

**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. 18-36572 (DRJ)
	§	
Debtors.	§	(Jointly Administered)
	§	

AGENDA FOR MATTERS SCHEDULED FOR JUNE 11, 2019

The Reorganized WLB Debtors and the WMLP Debtors (collectively, with the Reorganized WLB Debtors, the “Debtors”) hereby file their agenda for matters set for hearing on June 11, 2019, at 2:00 p.m. (prevailing Central Time).

I. OMNIBUS CLAIMS MATTERS GOING FORWARD

1. Debtors’ First Omnibus Objection to Certain Proofs of Claim (Amended Claims) [ECF No. 1784] (the “First Omnibus Objection”)

Responses Received:

- Informal Response from Argonaut Insurance Company

Related Documents:

- Affidavit of Service [ECF No. 1817]
- Stipulation and Agreed Order Resolving Debtors’ First Omnibus Objection to Certain Proofs of Claim (Amended Claims) (Claims of Argonaut Insurance Company) [ECF No. 2002]

Status: This matter is going forward, except with respect to the claims of Argonaut Insurance Company, which have been settled.

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 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. Debtors' Second Omnibus Objection to Certain Proofs of Claim (Exact Duplicate Claims) [ECF No. 1785] (the "Second Omnibus Objection")

Responses Received

- Omnibus Response to Debtors' Objections to GT Nix Construction, Inc.'s Proof of Claim [ECF No. 1879]
- Informal Response from Carroll G. Embry
- Informal Response from Nelda J. Davis
- Informal Response from NorthWestern Corp.

Related Documents:

- Affidavit of Service [ECF No. 1817].
- HYG Financial Services, Inc. f/k/a NMHG Financial Services, Inc.'s Withdrawal of Proof of Claim No. 614 [ECF No. 1889]
- Stipulation and Agreed Order Resolving Debtors' Objections to Proofs of Claim filed by GT Nix Construction, Inc. [ECF No. 2001]

Status: This matter is going forward with respect to all claims, except with respect to the claims of GT Nix Construction, Inc., which have been settled, and the claims of NorthWestern Corp., which have been adjourned by informal agreement to the June 25, 2019 omnibus hearing date..

3. Debtors' Third Omnibus Objection to Certain Proofs of Claim (Incorrect Debtor Claims) [ECF No. 1786] (the "Third Omnibus Objection")

Responses Received:

- Informal Response from American Track Generations, LLC
- Informal Response from Crowell & Moring LLP
- Informal Response from ABL Services, Inc.
- Informal Response from Carroll G. Embry
- Informal Response from Ohio Machinery Company
- Creditors' Collective Response in Opposition to the Third Omnibus Objection to Certain Proofs of Claim (Incorrect Debtor Claims) [ECF No. 1884]

Related Documents:

- Affidavit of Service [ECF No. 1817]

Status: This matter is going forward, except with respect to the claims of Crowell & Moring LLP and the claims of Floyd Cozort, Bob Post, Brian Post, Evan Pargeon, Robert McLaughlin, Todd Manring, Andrew Harper, Brent Grannon, Kalum Dixon, Jonathon Collins, Jason Carano, Luke Boone, and Michael Baisden. The Third Omnibus Objection will proceed as a status conference with regard to the aforementioned claims.

4. Debtors' Fourth Omnibus Objection to Certain Proofs of Claim (Incorrect Debtor Claims) [ECF No. 1787] (the "Fourth Omnibus Objection")

Responses Received:

- Informal Response from The Ditch Co.

Related Documents:

- Affidavit of Service [ECF No. 1817]

Status: This matter is going forward.

5. Debtors' Fifth Omnibus Objection to Certain Proofs of Claim (No Liability Claims) [ECF No. 1788] (the "Fifth Omnibus Objection").

Responses Received:

- Informal Response from Ruby Johnson Hall

Related Documents:

- Affidavit of Service [ECF No. 1817].

Status: This matter is going forward.

6. Debtors' Sixth Omnibus Objection to Certain Proofs of Claim (Late-Filed Claims) [ECF No. 1789] (the "Sixth Omnibus Objection")

Responses Received:

- Informal Response from Rosalie Taylor
- Informal Response from Mineral Trucking, Inc.
- Informal Response from Carroll G. Embry
- Informal Response from Nelda J. Davis

Related Documents:

- Affidavit of Service [ECF No. 1817]
- Stipulation and Agreed Order Resolving Debtors' Sixth Omnibus Objection to Claim No. 515-1 Filed in Case No. 18-35672 (DRC Claim No. 1275) Filed by Mineral Trucking, Inc. [ECF No. 2004]
- Stipulation and Agreed Order Resolving Debtors' Sixth Omnibus Objection to Claim No. 528-1 Filed in Case No. 18-35672 (DRC Claim No. 1317) by Dorothy M. Henchey [ECF No. 2003]

Status: This matter is going forward with respect to all claims the subject of the Sixth Omnibus Objection, except for the claim of Rosalie Taylor, which will proceed as a status conference, and the claims of Dorothy Henchey and Mineral Trucking, Inc., which have been settled.

7. Debtors' Seventh Omnibus Objection to Certain Proofs of Claim (No Liability Claims) [ECF No. 1790] (the "Seventh Omnibus Objection")

Responses Received:

- Omnibus Response by the United States of America to Objections to Certain Claims [ECF No. 1878]
- Response of Creditor Christopher K. Seglem to Debtors' Seventh Omnibus Objection to Certain Proofs of Claim (No Liability Claims) [ECF No. 1930]

Related Documents:

- Affidavit of Service [ECF No. 1817]

Status: This matter is going forward as to all claims the subject of the Seventh Omnibus Objection, except with respect to the claims of Christopher K. Seglem and certain of the claims of the Department of the Treasury – Internal Revenue Service (Claim No. 1-1 filed in Case No. 18-35673, Claim No. 1-1 filed in Case No. 18-35678, Claim No. 1-1 filed in Case No. 18-35677, and Claim No. 1-2 filed in Case No. 18-35681), which have been adjourned by informal agreement to the June 25, 2019 omnibus hearing date.

8. Debtors' Eighth Omnibus Objection to Certain Proofs of Claim (Incorrect Debtor Claims) [ECF No. 1791] (the "Eighth Omnibus Objection")

Responses Received:

- Omnibus Response by the United States of America to Objections to Certain Claims [ECF No. 1878]

- Informal Response from W.W. Grainger, Inc.
- Informal Response from Nelda J. Davis
- Informal Response from State of NJ Division of Taxation

Related Documents:

- Affidavit of Service [ECF No. 1817]

Status: This matter is going forward as to all claims the subject of the Eighth Omnibus Objection, except with respect to the claim of the Department of the Treasury – Internal Revenue Service (Claim No. 19-1 in Case No. 18-35672) and the claim of W.W. Grainger, Inc., which have been adjourned by informal agreement to the June 25, 2019 omnibus hearing date.

9. Debtors' Ninth Omnibus Objection to Certain Proofs of Claim (Satisfied Claims) [ECF No. 1792] (the "Ninth Omnibus Objection")

Responses Received:

- Informal Response from Border States Industries, Inc.

Related Documents:

- Affidavit of Service [ECF No. 1817]
- Stipulation and Agreed Order Resolving Debtors' Objection to Proof of Claim No. 34-1 Filed in Case No. 18-35688 by Border States Industries, Inc. [ECF No. 1854]

Status: This matter is going forward, except with respect to the claim of Border States Industries, Inc., which has settled.

10. Debtors' Tenth Omnibus Objection to Certain Proofs of Claim (Satisfied Claims) [ECF No. 1793] (the "Tenth Omnibus Objection")

Responses Received:

- Informal Response from Farstad Oil, Inc.
- Informal Response from GCM Services, Inc.

Related Documents:

- Affidavit of Service [ECF No. 1817]

Status: This matter is going forward.

11. Debtors' Eleventh Omnibus Objection to Certain Proofs of Claim (Satisfied Claims) [ECF No. 1794] (the "Eleventh Omnibus Objection")

Responses Received:

- NM Taxation & Revenue Department's Response to Debtor's Eleventh Omnibus Objection Certain Proofs of Claim (Satisfied Claims) [ECF No. 1859]
- Informal Response from NorthWestern Corp.

Related Documents:

- Affidavit of Service [ECF No. 1817]
- Withdrawal of NM Taxation & Revenue Department's Response to Debtor's Eleventh Omnibus Objection Certain Proofs of Claim (Satisfied Claims) [ECF No. 1941]

Status: This matter is going forward, except with respect to the scheduled claim of NorthWestern Corp., which has been adjourned by informal agreement to the June 25, 2019 omnibus hearing date.

12. Debtors' Twelfth Omnibus Objection to Certain Proofs of Claim (Satisfied Claims) [ECF No. 1795] (the "Twelfth Omnibus Objection")

Responses Received:

- Limited Opposition to Debtors' Twelfth Objection to Certain Proofs of Claim (Satisfied Claims) [ECF No. 1865]

Related Documents:

- Affidavit of Service [ECF No. 1817]

Status: This matter is going forward, except with respect to the claims of Tractor & Equipment Co., which will proceed as a status conference.

13. Debtors' Thirteenth Omnibus Objection to Certain Proofs of Claim (Satisfied Claims) [ECF No. 1796] (the "Thirteenth Omnibus Objection").

Responses Received:

- Informal Response from WMC Machining

Related Documents:

- Affidavit of Service [ECF No. 1817]

Status: This matter is going forward except with respect to the claim of WMC Machining, which has been adjourned by informal agreement to the June 25, 2019 omnibus hearing date.

14. Debtors' Fourteenth Omnibus Objection to Certain Proofs of Claim (Amended Claims and Cross Debtor Duplicate Claims) [ECF No. 1797] (the "Fourteenth Omnibus Objection")

Responses Received:

- Omnibus Response to Debtors' Objections to GT Nix Construction, Inc.'s Proof of Claim [ECF No. 1879]

Related Documents:

- Affidavit of Service [ECF No. 1817]
- Stipulation and Agreed Order Resolving Debtors' Objections to Proofs of Claim filed by GT Nix Construction, Inc. [ECF No. 2001]

Status: This matter has settled in its entirety.

II. RESOLVED MATTERS

15. First Omnibus Objection

Status: This matter has settled solely with respect to the claims of Argonaut Insurance Company. *See* Stipulation at ECF No. 2002.

16. Second Omnibus Objection

Status: This matter has settled solely with respect to the claims of GT Nix Construction, Inc. *See* Stipulation at ECF No. 2001.

17. Sixth Omnibus Objection

Status: This matter has settled solely with respect to the claims of Dorothy Henchey and Mineral Trucking Inc. *See* Stipulations at ECF Nos. 2003 and 2004, respectively.

18. Ninth Omnibus Objection

Status: This matter has settled solely with respect to the claim of Border States Industries, Inc. *See* Stipulation at ECF No. 1854.

19. WMLP Debtors' Objection to Proof of Claim No. 77-1 filed in Case No. 18-35696 Filed by GT Nix Construction, Inc. [ECF No. 1822]

Responses Received: None.

- Omnibus Response to Debtors' Objections to GT Nix Construction, Inc.'s Proof of Claim [ECF No. 1879]

Related Documents:

- Affidavit of Service [ECF No. 1817]
- Stipulation and Agreed Order Resolving Debtors' Objections to Proofs of Claim filed by GT Nix Construction, Inc. [ECF No. 2001]

Status: This matter has settled. *See* Stipulation at ECF No. 2001.

III. CONTINUED MATTERS

20. Second Omnibus Objection

Status: This matter has been adjourned by informal agreement to the June 25, 2019 omnibus hearing date solely with respect to the claim of NorthWestern Corp.

21. Third Omnibus Objection

Status: This matter has been adjourned by informal agreement to the June 25, 2019 omnibus hearing date solely with respect to the claim of Crowell & Moring, LLP and the claims of Floyd Cozort, Bob Post, Brian Post, Evan Pargeon, Robert McLaughlin, Todd Manring, Andrew Harper, Brent Grannon, Kalum Dixon, Jonathon Collins, Jason Carano, Luke Boone, and Michael Baisden.

22. Sixth Omnibus Objection

Status: This matter will proceed as a status conference solely with respect to the claim of Rosalie Taylor.

23. Seventh Omnibus Objection

Status: This matter has been adjourned by informal agreement to the June 25, 2019 solely with respect to the claims of Christopher K. Seglem and certain of the claims of the Department of the Treasury – Internal Revenue Service (Claim No. 1-1 filed in Case No. 18-35673, Claim No. 1-1 filed in Case No. 18-35678, Claim No. 1-1 filed in Case No. 18-35677, and Claim No. 1-2 filed in Case No. 18-35681).

24. Eighth Omnibus Objection

Status: This matter has been adjourned by informal agreement to the June 25, 2019 solely with respect to the claim of the Department of the Treasury – Internal Revenue Service (Claim No. 19-1 in Case No. 18-35672) and the claim of W.W. Grainger, Inc.

25. Tenth Omnibus Objection

Status: This matter has been adjourned by informal agreement to the June 25, 2019 omnibus hearing date solely with respect to the claim of NorthWestern Corp.

26. Twelfth Omnibus Objection

Status: This matter will proceed as a status conference solely with respect to the claim of Tractor & Equipment.

27. Thirteenth Omnibus Objection

Status: This matter has been adjourned by informal agreement to the June 25, 2019 omnibus hearing date solely with respect to the claim of WMC Machining.

28. WMLP Debtors' Objection to Proof of Claim No. 11-2 Filed in Case No. 18-35672 by Kilgore Companies, LLC d/b/a LeGrand Johnson Construction [ECF No. 1816]

Responses Received:

- Kilgore Companies, LLC Response to WMLP Debtors' Objection to Proof of Claim No. 11-2 Filed in Case No. 18-35672 [ECF No. 1951]

Related Documents:

- Affidavit of Service [ECF No. 1817].

Status: This matter has been adjourned by informal agreement to the June 25, 2019 omnibus hearing date.

Houston, Texas
June 11, 2019

/s/ Vienna F. Anaya

Matthew D. Cavanaugh (Bar No. 24062656)

Jennifer F. Wertz (Bar No. 24072822)

Vienna F. Anaya (Bar No. 24091225)

JACKSON WALKER L.L.P.

1401 McKinney Street, Suite 1900

Houston, Texas 77010

Telephone: (713) 752-4200

Facsimile: (713) 752-4221

Email: mcavanaugh@jw.com

jwertz@jw.com

vanaya@jw.com

Co-Counsel to the Debtors

Certificate of Service

I certify that on the 11th day of June 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/ Vienna F. Anaya

Vienna F. Anaya