

## FAQ's

On January 11, 2016, Arch Coal, Inc. and certain of its affiliates (collectively, the “Debtors”) filed voluntary petitions (collectively, the “Arch Cases”) for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. (as amended, the “Bankruptcy Code”).

The questions and answers that follow provide general information concerning the Arch Cases, the Official Committee of Unsecured Creditors of Arch Coal, Inc., et al. (the “Committee”), and various topics related to the Arch Cases and the Committee.

### **1. What is the Committee?**

Pursuant to the Bankruptcy Code, the United States Trustee (the “UST”) is authorized to appoint a committee of creditors holding unsecured claims as soon as practicable after the filing of a case. Generally a creditor’s committee is a group of general unsecured creditors appointed to represent, in a fiduciary capacity, the interests of all general unsecured creditors. In such role, creditors’ committees act to protect and promote the interests of general unsecured creditors by, among other things, monitoring a debtor’s business operations, investigating its business and financial affairs, and negotiating the terms of a plan of reorganization. The overarching goal of a creditors’ committee is to maximize value for general unsecured creditors.

In accordance with this authority, on January 25, 2016, the UST appointed the Committee [Docket No. 184].

### **2. What is the Committee’s role in the Arch Cases?**

Pursuant to the Bankruptcy Code, the Committee may: (1) consult with the trustee or debtor in possession concerning the administration of the cases; (2) investigate the acts, conduct, assets, liabilities, and financial condition of the Debtors, the operation or the Debtors’ business and the desirability of the continuance of such business, and any other matter relevant to the case or to the formulation of a plan; (3) participate in the formulation of a plan, advise those represented by the Committee of its determinations as to any plan formulated, and collect and file with the court acceptances or rejections of a plan; (4) request the appointment of a trustee or examiner under section 1104 of the Bankruptcy Code; and (5) perform such other services as are in the interest of those represented.

### **3. Who are the members of the Committee?**

- Bennett Management Corporation
- GSO Capital Partners, LP
- Kinder Morgan, Inc.
- Nelson Brothers, LLC & Nelson Brothers Mining Services, LLC
- Pension Benefit Guaranty Corp.
- UMB Bank, National Association

- Wyoming Machinery Company

**4. Who represents the Committee?**

The Committee has retained (i) Kramer Levin Naftalis & Frankel LLP to act as its counsel, (ii) Spencer Fane LLP to act as its local Missouri counsel, (iii) Jefferies LLC to act as its investment banker, and (iv) Berkeley Research Group, LLC to act as its financial advisor.

**5. Who represents the United States Trustee in the Arch Cases?**

The trial attorney assigned to the Arch Cases by the UST is Leonora Long.

**6. What role does the United States Trustee Play?**

The United States Trustee Program is a component of the Department of Justice responsible for overseeing the administration of bankruptcy cases. For further details on the United States Trustee's role, please visit the website of the UST at <http://www.justice.gov/ust/r03/index.htm>.

**7. Does the Committee represent individual creditors?**

No. The Committee represents the interests of all unsecured creditors through oversight of and negotiations with the Debtors. Neither the Committee nor its counsel represent individual creditors that may have claims in the Arch Cases.

**8. What is the deadline for filing proofs of claims?**

The general deadline (also known as the "bar date") to file proofs of claim in the Arch Cases is set for May 27, 2016 at 11:59 p.m. CT. The bar date for governmental units to file proofs of claim in the Arch Cases is set for July 11, 2016 at 11:59 p.m. CT.

**9. Do I need to file a proof of claim?**

If you believe that you or an entity you represent has a claim arising prior to January 11, 2016 against one or more of the Debtors, you may wish to file a proof of claim to protect your rights. You should consult your own counsel in deciding whether to file a claim in the Arch Cases.

**10. Have the Debtors filed any chapter 11 plan(s) or disclosure statement(s)?**

The Debtors have not filed a Chapter 11 Plan of Reorganization or Disclosure Statement as of April 11, 2016

**11. How long will the Arch Cases take?**

There is no specific time estimate for the Arch Cases. Large bankruptcy cases, such as these, can take many months (and in some cases years) to complete.

**12. Who is the judge presiding over the Arch Cases?**

The Arch Cases are assigned to the Honorable Charles E. Rendlen, III, United States Bankruptcy Judge for the Eastern District of Missouri.