

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE 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)
)	

**LIMITED RESPONSE AND RESERVATION OF RIGHTS OF THE DEBTORS TO
APPLICATION OF WHEELER MACHINERY CO. FOR ALLOWANCE AND
PAYMENT OF ADMINISTRATIVE CLAIMS AND RESERVATION OF RIGHTS**

TO THE CHIEF U.S. BANKRUPTCY JUDGE HONORABLE DAVID R. JONES:

The WLB Debtors² and the WMLP Debtors³ (collectively, with the WLB Debtors, the “Debtors”) in the above-captioned cases respectfully represent as follows in support of this limited response and reservation of rights (the “Response”):

1. On April 12, 2019, Wheeler Machinery Co. (“Wheeler”) filed its *Application of Wheeler Machinery Co. for Allowance and Payment of Administrative Claims and Reservation of Rights* (the “Application”) [ECF No. 1720].

2. Through the Application, Wheeler requests allowance and payment of an administrative claim in the amount of \$992.22 against Westmoreland Mining, LLC (the “WLB

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 “WLB Debtors” means all Debtors except for Westmoreland Resources GP, LLC, Westmoreland Resource Partners, LP (“WMLP”), and WMLP’s subsidiaries (collectively with WMLP, the “WMLP Debtors”).

³ Specifically, the WMLP Debtors are: (a) WMLP; (b) Westmoreland Kemmerer, LLC; (c) Oxford Mining Company, LLC; (d) Harrison Resources, LLC; (e) Oxford Mining Company-Kentucky, LLC; (f) Daron Coal Company, LLC; (g) Oxford Conesville, LLC; and (h) Westmoreland Kemmerer Fee Coal Holdings, LLC.

Claim”) and an administrative claim in the amount of \$1,094,698.34 against Westmoreland Kemmerer, LLC (the “WMLP Claim”).

3. The WMLP Debtors and Wheeler have been in active discussions and negotiations with respect to the WMLP Claim requested in the Application. As a result of those discussions and negotiations, the WMLP Debtors believe that a resolution beneficial to them and their estates will be reached that resolves the Application. If a resolution of the Application is reached, the WMLP Debtors anticipate seeking entry of a proposed agreed order.

4. In the event no resolution or settlement occurs from these active discussions, the Debtors reserve their right and the right of any other party in interest to file any further response or objection to the Application.

Houston, Texas
May 2, 2019

/s/ Matthew D. Cavanaugh

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CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of May 2019, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Matthew D. Cavanaugh _____

Matthew D. Cavanaugh