

**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’ THIRTEENTH OMNIBUS OBJECTION TO  
CERTAIN PROOFS OF CLAIM (SATISFIED CLAIMS)**

(Relates to ECF No. [1796](#))

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’ Thirteenth 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	WIREROPE WORKS INC.	S00234		Dakota Westmoreland Corporation	80,410.21
2	WIREROPE WORKS, INC	S02293		Westmoreland Kemmerer, LLC	21,222.30
3	WIREROPE WORKS, INC.	S01542		Western Energy Company	88,091.57
4	WIREROPE WORKS, INC.	S01545		Westmoreland Resources, Inc.	51,497.50
5	<del>WMC-MACHINING</del>	<del>S02186</del>		<del>Westmoreland Kemmerer, LLC</del>	<del>43,102.94</del>
6	WOODSON LUMBER COMPANY	S01245		Texas Westmoreland Coal Company	189.08
7	WORLDWIDE EXPRESS	S01764		Westmoreland Coal Company	622.05
8	WYOMING DEPARTMENT OF REVENUE	S02240		Westmoreland Kemmerer, LLC	761,126.24
9	WYOMING DEPARTMENT OF TRANSPORTATION	S02287		Westmoreland Kemmerer, LLC	3,727.77
10	WYOMING SDU	S02271		Westmoreland Kemmerer, LLC	2,606.15
					<del>\$ 1,052,595.84</del>
					<del>\$ 1,009,492.87</del>