The Official Committee of Unsecured Creditors  
 cr The Sierra Club  
 intp The WMLP Debtors, US  
 intp Tom Price  
 cr Travelers Casualty and Surety Company of America  
 intp Tyler Hysell  
 cr U.S. Bank National Association  
 cr United States Department of Labor  
 cr United States Department of the Interior  
 cr United States Secretary of Labor  
 cr United States of America  
 intp Verdie Winder  
 intp Virgil Kent Service  
 intp WPP LLC  
 cr Wagner Equipment Co.  
 cr Westchester Fire Insurance Company  
 cr Westchester Surplus Lines Insurance Company  
 intp Western Organization of Resource Councils  
 cr Wheeler Machinery Co.  
 intp Whitney Garrett  
 cr Wilmington Savings Fund Society, FSB  
 intp\* +G. R. Peart, P.O. Box 114, Randolph, UT 84064-0114

TOTALS: 120, \* 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

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Form ID: pdf002

Page 6 of 6  
Total Noticed: 164

Date Rcvd: Mar 27, 2019

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 29, 2019

Signature: /s/Joseph Speetjens

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### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 27, 2019 at the address(es) listed below:  
NONE.

TOTAL: 0