

**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 DEBTORS.)	Case No. 18-35672 (DRJ)
)	
)	(Jointly Administered)
)	
)	

**ZURICH AMERICAN INSURANCE COMPANY AND AFFILIATE’S AMENDED
WITNESS AND EXHIBIT LIST RELATED TO JUNE 5, 2019 HEARINGS
ON JOINT PLAN OF LIQUIDATION FOR THE WMLP DEBTORS
AND KEMMERER SALE MOTION**

Zurich American Insurance Company, and its affiliate, Fidelity and Deposit Company of Maryland (collectively, “**Zurich**”), file this Amended Witness and Exhibit List related to confirmation of the Joint Plan of Liquidation for the WMLP Debtors [Dkt No. 1612] and the Kemmerer Sale Motion [Dkt. No. 1863] in connection with the hearing scheduled for June 5, 2019 at 10:30 a.m. (Prevailing Central time).

Exhibits:

No.	Description	Offered	Objection	Admitted/ Not Admitted	Disposition
1.	Line Sheet (09/24/2018)				
2.	General Agreement of Indemnity (01/30/2012)				
3.	General Agreement of Indemnity (02/13/2013)				
4.	General Agreement of Indemnity (09/29/2017)				
5.	Collateral Trust Agreement – The Bank of New York Mellon # 858733 (03/26/2012)				

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 listed. A complete list of such information may be obtained on the website of the claims and noticing agent in these chapter 11 cases at www.donlinrecano.com/westmoreland.

Zurich’s Amended Witness and Exhibit List for Hearings related to the Joint Plan of Liquidation for the WMLP Debtors and the Kemmerer Sale Motion

No.	Description	Offered	Objection	Admitted/ Not Admitted	Disposition
6.	Collateral Trust Agreement – The Bank of New York Mellon # 873704 (08/23/2013)				
7.	Collateral Trust Agreement – The Bank of New York Mellon # 543269 (04/08/2014)				
8.	Securities Account Control Agreement – Wells Fargo Securities, LLC (04/28/2014)				

Zurich reserves the right to use any exhibits presented by any other party, to use any other documents for impeachment purposes, and to amend or supplement this exhibit list.

Witnesses:

Zurich reserves the right to call any witness designated by any other party and any other individual for impeachment or rebuttal purposes, and to amend or supplement this witness list.

Respectfully submitted,

/s/ Duane J. Brescia

Duane J. Brescia
TX State Bar No. 24025265
CLARK HILL STRASBURGER
720 Brazos, Suite 700
Austin, Texas 78701
512.499.3647
512.499.3660 (Facsimile)
duane.brescia@clarkhillstrasburger.com

*Attorneys for Zurich American Insurance Company,
and its affiliate, Fidelity and Deposit Company of
Maryland*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Witness and Exhibit List was served via CM/ECF for the United States Bankruptcy Court for the Southern District of Texas to all parties entitled to such notice, and also on the parties listed below, on this the 4th day of June, 2019.

/s/ Duane J. Brescia

Duane J. Brescia

Debtors' Counsel

Kirkland & Ellis LLP
601 Lexington Avenue
New York, NY 10022
Stephen E. Hessler, P.C.
stephen.hessler@kirkland.com

Kirkland & Ellis LLP
300 North LaSalle
Chicago, IL 60654
Gregory F. Pesce
gregory.pesce@kirkland.com
Timothy R. Bow
timothy.bow@kirkland.com

Jones Day
Heather Lennox
Oliver S. Zeltner
901 Lakeside Avenue
Cleveland, Ohio 44144
hlennox@jonesday.com
ozeltner@jonesday.com

Timothy W. Hoffmann
77 West Wacker
Chicago, Illinois 60601
thoffmann@jonesday.com

Jackson Walker LLP
1401 McKinney Street
Houston, Texas 77010
Matthew D. Cavanaugh
Bruce Ruzinsky

United States Trustee

Office of the United States Trustee
515 Rusk Street, Suite 3516
Houston, TX 77002
Attn.: Stephen Statham
stephen.statham@usdoj.gov

**Counsel to the Official Committee
of Unsecured Creditors**

Morrison & Foerster LLP
250 West 55th Street
New York, NY 10019
Lorenzo Marinuzzi
lmarinuzzi@mofo.com
Todd M. Goren
tgoren@mofo.com
Jennifer L. Marines
jmarines@mofo.com

Cole Schotz P.C.
Attn: Michael D. Warner
Benjamin L. Wallen
301 Commerce Street, Suite 1700
Fort Worth, Texas 76102
mwarner@coleschotz.com
bwallen@coleschotz.com

Counsel to WMLP Secured Lenders

Schulte Roth & Zabel, LLP
Kristine Manoukian
Lucy F. Kweskin
919 Third Avenue
New York, New York 10022

Jennifer F. Wertz
mcavenaugh@jw.com
bruzinsky@jw.com
jwertz@jw.com

Kristine.Manoukian@srz.com
Lucy.Kweskin@srz.com

Counsel to the Ad Hoc Group

Kramer Levin Naftalis & Frankel LLP
1177 Avenue of the Americas
New York, NY 10036
Thomas Moers Mayer
tmayer@kramerlevin.com
Stephen D. Zide
szide@kramerlevin.com