

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

In re:

WESTMORELAND COAL COMPANY,
et al.,¹

Debtors.

Chapter 11

Case No. 18-35672 (DRJ)

Jointly Administered

**MONTHLY FEE STATEMENT OF COLE SCHOTZ P.C. FOR COMPENSATION FOR
SERVICES AND REIMBURSEMENT OF EXPENSES AS COUNSEL TO THE
OFFICIAL COMMITTEE OF UNSECURED CREDITORS FOR THE PERIOD FROM
APRIL 1, 2019 THROUGH APRIL 30, 2019 AS IT RELATES TO WMLP DEBTORS**

Pursuant to the Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals [Docket No. 495] entered by the Court on November 14, 2018 (the “Interim Compensation Order”), Cole Schotz P.C. (“Cole Schotz”), attorneys for the Official Committee of Unsecured Creditors (the “Committee”), submits this monthly statement of services rendered and expenses incurred in this case for the period from April 1, 2019 through April 30, 2019 (the “Statement Period”) as they relate to the WMLP Debtors.

I. Itemization of Services Rendered by Cole Schotz:

A. The following is a list of individuals and their respective titles that provided services during the Statement Period. It includes information regarding their respective billing

¹ Due to the large number of debtors in these chapter 11 cases, which are jointly administered, 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 proposed 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.

rates and the total number of hours spent by each individual providing services during the Statement Period for which Cole Schotz seeks compensation.

SUMMARY

Name	Position / Dept.	State of Bar Admission / Year	Hours	Hourly Rate²	Total Compensation
Michael D. Warner	Member/ Bankruptcy & Restructuring	Texas/1995 California/1984	.2	\$810.00	\$162.00
Felice Yudkin	Member/ Bankruptcy & Restructuring	New Jersey/2005 New York/2006	11.2	\$545.00	\$6,104.00
Benjamin L. Wallen	Associate/ Bankruptcy & Restructuring	Texas/2015	2.1	\$310.00	\$651.00
Kerri L. LaBrada	Paralegal / Bankruptcy & Restructuring	n/a	19.7	\$255.00	\$5,023.50
Total			33.2		\$11,940.50
Less WLB Amounts					(\$7,019.95)
WMLP Total:					\$4,920.55

B. The time records of Cole Schotz consisting of a daily breakdown of the time spent by each person on each day, and detail as to the disbursements incurred, are attached as **Exhibit A** to this Statement.

II. Itemization of Services Rendered and Disbursements Incurred By Category

The following itemization presents the services rendered by Cole Schotz by Task Categories, and provides a summary of disbursements incurred by category of disbursement.

1. **Services Rendered**

The following services were rendered in the following Task Categories:

² This rate is Cole Schotz P.C.'s regular hourly rate for legal services. All hourly rates are adjusted by Cole Schotz P.C. on a periodic basis. The last adjustment occurred on September 1, 2018.

Task Category	Hours	Fees Earned
Case Administration	.9	\$287.50
Employment and Fee Applications	29.0	\$10,130.50
Litigation	.8	\$442.00
Meetings and Communications with Creditors	2.0	\$808.00
Plan and Disclosure Statement	.5	\$272.50
Total	33.2	\$11,940.50
Less WLB Amounts		(\$7,019.95)
WMLP Total:		\$4,920.55

A detailed itemization of the services rendered in each of the above Task Categories is set forth in Exhibit A.

2. Disbursements Incurred

The disbursements incurred by Cole Schotz for this Statement are as follows:

Expense Category	Total Expenses
Court Fees	\$14.70
Travel – Air Fare	\$541.60
Travel – Car Service	\$51.17
Travel – Lodge	\$329.09
Travel – Mileage	\$72.00
Total	\$1,008.56
Less WLB Amounts	(\$0.00)
WMLP Total:	\$1,008.56

3. Accordingly, the amount of compensation and expenses payable for this Statement Period is \$4,945.00, which is calculated as follows:

Total Fees for Services Rendered During Statement Period	\$4,920.55
Twenty Percent (20%) Holdback	- \$984.11
Fees Minus Holdback	\$3,936.44
Costs (100%)	+ \$1,008.56
TOTAL	\$4,945.00

WHEREFORE, pursuant to the Interim Compensation Order, Cole Schotz requests payment of compensation for the WMLP Debtors in the amount of (i) \$3,936.44 (80% of \$4,920.55) on account of actual, reasonable and necessary professional services rendered to the Committee by Cole Schotz and (ii) reimbursement of actual and necessary costs and expenses in the amount of \$1,008.56 incurred on behalf of the Committee by Cole Schotz.

Dated: May 21, 2019

Respectfully submitted,

By: /s/ Michael D. Warner

Michael D. Warner (TX Bar No. 00792304)

Cole Schotz P.C.

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*Counsel for the Official Committee of
Unsecured Creditors*

EXHIBIT A



301 Commerce Street
 Suite 1700
 Fort Worth, TX 76102
 817.810.5250 817.810.5255 fax
 FEDERAL ID# 22-2113414
 -
 New Jersey
 -
 New York
 -
 Delaware
 -
 Maryland
 -
 Florida

WESTMORELAND COAL COMPANY, ET. AL

Re: Client/Matter No. 58697-0001
OFFICIAL COMMITTEE OF UNSECURED CREDITORS

Invoice No. 835477
 April 28, 2019

FOR PROFESSIONAL SERVICES RENDERED THROUGH APRIL 25, 2019

<u>DATE</u>	<u>NARRATIVE</u>	<u>INITIALS</u>	<u>HOURS</u>	<u>AMOUNT</u>
Case Administration			0.90	\$287.50
04/15/19	REVIEW COURT DOCKET RE RESET OF HEARING ON SET FOR 4/17 AND CONFIRM SAME WITH B. WALLEN	KLL	0.20	51.00 WMLP
04/22/19	CORRESPOND WITH DONLIN RECANO ON SERVICE OF MONTHLY FEE STATEMENTS	KLL	0.30	76.50 WMLP
04/23/19	REVIEW AGENDA FOR WEEKLY CALL	FRY	0.20	109.00 WMLP
04/23/19	REVIEW COURT CALENDAR RE CONFIRMING HEARING REMOVED FROM CALENDAR (4/24) AND MOVED	KLL	0.20	51.00 WMLP
Employment and Fee Applications			29.00	\$10,130.50
03/28/19	REVIEW MOFO FEE STATEMENT FOR FILING	FRY	0.20	109.00 JOINT
04/02/19	PREPARE COLE SCHOTZ SECOND INTERIM FEE APPLICATION	KLL	2.30	586.50 JOINT
04/02/19	WORK ON MARCH MONTHLY FEE STATEMENT	FRY	0.40	218.00 JOINT
04/02/19	CALL WITH A. KISSNER RE FINAL FEE APPLICATION (.2); REVIEW EMAIL RE SAME (.1)	FRY	0.30	163.50 JOINT
04/02/19	BEGIN TO DRAFT SECOND INTERIM AND FINAL FEE APPLICATION	FRY	0.50	272.50 JOINT
04/04/19	DRAFT EXHIBITS TO FEE APPLICATION	FRY	0.70	381.50 JOINT
04/05/19	CONTINUE PREPARATION ON COLE SCHOTZ SECOND INTERIM FEE APPLICATION	KLL	2.40	612.00 JOINT
04/05/19	EMAILS RE FEE APPLICATION	FRY	0.20	109.00 JOINT
04/08/19	CONTINUE PREPARATION OF COLE SCHOTZ SECOND INTERIM FEE APPLICATION AND EXHIBITS TO SAME	KLL	2.20	561.00 JOINT
04/08/19	BEGIN TO DRAFT SECOND INTERIM AND FINAL FEE APPLICATION	FRY	0.60	327.00 JOINT
04/08/19	FINALIZE AND FILE NOTICE OF SUBMISSION OF COMMITTEE MEMBER EXPENSES	KLL	0.40	102.00 WMLP
04/09/19	PREPARE ALLOCATIONS RE MARCH INVOICE	KLL	0.40	102.00 JOINT
04/09/19	DRAFT SECOND INTERIM AND FINAL FEE APPLICATION	FRY	4.20	2,289.00 JOINT

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04/09/19	EMAIL TO A. KISSNER AT MOFO RE FEE APPLICATION	FRY	0.20	109.00	JOINT
04/09/19	CONTINUE PREPARATION OF SECOND INTERIM FEE APPLICATION	KLL	1.30	331.50	JOINT
04/10/19	REVIEW DOCKET RE OBJECTIONS TO CS INTERIM FEE APP AND CORRESPOND WITH COURT CLERK ON SAME FOR SUBMISSION OF PROPOSED ORDER	KLL	0.20	51.00	JOINT
04/10/19	FINALIZE DRAFT OF FEE APPLICATION	FRY	0.90	490.50	JOINT
04/10/19	ADDRESS FEE ALLOCATION ISSUES	FRY	0.30	163.50	JOINT
04/10/19	PREPARE ALLOCATIONS RE MARCH FEES	KLL	0.70	178.50	JOINT
04/10/19	CONTINUE ON REVISIONS RE ALLOCATIONS FOR SECOND/FINAL FEE APPLICATION	KLL	1.10	280.50	JOINT
04/11/19	REVIEW AND REVISE ALLOCATIONS RE MARCH 2018	KLL	0.40	102.00	JOINT
04/11/19	EMAILS WITH COMMITTEE PROFESSIONALS RE FINAL FEE APPLICATION	FRY	0.30	163.50	JOINT
04/11/19	REVIEW BRG FEE APPLICATION FOR FILING	FRY	0.30	163.50	JOINT
04/11/19	FINALIZE AND FILE BRG'S FIRST INTERIM FEE APP	KLL	0.40	102.00	JOINT
04/12/19	VERIFY CALCULATIONS TO ALLOCATIONS	KLL	0.30	76.50	JOINT
04/15/19	REVIEW AND COORDINATE FILING OF SECOND INTERIM/ FINAL FEE APPLICATIONS FOR COMMITTEE PROFESSIONALS.	BLW	0.70	217.00	JOINT
04/15/19	VERIFY AMOUNT RECEIVED FROM DEBTORS IS CORRECT TO OUTSTANDING DUE (FIRST INTERIM AND FEBRUARY MONTHLY)	KLL	0.30	76.50	JOINT
04/15/19	FINALIZE AND FILE COLE SCHOTZ SECOND INTERIM/FINAL FEE APPLICATION	KLL	0.90	229.50	JOINT
04/15/19	REVIEW AND FILE MOFO'S SECOND INTERIM/FINAL FEE APPLICATION	KLL	0.40	102.00	JOINT
04/15/19	REVIEW AND FILE BRG'S SECOND INTERIM/FINAL FEE APPLICATION	KLL	0.50	127.50	JOINT
04/15/19	REVIEW AND FILE JEFFERIES SECOND INTERIM/FINAL FEE APPLICATION	KLL	0.50	127.50	JOINT
04/15/19	REVIEW AND FILE JEFFERIES SECOND MONTHLY FEE STATEMENT	KLL	0.40	102.00	JOINT
04/17/19	PREPARE COLE SCHOTZ MARCH MONTHLY FEE STATEMENT	KLL	1.60	408.00	JOINT
04/18/19	REVIEW DOCKET AND SEND CORRESPONDENCE TO COURT'S CLERK RE STATUS OF ENTRY ON ORDERS FOR JEFFERYS AND MOFO INTERIM FEE APPLICATIONS	KLL	0.30	76.50	JOINT
04/18/19	COMPILE AND CIRCULATE LEDES DATA FOR FIRST AND SECOND INTERIM FEE APPS TO UST	KLL	0.40	102.00	JOINT
04/22/19	FINALIZE MONTHLY FEE STATEMENT	FRY	0.20	109.00	JOINT

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04/22/19	FOLLOW UP WITH JEFFERIES COUNSEL RE LEDES DATA TO SUBMIT TO UST	KLL	0.20	51.00	JOINT
04/22/19	FINALIZE AND FILE COLE SCHOTZ MONTHLY FEE STATEMENT - MARCH 2019	KLL	0.60	153.00	JOINT
04/22/19	FINALIZE AND SUBMIT COLE SCHOTZ INVOICE RE WLB	KLL	0.30	76.50	JOINT
04/22/19	CORRESPOND WITH COUNSEL RE SUBMISSION OF INQUIRY RE JEFFERIES AND MOFO ORDER ON INTERIM FEE APPLICATIONS TO COURT CLERK	KLL	0.10	25.50	JOINT
04/25/19	FILE JEFFERIES AMENDED SECOND INTERIM/FINAL FEE APPLICATION	KLL	0.40	102.00	JOINT
Litigation (Not Otherwise In Other Categories)			0.80	\$442.00	
04/01/19	REVIEW EMAIL RE STANDING MOTION AND COMPLAINT RE WMLP LENDERS	FRY	0.20	109.00	WMLP
04/02/19	ADDRESS WITH PARALEGAL FILING OF MOTION FOR STANDING.	MDW	0.20	162.00	WMLP
04/02/19	REVIEW EMAILS RE MLP STANDING MOTION AND COMPLAINT	FRY	0.20	109.00	WMLP
04/22/19	COORDINATE WITH LEAD COUNSEL RE: 4/24 HEARING.	BLW	0.20	62.00	WMLP
Meetings and Communications with Creditors			2.00	\$808.00	
04/03/19	WEEKLY PROFESSIONALS CALL.	BLW	0.20	62.00	WMLP
04/03/19	WEEKLY COMMITTEE CALL.	BLW	0.20	62.00	WMLP
04/03/19	WEEKLY PROFESSIONAL CALL	FRY	0.20	109.00	WMLP
04/03/19	WEEKLY COMMITTEE CALL	FRY	0.20	109.00	WMLP
04/10/19	WEEKLY PROFESSIONALS CALL.	BLW	0.20	62.00	WMLP
04/10/19	ATTEND WEEKLY COMMITTEE CALL	FRY	0.20	109.00	WMLP
04/10/19	WEEKLY COMMITTEE CALL.	BLW	0.20	62.00	WMLP
04/10/19	ATTEND WEEKLY PROFESSIONAL CALL	FRY	0.20	109.00	WMLP
04/17/19	WEEKLY COMMITTEE CALL.	BLW	0.20	62.00	WMLP
04/17/19	WEEKLY COMMITTEE PROFESSIONALS CALL.	BLW	0.20	62.00	WMLP
Plan and Disclosure Statement			0.50	\$272.50	
03/18/19	REVISE WITNESS & EXHIBIT LIST FOR CONFIRMATION HEARING	FRY	0.30	163.50	WMLP
04/24/19	REVIEW EMAIL UPDATE RE WMLP PLAN	FRY	0.20	109.00	WMLP
			TOTAL HOURS	33.20	

PROFESSIONAL SERVICES:	\$ 11,940.50
MINUS WLB FEE	\$ (7,019.95)
TOTAL WMLP PROFESSIONAL FEES:	\$ 4,920.55

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<u>TIMEKEEPER</u>	<u>STAFF LEVEL</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
MICHAEL D. WARNER	MEMBER	0.20	810.00	162.00
FELICE R. YUDKIN	MEMBER	11.20	545.00	6,104.00
BENJAMIN L. WALLEN	ASSOCIATE	2.10	310.00	651.00
KERRI L. LABRADA	PARALEGAL	19.70	255.00	5,023.50

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ACTIVITY CODE SUMMARY

<u>DESCRIPTION</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
Case Administration	0.70	255.00	178.50
Case Administration	0.20	545.00	109.00
Total For Case Administration	0.90	255.00	287.50
Employment and Fee Applications	19.00	255.00	4,845.00
Employment and Fee Applications	0.70	310.00	217.00
Employment and Fee Applications	9.30	545.00	5,068.50
Total For Employment and Fee Applications	29.00	255.00	10,130.50
Litigation (Not Otherwise In Other Categories)	0.20	310.00	62.00
Litigation (Not Otherwise In Other Categories)	0.40	545.00	218.00
Litigation (Not Otherwise In Other Categories)	0.20	810.00	162.00
Total For Litigation (Not Otherwise In Other Categories)	0.80	310.00	442.00
Meetings and Communications with Creditors	1.20	310.00	372.00
Meetings and Communications with Creditors	0.80	545.00	436.00
Total For Meetings and Communications with Creditors	2.00	310.00	808.00
Plan and Disclosure Statement	0.50	545.00	272.50
Total For Plan and Disclosure Statement	0.50	545.00	272.50

COSTS ADVANCED

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
03/14/19	COURT FEES	3.00 WMLP
03/14/19	COURT FEES	3.00 WMLP
03/14/19	COURT FEES	0.80 WMLP
03/14/19	COURT FEES	3.00 WMLP
03/14/19	COURT FEES	3.00 WMLP
03/14/19	COURT FEES	1.50 WMLP
03/23/19	TRAVEL - AIR FARE - BENJAMIN WALLEN	466.60 WMLP
03/24/19	TRAVEL- MILEAGE/TOLLS - BENJAMIN WALLEN	72.00 WMLP
03/24/19	COURT FEES	0.40 WMLP
03/25/19	TRAVEL - AIR FARE - BENJAMIN WALLEN	75.00 WMLP
03/25/19	TRAVEL - CAR SERVICE - BENJAMIN WALLEN	51.17 WMLP

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<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
03/25/19	TRAVEL - LODGING - BENJAMIN WALLEN	329.09 WMLP
	TOTAL WMLP COSTS ADVANCE	<u>\$ 1,008.56</u>
	TOTAL WMLP SERVICES AND COSTS	<u><u>\$ 5,929.11</u></u>