

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

In re:

WESTMORELAND COAL COMPANY,  
*et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 18-35672 (DRJ)

Jointly Administered

**MONTHLY FEE STATEMENT OF COLE SCHOTZ P.C. FOR COMPENSATION FOR  
SERVICES AND REIMBURSEMENT OF EXPENSES AS COUNSEL TO THE  
OFFICIAL COMMITTEE OF UNSECURED CREDITORS FOR THE PERIOD FROM  
MAY 1, 2019 THROUGH MAY 31, 2019 AS IT RELATES TO WMLP DEBTORS**

Pursuant to the Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals [Docket No. 495] entered by the Court on November 14, 2018 (the “Interim Compensation Order”), Cole Schotz P.C. (“Cole Schotz”), attorneys for the Official Committee of Unsecured Creditors (the “Committee”), submits this monthly statement of services rendered and expenses incurred in this case for the period from May 1, 2019 through May 31, 2019 (the “Statement Period”) as they relate to the WMLP Debtors.

**I. Itemization of Services Rendered by Cole Schotz:**

A. The following is a list of individuals and their respective titles that provided services during the Statement Period. It includes information regarding their respective billing

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<sup>1</sup> Due to the large number of debtors in these chapter 11 cases, which are jointly administered, 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 proposed 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.

rates and the total number of hours spent by each individual providing services during the Statement Period for which Cole Schotz seeks compensation.

**SUMMARY**

<b>Name</b>	<b>Position / Dept.</b>	<b>State of Bar Admission / Year</b>	<b>Hours</b>	<b>Hourly Rate<sup>2</sup></b>	<b>Total Compensation</b>
Michael D. Warner	Member/ Bankruptcy & Restructuring	Texas/1995 California/1984	.5	\$810.00	\$405.00
Felice Yudkin	Member/ Bankruptcy & Restructuring	New Jersey/2005 New York/2006	5.2	\$545.00	\$2,834.00
Benjamin L. Wallen	Associate/ Bankruptcy & Restructuring	Texas/2015	3.7	\$310.00	\$1,147.00
Kerri L. LaBrada	Paralegal / Bankruptcy & Restructuring	n/a	6.0	\$255.00	\$1,530.00
<b>Total</b>			<b>15.4</b>		<b>\$5,916.00</b>

B. The time records of Cole Schotz consisting of a daily breakdown of the time spent by each person on each day, and detail as to the disbursements incurred, are attached as **Exhibit A** to this Statement.

**II. Itemization of Services Rendered and Disbursements Incurred By Category**

The following itemization presents the services rendered by Cole Schotz by Task Categories, and provides a summary of disbursements incurred by category of disbursement.

1. **Services Rendered**

The following services were rendered in the following Task Categories:

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2 This rate is Cole Schotz P.C.'s regular hourly rate for legal services. All hourly rates are adjusted by Cole Schotz P.C. on a periodic basis. The last adjustment occurred on September 1, 2018.

<b>Task Category</b>	<b>Hours</b>	<b>Fees Earned</b>
Case Administration	.2	\$109.00
Employment and Fee Applications	10.7	\$3,837.50
Litigation	.2	\$62.00
Meetings and Communications with Creditors	3.4	\$1,453.50
Plan and Disclosure Statement	.9	\$454.00
<b>Total</b>	<b>15.4</b>	<b>\$5,916.00</b>

A detailed itemization of the services rendered in each of the above Task Categories is set forth in Exhibit A.

2. Disbursements Incurred

The disbursements incurred by Cole Schotz for this Statement are as follows:

<b>Expense Category</b>	<b>Total Expenses</b>
Travel – Car Service	\$211.00
Soundpath	\$5.32
<b>Total</b>	<b>\$216.32</b>

3. Accordingly, the amount of compensation and expenses payable for this Statement Period is **\$4,949.12**, which is calculated as follows:

Total Fees for Services Rendered During Statement Period	\$5,916.00
Twenty Percent (20%) Holdback	- \$1,183.20
Fees Minus Holdback	\$4,732.80
Costs (100%)	+ \$216.32
<b>TOTAL</b>	<b>\$4,949.12</b>

WHEREFORE, pursuant to the Interim Compensation Order, Cole Schotz requests payment of compensation for the WMLP Debtors in the amount of (i) \$4,732.80 (80% of \$5,916.00) on account of actual, reasonable and necessary professional services rendered to the Committee by Cole Schotz and (ii) reimbursement of actual and necessary costs and expenses in the amount of \$216.32 incurred on behalf of the Committee by Cole Schotz.

Dated: June 20, 2019

Respectfully submitted,

By: /s/ Michael D. Warner

Michael D. Warner (TX Bar No. 00792304)

Cole Schotz P.C.

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*Counsel for the Official Committee of  
Unsecured Creditors*

**EXHIBIT A**

WESTMORELAND COAL COMPANY, ET. AL

 Invoice Date: June 10, 2019  
 Invoice Number: 837469  
 Matter Number: 58697-0001
**Re:** OFFICIAL COMMITTEE OF UNSECURED CREDITORS

FOR PROFESSIONAL SERVICES THROUGH MAY 31, 2019

<b>CASE ADMINISTRATION</b>	<b>0.20</b>	<b>109.00</b>
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<u>DATE</u>	<u>INITIALS</u>	<u>Description</u>	<u>HOURS</u>	<u>AMOUNT</u>
05/08/19	FRY	REVIEW CASE UPDATE	0.20	109.00

<b>EMPLOYMENT AND FEE APPLICATIONS</b>	<b>10.70</b>	<b>3,837.50</b>
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<u>DATE</u>	<u>INITIALS</u>	<u>Description</u>	<u>HOURS</u>	<u>AMOUNT</u>
04/30/19	KLL	CORRESPOND WITH B. WALLEN RE JEFFERIES AND MOFO'S ON ISSUES RE FIRST INTERIM FEE APPLICATIONS AND ORDERS NOT ENTERED BY COURT	0.20	51.00
05/01/19	KLL	CORRESPOND WITH COURT CLERK RE UPDATE ON ENTRY OF ORDERS FOR MOFO AND JEFFERIES FIRST INTERIM FEE APPLICATIONS	0.20	51.00
05/01/19	FRY	EMAIL TO A. KISSNER RE FEE RELATED ISSUES	0.20	109.00
05/03/19	FRY	EMAIL TO K. LABRADA RE FEE STATEMENT	0.20	109.00
05/03/19	KLL	FILE MORRISON AND FOERSTER MONTHLY FEE STATEMENT (MARCH 2019)	0.40	102.00
05/06/19	KLL	REVIEW AND MARK UP APRIL INVOICE RE ALLOCATIONS	0.40	102.00
05/07/19	FRY	TELEPHONE TO A. KISSNER RE FEE APPLICATION ORDER	0.20	109.00
05/08/19	KLL	CORRESPOND WITH JUDGE'S CLERK RE MOFO AND JEFFERIES FIRST INTERIM FEE APPLICATIONS ORDERS	0.30	76.50
05/08/19	FRY	DRAFT MONTHLY FEE STATEMENT	0.40	218.00
05/08/19	BLW	ADDRESS ISSUES RE: LEAD COUNSEL AND FA INTERIM COMPENSATION.	0.30	93.00
05/08/19	KLL	PREPARE COLE SCHOTZ APRIL MONTHLY FEE STATEMENT	0.70	178.50
05/09/19	FRY	CONFER WITH A. KISSNER RE FEE APPLICATION	0.20	109.00
05/09/19	FRY	WORK ON MONTHLY FEE STATEMENT	0.20	109.00
05/10/19	BLW	ADDRESS INTERIM COMPENSATION ORDERS RE: MOFO AND JEFFRIES.	0.70	217.00
05/10/19	FRY	ADDRESS OBJECTION TO FEE APPLICATION AND ISSUES RE SAME	0.50	272.50
05/13/19	KLL	CORRESPOND WITH COURT CLERK RE JEFFERIES FIRST INTERIM FEE APPLICATION PROPOSED ORDER AND CIRCULATE DRAFT OF SAME	0.20	51.00

**COLE SCHOTZ P.C.**

Re: OFFICIAL COMMITTEE OF UNSECURED CREDITORS  
Client/Matter No. 58697-0001

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<u>DATE</u>	<u>INITIALS</u>	<u>Description</u>	<u>HOURS</u>	<u>AMOUNT</u>
05/13/19	FRY	EMAIL TO A. KISSNER RE OBJECTION TO FEE APPLICATION (.2); REVIEW EMAIL RE PROPOSED LANGUAGE TO RESOLVE OBJECTION (.2)	0.40	218.00
05/13/19	BLW	ADDRESS JEFFRIES INTERIM COMPENSATION ORDER.	0.30	93.00
05/16/19	FRY	EMAILS RE OBJECTION TO FINAL FEE APPLICATION	0.20	109.00
05/17/19	KLL	SEND FOLLOW UP CORRESPONDENCE TO COURT RE STATUS OF ENTRY ON PENDING ORDERS RE FEE APPLICATIONS	0.30	76.50
05/20/19	FRY	FINALIZE FEE STATEMENT	0.30	163.50
05/20/19	BLW	ADRESS ISSUES RE: OUTSTANDING PROFESSIONAL FEES.	0.10	31.00
05/20/19	KLL	FINALIZE CS APRIL 2019 MONTHLY FEE STATEMENT	0.70	178.50
05/20/19	KLL	PULL AND LIST ALL FEE STATEMENTS AMOUNTS TO COMPARE TO EXCEL CHART FROM DEBTOR ON AMOUTNS PAID/DUE	0.30	76.50
05/21/19	KLL	FINALIZE AND FILE COLE SCHOTZ MONTHLY FEE STATEMENT - APRIL 2019	0.60	153.00
05/28/19	MDW	CALLS TO COURT CLERK RE STATUS OF ORDERS RE INTERIM FEES OF COMMITTEE PROFESSIONALS.	0.20	162.00
05/29/19	FRY	ADDRESS ISSUES RE PROFESSIONAL FEE AND ADMINISTRATIVE EXPENSES	0.30	163.50
05/30/19	BLW	ADDRESS LOCAL PRACTICE ISSUE RE: STIPULATIONS.	0.40	124.00
05/30/19	KLL	REVIEW AND FILE MONTHLY FEE STATEMENT OF BRG	0.50	127.50
05/30/19	KLL	FILE JEFFERIES MONTHLY FEE STATEMENT	0.30	76.50
05/31/19	KLL	RETRIEVE COLE SCHOTZ FINAL FEE APPLICATION FOR M. WARNER	0.20	51.00
05/31/19	KLL	FILE MOFO'S SEVENTH MONTHLY FEE STATEMENT	0.30	76.50
<b>LITIGATION (NOT OTHERWISE IN OTHER CATEGORIES)</b>			<b>0.20</b>	<b>62.00</b>

<u>DATE</u>	<u>INITIALS</u>	<u>Description</u>	<u>HOURS</u>	<u>AMOUNT</u>
04/29/19	BLW	COORDINATE 4/30 TELEPHONIC TRO HEARING.	0.20	62.00

**MEETINGS AND COMMUNICATIONS WITH CREDITORS** **3.40** **1,453.50**

<u>DATE</u>	<u>INITIALS</u>	<u>Description</u>	<u>HOURS</u>	<u>AMOUNT</u>
05/01/19	BLW	WEEKLY COMMITTEE CALL.	0.20	62.00
05/01/19	BLW	WEEKLY COMMITTEE PROFESSIONALS CALL.	0.20	62.00
05/01/19	FRY	WEEKLY COMMITTEE UPDATE CALL	0.20	109.00
05/01/19	FRY	WEEKLY COMMITTEE PROFESSIONAL CALL	0.20	109.00
05/15/19	FRY	PARTICIPATE IN WEEKLY COMMITTEE CALL	0.20	109.00
05/15/19	FRY	PARTICIPATE IN WEEKLY PROFESSIONAL CALL	0.20	109.00
05/15/19	BLW	CALL WITH CREDITOR RE: DISTRIBUTIONS.	0.10	31.00
05/19/19	BLW	COMMITTEE PROFESSIONALS CALL RE: SETTLEMENT STATUS.	0.30	93.00
05/22/19	FRY	PARTICIPATE IN WEEKLY UPDATE CALL	0.20	109.00
05/22/19	BLW	WEEKLY COMMITTEE CALL.	0.20	62.00

**COLE SCHOTZ P.C.**

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<u>DATE</u>	<u>INITIALS</u>	<u>Description</u>	<u>HOURS</u>	<u>AMOUNT</u>
05/29/19	FRY	PARTICIPATE IN WEEKLY PROFESSIONAL CALL	0.40	218.00
05/29/19	BLW	WEEKLY COMMITTEE CALL.	0.30	93.00
05/29/19	BLW	WEEKLY COMMITTEE PROFESSIONALS CALL.	0.40	124.00
05/29/19	FRY	PARTICIPATE IN WEEKLY COMMITTEE CALL	0.30	163.50

**PLAN AND DISCLOSURE STATEMENT** **0.90** **454.00**

<u>DATE</u>	<u>INITIALS</u>	<u>Description</u>	<u>HOURS</u>	<u>AMOUNT</u>
05/20/19	MDW	ADDRESS FEE/BUDGET ISSUES WITH ATTORNEY FY, AS REQUESTED BY LEAD COUNSEL	0.30	243.00
05/21/19	KLL	ADDRESS FEE ISSUES IN CONNECTION WITH WMLP PLAN	0.40	102.00
05/29/19	FRY	REVIEW EMAILS RE MLP SETTLEMENT	0.20	109.00

TOTAL HOURS 15.40

PROFESSIONAL SERVICES: \$5,916.00

**TIMEKEEPER SUMMARY**

<u>NAME</u>	<u>TIMEKEEPER TITLE</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
Benjamin L. Wallen	Associate	3.70	310.00	1,147.00
Felice R. Yudkin	Member	5.20	545.00	2,834.00
Kerri L. LaBrada	Paralegal	6.00	255.00	1,530.00
Michael D. Warner	Member	0.50	810.00	405.00
	<b>Total</b>	<b>15.40</b>		<b>\$5,916.00</b>

**COST DETAIL**

<u>DATE</u>	<u>Description</u>	<u>QUANTITY</u>	<u>AMOUNT</u>
02/13/19	TRAVEL - CAR SERVICE	1.00	54.00
02/15/19	TRAVEL - CAR SERVICE	1.00	48.00
03/19/19	Soundpath	101.00	5.32
05/15/19	TRAVEL - CAR SERVICE	1.00	109.00

**Total** **\$216.32**

TOTAL SERVICES AND COSTS: \$ 6,132.32