



ENTERED
06/12/2019

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

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

(Relates to ECF No. 1792)

Upon the objection (the “Objection”)² of the above-captioned WLB Debtors³ and the WMLP Debtors⁴ (collectively, with the WLB Debtors, the “Debtors”) for entry of an order (this “Order”) sustaining the Debtors’ Ninth 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

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 Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Objection.

³ “WLB Debtors” means all Debtors except for Westmoreland Resources GP, LLC, Westmoreland Resource Partners, LP (“WMLP”), and WMLP’s subsidiaries (collectively with WMLP, the “WMLP Debtors”).

⁴ 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.

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 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.

Signed: June 11, 2019.



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 3B DOZER SERVICE, LLC	S01268		Texas Westmoreland Coal Company	34,676.25
2 4-H MARKET STOCK SALE COMMITTE	S01492		Western Energy Company	9,623.25
3 ACCOUNTEMP	S01217		Texas Westmoreland Coal Company	258.92
4 ACE RADIATOR LLC	310	17.1	Western Energy Company	4,204.22
5 ADVANCED PROTECTION SYSTEMS, INC.	S01507		Western Energy Company	2,688.00
6 AGASSIZ SEED & SUPPLY INC	S01565		Western Energy Company	9,400.00
7 ALAMO IRON WORKS, INC.	S01275		Texas Westmoreland Coal Company	774.38
8 ALL STATE FIRE EQUIPMENT	504	13.1	Dakota Westmoreland Corporation	1,712.76
9 ALL STATE FIRE EQUIPMENT	540	29.1	Western Energy Company	67,901.81
10 ALSCO	S00967		San Juan Coal Company	5,347.94
11 AMERICAN FUNDS SERVICE COMPANY	S01481		Western Energy Company	9,112.00
12 AMERICAN WELDING & GAS, INC.	S01549		Western Energy Company	239.23
13 ANN MCADAMS	S01200		Texas Westmoreland Coal Company	499.42
14 AON CONSULTING INC	S01742		Westmoreland Coal Company	20,945.00
15 AON RISK INSURANCE SERVICES WEST, INC.	S00099		Buckingham Coal Company, LLC	100.00
16 AON RISK INSURANCE SERVICES WEST, INC.	S00666		Oxford Mining Company, LLC	750.00
17 AON RISK INSURANCE SERVICES WEST, INC.	S00669		Western Energy Company	92,232.27
18 APPLIED INDUSTRIAL TECHNOLOGIES	796	40.1	Western Energy Company	32,020.60
19 AQUA-TECH LABORATORIES, INC.	S01216		Texas Westmoreland Coal Company	230.00
20 ARVILLA FLY	S02577		Westmoreland Resources, Inc.	112.62
21 ASCENTIA	S02228		Westmoreland Kemmerer, LLC	1,613.00
22 ATS ELECTRO-LUBE INTERNATIONAL INC	921	52.1	Westmoreland Kemmerer, LLC	4,595.00
23 B & C SPRAYING	396	21.1	Western Energy Company	600.10
24 BALDOR ELECTRIC COMPANY	S01414		Western Energy Company	107,954.95
25 BATIE ENTERPRISES LLC	S02547		Westmoreland Resources, Inc.	4,500.00
26 BERNADINE TATUM CLARK	S01232		Texas Westmoreland Coal Company	10.28
27 BIG SKY EMS EDUCATION	S01476		Western Energy Company	600.00
28 BIG SKY LINEN & UNIFORM	S01425		Western Energy Company	2,227.93
29 BIRCH, LILY	S00987		San Juan Coal Company	585.82
30 BOSS INC	S01502		Western Energy Company	279.52
31 BRAKE SUPPLY COMPANY	S02575		Westmoreland Resources, Inc.	12,253.06
32 BRAKE SUPPLY COMPANY INC.	242	6.1	Texas Westmoreland Coal Company	115.77
33 BRAKE SUPPLY COMPANY INC.	252	16.1	Western Energy Company	1,055.52
34 BRAKE SUPPLY COMPANY INC.	267	21.1	Westmoreland Kemmerer, LLC	4,243.85
35 BRAKE SUPPLY COMPANY INC.	277	21.1	Westmoreland Coal Company	12,253.06
36 BRAKE SUPPLY COMPANY INC.	281	7.1	Westmoreland Savage Corporation	706.26
37 BRENNTAG PACIFIC, INC.	S01520		Western Energy Company	7,130.75
38 BRIDGESTONE AMERICAS TIRE OPERATIONS LLC	14	20.1	Westmoreland Coal Company	793,146.34*
39 BRIDGESTONE AMERICAS, INC	S00966		San Juan Coal Company	101,642.96
40 BUCKLEY POWDER CO	35	1.1	Westmoreland Kemmerer, LLC	1,036,993.46
41 BUCKLEY POWDER CO	36	3.1	Westmoreland Resources, Inc.	857,716.43
42 BURKETT LIFETIME EXEMPT TRUST	S01246		Texas Westmoreland Coal Company	48.55
43 BUTLER MACHINERY COMPANY	S01541		Western Energy Company	27.25
44 C&K MEATS	S01517		Western Energy Company	932.25
45 CABELA'S	S01402		Western Energy Company	1,139.22
46 CAREERBUILDER EMPLOYMENT SCREENING LLC	S00981		San Juan Coal Company	1,100.65
47 CAREERBUILDER EMPLOYMENT SCREENING LLC	S00982		Western Energy Company	210.50
48 CAREERBUILDER EMPLOYMENT SCREENING LLC	S02562		Westmoreland Resources, Inc.	614.55
49 CASTLE ROCK B&B	S01559		Western Energy Company	442.98
50 CATALYST ENVIRONMENTAL SOLUTIONS CORP	S00947		San Juan Coal Company	28,188.95
51 CATENA CONSULTING, LLC	S01465		Western Energy Company	32,679.01
52 CED-INTERSTATE ELECTRIC	S01261		Texas Westmoreland Coal Company	110.43
53 CENTURYLINK	S01488		Western Energy Company	50.57
54 CENTURYLINK BUSINESS SERVICES	S01569		Western Energy Company	916.57
55 CERTIFIED LABORATORIES	S01046		San Juan Coal Company	1,194.49
56 CHILD SUPPORT SERVICES	S02175		Westmoreland Kemmerer, LLC	395.25
57 CINCINNATI MINE MACHINERY CO	77	4.1	Buckingham Coal Company, LLC	91,206.00
58 CINTAS CORORATION #530	S00097		Buckingham Coal Company, LLC	25,328.22
59 CINTAS CORPORATION	S01223		Texas Westmoreland Coal Company	2,235.53
60 CINTAS CORPORATION	S02242		Westmoreland Kemmerer, LLC	1,750.96
61 CITYSERVICEVALCON LLC	317	22.1	Westmoreland Resources, Inc.	3,926.20
62 CLARENCE MICHAEL BROOKS, JR.	S01224		Texas Westmoreland Coal Company	6.07
63 CLERK OF DISTRICT COURT	S02597		Westmoreland Resources, Inc.	400.00
64 COLSTRIP ELECTRIC	S01547		Western Energy Company	226.92
65 CONVERGE ONE INC.(FKA NACR, INC.)	S01258		Texas Westmoreland Coal Company	299.92
66 CORDRAY, NATHAN A	S00048		Buckingham Coal Company, LLC	27.81

* - Indicates claim contains unliquidated and/or undetermined amounts

Exhibit A - Notice of Satisfaction

Claimant Name	Claim / Schedule No.	ECF Claim #	Debtor	Total Claim Value
67 COURTNEY LISTER	S01280		Texas Westmoreland Coal Company	18.20
68 CREDIT SERVICE CO, INC	S01521		Western Energy Company	730.79
69 CROW HOUSING AUTHORITY	S02550		Westmoreland Resources, Inc.	787.50
70 CSG SYSTEMS, INC.	748	313.1	Westmoreland Resource Partners, LP	3,232.96
71 DARLENE PATE	S01237		Texas Westmoreland Coal Company	29.11
72 DAVIS FEED & FERTILIZER, INC.	S01219		Texas Westmoreland Coal Company	14,803.54
73 DELTA PUMP & SYSTEMS, INC.	149	9.1	Buckingham Coal Company, LLC	3,624.00
74 DENNEHY, CHRIS J.	S01441		Western Energy Company	75.00
75 DEPARTMENT OF LABOR & INDUSTRY	S02593		Westmoreland Resources, Inc.	80.00
76 DIESEL POWER SUPPLY CO.	S01214		Texas Westmoreland Coal Company	8,789.27
77 DOCUSIGN	S01786		Westmoreland Coal Company	13,738.56
78 DONALD SCOTT LEWIS	S01202		Texas Westmoreland Coal Company	240.50
79 DOROTHY PATE DAWKINS	S01255		Texas Westmoreland Coal Company	13.86
80 DRAGOO, SKY F.	S01477		Western Energy Company	3,000.00
81 DRIVES & CONTROLS SERVICES, INC.	395	20.1	Western Energy Company	5,073.67
82 DRUG & ALCOHOL TESTING ASSOCIATES	S01025		San Juan Coal Company	3,115.00
83 DTAC HEAVY DUTY AIR CONDITIONING	S01242		Texas Westmoreland Coal Company	113.05
84 DXP -SAFETYMASTER CORP	S01554		Western Energy Company	2,090.97
85 EDGE CONSTRUCTION SUPPLY	S01457		Western Energy Company	216.07
86 EKS&H LLLP	S00940		Westmoreland Coal Company	13,013.00
87 EKS&H LLLP	S00941		Westmoreland Kemmerer, LLC	12,750.00
88 EMBREY, TREVOR A	S00049		Buckingham Coal Company, LLC	130.14
89 EQUIPMENT DEPOT, INC.	S01252		Texas Westmoreland Coal Company	2,336.27
90 EQUITY MANAGEMENT, INC TRUST	S01430		Western Energy Company	762.25
91 ESCO SUPPLY	213	5.1	Dakota Westmoreland Corporation	8,183.70
92 ESCO SUPPLY	244	8.1	Western Energy Company	72,142.52
93 ESCO SUPPLY	270	14.1	Westmoreland Resources, Inc.	3,385.60
94 ESTATE OF JERRY IONE STEWARD PERSFUL	S01267		Texas Westmoreland Coal Company	76.64
95 ESTATE OF LEE ROY WEST	S01211		Texas Westmoreland Coal Company	101.89
96 EULA CILE TANKSLEY	S01254		Texas Westmoreland Coal Company	30.83

3,609,196.47*