



ENTERED
04/15/2019

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

)	
In re:)	Chapter 11
)	
WESTMORELAND COAL COMPANY, <i>et al.</i> , ¹)	Case No. 18-35672 (DRJ)
)	
Debtors.)	(Jointly Administered)
)	
)	Re: Docket No. 1691, 1693

**ORDER REGARDING
CERTAIN MATTERS RELATED TO THE JOINT MOTION**
(Docket No. 1745)

Upon reviewing the statements filed by the United Mine Workers of America [Docket No. 1691] and the MLP Lenders [Docket No. 1693] with respect to the *Joint Motion by the Acting United States Trustee and McKinsey Recovery & Transformation Services U.S., LLC and Certain of Its Affiliates in Furtherance of Mediation Agreement* [Docket No. 1589] (the “Joint Motion”), and the motion of Westmoreland Coal Company with respect thereto (the “WLB Motion”),² it is hereby ORDERED that:

1. Should the settlement between the U.S. Trustee and Mckinsey be approved, the \$5,000,000 payment to the bankruptcy estates in the *Westmoreland Case*” shall be held in a segregated account by the Plan Administrator (as defined in the *Amended Joint Chapter 11 Plan of Westmoreland Coal Company and Certain of its Debtor*

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.

² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the WLB Motion.

Affiliates) [Docket. No. 1561]) and shall not be distributed pending further order of the Court.

2. The rights of all parties (including, without limitation, WLB, the Purchaser, the MLP Lenders, the WMLP Debtors, and the UMWA) regarding the above-captioned cases, including the relief requested in the Responses and/or any matter or proceeding regarding the use of the settlement proceeds and/or any person's interest (if any) in any portion of the settlement proceeds, are fully reserved and preserved in all respects. **

3. The Court shall retain exclusive jurisdiction to enforce the terms of this order.

Signed: April 15, 2019



DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

** The parties should confer about the most efficient method to bring this issue before the Court such that due process is satisfied and all parties that assert an interest in the settlement payment have equal opportunity to participate. The Court will not entertain argument at the April 16, 2019 hearing on whether to approve the settlement regarding the ultimate disposition/allocation of the settlement payment.