

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

In re:  WESTMORELAND COAL COMPANY, <i>et al.</i> <sup>1</sup>  Debtors.	§ § § § § § §	Chapter 11  Case No. 18-36572 (DRJ)  (Jointly Administered)
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**ORDER SUSTAINING DEBTORS’ TWELFTH OMNIBUS OBJECTION TO CERTAIN  
PROOFS OF CLAIM (SATISFIED CLAIMS)**

(Relates to ECF No. [1795](#))

Upon the objection (the “Objection”)<sup>2</sup> of the above-captioned ~~Reorganized~~ WLB Debtors<sup>3</sup> and the WMLP Debtors<sup>4</sup> (collectively, with the ~~Reorganized~~ WLB Debtors, the “Debtors”) for entry of an order (this “Order”) sustaining the Debtors’ Twelfth Omnibus Objection to certain Satisfied Claims, all as more fully set forth in the Objection; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and this Court having found that it may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and this Objection in this district is permissible pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Objection is in the best interests of the Debtors’ estates, their creditors, and other parties in

<sup>1</sup> 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](http://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.

<sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Objection.

<sup>3</sup> “WLB Debtors” ~~and “Reorganized WLB Debtors” after the effective date~~, means all Debtors except for Westmoreland Resources GP, LLC, Westmoreland Resource Partners, LP (“WMLP”), and WMLP’s subsidiaries (collectively with WMLP, the “WMLP Debtors”).

<sup>4</sup> 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.

interest; and this Court having found that the Debtors' notice of the Objection and opportunity for a hearing on the Objection were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Objection and having heard the statements in support of the relief requested therein at a hearing before this Court (the "Hearing"); and this Court having determined that the legal and factual bases set forth in the Objection and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Objection is sustained as set forth herein.
1. Each Satisfied Claim identified on Exhibit A attached to this Order is disallowed and expunged in its entirety.
2. The Clerk of the Court is authorized and directed to update the claims register maintained in these chapter 11 cases to reflect the relief granted in the Order.
3. To the extent a response is filed regarding any Satisfied Claim, each such Satisfied Claim, and the Objection as it pertains to such Satisfied Claim, will constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order will be deemed a separate order with respect to each Satisfied Claim.
4. Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order shall be deemed: (a) an admission as to the validity of any prepetition claim against a Debtor entity; (b) a waiver of the Debtors' right to dispute any prepetition claim on any grounds; (c) a promise or requirement to pay any prepetition claim;(d) an implication or admission that any particular claim is of a type specified or defined in this Objection or any order granting the relief requested by this Objection; (e) a request or

authorization to assume any prepetition agreement, contract, or lease pursuant to § 365 of the Bankruptcy Code; or (f) a waiver of the Debtors' rights under the Bankruptcy Code or any other applicable law.

5. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Order are immediately effective and enforceable upon its entry.

6. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Objection.

7. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated: \_\_\_\_\_, 2019  
Houston, Texas

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DAVID R. JONES  
UNITED STATES BANKRUPTCY JUDGE

**Exhibit A**

**Satisfied Claims**

Exhibit A - Notice of Satisfaction

	Claimant Name	Claim / Schedule No.	ECF Claim #	Debtor	Total Claim Value
1	RMCFI	S01540		Western Energy Company	10,000.00
2	ROBBIE JEAN TREES	S01274		Texas Westmoreland Coal Company	10.46
3	ROBERT ELLIS NANNY	S01212		Texas Westmoreland Coal Company	13.25
4	ROCKY MOUNTAIN AIR LUBRICATION	S01531		Western Energy Company	346.10
5	ROCKY MOUNTAIN BRAKE	123	2.1	Western Energy Company	7,318.88
6	RODS WELD AND REBUILD	S00624		Oxford Mining Company, LLC	4,750.00
7	ROGERS MACHINERY CO. INC.	744	324.1	Westmoreland Coal Company	7,715.10
8	ROSEBUD TEMP SERVICES LLC	S00077		Buckingham Coal Company, LLC	1,846.28
9	ROSIE DEAN POLK	S01281		Texas Westmoreland Coal Company	13.70
10	RUSH TRUCK CENTER	S01220		Texas Westmoreland Coal Company	2,772.88
11	RUSSELL INDUSTRIES INC.	338	19.1	Western Energy Company	622.99
12	RUSSELL INDUSTRIES INC.	339	27.1	Westmoreland Resources, Inc.	36.38
13	RUSSELL INDUSTRIES INC.	340	9.1	Westmoreland Savage Corporation	13,005.55
14	RUX, KENNETH R	S01516		Western Energy Company	514.29
15	S & P BRAKE & CLUTCH SUPPLY	S01546		Western Energy Company	3,277.70
16	SAFETY KLEEN SYSTEMS, INC.	S00988		San Juan Coal Company	215.25
17	SAN JUAN COUNTY MUSEUM ASSOC	74	43.1	Westmoreland Coal Company	11,376.03
18	SAN JUAN UNITED WAY	S00952		San Juan Coal Company	970.07
19	SANDERS, TYLER	S00992		San Juan Coal Company	522.65
20	SANDVIK MINING & CONSTRUCTION, LLC	S01458		Western Energy Company	7,054.88
21	SECURITAS SECURITY SERVICES USA, INC.	641	32.1	Western Energy Company	33,849.84
22	SELBYS	915	50.1	Western Energy Company	885.56
23	SELBYS ESSCO	S01438		Western Energy Company	6,878.10
24	SGS NORTH AMERICA INC	124	2.1	Westmoreland Kemmerer, LLC	27,069.51
25	SGS NORTH AMERICA INC	127	6.1	Westmoreland Resources, Inc.	120,196.36
26	SHANNON MARTIN BROOKS	S01276		Texas Westmoreland Coal Company	6.07
27	SHARON STONER	S00280		Dakota Westmoreland Corporation	537.50
28	SHERIDAN COLLEGE	S01750		Westmoreland Coal Company	2,262.00
29	SILVER SPUR CONVEYOR	S00135		Buckingham Coal Company, LLC	172,925.00
30	SILVER SPUR CONVEYORS, INC.	8	13.1	Westmoreland Coal Company	345,850.00
31	SILVER SPUR CONVEYORS, INC.	343	13.2	Westmoreland Coal Company	172,925.00
32	SIMPSON, ARDELL	S01005		San Juan Coal Company	558.23
33	SKARSHAUG TESTING LABORATORY, INC	S01501		Western Energy Company	1,297.13
34	SOUTH LINCOLN HOSPITAL DISTRICT	S02174		Westmoreland Kemmerer, LLC	20.00
35	SOUTH LINCOLN MEDICAL CENTER	S02251		Westmoreland Kemmerer, LLC	6,647.26
36	SPANG, DYLAN B.	S01519		Western Energy Company	70.00
37	SPENCER FLUID POWER	910	45.1	Western Energy Company	3,627.95
38	SPIRIT SERVICES CO.	S00562		Oxford Mining Company, LLC	1,584.71
39	STANDARD COFFEE SERVICE COMPANY	S01208		Texas Westmoreland Coal Company	242.38
40	STANDARD LABORATORIES	S01409		Western Energy Company	6,914.84
41	STAR SERVICE INC	S02569		Westmoreland Resources, Inc.	1,600.00
42	STATELINE FIREWOOD	85	56.1	Westmoreland Coal Company	9,918.72
43	STATELINE FIREWOOD	673	288.1	San Juan Coal Company	9,918.72
44	STELLAR INDUSTRIAL SUPPLY (ADVANTAGE)	S01552		Western Energy Company	109.56
45	STEPHEN EARL KOLLE	S01265		Texas Westmoreland Coal Company	4.85
46	STONE RIVER PHARMACY SOLUTIONS	S01431		Western Energy Company	122.71
47	STRONGS CRANE SERVICE INC	S01560		Western Energy Company	1,838.00
48	SUNBRIGHT PAPER RECYCLING	S01273		Texas Westmoreland Coal Company	250.00
49	SYKLONE INTERNATIONAL	S01563		Western Energy Company	367.04
50	T&S MOBILE HEARING EXPRESS	S00265		Dakota Westmoreland Corporation	827.99
51	TAB ELECTRONICS	S01489		Western Energy Company	410.85
52	TACOMA SCREW PRODUCTS, INC	S01426		Western Energy Company	109.88
53	TAKISHA S. PATE	S01277		Texas Westmoreland Coal Company	18.19
54	TALLEY CHEMICAL & SUPPLY	S01201		Texas Westmoreland Coal Company	1,142.56
55	TAYLORS ACE HARDWARE	S01470		Western Energy Company	61.64
56	THE ESTATE OF VICTOR LEE PATE	S01236		Texas Westmoreland Coal Company	36.39
57	THEODORE WILLIS III	S01272		Texas Westmoreland Coal Company	68.60
58	THERMO GAMMA-METRIC, PTY LTD	S01446		Western Energy Company	28,000.00
59	THRIVEPASS	S01755		Westmoreland Coal Company	3,052.17
60	TOBY L ROSEN CHAPTER 13 TRUSTEE	S01773		Westmoreland Coal Company	2,028.00
61	TONGUE RIVER ELECTRIC COOP	S01423		Western Energy Company	2,328.51
62	TOUCHTONE COMMUNICATIONS	S01291		Texas Westmoreland Coal Company	887.48
63	TOWN AND COUNTRY SUPPLY ASSOCIATION	311	18.1	Western Energy Company	616,278.25
64	TOWN AND COUNTRY SUPPLY ASSOCIATION	321	26.1	Westmoreland Resources, Inc.	193,100.19
65	<del>TRACTOR &amp; EQUIPMENT CO.</del>	<del>831</del>	<del>332.1</del>	<del>Westmoreland Coal Company</del>	<del>8,714.92*</del>
66	<del>TRACTOR &amp; EQUIPMENT CO.</del>	<del>909</del>	<del>44.1</del>	<del>Western Energy Company</del>	<del>1,243,363.47</del>
67	65 TREASURER, STATE OF OHIO - EPA OHIO EPA-	S00142		Buckingham Coal Company, LLC	200.00
68	66 TRICON WEAR SOLUTIONS LLC	S01528		Western Energy Company	5,621.76
69	67 TWIN CITY OPTICAL CO.,INC.	S02217		Westmoreland Kemmerer, LLC	992.26
70	68 UINTA COUNTY CIRCUIT COURT	S02306		Westmoreland Kemmerer, LLC	1,928.56

\* - Indicates claim contains unliquidated and/or undetermined amounts

Exhibit A - Notice of Satisfaction

	Claimant Name	Claim / Schedule No.	ECF Claim #	Debtor	Total Claim Value
71	69 UINTA COUNTY HERALD	S02282		Westmoreland Kemmerer, LLC	672.00
72	70 UNION HOSPITAL	S00602		Oxford Mining Company, LLC	85.00
73	71 UNITED PARCEL SERVICE	S00228		Dakota Westmoreland Corporation	119.54
74	72 UNIVERSITY OF COLORADO HOSPITAL	S01769		Westmoreland Coal Company	2,297.00
75	73 UNIVERSITY OF WYOMING AND BAILEY BOWEN	S02292		Westmoreland Kemmerer, LLC	500.00
76	74 UPS SUPPLY CHAIN SOLUTIONS INC	S01466		Western Energy Company	313.80
77	75 US DEPARTMENT OF TREASURY (MSHA)	S02543		Westmoreland Resources, Inc.	1,421.00
78	76 US NUCLEAR REGULATORY COMMISSION (USNRC)	S01518		Western Energy Company	9,300.00
79	77 USABLUEBOOK	S01292		Texas Westmoreland Coal Company	186.67
80	78 VALLEY FEDERAL CREDIT UNION	S02600		Westmoreland Resources, Inc.	546.93
81	79 VALLEY MOTOR SUPPLY CO	S01474		Western Energy Company	541.69
82	80 VALLEY MOTOR SUPPLY CO	S01475		Westmoreland Mining LLC	129.73
83	81 VERITIV OPERATING COMPANY	S01490		Western Energy Company	2,887.68
84	82 VERLENE PATE SEALS	S01290		Texas Westmoreland Coal Company	13.86
85	83 VICK PATE III	S01262		Texas Westmoreland Coal Company	18.20
86	84 WAGSTAFF CRANE SERVICE, LLC	S02221		Westmoreland Kemmerer, LLC	116,377.50
87	85 WALSH SERVICES, LLC	S01228		Texas Westmoreland Coal Company	3,341.00
88	86 WATER & ENVIRONMENTAL TECHNOLOGIES, INC	S01443		Western Energy Company	5,772.50
89	87 WAUKESHA-PEARCE INDUSTRIES, INC.	S01203		Texas Westmoreland Coal Company	72,849.30
90	88 WEIGHTECH CORP.	1141	67.1	Western Energy Company	9,705.43
91	89 WESCO DISTRIBUTION	S01536		Western Energy Company	861.45
92	90 WESTATE MACHINERY CO	S01573		Western Energy Company	1,585.00
93	91 WESTECH	S01562		Western Energy Company	813.82
94	92 WESTERN AWARDS & ENGRAVING CO INC	S01416		Western Energy Company	18.50
95	93 WESTERN CABLE AND BELT REPAIR	S01487		Western Energy Company	5,615.33
96	94 WILKINS, JAMES D.	S02536		Westmoreland Resources, Inc.	61.35
97	95 WILLIAM L. PATE	S01213		Texas Westmoreland Coal Company	36.39
98	96 WILLIAM SHAW PATE	S01204		Texas Westmoreland Coal Company	29.11
99	97 WILMER CUTLER PICKERING HALE AND DORR	S01788		Westmoreland Coal Company	85,444.44
100	98 WIREROPE WORKS INC	4	9.1	Westmoreland Coal Company	Undetermined*
					<del>\$2,431,575.37*</del>
					<b>\$2,179,496.98*</b>