

**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

**AMENDED WITNESS AND EXHIBIT LIST**

Morrison & Foerster LLP, as counsel to the Official Committee of Unsecured Creditors (the “Committee”), submits the following amended Witness and Exhibit List for the hearing scheduled on September 30, 2019 at 2:30 p.m. (CDT), in the above-styled, jointly administered bankruptcy cases (the “Bankruptcy Cases”) before the Honorable David R. Jones, Chief United States Bankruptcy Judge, Courtroom 400, 515 Rusk, Houston, Texas 77002.

**WITNESS LIST**

The Committee may call the following witnesses at the Hearing in connection with the *Third Interim and Final Fee Application of Morrison & Foerster LLP For Allowance of Compensation For Services Rendered as Counsel to the Official Committee of Unsecured Creditors For the Period from October 22, 2018 through June 21, 2019* [Docket No. 2173]:

1. Lorenzo Marinuzzi, Partner at Morrison & Foerster, as fact and expert witness;

---

<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.

2. Any witness listed, offered, or called by any other party, including Jones Day or the MLP Lenders; and
3. Any witness designated by another party, any witness used for impeachment, and any witness necessary to lay the foundation for admission of exhibits.

**EXHIBIT LIST**

<b>Exhibit No.</b>	<b>Description</b>	<b>Offered</b>	<b>Objection</b>	<b>Admitted</b>	<b>Disposition After Hearing</b>
1.	Application For Approval of the Employment of Morrison & Foerster as Counsel to the Official Committee of Unsecured Creditors, Effective as of October 22, 2018 [ <b>Docket No. 555</b> ]				
2.	Order Approving For Approval of the Employment of Morrison & Foerster LLP as Counsel to the Official Committee of Unsecured Creditors, Effective October 22, 2018 [ <b>Docket No. 621</b> ]				
3.	Supplemental Declaration of Lorenzo Marinuzzi, Esq. in Support of the Application For Approval of the Employment of Morrison & Foerster LLP as Counsel to the Official Committee of Unsecured Creditors, Effective as of October 22, 2018 [ <b>Docket No. 686</b> ]				
4.	Second Supplemental Declaration of Lorenzo Marinuzzi, Esq. in Support of the Application For Approval of the Employment of Morrison & Foerster LLP as Counsel to the Official Committee of Unsecured Creditors, Effective as of October 22, 2018 [ <b>Docket No. 786</b> ]				
5.	First Interim Application of Morrison & Foerster LLP For Allowance of Compensation For Services Rendered as Counsel to the Official Committee of Unsecured Creditors For the Period From October 22, 2018 Through December 31, 2018 [ <b>Docket No. 1603</b> ]				
6.	Second Interim and Final Fee Application of Morrison & Foerster LLP For Allowance of Compensation For Services Rendered as Counsel to the Official Committee of Unsecured Creditors For the Period From October 22, 2018 Through February 28, 2019 [ <b>Docket No. 1744</b> ]				
7.	Third Interim and Final Fee Application of Morrison & Foerster LLP For Allowance of Compensation For Services Rendered as Counsel to the Official Committee of Unsecured Creditors For the Period From October 22, 2018 Through June 21, 2019 [ <b>Docket No. 2173</b> ]				
8.	Order Granting First Interim Application of Morrison & Foerster LLP For Allowance of				

	Compensation For Services Rendered as Counsel to the Official Committee of Unsecured Creditors For the Period From October 22, 2018 Through December 31, 2018 <b>[Docket No. 1826]</b>				
9.	Order Approving Second Interim and Final Fee Application of Morrison & Foerster LLP For Allowance of Compensation For Services Rendered as Counsel to the Official Committee of Unsecured Creditors For the Period From October 22, 2018 Through February 28, 2019 <b>[Docket No. 1827]</b>				
10.	Final Order (I) Authorizing the MLP Debtors to Use Cash Collateral (II) Granting Certain Protection to Prepetition Lenders, (III) Modifying the Automatic Stay and (IV) Granting Related Relief <b>[Docket No. 521]</b>				
11.	Order Authorizing and Approving the Settlement Term Sheet Between the WMLP Debtors, the MLP Secured Lenders, and the Committee <b>[Docket No. 1545]</b>				
12.	Joint Plan of Liquidation For the WMLP Debtors (filed March 15, 2019) <b>[Docket No. 1612]</b>				
13.	Order Approving Disclosure Statement and Confirming Amended Joint Plan of Liquidation For the WMLP Debtors, as Modified <b>[Docket No. 1967]</b>				
14.	Order Authorizing and Approving the New WMLP Committee Settlement <b>[Docket No. 1978]</b>				
15.	Demand Letter dated January 6, 2019 from L. Marinuzzi to G. Pesce (Exhibit B to Morrison & Foerster Reply)				
16.	March 24, 2019 Email regarding Filing (Exhibit C to Morrison & Foerster Reply)				
17.	May 30, 2019 Email regarding Revised UCC Settlement				
18.	Schulte Roth & Zabel LLP Invoice Through October 31, 2019				
19.	Schulte Roth & Zabel LLP Invoice Through November 30, 2018				
20.	Schulte Roth & Zabel LLP Invoice Through December 31, 2018				
21.	Schulte Roth & Zabel LLP Invoice Through January 31, 2019				
22.	Schulte Roth & Zabel LLP Invoice Through February 28, 2019				
23.	Schulte Roth & Zabel LLP Invoice Through March 31, 2019				
24.	Schulte Roth & Zabel LLP Invoice Through April 30, 2019				
25.	Schulte Roth & Zabel LLP Invoice Through May 31, 2019				
26.	Proskauer Rose LLP April 2019 Invoice				

27.	Proskauer Rose LLP May 2019 Invoice				
28.	<b>Summary of Lender Fees</b>				
29.	<b>The WMLP Debtors' Notice of Filing of (A) The Executed Credit Bid APA and (B) A Redline to the Form Filed With the Court [Docket No. 1960]</b>				
30.	<b>Joinder of the Official Committee of Unsecured Creditors to Objections to WLB Purchaser's Complaint, Application For Temporary Restraining Order, and Request For Preliminary Injunction [Adv. Pro. No. 19-03369; Docket No. 14]</b>				
31.	Any document or pleading filed in the Bankruptcy Cases				
32.	Any exhibits listed, designated, or offered by any other party				
33.	Any exhibits necessary for rebuttal				

The Committee reserves the right to modify, amend or supplement this Exhibit and Witness List at any time. The Committee reserves the right to ask the Court to take judicial notice of pleadings, transcripts and/or documents filed in or in connection with these Bankruptcy Cases, to offer rebuttal exhibits, and to supplement or amend this Witness and Exhibit List at any time prior to the September 30, 2019 hearing. Designation of any exhibit above does not waive any objections the Committee may have to any exhibit listed on any other party's exhibit list.

*[Remainder of Page Intentionally Left Blank]*

Dated: September 26, 2019

/s/ Michael D. Warner

Michael D. Warner (TX Bar No. 00792304)

**COLE SCHOTZ P.C.**

301 Commerce Street, Suite 1700

Fort Worth, TX 76102

T: (817) 810-5250

F: (817) 977-5273

mwarner@coleschotz.com

-and-

Lorenzo Marinuzzi, Esq. (Admitted Pro Hac Vice)

Todd Goren, Esq. (Admitted Pro Hac Vice)

Jennifer L. Marines, Esq. (Admitted Pro Hac Vice)

Demme Doufekias, Esq. (Admitted Pro Hac Vice)

**MORRISON & FOERSTER LLP**

250 West 55th Street

New York, New York 10019

Telephone: (212) 468-8000

Facsimile: (212) 468-7900

lmarinuzzi@mofocom

tgoren@mofocom

jmarines@mofocom

ddoufekias@mofocom

*Counsel for the Official Committee of Unsecured  
Creditors*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 26<sup>th</sup> day of September, 2019, a true and correct copy of the above and foregoing has been served by electronic transmission to all registered CM/ECF users appearing in these cases.

/s/ Michael D. Warner

Michael D. Warner