

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re:		Chapter 11
WESTMORELAND COAL COMPANY, et al.,		Case No. 18-35672
Debtors		(Jointly Administered)

NOTICE OF OBJECTION OF CATERPILLAR FINANCIAL SERVICES CORPORATION TO THE AMOUNTS OF CURE COSTS STATED IN THE WMLP DEBTORS' SCHEDULE OF CURE AMOUNTS RELATED TO KEMMERER CREDIT BID SALE (doc 1864)

TO THE HONORABLE DAVID R. JONES CHIEF UNITED STATES BANKRUPTCY JUDGE:

Comes now Caterpillar Financial Services Corporation ("Caterpillar Financial") and files this Objection to the amount of the Cure Costs with respect five unexpired leases and one secured note concerning six units of Caterpillar heavy equipment, which are set out in the WMLP Debtors' Schedule of Cure Amounts Related to Kemmerer Credit Bid (doc 1684, the "Schedule of Cure Amounts"), and respectfully represents:

1. The amounts of cure costs shown in the Schedule of Cure Amounts with respect to Caterpillar Financial's unexpired leases and secured note are not correct.
2. The correct amounts of the cure costs with respect to Caterpillar Financial's unexpired leases and secured note with Westmoreland Kemmerer, LLC are as follows.

Account Name and Number	Description	Type of Contract	Pre-Petition Arrears	Post-Petition Arrears 10/9/2018 - 6/19/2019	Total Cure Amount
WESTMORELAND KEMMERER, LLC 001-9492936-000	2013 CATERPILLAR D10T TRACK TYPE TRACTOR RJG04665	Note and Security Agreement	\$0.00	\$0.00	\$0.00
WESTMORELAND KEMMERER, LLC 001-910229-000	2008 CATERPILLAR 777F OFF HIGHWAY TRUCK JRP01058	Lease	\$0.00	\$29,900.80	\$29,900.80
WESTMORELAND KEMMERER, LLC 001-0910252-000	2012 CATERPILLAR 777F OFF HIGHWAY TRUCK JRP03305	Lease	\$0.00	\$37,802.62	\$37,802.62
WESTMORELAND KEMMERER, LLC 001-091249-000	CATERPILLAR 777F OFF HIGHWAY TRUCK JRP03313	Lease	\$10,817.57	\$36,960.02	\$47,777.59
WESTMORELAND KEMMERER, LLC 001-09107078-000	2009 CATERPILLAR 777F OFF HIGHWAY TRUCK JRP02083 Off Highway Truck	Lease	\$13,189.57	\$38,669.43	\$51,859.00
WESTMORELAND KEMMERER, LLC 001-0808183-000	2016 CATERPILLAR 6060FS FRONT SHOVEL DH360180	Lease	\$0.00	\$160,316.55	\$160,316.55
TOTAL:			\$24,007.14	\$303,649.42	\$327,656.56

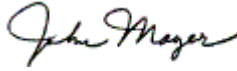
3. Caterpillar Financial is entitled to receive these amounts from the sale of the assets of the Kemmerer Mine.

Wherefore, Caterpillar Financial Services Corporation objects to the Amount of Cure Costs stated in the WMLP Debtors' Schedule of Cure Amounts Related to Kemmerer Credit Bid

Sale (doc 1864, page 6) with respect to the Caterpillar Financial unexpired leases and secured note concerning the six units of Caterpillar heavy equipment above described.

Respectfully submitted,


ROSS, BANKS, MAY, CRON & CAVIN, P.C.

By: 

John Mayer
Texas Bar Number 13274500
Southern District Number 502092
7700 San Felipe, Suite 550
Houston, Texas 77063
Phone 713-626-1200
Email jmayer@rossbanks.com
Attorney for Caterpillar Financial
Services Corporation

CERTIFICATE OF SERVICE

I certify that true copies of this instrument were served upon all persons and parties who have entered an appearance in this case electronically to their email addresses by means of the Bankruptcy Court's CM/ECF System contemporaneously with filing on May 29, 2019.



John Mayer