

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

In re: Walter Energy, Inc., et al., Jointly Administered Debtor	§ § § §	Case No. 15-02741-TOM-11
UMWA 1974 Pension Plan and Trust, et al.,; § § Appellants § vs. § § Walter Energy, Inc., et al., § Jointly Administered § Appellees §		

SUBMISSION SHEET
Notices of Appeal

TO: Sharon Harris, Clerk of Court
United States District Court

SUBMITTED ON: **1489** - Memorandum Opinion and Order Granting Debtor's Motion for an Order (I) Authorizing The Debtors to (A) Reject Collective Bargaining Agreements, (B) Implement Final Labor Proposals, and (C) Terminate Retiree Benefits; and (II) Granting Related Relief Signed on 12/28/2015 (RE: related document(s) 1094 Debtors' Motion Pursuant to 11 U.S.C. Sections 105(a), 1113(c) and 1114(g) for an Order (I) Authorizing the Debtors to (A) Reject Collective Bargaining Agreements, (B) Implement Final Labor Proposals, and (C) Terminate Retiree Benefits; and (II) Granting Related Relief

1510 - Order Granting Motion To Alter or Amend Order

CONTENTS OF RECORD (Partial Record):

- a. Orderd from which appeal is being taken;
- b. Notice of Appeal of Memorandum Opinion (#1489) and Order on Motion to Alter or Amend (#1510) filed by UMWA 1974 Pension Plan and Trust, et al.;
- c. Docket Sheet;
- d. Submission Sheet



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Filing Fees Paid - Receipt Number 18905540 (#1581)

PREVIOUS APPEALS: **U.S. District Court Case Number 2:15-cv-01531-LSC**
 U.S. District Court Case Number 2:15-cv-01773-LSC
 U.S. District Court Case Number 2:15-cv-15-01819-LSC

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Dated: January 11, 2016

Joseph E. Bulgarella, Clerk
United States Bankruptcy Court

By: /s/ Leigh Tumlin
Deputy Clerk

LimitedMatrix, JNTADMN, LEAD, APPEAL, CLMAGT

**U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA (Birmingham)
Bankruptcy Petition #: 15-02741-TOM11**

Assigned to: Tamara O Mitchell
Chapter 11
Voluntary
Asset

Date filed: 07/15/2015

341 meeting: 09/10/2015

Deadline for filing claims (govt.): 01/11/2016

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Filing Date	#	Docket Text
07/15/2015	 1	Chapter 11 Voluntary Petition. Fee Amount \$1717 Filed by Walter Energy, Inc. (Darby) (Entered: 07/15/2015)
07/15/2015	 2	20 Largest Unsecured Creditors <i>Consolidated List of Creditors Holding 50 Largest Unsecured Claims</i> Filed by Debtor Walter Energy, Inc.. (Darby) (Entered: 07/15/2015)
07/15/2015	 3	Declaration re: <i>Declaration of William G. Harvey in Support of First Day Motions</i> Filed by Debtor Walter Energy, Inc.. (Darby) (Entered: 07/15/2015)
07/15/2015	 4	Notice of Appearance and Request for Notice by Daniel D Sparks Filed by Creditor WHH Real Estate, LLC. (Sparks, Daniel) (Entered: 07/15/2015)
07/15/2015	 5	Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order Directing Joint Administration of the Debtors Chapter 11 Cases</i> Filed by Debtor Walter Energy, Inc. (Darby) (Entered: 07/15/2015)
07/15/2015	 6	Notice of Appearance and Request for Notice by Bill D Bensinger Filed by Creditor WHH Real Estate, LLC. (Bensinger, Bill) (Entered: 07/15/2015)
07/15/2015	 7	Notice of Appearance and Request for Notice by William (Will) Lee Thuston Jr. Filed by Creditor WHH Real Estate, LLC. (Thuston, William (Will)) (Entered: 07/15/2015)




07/15/2015	 8	Motion Regarding Chapter 11 First Day Motions <i>The Debtors Application for an Order Authorizing the Employment, Retention and Appointment of Kurtzman Carson Consultants LLC as Claims and Noticing Agent and Administrative Advisor for the Debtors Nunc Pro Tunc to the Petition Date</i> Filed by Debtor Walter Energy, Inc. (Darby) (Entered: 07/15/2015)
07/15/2015	 9	Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion Pursuant to 11 U.S.C. §§ 102 and 105(a) and Bankruptcy Rules 2002(m) and 9007 Seeking Authority to Implement Certain Notice and Case Management Procedures</i> Filed by Debtor Walter Energy, Inc. (Darby) (Entered: 07/15/2015)
07/15/2015	 10	Notice of Appearance and Request for Notice by Daniel D Sparks Filed by Creditor Cowin & Company, Inc.. (Sparks, Daniel) (Entered: 07/15/2015)
07/15/2015	 11	Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order (A) Granting the Debtors an Extension of Time Within Which to File Schedules and Related Documents and (B) Waiving the Requirements to File Lists of Equity Security Holders and Provide Notice to Equity Security Holders</i> Filed by Debtor Walter Energy, Inc. (Darby) (Entered: 07/15/2015)
07/15/2015	 12	Notice of Appearance and Request for Notice by Bill D Bensinger Filed by Creditor Cowin & Company, Inc.. (Bensinger, Bill) (Entered: 07/15/2015)
07/15/2015	 13	Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order (A) Authorizing the Debtors to File a Consolidated List of 50 Largest Unsecured Creditors, (B) Waiving the Requirement to File a List of Creditors, and (C) Establishing Procedures for Notifying Creditors of the Commencement of the Debtors Chapter 11 Cases</i> Filed by Debtor Walter Energy, Inc. (Darby) (Entered: 07/15/2015)
07/15/2015	 14	Notice of Appearance and Request for Notice by William (Will) Lee Thuston Jr. Filed by Creditor Cowin & Company, Inc.. (Thuston, William (Will)) (Entered: 07/15/2015)
07/15/2015	 15	Notice of Appearance and Request for Notice by Daniel D Sparks Filed by Creditor Nelson Brothers, LLC. (Sparks, Daniel) (Entered: 07/15/2015)
07/15/2015	 16	









		Notice of Appearance and Request for Notice by Bill D Bensinger Filed by Creditor Nelson Brothers, LLC. (Bensinger, Bill) (Entered: 07/15/2015)
07/15/2015	 17	Motion Regarding Chapter 11 First Day Motions <i>10.The Debtors Motion for (I) (A) an Order Authorizing, But Not Directing, the Debtors to Pay Certain Prepetition Wages, Compensation, Workers Compensation and Employee Benefits and to Maintain Employee Benefit Programs and Pay Related Administrative Obligations; and (B) a Supplemental Order Authorizing, But Not Directing, the Debtors to Pay Certain Bonus and Severance Obligations related thereto; (II) Authorizing and Directing Applicable Banks and Other Financial Institutions to Process and Pay All Checks Presented for Payment and to Honor All Funds Transfer Requests Made by the Debtors Relating to the Foregoing; and (III) Granting Related Relief</i> Filed by Debtor Walter Energy, Inc. (Darby) (Entered: 07/15/2015)
07/15/2015	 18	Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) the Debtors to Pay Prepetition Claims of Certain Critical Vendors and Foreign Vendors and (II) Financial Institutions to Honor and Process Related Checks and Transfers and (B) Granting Related Relief</i> Filed by Debtor Walter Energy, Inc. (Darby) (Entered: 07/15/2015)
07/15/2015	 19	Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) Payment of Certain Prepetition Claims of Shippers, Storage Providers and Service Providers and (II) Financial Institutions to Honor and Process Related Checks and Transfers and (B) Granting Related Relief</i> Filed by Debtor Walter Energy, Inc. (Darby) (Entered: 07/15/2015)
07/15/2015	 20	Notice of Appearance and Request for Notice by R. Scott Williams Filed by Creditor United Mine Workers of America. (Williams, R.) (Entered: 07/15/2015)
07/15/2015	 21	Notice of Appearance and Request for Notice by Jennifer Brooke Kimble Filed by Creditor United Mine Workers of America. (Kimble, Jennifer) (Entered: 07/15/2015)
07/15/2015	 22	Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order (A) Authorizing Debtors to Continue Prepetition Customer Programs and (B) Granting Related Relief</i> Filed by Debtor Walter Energy, Inc. (Darby) (Entered: 07/15/2015)





07/15/2015	 23	Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order (A) Authorizing (I) Debtors to Pay Certain Prepetition Taxes, Governmental Assessments and Fees and (II) Financial Institutions to Honor and Process Related Checks and Transfers; and (B) Granting Related Relief</i> Filed by Debtor Walter Energy, Inc. (Darby) (Entered: 07/15/2015)
07/15/2015	 24	Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for Entry of Interim and Final Orders (A) (I) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Utility Services, (II) Deeming Utility Companies Adequately Assured of Future Performance, (III) Establishing Procedures for Determining Adequate Assurance of Payment, and (IV) Setting a Final Hearing Related Thereto; and (B) Granting Related Relief</i> Filed by Debtor Walter Energy, Inc. (Darby) (Entered: 07/15/2015)
07/15/2015	 25	Motion to Appear pro hac vice <i>for Ira S. Dizengoff</i> Filed by Creditor Committee Steering Committee (Hall, Michael) (Entered: 07/15/2015)
07/15/2015	 26	Motion to Appear pro hac vice <i>Motion to Admit Stephen J. Shimshak Pro Hac Vice</i> Filed by Debtor Walter Energy, Inc. (Bender, Jay) (Entered: 07/15/2015)
07/15/2015	 27	Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order (A) Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors Estate and (B) Granting Related Relief</i> Filed by Debtor Walter Energy, Inc. (Darby) (Entered: 07/15/2015)
07/15/2015	 28	Motion to Appear pro hac vice <i>Motion to Admit Kelley A. Cornish Pro Hac Vice</i> Filed by Debtor Walter Energy, Inc. (Bender, Jay) (Entered: 07/15/2015)
07/15/2015	 29	Motion to Appear pro hac vice <i>Lisa G. Beckerman</i> Filed by Creditor Committee Steering Committee (Hall, Michael) (Entered: 07/15/2015)
07/15/2015	 30	Motion to Appear pro hac vice <i>Motion to Admit Claudia R. Tobler Pro Hac Vice</i> Filed by Debtor Walter Energy, Inc. (Bender, Jay) (Entered: 07/15/2015)
07/15/2015	 31	Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to Continue and Renew Their Surety Bond Program and (B) Granting Related Relief</i> Filed by Debtor Walter Energy, Inc. (Darby) (Entered: 07/15/2015)





07/15/2015	 32	Motion to Appear pro hac vice <i>James Savin</i> Filed by Creditor Committee Steering Committee (Hall, Michael) (Entered: 07/15/2015)
07/15/2015	 33	Motion to Appear pro hac vice <i>Maurice L. Brimmage</i> Filed by Creditor Committee Steering Committee (Hall, Michael) (Entered: 07/15/2015)
07/15/2015	 34	Motion to Appear pro hac vice <i>Motion to Admit Ann K. Young Pro Hac Vice</i> Filed by Debtor Walter Energy, Inc. (Bender, Jay) (Entered: 07/15/2015)
07/15/2015	 35	Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order, Pursuant to Sections 105(a), 363(b), 363(c) and 1107(a) of the Bankruptcy Code and Bankruptcy Rules 6003 and 6004(h) (A) Authorizing the Debtors to (I) Continue Insurance Policies and Agreements Relating Thereto and (II) Honor Certain Prepetition Obligations in Respect Thereof; and (B) Granting Related Relief</i> Filed by Debtor Walter Energy, Inc. (Darby) (Entered: 07/15/2015)
07/15/2015	 36	Motion to Appear pro hac vice <i>Kristine G. Manoukian</i> Filed by Creditor Committee Steering Committee (Hall, Michael) (Entered: 07/15/2015)
07/15/2015	 37	Motion to Appear pro hac vice <i>Motion to Admit Michael S. Rudnick Pro Hac Vice</i> Filed by Debtor Walter Energy, Inc. (Bender, Jay) (Entered: 07/15/2015)
07/15/2015	 38	Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order (A) (I) Approving Continued Use of the Debtors Existing Cash Management System, (II) Authorizing Use of Existing Bank Accounts and Checks, (III) Waiving the Requirements of 11 U.S.C. § 345(b), (IV) Granting Administrative Expense Status to Postpetition Intercompany Claims, and (V) Authorizing the Continuation of Certain Intercompany Transactions; and (B) Granting Related Relief</i> Filed by Debtor Walter Energy, Inc. (Darby) (Entered: 07/15/2015)
07/15/2015	 39	Motion to Expedite Hearing (related documents 5 Motion Re: Chapter 11 First Day Motions, 8 Motion Re: Chapter 11 First Day Motions, 9 Motion Re: Chapter 11 First Day Motions, 11 Motion Re: Chapter 11 First Day Motions, 13 Motion Re: Chapter 11 First Day Motions, 17 Motion Re: Chapter 11 First Day Motions, 18 Motion Re: Chapter 11 First Day Motions, 19 Motion Re: Chapter 11 First Day Motions, 22 Motion Re:




		Chapter 11 First Day Motions, 23 Motion Re: Chapter 11 First Day Motions, 24 Motion Re: Chapter 11 First Day Motions, 27 Motion Re: Chapter 11 First Day Motions, 31 Motion Re: Chapter 11 First Day Motions, 35 Motion Re: Chapter 11 First Day Motions, 38 Motion Re: Chapter 11 First Day Motions) Filed by Debtor Walter Energy, Inc. (Darby) (Entered: 07/15/2015)
07/15/2015	 40	Order Granting Motion to Expedite Hearing (Related Doc 39) Signed on 7/15/2015. Hearing to be held on 7/15/2015 at 02:30 PM Courtroom 3 (TOM) Birmingham for 5 Debtors Motion for an Order Directing Joint Administration of the Debtors Chapter 11 Cases, 13 Debtors Motion for an Order (A) Authorizing the Debtors to File a Consolidated List of 50 Largest Unsecured Creditors, (B) Waiving the Requirement to File a List of Creditors, and (C) Establishing Procedures for Notifying Creditors of the Commencement of the Debtors Chapter 11 Cases, 19 Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) Payment of Certain Prepetition Claims of Shippers, Storage Providers and Service Providers and (II) Financial Institutions to Honor and Process Related Checks and Transfers and (B) Granting Related Relief, 35 Debtors Motion for an Order (A) Authorizing the Debtors to (I) Continue Insurance Policies and Agreements Relating Thereto and (II) Honor Certain Prepetition Obligations in Respect Thereof; and (B) Granting Related Relief, 17 Debtors Motion for (I) (A) an Order Authorizing, But Not Directing, the Debtors to Pay Certain Prepetition Wages, Compensation, Workers Compensation and Employee Benefits and to Maintain Employee Benefit Programs and Pay Related Administrative Obligations; and (B) a Supplemental Order Authorizing, But Not Directing, the Debtors to Pay Certain Bonus and Severance Obligations related thereto; (II) Authorizing and Directing Applicable Banks and Other Financial Institutions to Process and Pay All Checks Presented for Payment and to Honor All Funds Transfer Requests Made by the Debtors Relating to the Foregoing; and (III) Granting Related Relief, 24 Debtors Motion for Entry of Interim and Final Orders (A) (I) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Utility Services, (II) Deeming Utility Companies Adequately Assured of Future Performance, (III) Establishing Procedures for Determining Adequate Assurance of Payment, and (IV) Setting a Final Hearing Related Thereto; and (B) Granting Related Relief, 23 Debtors Motion for an Order (A) Authorizing (I) Debtors to Pay Certain Prepetition Taxes, Governmental Assessments and Fees and (II) Financial Institutions to Honor and Process Related Checks and Transfers; and (B) Granting Related Relief, 18 Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) the Debtors to Pay Prepetition







		<p>Claims of Certain Critical Vendors and Foreign Vendors and (II) Financial Institutions to Honor and Process Related Checks and Transfers and (B) Granting Related Relief, 27 Debtors Motion for an Order (A) Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors Estate and (B) Granting Related Relief, 31 Debtors Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to Continue and Renew Their Surety Bond Program and (B) Granting Related Relief, 38 Debtors Motion for an Order (A) (I) Approving Continued Use of the Debtors Existing Cash Management System, (II) Authorizing Use of Existing Bank Accounts and Checks, (III) Waiving the Requirements of 11 U.S.C. § 345(b), (IV) Granting Administrative Expense Status to Postpetition Intercompany Claims, and (V) Authorizing the Continuation of Certain Intercompany Transactions; and (B) Granting Related Relief, 22 Debtors Motion for an Order (A) Authorizing Debtors to Continue Prepetition Customer Programs and (B) Granting Related Relief, 8 Debtors Application for an Order Authorizing the Employment, Retention and Appointment of Kurtzman Carson Consultants LLC as Claims and Noticing Agent and Administrative Advisor for the Debtors Nunc Pro Tunc to the Petition Date, 9 Debtors Motion Pursuant to 11 U.S.C. §§ 102 and 105(a) and Bankruptcy Rules 2002(m) and 9007 Seeking Authority to Implement Certain Notice and Case Management Procedures, 11 Debtors Motion for an Order (A) Granting the Debtors an Extension of Time Within Which to File Schedules and Related Documents and (B) Waiving the Requirements to File Lists of Equity Security Holders and Provide Notice to Equity Security Holders, (kl) Modified on 7/15/2015 (kl). (Entered: 07/15/2015)</p>
07/15/2015	 41	<p>Hearing Scheduled (RE: related document(s)5, 8, 9, 11, 13, 17, 18, 19, 22, 23, 24, 27, 31, 35, 38). Hearing scheduled 7/15/2015 at 02:30 PM at Courtroom 3 (TOM) Birmingham. (kl) (Entered: 07/15/2015)</p>
07/15/2015	 42	<p>The Debtors Motion for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105, 361, 362, 363, 507 and 552, Bankruptcy Rules 2002, 4001, 6003, 6004 and 9014 (A) (I) Authorizing Postpetition Use of Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, and (III) Scheduling a Final Hearing; and (B) Granting Related Relief Filed by Debtor Walter Energy, Inc. (Darby, Patrick) (Entered: 07/15/2015)</p>
07/15/2015	 43	<p>Hearing Scheduled (RE: related document(s)42 Debtors Motion for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105, 361, 362, 363, 507 and 552, Bankruptcy Rules 2002, 4001,</p>






		6003, 6004 and 9014 (A) (I) Authorizing Postpetition Use of Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, and (III) Scheduling a Final Hearing; and (B) Granting Related Relief). Hearing scheduled 7/15/2015 at 02:30 PM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 07/15/2015)
07/15/2015	 44	The Debtors' Motion for an Order (A) Authorizing the Debtors to Assume a Restructuring Support Agreement and (B) Granting Related Relief Filed by Debtor Walter Energy, Inc. (Darby, Patrick) (Entered: 07/15/2015)
07/15/2015	 45	Notice of Appearance and Request for Notice by Benjamin Shaw Goldman Filed by Creditor Alabama State Port Authority. (Goldman, Benjamin) (Entered: 07/15/2015)
07/15/2015	 46	Notice of Appearance and Request for Notice by Benjamin Shaw Goldman Filed by Creditor Thompson Tractor Co., Inc.. (Goldman, Benjamin) (Entered: 07/15/2015)
07/15/2015	 47	Notice of Appearance and Request for Notice by Benjamin Shaw Goldman Filed by Creditor Parker Towing Company, Inc.. (Goldman, Benjamin) (Entered: 07/15/2015)
07/15/2015	 48	Motion to Appoint Creditors Committee <i>The Debtors' Motion for an Order (A)(I) Authorizing the Formation of a Committee of Retired Employees Pursuant to Section 1114(c)(2) and 1114 (d) of the Bankruptcy Code, and (II) Establishing Procedures for Selecting Committee Members and (B) Granting Related Relief</i> Filed by Debtor Walter Energy, Inc. (Darby, Patrick) (Entered: 07/15/2015)
07/15/2015	 49	Notice of Appearance and Request for Notice of <i>Akin Gump Strauss Hauer & Feld LLP</i> by Michael Leo Hall Filed by Creditor Committee Steering Committee. (Hall, Michael) (Entered: 07/15/2015)
07/15/2015	 50	Notice of Appearance and Request for Notice of <i>Glen M. Connor and George N. Davies</i> by Glen Marshall Connor Filed by Creditors Trustees UMWA Health and Retirement Funds, UMWA Health and Retirement Funds. (Connor, Glen) (Entered: 07/15/2015)
07/15/2015	 51	Notice of Appearance and Request for Notice for <i>Burr & Forman LLP</i> by Michael Leo Hall Filed by Creditor Committee Steering Committee. (Hall, Michael) (Entered: 07/15/2015)
07/15/2015		




		Receipt of Voluntary Petition (Chapter 11)(15-02741-11) [misc,volp11] (1717.00) Filing Fee. Receipt number 18235404. Fee Amount 1717.00 (re:Doc# 1) (U.S. Treasury) (Entered: 07/15/2015)
07/15/2015	 52	Notice to Creditor(s) Re: Amendment <i>Corrected Exhibit "A" to Voluntary Petition</i> . (Bailey, James) (Entered: 07/15/2015)
07/15/2015	 53	Corporate Parent Disclosure Statement <i>Corporate Ownership Statement</i> Filed by Debtor Walter Energy, Inc.. (Bailey, James) (Entered: 07/15/2015)
07/15/2015	 54	Order Granting Motion for an Order Directing Joint Administration of the Debtors Chapter 11 Cases. All original pleadings shall be captioned as indicated in the preceding paragraph and all original docket entries shall be made in the case of Walter Energy, Inc., Case No. 15-02741-TOM-11. An order has been entered in this case directing the consolidation and joint administration for procedural purposes only of the chapter 11 cases of Walter Energy, Inc.; Atlantic Development and Capital, LLC; Atlantic Leaseco, LLC; Blue Creek Coal Sales, Inc.; Blue Creek Energy, Inc.; J.W. Walter, Inc.; Jefferson Warrior Railroad Company, Inc.; Jim Walter Homes, LLC; Jim Walter Resources, Inc.; Maple Coal Co., LLC; Sloss-Sheffield Steel & Iron Company; SP Machine, Inc.; Taft Coal Sales & Associates, Inc.; Tuscaloosa Resources, Inc.; V Manufacturing Company; Walter Black Warrior Basin LLC; Walter Coke, Inc.; Walter Energy Holdings, LLC; Walter Exploration & Production LLC; Walter Home Improvement, Inc.; Walter Land Company; Walter Minerals, Inc.; Walter Natural Gas, LLC; and all subsequently filed chapter 11 cases of such debtors affiliates. The docket in the chapter 11 case of Walter Energy, Inc., Case No. 15-02741-TOM11 should be consulted for all matters affecting this case and the affiliated Case Nos. 15-02741, 15-02743 through 15-02744, 15-02746 through 15-02747, 15-02750 through 15-02766, and 15-02773. (Related Doc 5) Signed on 7/15/2015. (klt) (Entered: 07/15/2015)
07/15/2015	 55	Order Granting Debtors Application for an Order Authorizing the Employment, Retention and Appointment of Kurtzman Carson Consultants LLC as Claims and Noticing Agent and Administrative Advisor for the Debtors Nunc Pro Tunc to the Petition Date. KCC is authorized and directed to perform noticing services and to receive, maintain, record and otherwise administer the proofs of claim filed in these cases and all related tasks, all as described in the KCC Application. KCC shall serve as the custodian of court records and shall be designated as the authorized repository for all proofs of claim filed in these cases





		and is authorized and directed to maintain a Claims Register for each of the Debtors (Related Doc # 8) Signed on 7/15/2015. (klt) (Entered: 07/15/2015)
07/15/2015	 56	Order Granting Debtors Motion Pursuant to 11 U.S.C. §§ 102 and 105(a) and Bankruptcy Rules 2002(m) and 9007 Seeking Authority to Implement Certain Notice and Case Management Procedures (Related Doc # 9) Signed on 7/15/2015. (klt) (Entered: 07/15/2015)
07/15/2015	 57	Order Granting Debtors Motion for an Order (A) Granting the Debtors an Extension of Time Within Which to File Schedules and Related Documents and (B) Waiving the Requirements to File Lists of Equity Security Holders and Provide Notice to Equity Security Holders. The Debtors are granted an extension of the deadline to file their Schedules and Statements through and including August 28, 2015, without prejudice to the Debtors rights to seek further extensions or waivers. (Related Doc # 11) Signed on 7/15/2015. (klt) (Entered: 07/15/2015)
07/15/2015	 58	Order Granting Debtors Motion for an Order (A) Authorizing the Debtors to File a Consolidated List of 50 Largest Unsecured Creditors, (B) Waiving the Requirement to File a List of Creditors, and (C) Establishing Procedures for Notifying Creditors of the Commencement of the Debtors Chapter 11 Cases. The Claims and Noticing Agent shall publish the Notice of Commencement on the website to be established by the Claims and Noticing Agent at http://www.kccllc.net/walterenergy within seven (7) days of entry of this Order approving this Motion. (Related Doc # 13) Signed on 7/15/2015. (klt) (Entered: 07/15/2015)
07/15/2015	 59	Interim Order (A) Authorizing Post-petition Use of Cash Collateral, (B) Granting Adequate Protection to Prepetition Secured Parties, (C) Scheduling a Final Hearing and (D) Granting Related Relief Signed on 7/15/2015 (RE: related document(s) 42 Debtors Motion for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105, 361, 362, 363, 507 and 552, Bankruptcy Rules 2002, 4001, 6003, 6004 and 9014 (A) (I) Authorizing Post-petition Use of Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, and (III) Scheduling a Final Hearing; and (B) Granting Related Relief). Hearing scheduled 8/18/2015 and 8/19/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) Modified on 7/16/2015 to correct text (klt). Interim Order on Cash Collateral replaced to include two page budget as attachment added on 7/16/2015, no changes to the Interim Order were made. Modified on 7/16/2015 (stc). (Entered: 07/15/2015)




07/15/2015	 60	Order (A)(I) Approving Continued Use of Debtor's Existing Cash Management System; (II) Authorizing Use of Existing Bank Accounts and Checks; (III) Waiving the Requirements of 11 U.S.C. 345(b); (IV) Granting Administrative Expense Status to Certain Post-Petition Intercompany Claims; and (V) Authorizing Continuation of Certain Intercompany Transactions; and (B) Granting Related Relief (Related Doc # 38) Debtors Motion for an Order (A) (I) Approving Continued Use of the Debtors Existing Cash Management System, (II) Authorizing Use of Existing Bank Accounts and Checks, (III) Waiving the Requirements of 11 U.S.C. § 345(b), (IV) Granting Administrative Expense Status to Postpetition Intercompany Claims, and (V) Authorizing the Continuation of Certain Intercompany Transactions; and (B) Granting Related Relief Signed on 7/15/2015. (klt) (Entered: 07/15/2015)
07/15/2015	 61	Order (A) Authorizing, but not directing, Debtors to Pay Certain Prepetition Wages, Compensation, Workers Compensation and Employee Benefits and to Maintain Employee Benefit Programs and Pay-Related Administrative Obligations; (B) Authorizing and Directing Applicable Banks and Other Financial Institutions to Process and Pay All Checks Presented for Payment and to Honor All Funds Transfer Requests Made by the Debtors Relating to the Foregoing; and (C) Granting Related Relief (Related Doc # 17) Debtors Motion for (I) (A) an Order Authorizing, But Not Directing, the Debtors to Pay Certain Prepetition Wages, Compensation, Workers Compensation and Employee Benefits and to Maintain Employee Benefit Programs and Pay Related Administrative Obligations; and (B) a Supplemental Order Authorizing, But Not Directing, the Debtors to Pay Certain Bonus and Severance Obligations related thereto; (II) Authorizing and Directing Applicable Banks and Other Financial Institutions to Process and Pay All Checks Presented for Payment and to Honor All Funds Transfer Requests Made by the Debtors Relating to the Foregoing; and (III) Granting Related Relief Signed on 7/15/2015. (klt) (Entered: 07/15/2015)
07/15/2015	 62	Order (A) Authorizing (I) Debtors to Pay Certain Prepetition Taxes, Governmental Assessments and Fees, and (II) Financial Institutions to Honor and Process Related Checks and Transfers; and (B) Granting Related Relief (Related Doc # 23) Debtors Motion for an Order (A) Authorizing (I) Debtors to Pay Certain Prepetition Taxes, Governmental Assessments and Fees and (II) Financial Institutions to Honor and Process Related Checks and Transfers; and (B) Granting Related Relief Signed on 7/15/2015. (klt) (Entered: 07/15/2015)
07/15/2015	 63	

		Order (A) Authorizing Debtors to Continue Prepetition Customer Programs and (B) Granting Related Relief (Related Doc # 22) Debtors Motion for an Order (A) Authorizing Debtors to Continue Prepetition Customer Programs and (B) Granting Related Relief Signed on 7/15/2015. (klt) (Entered: 07/15/2015)
07/16/2015	 64	Public Note Regarding Proceeding Number 59: This note is entered to reflect that a new PDF has been substituted for the original PDF so that the Interim Order on Cash Collateral that is now part of proceeding number 59 includes as an attachment the two page budget. (RE: related document(s) 59 Notice and Order). (stc) (Entered: 07/16/2015)
07/16/2015	 65	 PDF with attached Audio File. Court Date & Time [7/15/2015 2:29:26 PM]. File Size [54399 KB]. Run Time [02:31:06]. (RE: Doc #5; Debtors Motion for an Order Directing Joint Administration of the Debtors Chapter 11 Cases). (adiuser). (Entered: 07/16/2015)
07/16/2015	 66	Notice of Appearance and Request for Notice by Robert A Morgan Filed by Creditor RGGGS Land & Minerals, LTD., L.P.. (Morgan, Robert) (Entered: 07/16/2015)
07/16/2015	 67	Interim Order (A) Prohibiting Utility Companies from Altering, Refusing or Discontinuing Utility Services, (II) Deeming Utility Companies Adequately Assured of Future Performance, (III) Setting a Final Hearing Related Thereto; and (B) Granting Related Relief Signed on 7/16/2015 (RE: related document(s) 24 Debtors Motion for Entry of Interim and Final Orders (A) (I) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Utility Services, (II) Deeming Utility Companies Adequately Assured of Future Performance, (III) Establishing Procedures for Determining Adequate Assurance of Payment, and (IV) Setting a Final Hearing Related Thereto; and (B) Granting Related Relief). Hearing scheduled 8/18/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 07/16/2015)
07/16/2015	 68	Order (A) Authorizing Debtors to (I) Continue Insurance Policies and Agreements Relating Thereto and (II) Honor Certain Prepetition Obligations in Respect Thereof; and (B) Granting Related Relief (Related Doc # 35) Debtors Motion for an Order, Pursuant to Sections 105(a), 363(b), 363(c) and 1107 (a) of the Bankruptcy Code and Bankruptcy Rules 6003 and 6004(h) (A) Authorizing the Debtors to (I) Continue Insurance Policies and Agreements Relating Thereto and (II) Honor Certain Prepetition Obligations in Respect Thereof; and (B)









		Granting Related Relief Signed on 7/16/2015. (klt) (Entered: 07/16/2015)
07/16/2015	 69	Interim Order (A) Authorizing Debtors to Continue and Renew Their Surety Bond Program and (B) Granting Related Relief Signed on 7/16/2015 (RE: related document(s) 31 Debtors Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to Continue and Renew Their Surety Bond Program and (B) Granting Related Relief). Hearing scheduled 8/18/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 07/16/2015)
07/16/2015	 70	Interim Order (A) Authorizing (I) Debtors to Pay Certain Prepetition Claims of Shippers, Storage Providers and Service Providers and (II) Financial Institutions to Honor and Process Related Checks and Transfers and (B) Granting Related Relief Signed on 7/16/2015 (RE: related document(s) 19 Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) Payment of Certain Prepetition Claims of Shippers, Storage Providers and Service Providers and (II) Financial Institutions to Honor and Process Related Checks and Transfers and (B) Granting Related Relief). Hearing scheduled 8/18/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 07/16/2015)
07/16/2015	 71	Interim Order (A) Authorizing (I) The Debtors to Pay Prepetition Claims of Certain Critical Vendors and ForeignSigned on 7/16/2015 (RE: related document(s) 18 Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) the Debtors to Pay Prepetition Claims of Certain Critical Vendors and Foreign Vendors and (II) Financial Institutions to Honor and Process Related Checks and Transfers and (B) Granting Related Relief). Hearing scheduled 8/18/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 07/16/2015)
07/16/2015	 72	Interim Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors' Estates (Related Doc # 27 Debtors Motion for an Order (A) Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors Estate and (B) Granting Related Relief) Signed on 7/16/2015. (klt) (Entered: 07/16/2015)
07/16/2015	 73	Notice of Appearance and Request for Notice by Lindan J. Hill Filed by Creditor c/o Lindan J. Hill Birmingham Rail & Locomotive, Co., Inc.. (Hill, Lindan) (Entered: 07/16/2015)













07/16/2015	 74	Notice of Appearance and Request for Notice by Clyde Ellis Brazeal III Filed by Creditor Arch Insurance Company. (Brazeal, Clyde) (Entered: 07/16/2015)
07/16/2015	 75	Notice of Appearance and Request for Notice by Clyde Ellis Brazeal III Filed by Creditor Aspen American Insurance Company. (Brazeal, Clyde) (Entered: 07/16/2015)
07/16/2015	 76	Certificate of Service <i>re Documents Served on July 15, 2015 [Docket Nos. 5, 8, 9, 11, 13, 17, 18, 19, 22, 23, 24, 27, 31, 35, 38, 39, 40 and 42]</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 5 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order Directing Joint Administration of the Debtors Chapter 11 Cases</i> , 8 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Application for an Order Authorizing the Employment, Retention and Appointment of Kurtzman Carson Consultants LLC as Claims and Noticing Agent and Administrative Advisor for the Debtors Nunc</i> , 9 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion Pursuant to 11 U.S.C. §§ 102 and 105(a) and Bankruptcy Rules 2002(m) and 9007 Seeking Authority to Implement Certain Notice and Case Management Procedures</i> , 11 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order (A) Granting the Debtors an Extension of Time Within Which to File Schedules and Related Documents and (B) Waiving the Requirements to File Lists of Equity Security Holders</i> , 13 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order (A) Authorizing the Debtors to File a Consolidated List of 50 Largest Unsecured Creditors, (B) Waiving the Requirement to File a List of Creditors, and (C) Establishing P</i> , 17 Motion Regarding Chapter 11 First Day Motions <i>10.The Debtors Motion for (I) (A) an Order Authorizing, But Not Directing, the Debtors to Pay Certain Prepetition Wages, Compensation, Workers Compensation and Employee Benefits and to Maintain Employee</i> , 18 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) the Debtors to Pay Prepetition Claims of Certain Critical Vendors and Foreign Vendors and (II) Financial Institutions to Hono</i> , 19 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) Payment of Certain Prepetition Claims of Shippers, Storage Providers and Service Providers and (II) Financial Institutions to</i> , 22 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order (A) Authorizing Debtors to Continue Prepetition Customer Programs and (B) Granting Related Relief</i> , 23 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order (A) Authorizing (I)</i>









		<p><i>Debtors to Pay Certain Prepetition Taxes, Governmental Assessments and Fees and (II) Financial Institutions to Honor and Process Related Checks and Tr, 24 Motion Regarding Chapter 11 First Day Motions The Debtors Motion for Entry of Interim and Final Orders (A) (I) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Utility Services, (II) Deeming Utility Companies Adequately Assur, 27 Motion Regarding Chapter 11 First Day Motions The Debtors Motion for an Order (A) Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors Estate and (B) Granting Related Relief, 31 Motion Regarding Chapter 11 First Day Motions The Debtors Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to Continue and Renew Their Surety Bond Program and (B) Granting Related Relief, 35 Motion Regarding Chapter 11 First Day Motions The Debtors Motion for an Order, Pursuant to Sections 105(a), 363(b), 363(c) and 1107(a) of the Bankruptcy Code and Bankruptcy Rules 6003 and 6004(h) (A) Authorizing the Debtors to (I) Continue Insuranc, 38 Motion Regarding Chapter 11 First Day Motions The Debtors Motion for an Order (A) (I) Approving Continued Use of the Debtors Existing Cash Management System, (II) Authorizing Use of Existing Bank Accounts and Checks, (III) Waiving the Requirements, 39 Motion to Expedite Hearing (related documents 5 Motion Re: Chapter 11 First Day Motions, 8 Motion Re: Chapter 11 First Day Motions, 9 Motion Re: Chapter 11 First Day Motions, 11 Motion Re: Chapter 11 First Day Motions, 13 Motion Re: Chapter, 40 Order on Motion to Expedite Hearing, 42 Motion Regarding Chapter 11 First Day Motions The Debtors Motion for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105, 361, 362, 363, 507 and 552, Bankruptcy Rules 2002, 4001, 6003, 6004 and 9014 (A) (I) Authorizing Postpetition U). (Kass, Albert) (Entered: 07/16/2015)</i></p>
07/16/2015	 77	<p>Notice of Appearance and Request for Notice by Stephen B Porterfield Filed by Creditor Shook and Fletcher Supply Company, Inc.. (Porterfield, Stephen) (Entered: 07/16/2015)</p>
07/17/2015	 78	<p>Notice of Appearance and Request for Notice by Jennifer Brooke Kimble Filed by Creditor G. R. Harsh Sr., Real Estate Holdings, LLC. (Kimble, Jennifer) Modified on 7/21/2015 to match text to pdf (klt). (Entered: 07/17/2015)</p>
07/17/2015	 79	<p>Correspondence as stockholder and request for notices Filed by Interested Party Janine LaDouceur . (klt) (Entered: 07/17/2015)</p>
07/17/2015	 80	









		Letter Filed by Interested Party Janine LaDouceur . (klt) (Entered: 07/17/2015)
07/17/2015	 81	Notice of Appearance and Request for Notice by Marvin E. Franklin Filed by Creditor Hager Oil Company, Inc.. (Franklin, Marvin) (Entered: 07/17/2015)
07/17/2015	 82	Notice of Hearing on (RE: related document(s) 44 Motion for an Order (A) Authorizing the Debtors to Assume a Restructuring Support Agreement and (B) Granting Related Relief filed by Debtor Walter Energy, Inc., et al.). Hearing scheduled 8/18/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 07/17/2015)
07/17/2015	 83	Certificate of Service <i>re Documents Served on July 16, 2015</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 5 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order Directing Joint Administration of the Debtors Chapter 11 Cases</i> , 8 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Application for an Order Authorizing the Employment, Retention and Appointment of Kurtzman Carson Consultants LLC as Claims and Noticing Agent and Administrative Advisor for the Debtors Nunc</i> , 9 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion Pursuant to 11 U.S.C. §§ 102 and 105(a) and Bankruptcy Rules 2002(m) and 9007 Seeking Authority to Implement Certain Notice and Case Management Procedures</i> , 11 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order (A) Granting the Debtors an Extension of Time Within Which to File Schedules and Related Documents and (B) Waiving the Requirements to File Lists of Equity Security Holders</i> , 13 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order (A) Authorizing the Debtors to File a Consolidated List of 50 Largest Unsecured Creditors, (B) Waiving the Requirement to File a List of Creditors, and (C) Establishing P</i> , 17 Motion Regarding Chapter 11 First Day Motions <i>10.The Debtors Motion for (I) (A) an Order Authorizing, But Not Directing, the Debtors to Pay Certain Prepetition Wages, Compensation, Workers Compensation and Employee Benefits and to Maintain Employee</i> , 18 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) the Debtors to Pay Prepetition Claims of Certain Critical Vendors and Foreign Vendors and (II) Financial Institutions to Honor</i> , 19 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) Payment of Certain Prepetition Claims of Shippers, Storage Providers and Service Providers and (II) Financial Institutions to</i> , 22 Motion Regarding Chapter

11 First Day Motions The Debtors Motion for an Order (A) Authorizing Debtors to Continue Prepetition Customer Programs and (B) Granting Related Relief, [23](#) Motion Regarding Chapter 11 First Day Motions The Debtors Motion for an Order (A) Authorizing (I) Debtors to Pay Certain Prepetition Taxes, Governmental Assessments and Fees and (II) Financial Institutions to Honor and Process Related Checks and Tr, [24](#) Motion Regarding Chapter 11 First Day Motions The Debtors Motion for Entry of Interim and Final Orders (A) (I) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Utility Services, (II) Deeming Utility Companies Adequately Assur, [27](#) Motion Regarding Chapter 11 First Day Motions The Debtors Motion for an Order (A) Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors Estate and (B) Granting Related Relief, [31](#) Motion Regarding Chapter 11 First Day Motions The Debtors Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to Continue and Renew Their Surety Bond Program and (B) Granting Related Relief, [35](#) Motion Regarding Chapter 11 First Day Motions The Debtors Motion for an Order, Pursuant to Sections 105(a), 363(b), 363(c) and 1107(a) of the Bankruptcy Code and Bankruptcy Rules 6003 and 6004(h) (A) Authorizing the Debtors to (I) Continue Insuranc, [38](#) Motion Regarding Chapter 11 First Day Motions The Debtors Motion for an Order (A) (I) Approving Continued Use of the Debtors Existing Cash Management System, (II) Authorizing Use of Existing Bank Accounts and Checks, (III) Waiving the Requirements, [39](#) Motion to Expedite Hearing (related documents [5](#) Motion Re: Chapter 11 First Day Motions, [8](#) Motion Re: Chapter 11 First Day Motions, [9](#) Motion Re: Chapter 11 First Day Motions, [11](#) Motion Re: Chapter 11 First Day Motions, [13](#) Motion Re: Chapter, [42](#) Motion Regarding Chapter 11 First Day Motions The Debtors Motion for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105, 361, 362, 363, 507 and 552, Bankruptcy Rules 2002, 4001, 6003, 6004 and 9014 (A) (I) Authorizing Postpetition U, [44](#) Motion to Assume Lease or Executory Contract The Debtors' Motion for an Order (A) Authorizing the Debtors to Assume a Restructuring Support Agreement and (B) Granting Related Relief, [48](#) Motion to Appoint Creditors Committee The Debtors' Motion for an Order (A)(I) Authorizing the Formation of a Committee of Retired Employees Pursuant to Section 1114(c)(2) and 1114(d) of the Bankruptcy Code, and (II) Establishing Procedures for, [54](#) Order on Motion Re: Chapter 11 First Day Motions, [55](#) Order on Motion Re: Chapter 11 First Day Motions, [56](#) Order on Motion Re: Chapter 11 First Day Motions, [57](#) Order on Motion Re: Chapter 11 First Day Motions, [58](#) Order on Motion Re: Chapter 11 First Day Motions, [59](#) Notice and Order, [60](#) Order on Motion Re: Chapter






		<i>11 First Day Motions, 61 Order on Motion Re: Chapter 11 First Day Motions, 62 Order on Motion Re: Chapter 11 First Day Motions, 63 Order on Motion Re: Chapter 11 First Day Motions, 67 Notice and Order, 68 Order on Motion Re: Chapter 11 First Day Motions, 69 Notice and Order, 70 Notice and Order, 71 Notice and Order, 72 Order on Motion Re: Chapter 11 First Day Motions).</i> (Kass, Albert) (Entered: 07/17/2015)
07/17/2015	 84	BNC Certificate of Notice (RE: related document(s) 40 Order on Motion to Expedite Hearing). Notice Date 07/17/2015. (Admin.) (Entered: 07/18/2015)
07/18/2015	 85	Motion to Expedite Hearing (related documents 48 Motion to Appoint Creditors Committee) <i>The Debtors Motion For Expedited Hearing On Debtors Motion For An Order (A) (I) Authorizing The Formation Of A Committee Of Retired Employees Pursuant To Sections 1114(c)(2) and 1114(d) of The Bankruptcy Code, and (II) Establishing Procedures For Selecting Committee Members and (B) Granting Related Relief</i> Filed by Debtor Walter Energy, Inc., et al. (Moore, Cathleen) (Entered: 07/18/2015)
07/18/2015	 86	Motion to Expedite Hearing (related documents 17 Motion Re: Chapter 11 First Day Motions) <i>The Debtors' Motion for Expedited Hearing on Debtors' Motion For Supplemental Order Authorizing, But Not Directing, The Debtors To Pay Certain Bonus and Severance Obligations</i> Filed by Debtor Walter Energy, Inc., et al. (Moore, Cathleen) (Entered: 07/18/2015)
07/18/2015	 87	BNC Certificate of Notice (RE: related document(s) 54 Order on Motion Re: Chapter 11 First Day Motions). Notice Date 07/18/2015. (Admin.) (Entered: 07/19/2015)
07/18/2015	 88	BNC Certificate of Notice (RE: related document(s) 55 Order on Motion Re: Chapter 11 First Day Motions). Notice Date 07/18/2015. (Admin.) (Entered: 07/19/2015)
07/18/2015	 89	BNC Certificate of Notice (RE: related document(s) 56 Order on Motion Re: Chapter 11 First Day Motions). Notice Date 07/18/2015. (Admin.) (Entered: 07/19/2015)
07/18/2015	 90	BNC Certificate of Notice (RE: related document(s) 57 Order on Motion Re: Chapter 11 First Day Motions). Notice Date 07/18/2015. (Admin.) (Entered: 07/19/2015)
07/18/2015	 91	BNC Certificate of Notice (RE: related document(s) 58 Order on Motion Re: Chapter 11 First Day Motions). Notice Date 07/18/2015. (Admin.) (Entered: 07/19/2015)






07/18/2015	 92	BNC Certificate of Notice (RE: related document(s) 59 Notice and Order). Notice Date 07/18/2015. (Admin.) (Entered: 07/19/2015)
07/18/2015	 93	BNC Certificate of Notice (RE: related document(s) 60 Order on Motion Re: Chapter 11 First Day Motions). Notice Date 07/18/2015. (Admin.) (Entered: 07/19/2015)
07/18/2015	 94	BNC Certificate of Notice (RE: related document(s) 61 Order on Motion Re: Chapter 11 First Day Motions). Notice Date 07/18/2015. (Admin.) (Entered: 07/19/2015)
07/18/2015	 95	BNC Certificate of Notice (RE: related document(s) 62 Order on Motion Re: Chapter 11 First Day Motions). Notice Date 07/18/2015. (Admin.) (Entered: 07/19/2015)
07/18/2015	 96	BNC Certificate of Notice (RE: related document(s) 63 Order on Motion Re: Chapter 11 First Day Motions). Notice Date 07/18/2015. (Admin.) (Entered: 07/19/2015)
07/18/2015	 97	BNC Certificate of Notice (RE: related document(s) 67 Notice and Order). Notice Date 07/18/2015. (Admin.) (Entered: 07/19/2015)
07/18/2015	 98	BNC Certificate of Notice (RE: related document(s) 68 Order on Motion Re: Chapter 11 First Day Motions). Notice Date 07/18/2015. (Admin.) (Entered: 07/19/2015)
07/18/2015	 99	BNC Certificate of Notice (RE: related document(s) 69 Notice and Order). Notice Date 07/18/2015. (Admin.) (Entered: 07/19/2015)
07/18/2015	 100	BNC Certificate of Notice (RE: related document(s) 70 Notice and Order). Notice Date 07/18/2015. (Admin.) (Entered: 07/19/2015)
07/18/2015	 101	BNC Certificate of Notice (RE: related document(s) 71 Notice and Order). Notice Date 07/18/2015. (Admin.) (Entered: 07/19/2015)
07/18/2015	 102	BNC Certificate of Notice (RE: related document(s) 72 Order on Motion Re: Chapter 11 First Day Motions). Notice Date 07/18/2015. (Admin.) (Entered: 07/19/2015)
07/19/2015	 103	BNC Certificate of Notice (RE: related document(s) 82 Notice of Hearing). Notice Date 07/19/2015. (Admin.) (Entered: 07/20/2015)










07/20/2015	 104	Order Granting Motion to Expedite Hearing (Related Doc 85) Signed on 7/20/2015. Hearing to be held on 7/28/2015 at 10:00 AM Courtroom 3 (TOM) Birmingham for 48 Debtors Motion For An Order (A) (I) Authorizing The Formation Of A Committee Of Retired Employees Pursuant To Sections 1114(c) (2) and 1114(d) of The Bankruptcy Code, and (II) Establishing Procedures For Selecting Committee Members and (B) Granting Related Relief, (klt) (Entered: 07/20/2015)
07/20/2015	 105	Order Granting Motion to Expedite Hearing (Related Doc # 86) Signed on 7/20/2015. Hearing to be held on 7/28/2015 at 10:00 AM Courtroom 3 (TOM) Birmingham for 17 Debtors' Motion For Supplemental Order Authorizing, But Not Directing, The Debtors To Pay Certain Bonus and Severance Obligations, (klt) (Entered: 07/20/2015)
07/20/2015	 106	Notice of Appearance and Request for Notice by Jesse S Vogtle Jr Filed by Creditor S.E. Belcher, Jr. Private Foundation No. 3. (Vogtle, Jesse) (Entered: 07/20/2015)
07/20/2015	 107	Receipt number from District Court filing fee paid by Ira S. Dizengoff (Re Item: 25 Motion to Appear pro hac vice) B4601063812 (RE: related document(s) 25 Motion to Appear pro hac vice filed by Creditor Committee Steering Committee). (klt) (Entered: 07/20/2015)
07/20/2015	 108	Receipt number from District Court filing fee paid by Lisa G. Beckerman (Re Item: 29 Motion to Appear pro hac vice) B4601063813 (RE: related document(s) 29 Motion to Appear pro hac vice filed by Creditor Committee Steering Committee). (klt) (Entered: 07/20/2015)
07/20/2015	 109	Receipt number from District Court filing fee paid by James Savin (Re Item: 32 Motion to Appear pro hac vice) B4601063815 (RE: related document(s) 32 Motion to Appear pro hac vice filed by Creditor Committee Steering Committee). (klt) (Entered: 07/20/2015)
07/20/2015	 110	Receipt number from District Court filing fee paid by Maurice L. Brimmage (Re Item: 33 Motion to Appear pro hac vice) B4601063814 (RE: related document(s) 33 Motion to Appear pro hac vice filed by Creditor Committee Steering Committee). (klt) (Entered: 07/20/2015)
07/20/2015	 111	Receipt number from District Court filing fee paid by Kristine G. Manoukian (Re Item: 36 Motion to Appear pro hac vice) B4601063816 (RE: related document(s) 36 Motion to Appear









		pro hac vice filed by Creditor Committee Steering Committee). (klt) (Entered: 07/20/2015)
07/20/2015	 112	Notice of Appearance and Request for Notice by Marvin E. Franklin Filed by Creditor CONSOLIDATED PIPE & SUPPLY CO., INC.. (Franklin, Marvin) (Entered: 07/20/2015)
07/20/2015	 113	Notice of Appearance and Request for Notice by Frank A. Anderson Filed by Creditor Pension Benefit Guaranty Corporation. (Attachments: # 1 Certificate of Service) (Anderson, Frank) (Entered: 07/20/2015)
07/20/2015	 114	Order Granting Motion To Appear pro hac vice for Ira S. Dizengoff (Related Doc # 25) Signed on 7/20/2015. (klt) (Entered: 07/20/2015)
07/20/2015	 115	Order Granting Motion To Appear pro hac vice for Lisa G. Beckerman (Related Doc # 29) Signed on 7/20/2015. (klt) (Entered: 07/20/2015)
07/20/2015	 116	Order Granting Motion To Appear pro hac vice for James Savin (Related Doc # 32) Signed on 7/20/2015. (klt) (Entered: 07/20/2015)
07/20/2015	 117	Order Granting Motion To Appear pro hac vice for Maurice L. Brimmage (Related Doc # 33) Signed on 7/20/2015. (klt) (Entered: 07/20/2015)
07/20/2015	 118	Order Granting Motion To Appear pro hac vice for Kristine G. Manoukian (Related Doc # 36) Signed on 7/20/2015. (klt) (Entered: 07/20/2015)
07/20/2015	 119	Certificate of Service (<i>Supplemental</i>): <i>re Documents Served on July 17, 2015</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 5 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order Directing Joint Administration of the Debtors Chapter 11 Cases</i> , 8 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Application for an Order Authorizing the Employment, Retention and Appointment of Kurtzman Carson Consultants LLC as Claims and Noticing Agent and Administrative Advisor for the Debtors Nunc</i> , 9 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion Pursuant to 11 U.S.C. §§ 102 and 105(a) and Bankruptcy Rules 2002(m) and 9007 Seeking Authority to Implement Certain Notice and Case Management Procedures</i> , 11 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order (A) Granting the Debtors an Extension of Time Within Which to File Schedules</i>









and Related Documents and (B) Waiving the Requirements to File Lists of Equity Security Holders, [13](#) Motion Regarding Chapter 11 First Day Motions The Debtors Motion for an Order (A) Authorizing the Debtors to File a Consolidated List of 50 Largest Unsecured Creditors, (B) Waiving the Requirement to File a List of Creditors, and (C) Establishing P, [17](#) Motion Regarding Chapter 11 First Day Motions 10. The Debtors Motion for (I) (A) an Order Authorizing, But Not Directing, the Debtors to Pay Certain Prepetition Wages, Compensation, Workers Compensation and Employee Benefits and to Maintain Employee, [18](#) Motion Regarding Chapter 11 First Day Motions The Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) the Debtors to Pay Prepetition Claims of Certain Critical Vendors and Foreign Vendors and (II) Financial Institutions to Honor, [19](#) Motion Regarding Chapter 11 First Day Motions The Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) Payment of Certain Prepetition Claims of Shippers, Storage Providers and Service Providers and (II) Financial Institutions to, [22](#) Motion Regarding Chapter 11 First Day Motions The Debtors Motion for an Order (A) Authorizing Debtors to Continue Prepetition Customer Programs and (B) Granting Related Relief, [23](#) Motion Regarding Chapter 11 First Day Motions The Debtors Motion for an Order (A) Authorizing (I) Debtors to Pay Certain Prepetition Taxes, Governmental Assessments and Fees and (II) Financial Institutions to Honor and Process Related Checks and Tr, [24](#) Motion Regarding Chapter 11 First Day Motions The Debtors Motion for Entry of Interim and Final Orders (A) (I) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Utility Services, (II) Deeming Utility Companies Adequately Assured, [27](#) Motion Regarding Chapter 11 First Day Motions The Debtors Motion for an Order (A) Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors Estate and (B) Granting Related Relief, [31](#) Motion Regarding Chapter 11 First Day Motions The Debtors Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to Continue and Renew Their Surety Bond Program and (B) Granting Related Relief, [35](#) Motion Regarding Chapter 11 First Day Motions The Debtors Motion for an Order, Pursuant to Sections 105(a), 363(b), 363(c) and 1107(a) of the Bankruptcy Code and Bankruptcy Rules 6003 and 6004(h) (A) Authorizing the Debtors to (I) Continue Insurance, [38](#) Motion Regarding Chapter 11 First Day Motions The Debtors Motion for an Order (A) (I) Approving Continued Use of the Debtors Existing Cash Management System, (II) Authorizing Use of Existing Bank Accounts and Checks, (III) Waiving the Requirements, [39](#) Motion to Expedite Hearing (related documents [5](#) Motion Re: Chapter 11 First Day Motions, [8](#) Motion Re: Chapter 11 First Day Motions, [9](#) Motion Re:










		<p><i>Chapter 11 First Day Motions, 11 Motion Re: Chapter 11 First Day Motions, 13 Motion Re: Chapter, 42 Motion Regarding Chapter 11 First Day Motions The Debtors Motion for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105, 361, 362, 363, 507 and 552, Bankruptcy Rules 2002, 4001, 6003, 6004 and 9014 (A) (I) Authorizing Postpetition U, 44 Motion to Assume Lease or Executory Contract The Debtors' Motion for an Order (A) Authorizing the Debtors to Assume a Restructuring Support Agreement and (B) Granting Related Relief, 48 Motion to Appoint Creditors Committee The Debtors' Motion for an Order (A)(I) Authorizing the Formation of a Committee of Retired Employees Pursuant to Section 1114(c)(2) and 1114(d) of the Bankruptcy Code, and (II) Establishing Procedures for, 54 Order on Motion Re: Chapter 11 First Day Motions, 55 Order on Motion Re: Chapter 11 First Day Motions, 56 Order on Motion Re: Chapter 11 First Day Motions, 57 Order on Motion Re: Chapter 11 First Day Motions, 58 Order on Motion Re: Chapter 11 First Day Motions, 59 Notice and Order, 60 Order on Motion Re: Chapter 11 First Day Motions, 61 Order on Motion Re: Chapter 11 First Day Motions, 62 Order on Motion Re: Chapter 11 First Day Motions, 63 Order on Motion Re: Chapter 11 First Day Motions, 67 Notice and Order, 68 Order on Motion Re: Chapter 11 First Day Motions, 69 Notice and Order, 70 Notice and Order, 71 Notice and Order, 72 Order on Motion Re: Chapter 11 First Day Motions). (Kass, Albert) (Entered: 07/20/2015)</i></p>
07/20/2015	 120	<p>Certificate of Service re: Documents Served on July 17, 2015 Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s)56 Order on Motion Re: Chapter 11 First Day Motions, 82 Notice of Hearing). (Kass, Albert) (Entered: 07/20/2015)</p>
07/20/2015	 121	<p>Notice of Appearance and Request for Notice by Daniel Pasky Filed by Creditor Automotive Rentals, Inc.. (Pasky, Daniel) (Entered: 07/20/2015)</p>
07/20/2015	 122	<p>Notice of Appearance and Request for Notice by Michael E Bybee Filed by Creditor Industrial Mining Supply, Inc.. (Bybee, Michael) (Entered: 07/20/2015)</p>
07/20/2015	 123	<p>Notice of Appearance and Request for Notice by Norman Matt Stockman Filed by Creditor Alabama State Port Authority. (Stockman, Norman) (Entered: 07/20/2015)</p>
07/20/2015	 124	<p>Notice of Appearance and Request for Notice by Norman Matt Stockman Filed by Creditor Parker Towing Company, Inc.. (Stockman, Norman) (Entered: 07/20/2015)</p>






07/20/2015	 125	Ex Parte Motion for an Order (A) Extending Time to Hold the 341 Meeting, (B) Approving the Form of Publication of Notice of Commencement of the Debtors' Chapter 11 Cases, and (C) Granting Related Relief Filed by Debtor Walter Energy, Inc., et al. (Bailey, James) Modified on 7/20/2015 to match text to pdf (klt). (Entered: 07/20/2015)
07/20/2015	 126	Hearing Scheduled (RE: related document(s) 125 Ex Parte Motion for an Order (A) Extending Time to Hold the 341 Meeting, (B) Approving the Form of Publication of Notice of Commencement of the Debtors' Chapter 11 Cases, and (C) Granting Related Relief Filed by Debtor Walter Energy, Inc., et al.). Hearing scheduled 7/21/2015 at 09:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 07/20/2015)
07/21/2015	 127	Transcript of hearing held on: 07/15/15 You are noticed that a transcript has been filed. Pursuant to the Judicial Conference Policy on Privacy, remote electronic access to this transcript is restricted through 10/19/2015. To review the transcript for redaction purposes, you may purchase a copy from the transcriber, or the transcript may be viewed at the public terminal located in the Bankruptcy Court Clerk's Office. Contact the Court Reporter/Transcriber J&J Court Transcribers, telephone number 609-586-2311. All parties have seven (7) calendar days to file a Notice of Intent to Request Transcript Redaction of any social security numbers, financial account data, names of minor-age children, dates of birth, and home addresses. If the Notice of Intent is filed, the party has 21 calendar days from the date the transcript was filed to file the Transcript Redaction Request indicating the location of the identifiers within the transcript with the Court and to provide the list to the transcriber. The redacted transcript is due 31 days from the date of filing of the transcript. The transcript will be made electronically available to the general public 90 calendar days from the date of filing.. Notice of Intent to Request Redaction Deadline Due By 7/28/2015. Redaction Request Due By 08/11/2015. Redacted Transcript Submission Due By 08/21/2015. Transcript access will be restricted through 10/19/2015. (Bowen, James) (Entered: 07/21/2015)
07/21/2015	 128	Receipt number from District Court filing fee paid by Stephen J. Shimshak (Re Item: 26 Motion to Appear pro hac vice) B4601063776 (RE: related document(s) 26 Motion to Appear pro hac vice filed by Debtor Walter Energy, Inc., et al.). (klt) (Entered: 07/21/2015)
07/21/2015	 129	Receipt number from District Court filing fee paid by Kelley A. Cornish (Re Item: 28 Motion to Appear pro hac vice)







		B4601063777 (RE: related document(s) 28 Motion to Appear pro hac vice filed by Debtor Walter Energy, Inc., et al.). (klt) (Entered: 07/21/2015)
07/21/2015	 130	Receipt number from District Court filing fee paid by Claudia R. Tobler (Re Item: 30 Motion to Appear pro hac vice) B4601063778 (RE: related document(s) 30 Motion to Appear pro hac vice filed by Debtor Walter Energy, Inc., et al.). (klt) (Entered: 07/21/2015)
07/21/2015	 131	Receipt number from District Court filing fee paid by Ann K. Young (Re Item: 34 Motion to Appear pro hac vice) B4601063780 (RE: related document(s) 34 Motion to Appear pro hac vice filed by Debtor Walter Energy, Inc., et al.). (klt) (Entered: 07/21/2015)
07/21/2015	 132	Receipt number from District Court filing fee paid by Michael S. Rudnick (Re Item: 37 Motion to Appear pro hac vice) B4601063779 (RE: related document(s) 37 Motion to Appear pro hac vice filed by Debtor Walter Energy, Inc., et al.). (klt) (Entered: 07/21/2015)
07/21/2015	 133	Order Granting Motion To Appear pro hac vice of Stephen J. Shimshak (Related Doc # 26) Signed on 7/21/2015. (klt) (Entered: 07/21/2015)
07/21/2015	 134	Order Granting Motion To Appear pro hac vice of Kelley A. Cornish (Related Doc # 28) Signed on 7/21/2015. (klt) (Entered: 07/21/2015)
07/21/2015	 135	Order Granting Motion To Appear pro hac vice of Claudia R. Tobler (Related Doc # 30) Signed on 7/21/2015. (klt) (Entered: 07/21/2015)
07/21/2015	 136	Order Granting Motion To Appear pro hac vice of Ann K. Young (Related Doc # 34) Signed on 7/21/2015. (klt) (Entered: 07/21/2015)
07/21/2015	 137	Order Granting Motion To Appear pro hac vice of Michael S. Rudnick (Related Doc # 37) Signed on 7/21/2015. (klt) (Entered: 07/21/2015)
07/21/2015	 138	Certificate of Service <i>re: Documents Served on July 20, 2015</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 85 Motion to Expedite Hearing (related documents 48 Motion to Appoint Creditors Committee) <i>The Debtors Motion For Expedited Hearing On Debtors Motion For An Order (A) (I) Authorizing The Formation Of A Committee Of</i>











		<i>Retired Employees Pursuant To Sect, 86 Motion to Expedite Hearing (related documents 17 Motion Re: Chapter 11 First Day Motions) The Debtors' Motion for Expedited Hearing on Debtors' Motion For Supplemental Order Authorizing, But Not Directing, The Debtors To Pay Certain Bon, 104 Order on Motion to Expedite Hearing, 105 Order on Motion to Expedite Hearing, 125 Motion to Extend Time Ex Parte Motion for an Order (A) Extending Time to Hold the 341 Meeting, (B) Approving the Form of Publication of Notice of Commencement of the Debtors' Chapter 11 Cases, and (C) Granting Related Relief, 126 Hearing Scheduled). (Kass, Albert) (Entered: 07/21/2015)</i>
07/21/2015	 139	Motion to Appear pro hac vice for Scott C. Williams Filed by Creditor Arch Insurance Company (Brazeal, Clyde) (Entered: 07/21/2015)
07/21/2015	 140	Motion to Appear pro hac vice for Sam H. Poteet, Jr. Filed by Creditor Arch Insurance Company (Brazeal, Clyde) (Entered: 07/21/2015)
07/21/2015	 141	Motion to Appear pro hac vice for Michael E. Collins Filed by Creditor Arch Insurance Company (Brazeal, Clyde) (Entered: 07/21/2015)
07/21/2015	 142	Amended Consolidated List of Creditors Holding 50 Largest Unsecured Claims Filed by Debtor Walter Energy, Inc., et al.. (Darby, Patrick) Modified on 7/22/2015 to match text to pdf (klt). (Entered: 07/21/2015)
07/22/2015	 143	 PDF with attached Audio File. Court Date & Time [7/21/2015 8:57:49 AM]. File Size [1917 KB]. Run Time [00:05:20]. (RE: Doc #125; Ex Parte Motion for an Order (A) Extending Time to Hold the 341 Meeting, (B) Approving the Form of Publication of Notice of Commencement of the Debtors' Chapter 11 Cases, and (C) Granting Related Relief Filed by Debtor Walter Energ). (adiuser). (Entered: 07/22/2015)
07/22/2015	 144	Order Setting the 341 Meeting and Granting Related Relief (Related Doc # 125) Signed on 7/22/2015. The Debtors and the Claims and Noticing Agent shall serve the Notice of Commencement, as amended to conform with this Order and the Publication Notice, in the manner set forth in the Consolidated Top 50 and Matrix Order no later than July 28, 2015. (klt) (Entered: 07/22/2015)
07/22/2015	 145	Notice of Commencement of Chapter 11 Bankruptcy Case and Notice of Meeting of Creditors Chapter 11. The Bankruptcy










		Administrator has scheduled the initial meeting of creditors for August 20, 2015 at 1 p.m. CDT at the U.S. Bankruptcy Court, Robert S. Vance Federal Building, 1800 Fifth Avenue North, Birmingham, Alabama 35203. The B.A., the Debtors representative, and the Debtors local counsel will appear at the Initial 341 on August 20, 2015, and the B.A. will announce that the meeting of creditors is CONTINUED to SEPTEMBER 10, 2015 AT 1 P.M. CDT. There will be no questioning of the Debtors representative at the Initial 341. There will be questioning allowed at the continued meeting of creditors on 9/10/2015. 341(a) meeting to be held on 9/10/2015 at 01:00 PM at Creditor Meeting Room Birmingham. (klt) (Entered: 07/22/2015)
07/22/2015	 146	Notice of Appearance and Request for Notice <i>Frederick M. Garfield and David S. Maxey</i> by Frederick Mott Garfield Filed by Creditor Jefferson County Department of Health. (Garfield, Frederick) (Entered: 07/22/2015)
07/22/2015	 147	Notice of Appearance and Request for Notice by Robert A Morgan Filed by Creditor Wesley West Minerals, Ltd.. (Morgan, Robert) (Entered: 07/22/2015)
07/22/2015	 148	Notice of Appearance and Request for Notice by Shelley Bush Marmon Filed by Creditor Wesley West Minerals, Ltd.. (Morgan, Robert) Modified on 7/22/2015 to match text to pdf (klt). (Entered: 07/22/2015)
07/22/2015	 149	Motion to Appear pro hac vice (<i>Shelley Bush Marmon</i>) Filed by Creditor Wesley West Minerals, Ltd. (Morgan, Robert) (Entered: 07/22/2015)
07/22/2015	 150	Certificate of Service <i>re: Amended Consolidated List of Creditors Holding 50 Largest Unsecured Claims</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 142 20 Largest Unsecured Creditors). (Kass, Albert) (Entered: 07/22/2015)
07/22/2015	 151	20 Largest Unsecured Creditors <i>Second Amended Consolidated List of Creditors Holding 50 Largest Unsecured Claims</i> Filed by Debtor Walter Energy, Inc., et al.. (Darby, Patrick) (Entered: 07/22/2015)
07/22/2015	 152	BNC Certificate of Notice (RE: related document(s) 104 Order on Motion to Expedite Hearing). Notice Date 07/22/2015. (Admin.) (Entered: 07/23/2015)
07/22/2015	 153	












		BNC Certificate of Notice (RE: related document(s) 105 Order on Motion to Expedite Hearing). Notice Date 07/22/2015. (Admin.) (Entered: 07/23/2015)
07/22/2015	 154	BNC Certificate of Notice (RE: related document(s) 114 Order on Motion to Appear Pro Hac Vice). Notice Date 07/22/2015. (Admin.) (Entered: 07/23/2015)
07/22/2015	 155	BNC Certificate of Notice (RE: related document(s) 115 Order on Motion to Appear Pro Hac Vice). Notice Date 07/22/2015. (Admin.) (Entered: 07/23/2015)
07/22/2015	 156	BNC Certificate of Notice (RE: related document(s) 116 Order on Motion to Appear Pro Hac Vice). Notice Date 07/22/2015. (Admin.) (Entered: 07/23/2015)
07/22/2015	 157	BNC Certificate of Notice (RE: related document(s) 117 Order on Motion to Appear Pro Hac Vice). Notice Date 07/22/2015. (Admin.) (Entered: 07/23/2015)
07/22/2015	 158	BNC Certificate of Notice (RE: related document(s) 118 Order on Motion to Appear Pro Hac Vice). Notice Date 07/22/2015. (Admin.) (Entered: 07/23/2015)
07/23/2015	 159	Notice of Appearance and Request for Notice by Frederick Mott Garfield, David S. Maxey Filed by Creditor Jefferson County Department of Health and Mark E. Wilson, MD, Health Officer. (Maxey, David) Modified on 7/24/2015 to match text to pdf (klt). (Entered: 07/23/2015)
07/23/2015	 160	Notice of Appearance and Request for Notice by Susan Reid Sherrill-Beard Filed by Interested Party U.S. Securities and Exchange Commission. (Sherrill-Beard, Susan) (Entered: 07/23/2015)
07/23/2015	 161	Notice of Appearance and Request for Notice by Walter F McArdle Filed by Creditor George M. Phillippi. (McArdle, Walter) Modified on 7/23/2015 to match text to pdf (klt). (Entered: 07/23/2015)
07/23/2015	 162	Notice of Appearance and Request for Notice <i>Amended</i> by Glen Marshall Connor Filed by Creditors United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, United Mine Workers of America Combined Benefit Fund and its Trustees, United Mine Workers of America 1992 Benefit Plan and its Trustees, United Mine Workers of America 1993 Pension Plan and Trust and its



		Trustees, United Mine Workers of America 1974 Pension Plan and Trust and its Trustees. (Connor, Glen) (Entered: 07/23/2015)
07/23/2015	 163	Motion to Appear pro hac vice <i>Crystal R. Axelrod</i> Filed by Creditors United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, United Mine Workers of America 1992 Benefit Plan and its Trustees, United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, United Mine Workers of America Combined Benefit Fund and its Trustees (Connor, Glen) (Entered: 07/23/2015)
07/23/2015	 164	Motion to Appear pro hac vice <i>Melissa Y. Boey</i> Filed by Creditors United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, United Mine Workers of America 1992 Benefit Plan and its Trustees, United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, United Mine Workers of America Combined Benefit Fund and its Trustees (Connor, Glen) (Entered: 07/23/2015)
07/23/2015	 165	Motion to Appear pro hac vice <i>Julia Frost-Davies</i> Filed by Creditors United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, United Mine Workers of America 1992 Benefit Plan and its Trustees, United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, United Mine Workers of America Combined Benefit Fund and its Trustees (Connor, Glen) (Entered: 07/23/2015)
07/23/2015	 166	Motion to Appear pro hac vice <i>John C. Goodchild, III</i> Filed by Creditors United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, United Mine Workers of America 1992 Benefit Plan and its Trustees, United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, United Mine Workers of America Combined Benefit Fund and its Trustees (Connor, Glen) (Entered: 07/23/2015)
		


07/23/2015	 167	Motion to Appear pro hac vice <i>Amelia C. Joiner</i> Filed by Creditors United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, United Mine Workers of America 1992 Benefit Plan and its Trustees, United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, United Mine Workers of America Combined Benefit Fund and its Trustees (Connor, Glen) (Entered: 07/23/2015)
07/23/2015	 168	Motion to Appear pro hac vice <i>Rachel Jaffe Mauceri</i> Filed by Creditors United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, United Mine Workers of America 1992 Benefit Plan and its Trustees, United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, United Mine Workers of America Combined Benefit Fund and its Trustees (Connor, Glen) (Entered: 07/23/2015)
07/23/2015	 169	Motion to Appear pro hac vice <i>Paul A. Green</i> Filed by Creditors United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, United Mine Workers of America 1992 Benefit Plan and its Trustees, United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, United Mine Workers of America Combined Benefit Fund and its Trustees (Connor, Glen) (Entered: 07/23/2015)
07/23/2015	 170	Motion to Appear pro hac vice <i>John R. Mooney</i> Filed by Creditors United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, United Mine Workers of America 1992 Benefit Plan and its Trustees, United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, United Mine Workers of America Combined Benefit Fund and its Trustees (Connor, Glen) (Entered: 07/23/2015)
07/23/2015	 171	Notice of Appearance and Request for Notice by William W Kannel Filed by Creditor Delaware Trust Company, as Indenture Trustee. (Kannel, William) (Entered: 07/23/2015)
		










07/23/2015	 172	Certificate of Service <i>re: Notice of Interim Trading Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in Debtors Estates</i> Filed by Other Professional Kurtzman Carson Consultants LLC. (Kass, Albert) (Entered: 07/23/2015)
07/23/2015	 173	Certificate of Service <i>re: Documents Served on July 22, 2015</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 144 Order on Motion to Extend Time, 151 20 Largest Unsecured Creditors). (Kass, Albert) (Entered: 07/23/2015)
07/23/2015	 174	BNC Certificate of Notice (RE: related document(s) 133 Order on Motion to Appear Pro Hac Vice). Notice Date 07/23/2015. (Admin.) (Entered: 07/24/2015)
07/23/2015	 175	BNC Certificate of Notice (RE: related document(s) 134 Order on Motion to Appear Pro Hac Vice). Notice Date 07/23/2015. (Admin.) (Entered: 07/24/2015)
07/23/2015	 176	BNC Certificate of Notice (RE: related document(s) 135 Order on Motion to Appear Pro Hac Vice). Notice Date 07/23/2015. (Admin.) (Entered: 07/24/2015)
07/23/2015	 177	BNC Certificate of Notice (RE: related document(s) 136 Order on Motion to Appear Pro Hac Vice). Notice Date 07/23/2015. (Admin.) (Entered: 07/24/2015)
07/23/2015	 178	BNC Certificate of Notice (RE: related document(s) 137 Order on Motion to Appear Pro Hac Vice). Notice Date 07/23/2015. (Admin.) (Entered: 07/24/2015)
07/24/2015	 179	Notice of Appearance and Request for Service of Papers by Mark R. Somerstein and Patricia Chen Filed by Interested Party Wilmington Trust, National Association, as Indenture Trustee. (Chen, Patricia) Modified on 7/24/2015 to add attorney and match text to pdf (klt). (Entered: 07/24/2015)
07/24/2015	 180	Motion to Appear pro hac vice <i>Motion for Admission Pro Hac Vice of Mark R. Somerstein</i> Filed by Interested Party Wilmington Trust, National Association, as Indenture Trustee (Chen, Patricia) (Entered: 07/24/2015)
07/24/2015	 181	Notice of Appearance and Request for Notice <i>by Harold L. Kaplan, Mark F. Hebbeln and Lars A. Peterson of Foley & Lardner LLP on behalf of UMB Bank, N.A.</i> Filed by Creditor UMB Bank, N.A.. (Peterson, Lars) Modified on 7/24/2015 to match text to pdf (klt). (Entered: 07/24/2015)












07/24/2015	 182	Objection to (related document(s): 24 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for Entry of Interim and Final Orders (A) (I) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Utility Services, (II) Deeming Utility Companies Adequately Assured</i> filed by Debtor <i>Walter Energy, Inc., et al.</i>) Filed by Creditor <i>Appalachian Power Company d/b/a American Electric Power (Ray, Eric)</i> (Entered: 07/24/2015)
07/24/2015	 183	Hearing Scheduled (RE: related document(s) 182 Objection filed by Creditor <i>Appalachian Power Company d/b/a American Electric Power</i>). Hearing scheduled 8/18/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) Modified on 7/24/2015 to correct text (klt). (Entered: 07/24/2015)
07/24/2015	 184	BNC Certificate of Notice (RE: related document(s) 144 Order on Motion to Extend Time). Notice Date 07/24/2015. (Admin.) (Entered: 07/25/2015)
07/27/2015	 185	Motion to Appear pro hac vice <i>Thomas N. Ciantra</i> Filed by Creditor <i>United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial Service Workers International Union, AFL-CIO, CLC (Connor, Glen)</i> (Entered: 07/27/2015)
07/27/2015	 186	Motion to Appear pro hac vice <i>David R. Jury</i> Filed by Creditor <i>United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial Service Workers International Union, AFL-CIO, CLC (Connor, Glen)</i> (Entered: 07/27/2015)
07/27/2015	 187	Motion to Appear pro hac vice <i>Richard M. Seltzer</i> Filed by Creditor <i>United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial Service Workers International Union, AFL-CIO, CLC (Connor, Glen)</i> (Entered: 07/27/2015)
07/27/2015	 188	Notice of Appearance and Request for Notice <i>Glen M. Connor, George N. Davies, and Richard P. Rouco</i> by Glen Marshall Connor Filed by Creditor <i>United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial Service Workers International Union, AFL-CIO, CLC. (Connor, Glen)</i> (Entered: 07/27/2015)
07/27/2015	 189	Statement <i>Debtors' Agenda for Hearing Scheduled for July 28, 2015</i> Filed by Debtor <i>Walter Energy, Inc., et al.</i> . (Bailey, James) (Entered: 07/27/2015)
		








07/27/2015	 190	Motion to Appear pro hac vice <i>Sharon L. Levine</i> Filed by Creditor United Mine Workers of America (Kimble, Jennifer) (Entered: 07/27/2015)
07/27/2015	 191	Motion to Appear pro hac vice <i>Paul Kizel</i> Filed by Creditor United Mine Workers of America (Kimble, Jennifer) (Entered: 07/27/2015)
07/27/2015	 192	Motion to Appear pro hac vice <i>Philip J. Gross</i> Filed by Creditor United Mine Workers of America (Kimble, Jennifer) (Entered: 07/27/2015)
07/27/2015	 193	Motion to Appear pro hac vice <i>Nicole M. Brown</i> Filed by Creditor United Mine Workers of America (Kimble, Jennifer) (Entered: 07/27/2015)
07/27/2015	 194	Notice of Appearance and Request for Notice <i>Sharon L. Levine</i> by Jennifer Brooke Kimble Filed by Creditor United Mine Workers of America. (Kimble, Jennifer) (Entered: 07/27/2015)
07/27/2015	 195	Notice of Appearance and Request for Notice <i>Paul Kizel</i> by Jennifer Brooke Kimble Filed by Creditor United Mine Workers of America. (Kimble, Jennifer) (Entered: 07/27/2015)
07/27/2015	 196	Notice of Appearance and Request for Notice <i>Philip J. Gross</i> by Jennifer Brooke Kimble Filed by Creditor United Mine Workers of America. (Kimble, Jennifer) (Entered: 07/27/2015)
07/27/2015	 197	Notice of Appearance and Request for Notice <i>Nicole M. Brown</i> by Jennifer Brooke Kimble Filed by Creditor United Mine Workers of America. (Kimble, Jennifer) (Entered: 07/27/2015)
07/27/2015	 198	Order Scheduling Omnibus Hearing Dates Signed on 7/27/2015. Omnibus Hearings are scheduled for the following dates: Wednesday, September 2, 2015 at 11:30 a.m.; Tuesday, September 15, 2015 at 10:00 a.m.; Tuesday, September 29, 2015 at 10:00 a.m.; Wednesday, October 7, 2015 at 10:00 a.m.; Wednesday, October 21, 2015 at 10:00 a.m.; and Wednesday, October 28, 2015 at 9:00 a.m. (klt) (Entered: 07/27/2015)
07/27/2015	 199	Chapter 11 Operating Order Signed on 7/27/2015. (klt) (Entered: 07/27/2015)
07/27/2015	 200	Certificate of Service re: 1) <i>Debtors' Agenda for Hearing Scheduled for July 28, 2015</i> ; and 2) <i>Order Scheduling Omnibus Hearing Dates</i> Filed by Other Professional Kurtzman Carson











		Consultants LLC (RE: related document(s) 189 Statement, 198 Order (Generic)). (Kass, Albert) (Entered: 07/27/2015)
07/28/2015	 201	<p>Receipt number from District Court filing fee paid by Crystal R. Axelrod (Re Item: 163 Motion to Appear pro hac vice) B4601063982 (RE: related document(s)163 Motion to Appear pro hac vice filed by Creditor United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, Creditor United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, Creditor United Mine Workers of America 1992 Benefit Plan and its Trustees, Creditor United Mine Workers of America Combined Benefit Fund and its Trustees, Creditor United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, Creditor United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees). (thc) (Entered: 07/28/2015)</p>
07/28/2015	 202	<p>Receipt number from District Court filing fee paid by Julia Frost-Davis, John C. Goodchild, Amelia Joiner, Rachel Jaffe Mauceri, Paul Green, and John R. Mooney (Re Item: 164 Motion to Appear pro hac vice, 165 Motion to Appear pro hac vice, 166 Motion to Appear pro hac vice, 167 Motion to Appear pro hac vice, 168 Motion to Appear pro hac vice, 169 Motion to Appear pro hac vice, 170 Motion to Appear pro hac vice) B4601063982 (RE: related document(s)164 Motion to Appear pro hac vice filed by Creditor United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, Creditor United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, Creditor United Mine Workers of America 1992 Benefit Plan and its Trustees, Creditor United Mine Workers of America Combined Benefit Fund and its Trustees, Creditor United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, Creditor United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, 165 Motion to Appear pro hac vice filed by Creditor United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, Creditor United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, Creditor United Mine Workers of America 1992 Benefit Plan and its Trustees, Creditor United Mine Workers of America Combined Benefit Fund and its Trustees, Creditor United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, Creditor United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, 166 Motion to Appear pro hac vice filed by Creditor United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, Creditor United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, Creditor United Mine Workers of America 1992 Benefit Plan and its Trustees, Creditor United Mine Workers of</p>






		<p>America Combined Benefit Fund and its Trustees, Creditor United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, Creditor United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, 167 Motion to Appear pro hac vice filed by Creditor United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, Creditor United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, Creditor United Mine Workers of America 1992 Benefit Plan and its Trustees, Creditor United Mine Workers of America Combined Benefit Fund and its Trustees, Creditor United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, Creditor United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, 168 Motion to Appear pro hac vice filed by Creditor United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, Creditor United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, Creditor United Mine Workers of America 1992 Benefit Plan and its Trustees, Creditor United Mine Workers of America Combined Benefit Fund and its Trustees, Creditor United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, Creditor United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, 169 Motion to Appear pro hac vice filed by Creditor United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, Creditor United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, Creditor United Mine Workers of America 1992 Benefit Plan and its Trustees, Creditor United Mine Workers of America Combined Benefit Fund and its Trustees, Creditor United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, Creditor United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, 170 Motion to Appear pro hac vice filed by Creditor United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, Creditor United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, Creditor United Mine Workers of America 1992 Benefit Plan and its Trustees, Creditor United Mine Workers of America Combined Benefit Fund and its Trustees, Creditor United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, Creditor United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees). (thc) (Entered: 07/28/2015)</p>
07/28/2015	 203	<p>Receipt number from District Court filing fee paid by David Jury, Thomas Ciantra, Richard Seltzer (Re Item: 185 Motion to Appear pro hac vice, 186 Motion to Appear pro hac vice, 187 Motion to Appear pro hac vice) B4601063981 (RE: related document(s) 185 Motion to Appear pro hac vice filed by</p>








		Creditor United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial Service Workers International Union, AFL-CIO, CLC, 186 Motion to Appear pro hac vice filed by Creditor United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial Service Workers International Union, AFL-CIO, CLC, 187 Motion to Appear pro hac vice filed by Creditor United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial Service Workers International Union, AFL-CIO, CLC). (thc) (Entered: 07/28/2015)
07/28/2015	 204	 PDF with attached Audio File. Court Date & Time [7/28/2015 10:00:21 AM]. File Size [8367 KB]. Run Time [00:23:14]. (RE: Doc #48; Debtors Motion For An Order (A) (I) Authorizing The Formation Of A Committee Of Retired Employees Pursuant To Sections 1114(c)(2) and 1114(d) of The Bankruptcy Code, and (II) Establishing Procedures For Selecting Committee Members and (B). (adiuser). (Entered: 07/28/2015)
07/28/2015	 205	Order Granting Motion To Appear pro hac vice of Rachel Jaffe Mauceri (Related Doc # 168) Signed on 7/28/2015. (klt) (Entered: 07/28/2015)
07/28/2015	 206	Order Granting Motion To Appear pro hac vice of Paul A. Green (Related Doc # 169) Signed on 7/28/2015. (klt) (Entered: 07/28/2015)
07/28/2015	 207	Order Granting Motion To Appear pro hac vice of John R. Mooney (Related Doc # 170) Signed on 7/28/2015. (klt) (Entered: 07/28/2015)
07/28/2015	 208	Motion to Appear pro hac vice <i>Scott A. Zuber</i> Filed by Creditor Aspen American Insurance Company (Brazeal, Clyde) (Entered: 07/28/2015)
07/28/2015	 209	Order Granting Motion To Appear pro hac vice of Thomas N. Ciantra (Related Doc # 185) Signed on 7/28/2015. (klt) (Entered: 07/28/2015)
07/28/2015	 210	Order Granting Motion To Appear pro hac vice of David R. Jury (Related Doc # 186) Signed on 7/28/2015. (klt) (Entered: 07/28/2015)
07/28/2015	 211	Order Granting Motion To Appear pro hac vice of Richard M. Seltzer (Related Doc # 187) Signed on 7/28/2015. (klt) (Entered: 07/28/2015)







07/28/2015	 212	Order Granting Motion To Appear pro hac vice of Crystal R. Axelrod (Related Doc # 163) Signed on 7/28/2015. (klt) (Entered: 07/28/2015)
07/28/2015	 213	Order Granting Motion To Appear pro hac vice of Julia Frost-Davies (Related Doc # 165) Signed on 7/28/2015. (klt) (Entered: 07/28/2015)
07/28/2015	 214	Order Granting Motion To Appear pro hac vice of John C. Goodchild, III (Related Doc # 166) Signed on 7/28/2015. (klt) (Entered: 07/28/2015)
07/28/2015	 215	Order Granting Motion To Appear pro hac vice of Amelia C. Joiner (Related Doc # 167) Signed on 7/28/2015. (klt) (Entered: 07/28/2015)
07/28/2015	 216	Order Granting Motion To Appear pro hac vice of Melissa Y. Boey (Related Doc # 164) Signed on 7/28/2015. (klt) (Entered: 07/28/2015)
07/28/2015	 217	Third Amended Consolidated List of Creditors Holding 50 Largest Unsecured Claims Filed by Debtor Walter Energy, Inc., et al.. (Darby, Patrick) Modified on 7/29/2015 to match text to pdf (klt). (Entered: 07/28/2015)
07/28/2015	 218	Order (A) Authorizing, but not Directing, Debtors to Pay Certain Bonus and Severance Obligations and (B) Granting Related Relief (Related Doc # 85) Signed on 7/28/2015. (klt) (Entered: 07/28/2015)
07/28/2015	 219	Notice of Appearance and Request for Notice by Lee R. Benton Filed by Interested Party Ramsay McCormack Land Co. Inc.. (Benton, Lee) (Entered: 07/28/2015)
07/28/2015	 220	Notice of Appearance and Request for Notice by Lee R. Benton Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank. (Benton, Lee) (Entered: 07/28/2015)
07/28/2015	 221	Notice of Appearance and Request for Notice by Jamie Alisa Wilson Filed by Interested Party Ramsay McCormack Land Co. Inc.. (Wilson, Jamie) (Entered: 07/28/2015)
07/28/2015	 222	Notice of Appearance and Request for Notice by Jamie Alisa Wilson Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank. (Wilson, Jamie) (Entered: 07/28/2015)








07/28/2015	 223	Certificate of Service (<i>Supplemental</i>): <i>re Documents Served on July 27, 2015</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 35 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for an Order, Pursuant to Sections 105(a), 363(b), 363(c) and 1107(a) of the Bankruptcy Code and Bankruptcy Rules 6003 and 6004 (h) (A) Authorizing the Debtors to (I) Continue Insuranc, 68 Order on Motion Re: Chapter 11 First Day Motions</i>). (Kass, Albert) (Entered: 07/28/2015)
07/28/2015	 224	Notice of Motion and Debtors' Motion for an Order Authorizing the Debtors to Retain, Employ and Compensate Certain Professionals Utilized in the Ordinary Course of Business, Nunc Pro Tunc to the Petition Date Filed by Debtor Walter Energy, Inc., et al. (Darby, Patrick) Modified on 7/29/2015 to match text to pdf (klt). (Entered: 07/28/2015)
07/28/2015	 225	Notice of Motion and Motion for an Order Modifying the Automatic Stay to Proceed With Workers' Compensation and Black Lung Claims and Actions Filed by Debtor Walter Energy, Inc., et al. (Darby, Patrick) Modified on 7/29/2015 to match text to pdf (klt). (Entered: 07/28/2015)
07/28/2015	 226	Debtors' Notice of Revised Proposed Final Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors' Estates Filed by Debtor Walter Energy, Inc., et al.. (Attachments: # 1 Part 2 of 8 # 2 Part 3 of 8 # 3 Part 4 of 8 # 4 Part 5 of 8 # 5 Part 6 of 8 # 6 Part 7 of 8 # 7 Part 8 of 8) (Darby, Patrick) Modified on 7/29/2015 to match text to pdf (klt). (Entered: 07/28/2015)
07/29/2015	 227	Notice of Hearing on (RE: related document(s) 225 Motion for an Order Modifying the Automatic Stay to Proceed With Workers' Compensation and Black Lung Claims and Actions Filed by Debtor). Hearing scheduled 8/18/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 07/29/2015)
07/29/2015	 228	Receipt number from District Court filing fee paid by Scott C. Williams (Re Item: 139 Motion to Appear pro hac vice) B4601064040 (RE: related document(s) 139 Motion to Appear pro hac vice filed by Creditor Arch Insurance Company). (klt) (Entered: 07/29/2015)
07/29/2015	 229	Receipt number from District Court filing fee paid by Sam H. Poteet, Jr (Re Item: 140 Motion to Appear pro hac vice) B4601064039 (RE: related document(s) 140 Motion to Appear pro hac vice filed by Creditor Arch Insurance Company). (klt) (Entered: 07/29/2015)







07/29/2015	 230	Receipt number from District Court filing fee paid by Michael E. Collins (Re Item: 141 Motion to Appear pro hac vice) B4601064041 (RE: related document(s) 141 Motion to Appear pro hac vice filed by Creditor Arch Insurance Company). (klt) (Entered: 07/29/2015)
07/29/2015	 231	Notice of Appearance and Request for Notice by Samuel Stephens Filed by Interested Party Ramsay McCormack Land Co. Inc.. (Stephens, Samuel) (Entered: 07/29/2015)
07/29/2015	 232	Notice of Appearance and Request for Notice by Samuel Stephens Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank. (Stephens, Samuel) (Entered: 07/29/2015)
07/29/2015	 233	Order Granting Motion To Appear pro hac vice of Sam H. Poteet, Jr. (Related Doc # 140) Signed on 7/29/2015. (klt) (Entered: 07/29/2015)
07/29/2015	 234	Order Granting Motion To Appear pro hac vice of Michael E. Collins (Related Doc # 141) Signed on 7/29/2015. (klt) (Entered: 07/29/2015)
07/29/2015	 235	Motion to Appear pro hac vice (<i>Tye C. Hancock</i>) Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank (Benton, Lee) (Entered: 07/29/2015)
07/29/2015	 236	Motion to Appear pro hac vice (<i>Joseph E. Bain</i>) Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank (Benton, Lee) (Entered: 07/29/2015)
07/29/2015	 237	Order Granting Motion To Appear pro hac vice of Scott C. Williams (Related Doc # 139) Signed on 7/29/2015. (klt) (Entered: 07/29/2015)
07/29/2015	 238	Receipt number from District Court filing fee paid by Scott A. Zuber (Re Item: 208 Motion to Appear pro hac vice) B4601063971 (RE: related document(s) 208 Motion to Appear pro hac vice filed by Creditor Aspen American Insurance Company). (klt) (Entered: 07/29/2015)
07/29/2015	 239	Motion to Reconsider (related documents 60 Order on Motion Re: Chapter 11 First Day Motions) (<i>Emergency Motion by Dominion Resources Black Warrior Trust to Reconsider, on a Limited Basis, The Cash Management Order</i>) Filed by Interested Party Dominion Resources Black Warrior Trust by






		and through its Trustee, Southwest Bank (Attachments: # 1 Exhibit A - Part 1 # 2 Exhibit A - Part 2 # 3 Exhibit B # 4 Exhibit C) (Benton, Lee) (Entered: 07/29/2015)
07/29/2015	 240	Motion to Expedite Hearing (related documents 239 Motion to Reconsider) (<i>Motion to Expedite Hearing on Motion By Dominion Resources Black Warrior Trust to Reconsider, on a Limited Basis, the Cash Management Order</i>) Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank (Benton, Lee) (Entered: 07/29/2015)
07/29/2015	 241	Order Granting Motion To Appear pro hac vice of Scott A. Zuber (Related Doc # 208) Signed on 7/29/2015. (klt) (Entered: 07/29/2015)
07/29/2015	 242	Order Granting Motion to Expedite Hearing (Related Doc # 240) Signed on 7/29/2015. Hearing to be held on 8/3/2015 at 10:00 AM Courtroom 3 (TOM) Birmingham for 239 Motion to Reconsider, on a Limited Basis, The Cash Management Order filed by Dominion Resources Black Warrior Trust, (klt) (Entered: 07/29/2015)
07/29/2015	 243	Transcript of hearing held on: 07/28/15 You are noticed that a transcript has been filed. Pursuant to the Judicial Conference Policy on Privacy, remote electronic access to this transcript is restricted through 10/27/2015. To review the transcript for redaction purposes, you may purchase a copy from the transcriber, or the transcript may be viewed at the public terminal located in the Bankruptcy Court Clerk's Office. Contact the Court Reporter/Transcriber J&J Court Transcribers, telephone number 609-586-2311. All parties have seven (7) calendar days to file a Notice of Intent to Request Transcript Redaction of any social security numbers, financial account data, names of minor-age children, dates of birth, and home addresses. If the Notice of Intent is filed, the party has 21 calendar days from the date the transcript was filed to file the Transcript Redaction Request indicating the location of the identifiers within the transcript with the Court and to provide the list to the transcriber. The redacted transcript is due 31 days from the date of filing of the transcript. The transcript will be made electronically available to the general public 90 calendar days from the date of filing.. Notice of Intent to Request Redaction Deadline Due By 8/5/2015. Redaction Request Due By 08/19/2015. Redacted Transcript Submission Due By 08/31/2015. Transcript access will be restricted through 10/27/2015. (Bowen, James) (Entered: 07/29/2015)
		








07/29/2015	244	Joinder by Ramsay McCormack Land Co. Inc. in the Dominion Resources Black Warrior Trust 239 Motion to Reconsider, on a Limited Basis, The Cash Management Order) Filed by Interested Party Ramsay McCormack Land Co. Inc. (Benton, Lee) Modified on 7/29/2015 to match text to pdf (klt). (Entered: 07/29/2015)
07/29/2015	 245	Notice of Appearance and Request for Notice by Charles Howard Moses III Filed by Interested Party Ramsay McCormack Land Co. Inc.. (Moses, Charles) (Entered: 07/29/2015)
07/29/2015	 246	Notice of Appearance and Request for Notice by Beth Brownstein , Leah M. Eisenberg , Andrew I. Silfen Filed by Interested Party BOKF, N.A. . (klt) (Entered: 07/29/2015)
07/29/2015	 247	Motion to Appear pro hac vice <i>of William W. Kannel</i> Filed by Creditor Delaware Trust Company, as Indenture Trustee (Attachments: # 1 Certificate of Service) (Kannel, William) (Entered: 07/29/2015)
07/29/2015	 248	Motion to Appear pro hac vice <i>of Adrienne K. Walker</i> Filed by Creditor Delaware Trust Company, as Indenture Trustee (Attachments: # 1 Certificate of Service) (Walker, Adrienne) (Entered: 07/29/2015)
07/29/2015	 249	Hearing Scheduled (RE: related document(s) 244 Joinder by Ramsay McCormack Land Co. Inc. in the Dominion Resources Black Warrior Trust 239 Motion to Reconsider, on a Limited Basis, The Cash Management Order). Hearing scheduled 8/3/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 07/29/2015)
07/29/2015	 250	Motion to Amend and/or Alter (related documents 60 Order on Motion Re: Chapter 11 First Day Motions) Filed by Creditor Comerica Bank (Vogtle, Jesse) (Entered: 07/29/2015)
07/29/2015	 251	Certificate of Service <i>re: Documents Served on July 28, 2015</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 217 20 Largest Unsecured Creditors, 218 Order on Motion to Expedite Hearing, 224 Motion <i>Debtors' Motion for an Order Authorizing the Debtors to Retain, Employ and Compensate Certain Professionals Utilized in the Ordinary Course of Business, Nunc Pro Tunc to the Petition Date</i> , 225 Motion for Relief from Stay <i>Motion for an Order Modifying the Automatic Stay to Proceed With Workers' Compensation and Black Lung Claims and Actions</i> , Fee Amount \$176,, 226 Statement). (Kass, Albert) (Entered: 07/29/2015)










07/29/2015	 252	Notice of Motion and Motion for Relief from Stay <i>to the Extent Applicable, to Allow Payment of Defense Costs and Other Loss Under Directors and Officers Liability Insurance Policies</i> , Fee Amount \$176, Filed by Movants Neil Winkelmann, Walter Scheller, Keith Calder, Joseph Leonard (Attachments: # 1 Exhibit Exhibit A-C # 2 Exhibit Exhibits D-I # 3 Proposed Order) (Whillock, Amber) Modified on 7/30/2015 to match text to pdf (klt). (Entered: 07/29/2015)
07/29/2015		Receipt of Motion for Relief from Stay(15-02741-TOM11) [motion,mrlfsty] (176.00) Filing Fee. Receipt number 18289694. Fee Amount 176.00 (re:Doc# 252) (U.S. Treasury) (Entered: 07/29/2015)
07/29/2015	 253	Notice of Motion and Motion for Relief from Stay <i>to the Extent Applicable, to Allow Payment of Defense Costs and Other Loss for Derivative Actions Under Directors and Officers Liability Insurance Policies</i> , Fee Amount \$176, Filed by Movants Keith Calder, Joseph Leonard, Walter Scheller, Neil Winkelmann (Attachments: # 1 Exhibit Exhibit A # 2 Proposed Order) (Whillock, Amber) Modified on 7/30/2015 to match text to pdf (klt). (Entered: 07/29/2015)
07/29/2015		Receipt of Motion for Relief from Stay(15-02741-TOM11) [motion,mrlfsty] (176.00) Filing Fee. Receipt number 18289703. Fee Amount 176.00 (re:Doc# 253) (U.S. Treasury) (Entered: 07/29/2015)
07/29/2015	 254	BNC Certificate of Notice (RE: related document(s) 198 Order (Generic)). Notice Date 07/29/2015. (Admin.) (Entered: 07/30/2015)
07/29/2015	 255	BNC Certificate of Notice (RE: related document(s) 199 Chapter 11 Operating Order). Notice Date 07/29/2015. (Admin.) (Entered: 07/30/2015)
07/30/2015		Receipt of Motion for Relief from Stay(15-02741-TOM11) [motion,mrlfsty] (176.00) Filing Fee. Receipt number 18290449. Fee Amount 176.00 (re:Doc# 225) (U.S. Treasury) (Entered: 07/30/2015)
07/30/2015	 256	Notice of Hearing on (RE: related document(s) 250 Motion to Amend and/or Alter filed by Creditor Comerica Bank). Hearing scheduled 9/2/2015 at 11:30 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 07/30/2015)
07/30/2015	 257	










		Notice of Hearing on (RE: related document(s) 252 Motion for Relief from Stay filed by Movant Joseph Leonard, Movant Keith Calder, Movant Walter Scheller, Movant Neil Winkelmann). Hearing scheduled 9/2/2015 at 11:30 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 07/30/2015)
07/30/2015	 258	Motion to Expedite Hearing (related documents 250 Motion to Amend and/or Alter) Filed by Creditor Comerica Bank (Vogtle, Jesse) (Entered: 07/30/2015)
07/30/2015	 259	Order Granting Motion to Expedite Hearing (Related Doc # 258) Signed on 7/30/2015. Hearing to be held on 8/3/2015 at 10:00 AM Courtroom 3 (TOM) Birmingham for 250 Motion of Comerica Bank to Amend or Alter Order (A)(I) Approving Continued Use of Debtors Existing Cash Management System; (II) Authorizing Use of Existing Bank Accounts and Checks; (III) Waiving the Requirements of 11 U.S.C. 345(b); (IV) Granting Administrative Expense Status to Certain PostPetition Intercompany Claims; and (V) Authorizing Continuation of Certain Intercompany Transactions; and (B) Granting Related Relief, (klt) (Entered: 07/30/2015)
07/30/2015	 260	Verified Statement Filed by Steering Committee of First Lien Creditors Pursuant to Bankruptcy Rule 2019. (Hall, Michael) Modified on 7/30/2015 to match text to pdf (klt). (Entered: 07/30/2015)
07/30/2015	 261	Notice of Hearing on (RE: related document(s) 224 Debtors' Motion for an Order Authorizing the Debtors to Retain, Employ and Compensate Certain Professionals Utilized in the Ordinary Course of Business, Nunc Pro Tunc to the Petition Date). Hearing scheduled 8/18/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 07/30/2015)
07/30/2015	 262	Notice of Hearing on (RE: related document(s) 253 Motion for an Order Authorizing Payments and Relief From the Automatic Stay, to the Extent Applicable, to Allow Payment of Defense Costs and Other Loss for Derivative Actions Under Directors and Officers Liability Insurance Policies). Hearing scheduled 9/2/2015 at 11:30 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 07/30/2015)
07/30/2015	 263	Notice of Appearance and Request for Notice Filed by Creditor National Labor Relations Board. (Chahrouri, Katherine) (Entered: 07/30/2015)
07/30/2015	 264	Order (A)(I) Authorizing the Formation of a Committee of Retired Employees Pursuant to Section 1114(c)(2) and 1114(d)












		of the Bankruptcy Code, and (II) Establishing Procedures for Selecting Committee Members and (B) Granting Related Relief (Related Doc # 48) Signed on 7/30/2015. (klt) (Entered: 07/30/2015)
07/30/2015	 265	Notice of Appearance and Request for Notice by James G Henderson Filed by Creditor Hager Equipment Co. of AL, Inc.. (Henderson, James) (Entered: 07/30/2015)
07/30/2015	 266	Joinder in 239 Emergency Motion by Dominion Resources Black Warrior Trust to Reconsider, on a Limited Basis, The Cash Management Order Filed by Creditor Frontier Enterprises (Vogle, Jesse) Modified on 7/30/2015 to add related docket number (klt). (Entered: 07/30/2015)
07/30/2015	 267	Amended Certificate of Service Filed by Interested Parties Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank, Ramsay McCormack Land Co. Inc. (RE: related document(s) 239 Motion to Reconsider (related documents 60 Order on Motion Re: Chapter 11 First Day Motions) (<i>Emergency Motion by Dominion Resources Black Warrior Trust to Reconsider, on a Limited Basis, The Cash Management Order</i>), 240 Motion to Expedite Hearing (related documents 239 Motion to Reconsider) (<i>Motion to Expedite Hearing on Motion By Dominion Resources Black Warrior Trust to Reconsider, on a Limited Basis, the Cash Management Order</i>), 244 Motion to Reconsider (related documents 239 Motion to Reconsider) (<i>Joinder by Ramsay McCormack Land Co. Inc. in the Dominion Resources Black Warrior Trust Motion to Reconsider, on a Limited Basis, The Cash Management Order</i>)). (Wilson, Jamie) (Entered: 07/30/2015)
07/30/2015	 268	**Amended by 342 ** - Bankruptcy Administrator's Appointment of Unsecured Creditors Committee Filed by Bankruptcy Administrator J. Thomas Corbett (BAoffice, bg) Modified on 7/31/2015 to match text to pdf (klt). Modified on 8/5/2015 (klt). (Entered: 07/30/2015)
07/30/2015	 269	Certificate of Service <i>re: Debtors' Notice of Revised Proposed Final Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors' Estates</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 226 Statement, 251 Certificate of Service). (Kass, Albert) (Entered: 07/30/2015)
07/30/2015	 270	Certificate of Service <i>re: Notice of Commencement of Chapter 11 Bankruptcy Cases</i> Filed by Other Professional Kurtzman













		Carson Consultants LLC (RE: related document(s) 144 Order on Motion to Extend Time). (Kass, Albert) (Entered: 07/30/2015)
07/30/2015	 271	Hearing Scheduled (RE: related document(s) 266 Joinder filed by Creditor Frontier Enterprises). Hearing scheduled 8/3/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 07/30/2015)
07/30/2015	 272	BNC Certificate of Notice (RE: related document(s) 205 Order on Motion to Appear Pro Hac Vice). Notice Date 07/30/2015. (Admin.) (Entered: 07/31/2015)
07/30/2015	 273	BNC Certificate of Notice (RE: related document(s) 206 Order on Motion to Appear Pro Hac Vice). Notice Date 07/30/2015. (Admin.) (Entered: 07/31/2015)
07/30/2015	 274	BNC Certificate of Notice (RE: related document(s) 207 Order on Motion to Appear Pro Hac Vice). Notice Date 07/30/2015. (Admin.) (Entered: 07/31/2015)
07/30/2015	 275	BNC Certificate of Notice (RE: related document(s) 209 Order on Motion to Appear Pro Hac Vice). Notice Date 07/30/2015. (Admin.) (Entered: 07/31/2015)
07/30/2015	 276	BNC Certificate of Notice (RE: related document(s) 210 Order on Motion to Appear Pro Hac Vice). Notice Date 07/30/2015. (Admin.) (Entered: 07/31/2015)
07/30/2015	 277	BNC Certificate of Notice (RE: related document(s) 211 Order on Motion to Appear Pro Hac Vice). Notice Date 07/30/2015. (Admin.) (Entered: 07/31/2015)
07/30/2015	 278	BNC Certificate of Notice (RE: related document(s) 212 Order on Motion to Appear Pro Hac Vice). Notice Date 07/30/2015. (Admin.) (Entered: 07/31/2015)
07/30/2015	 279	BNC Certificate of Notice (RE: related document(s) 213 Order on Motion to Appear Pro Hac Vice). Notice Date 07/30/2015. (Admin.) (Entered: 07/31/2015)
07/30/2015	 280	BNC Certificate of Notice (RE: related document(s) 214 Order on Motion to Appear Pro Hac Vice). Notice Date 07/30/2015. (Admin.) (Entered: 07/31/2015)
07/30/2015	 281	BNC Certificate of Notice (RE: related document(s) 215 Order on Motion to Appear Pro Hac Vice). Notice Date 07/30/2015. (Admin.) (Entered: 07/31/2015)







07/30/2015	 282	BNC Certificate of Notice (RE: related document(s) 216 Order on Motion to Appear Pro Hac Vice). Notice Date 07/30/2015. (Admin.) (Entered: 07/31/2015)
07/30/2015	 283	BNC Certificate of Notice (RE: related document(s) 218 Order on Motion to Expedite Hearing). Notice Date 07/30/2015. (Admin.) (Entered: 07/31/2015)
07/31/2015	 284	Exhibit and Witness List (<i>Dominion Resources Black Warrior Trust's Witness and Exhibit List for August 3, 2015 Hearing</i>) Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank (RE: related document(s) 239 Motion to Reconsider (related documents 60 Order on Motion Re: Chapter 11 First Day Motions) (<i>Emergency Motion by Dominion Resources Black Warrior Trust to Reconsider, on a Limited Basis, The Cash Management Order</i>)). (Benton, Lee) (Entered: 07/31/2015)
07/31/2015	 285	Receipt number from District Court filing fee paid by Tye Hancock and Joseph Bain (Re Item: 235 Motion to Appear pro hac vice, 236 Motion to Appear pro hac vice) B4601064074 (RE: related document(s) 235 Motion to Appear pro hac vice filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank, 236 Motion to Appear pro hac vice filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank). (thc) (Entered: 07/31/2015)
07/31/2015	 286	Receipt number from District Court filing fee paid by Shelley Bush Marmon (Re Item: 149 Motion to Appear pro hac vice) B4601064114 (RE: related document(s) 149 Motion to Appear pro hac vice filed by Creditor Wesley West Minerals, Ltd.). (thc) (Entered: 07/31/2015)
07/31/2015	 287	Receipt number from District Court filing fee paid by Mark R. Somerstein (Re Item: 180 Motion to Appear pro hac vice) B4601064082 (RE: related document(s) 180 Motion to Appear pro hac vice filed by Interested Party Wilmington Trust, National Association, as Indenture Trustee). (thc) (Entered: 07/31/2015)
07/31/2015	 288	Receipt number from District Court filing fee paid by William Kannel (Re Item: 247 Motion to Appear pro hac vice) B4601064081 (RE: related document(s) 247 Motion to Appear pro hac vice filed by Creditor Delaware Trust Company, as Indenture Trustee, Creditor Committee Delaware Trust Company, as Indenture Trustee). (thc) (Entered: 07/31/2015)





07/31/2015	 289	Receipt number from District Court filing fee paid by Adrienne K. Walker, receipt # B4601064080 (Re Item: 248 Motion to Appear pro hac vice) B4601064080 (RE: related document(s) 248 Motion to Appear pro hac vice filed by Creditor Delaware Trust Company, as Indenture Trustee, Creditor Committee Delaware Trust Company, as Indenture Trustee). (thc) Modified on 7/31/2015 (thc). (Entered: 07/31/2015)
07/31/2015	 290	Debtors' Agenda for Hearing Scheduled for August 3, 2015 Filed by Debtor Walter Energy, Inc., et al.. (Bailey, James) Modified on 7/31/2015 to match text to pdf (klt). (Entered: 07/31/2015)
07/31/2015	 291	Certificate of Service <i>re: Order (A)(I) Authorizing the Formation of a Committee of Retired Employees Pursuant to Section 1114(c)(2) and 1114(d) of the Bankruptcy Code, and (II) Establishing Procedures for Selecting Committee Members and (B) Granting Related Relief</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 264 Order on Motion to Appoint Creditors Committee). (Kass, Albert) (Entered: 07/31/2015)
07/31/2015	 292	Order Granting Motion To Appear pro hac vice of Joseph E. Bain (Related Doc # 236) Signed on 7/31/2015. (klt) (Entered: 07/31/2015)
07/31/2015	 293	Order Granting Motion To Appear pro hac vice of Tye C. Hancock (Related Doc # 235) Signed on 7/31/2015. (klt) (Entered: 07/31/2015)
07/31/2015	 294	Order Granting Motion To Appear pro hac vice of Mark R. Somerstein (Related Doc # 180) Signed on 7/31/2015. (klt) (Entered: 07/31/2015)
07/31/2015	 295	**REPLACED BY 296** - Motion for Limited Admissions of <i>Michael S. Etkin</i> Filed by Creditors Peter Rush, Michael Earl Carney (Wilson, Kenneth) Modified on 7/31/2015 (klt). (Entered: 07/31/2015)
07/31/2015	 296	**Amended by 402** - Motion to Appear pro hac vice of <i>Michael S. Etkin</i> Filed by Creditors Michael Earl Carney, Peter Rush (Wilson, Kenneth) Modified on 8/11/2015 (klt). (Entered: 07/31/2015)
07/31/2015	 297	Notice of Appearance and Request for Notice (<i>Notice of Appearance by Tye C. Hancock as counsel for Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank</i>) by Lee R. Benton Filed by Interested Party









		Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank. (Benton, Lee) (Entered: 07/31/2015)
07/31/2015	 298	**AMENDED BY 401** - Motion to Appear pro hac vice <i>S. Jason Teele</i> Filed by Creditors Michael Earl Carney, Peter Rush (Wilson, Kenneth) Modified on 8/11/2015 (klt). (Entered: 07/31/2015)
07/31/2015	 299	Notice of Appearance and Request for Notice (<i>Notice of Appearance by Joseph E. Bain as counsel for Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank</i>) by Lee R. Benton Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank. (Benton, Lee) (Entered: 07/31/2015)
07/31/2015	 300	Motion to Add Pension Benefit Guaranty Corporation to the Official Committee of Unsecured Creditors Pursuant to 11 U.S.C. 1102(a)(4) Filed by Creditor Pension Benefit Guaranty Corporation (Attachments: # 1 Exhibit Exhibit 1 # 2 Certificate of Service) (Anderson, Frank) Modified on 8/3/2015 to match text to pdf (klt). (Entered: 07/31/2015)
07/31/2015	 301	Motion to Expedite Hearing (related documents 300 Motion to Appoint Creditors Committee) Filed by Creditor Pension Benefit Guaranty Corporation (Attachments: # 1 Certificate of Service) (Anderson, Frank) (Entered: 07/31/2015)
07/31/2015	 302	Order Granting - The motion to expedite is GRANTED and the clerk's office shall set the motion to add the PBGC to the official unsecured creditor's committee for August 3, 2015 at 10:00 a.m. /s/ TAMARA O. MITCHELL (RE: 301 Motion to Expedite Hearing) (Entered: 07/31/2015)
07/31/2015	 303	Hearing Scheduled (RE: related document(s) 300 Motion to Appoint Creditors Committee filed by Creditor Pension Benefit Guaranty Corporation). Hearing scheduled 8/3/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (cmc) (Entered: 07/31/2015)
07/31/2015	 304	Notice of Appearance and Request for Notice by Mark P. Williams Filed by Interested Party BOKF, N.A.. (Williams, Mark) (Entered: 07/31/2015)
07/31/2015	 305	Motion to Appear pro hac vice <i>Motion to Admit Andrew I. Silfen</i> Filed by Interested Party BOKF, N.A. (Williams, Mark) (Entered: 07/31/2015)
07/31/2015	 306	







		Motion to Appear pro hac vice <i>Motion to Admit Leah M. Eisenberg</i> Filed by Interested Party BOKF, N.A. (Williams, Mark) (Entered: 07/31/2015)
07/31/2015	 307	Motion to Appear pro hac vice <i>Motion to Admit Beth M. Brownstein</i> Filed by Interested Party BOKF, N.A. (Williams, Mark) (Entered: 07/31/2015)
07/31/2015	 308	BNC Certificate of Notice (RE: related document(s) 233 Order on Motion to Appear Pro Hac Vice). Notice Date 07/31/2015. (Admin.) (Entered: 08/01/2015)
07/31/2015	 309	BNC Certificate of Notice (RE: related document(s) 234 Order on Motion to Appear Pro Hac Vice). Notice Date 07/31/2015. (Admin.) (Entered: 08/01/2015)
07/31/2015	 310	BNC Certificate of Notice (RE: related document(s) 237 Order on Motion to Appear Pro Hac Vice). Notice Date 07/31/2015. (Admin.) (Entered: 08/01/2015)
07/31/2015	 311	BNC Certificate of Notice (RE: related document(s) 241 Order on Motion to Appear Pro Hac Vice). Notice Date 07/31/2015. (Admin.) (Entered: 08/01/2015)
07/31/2015	 312	BNC Certificate of Notice (RE: related document(s) 242 Order on Motion to Expedite Hearing). Notice Date 07/31/2015. (Admin.) (Entered: 08/01/2015)
07/31/2015	 313	BNC Certificate of Notice (RE: related document(s) 227 Notice of Hearing). Notice Date 07/31/2015. (Admin.) (Entered: 08/01/2015)
08/01/2015	 314	BNC Certificate of Notice (RE: related document(s) 259 Order on Motion to Expedite Hearing). Notice Date 08/01/2015. (Admin.) (Entered: 08/02/2015)
08/01/2015	 315	BNC Certificate of Notice (RE: related document(s) 264 Order on Motion to Appoint Creditors Committee). Notice Date 08/01/2015. (Admin.) (Entered: 08/02/2015)
08/01/2015	 316	BNC Certificate of Notice (RE: related document(s) 256 Notice of Hearing). Notice Date 08/01/2015. (Admin.) (Entered: 08/02/2015)
08/01/2015	 317	BNC Certificate of Notice (RE: related document(s) 257 Notice of Hearing). Notice Date 08/01/2015. (Admin.) (Entered: 08/02/2015)









08/01/2015	 318	BNC Certificate of Notice (RE: related document(s) 261 Notice of Hearing). Notice Date 08/01/2015. (Admin.) (Entered: 08/02/2015)
08/01/2015	 319	BNC Certificate of Notice (RE: related document(s) 262 Notice of Hearing). Notice Date 08/01/2015. (Admin.) (Entered: 08/02/2015)
08/02/2015	 320	BNC Certificate of Notice (RE: related document(s) 292 Order on Motion to Appear Pro Hac Vice). Notice Date 08/02/2015. (Admin.) (Entered: 08/03/2015)
08/02/2015	 321	BNC Certificate of Notice (RE: related document(s) 293 Order on Motion to Appear Pro Hac Vice). Notice Date 08/02/2015. (Admin.) (Entered: 08/03/2015)
08/02/2015	 322	BNC Certificate of Notice (RE: related document(s) 294 Order on Motion to Appear Pro Hac Vice). Notice Date 08/02/2015. (Admin.) (Entered: 08/03/2015)
08/03/2015	 323	Notice of Hearing on (RE: related document(s) 300 Motion to Add Pension Benefit Guaranty Corporation to the Official Committee of Unsecured Creditors Pursuant to 11 U.S.C. 1102 (a)(4). Hearing scheduled 8/3/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/03/2015)
08/03/2015	 324	Notice of Appearance and Request for Notice by Matthew M Cahill Filed by Creditor Caterpillar Financial Services Corporation. (Cahill, Matthew) (Entered: 08/03/2015)
08/03/2015	 325	Notice of Appearance and Request for Notice by Eric L. Pruitt Filed by Creditor Caterpillar Financial Services Corporation. (Pruitt, Eric) (Entered: 08/03/2015)
08/03/2015	 326	Certificate of Service <i>re: Debtors' Agenda for Hearing Scheduled for August 3, 2015</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 290 Statement). (Kass, Albert) (Entered: 08/03/2015)
08/03/2015	 327	Order Granting Motion To Appear pro hac vice of Shelley Bush Marmon (Related Doc # 149) Signed on 8/3/2015. (klt) (Entered: 08/03/2015)
08/03/2015	 328	Order Granting Motion To Appear pro hac vice of William W. Kannell (Related Doc # 247) Signed on 8/3/2015. (klt) (Entered: 08/03/2015)
		












08/03/2015	329	Order Granting Motion To Appear pro hac vice of Adrienne K. Walker (Related Doc # 248) Signed on 8/3/2015. (klt) (Entered: 08/03/2015)
08/03/2015	 330	Motion to Appear pro hac vice of Harold L. Kaplan. (tcw) (Entered: 08/03/2015)
08/03/2015	 331	Motion to Appear pro hac vice of Lars A. Peterson. (tcw) (Entered: 08/03/2015)
08/03/2015	 332	Amended Order (A)(I) Approving Continued Use of Debtor's Existing Cash Management System; (II) Authorizing Use of Existing Bank Accounts and Checks; (III) Waiving the Requirements of 11 U.S.C. 345(b); (IV) Granting Administrative Expense Status to Certain Post-Petition Intercompany Claims; and (V) Authorizing Continuation of Certain Intercompany Transactions; and (B) Granting Related Relief (Related Doc # 38) Debtors Motion for an Order (A) (I) Approving Continued Use of the Debtors Existing Cash Management System, (II) Authorizing Use of Existing Bank Accounts and Checks, (III) Waiving the Requirements of 11 U.S.C. § 345(b), (IV) Granting Administrative Expense Status to Postpetition Intercompany Claims, and (V) Authorizing the Continuation of Certain Intercompany Transactions; and (B) Granting Related Relief Signed on 8/3/2015 (RE: related document(s) 60 Order on Motion Re: Chapter 11 First Day Motions). (klt) (Entered: 08/03/2015)
08/04/2015	 333	Order on 239 Emergency Motion to Reconsider filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank, 244 Joinder filed by Interested Party Ramsay McCormack Land Co. Inc., 266 Joinder filed by Creditor Frontier Enterprises). The Motion is DENIED to the extent that it seeks emergency relief and these matters are reset for 8/18/2015. Responses or Objections due by Noon CDT, August 14, 2015. Hearing scheduled 8/18/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. Signed on 8/4/2015 (klt) (Entered: 08/04/2015)
08/04/2015	 334	Notice of Appearance and Request for Notice by Gregory Michael Taube Filed by Creditor Sandvik Mining and Construction USA, LLC. (Taube, Gregory) (Entered: 08/04/2015)
08/04/2015	 335	Certificate of Service <i>re: Amended Order (A)(I) Approving Continued Use of Debtor's Existing Cash Management System; (II) Authorizing Use of Existing Bank Accounts and Checks; (III) Waiving the Requirements of 11 U.S.C. 345(b); (IV)</i>









		<i>Granting Administrative Expense Status to Certain Post-Petition Intercompany Claims; and (V) Authorizing Continuation of Certain Intercompany Transactions; and (B) Granting Related Relief (Related Doc # 38) Debtors Motion for an Order (A) (I) Approving Continued Use of the Debtors Existing Cash Management System, (II) Authorizing Use of Existing Bank Accounts and Checks, (III) Waiving the Requirements of 11 U.S.C. § 345(b), (IV) Granting Administrative Expense Status to Postpetition Intercompany Claims, and (V) Authorizing the Continuation of Certain Intercompany Transactions; and (B) Granting Related Relief Signed on 8/3/2015 Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s)332 Amended Order). (Kass, Albert) (Entered: 08/04/2015)</i>
08/04/2015	 336	Order Granting Motion to Add Pension Benefit Guaranty Corporation to the Official Committee of Unsecured Creditors and Granting Related Relief (Related Doc # 300) Signed on 8/4/2015. (klt) (Entered: 08/04/2015)
08/04/2015	 337	Verified Statement of George N. Davies, on behalf of Quinn, Connor, Weaver, Davies & Rouco LLP Filed by Creditors United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, United Mine Workers of America 1992 Benefit Plan and its Trustees, United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, United Mine Workers of America Combined Benefit Fund and its Trustees. (Davies, George) Modified on 8/4/2015 to add text (klt). (Entered: 08/04/2015)
08/04/2015	 338	Verified Statement of John C. Goodchild, III, on behalf of Morgan, Lewis & Bockius LLP Filed by Creditors United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, United Mine Workers of America 1992 Benefit Plan and its Trustees, United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, United Mine Workers of America Combined Benefit Fund and its Trustees. (Davies, George) Modified on 8/4/2015 to add text (klt). (Entered: 08/04/2015)
08/04/2015	 339	Verified Statement of John R. Mooney, on behalf of Mooney, Green, Saindon, Murphy & Welch, PC Filed by Creditors United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, United Mine Workers of America 1992 Benefit









		Plan and its Trustees, United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, United Mine Workers of America Combined Benefit Fund and its Trustees. (Davies, George) Modified on 8/4/2015 to add text (klt). (Entered: 08/04/2015)
08/04/2015	 340	Notice of Appearance and Request for Notice <i>on behalf of Patricia L. Hanson</i> by Robert A Morgan Filed by Attorney Rachel L Webber. (Morgan, Robert) (Entered: 08/04/2015)
08/04/2015	 341	Notice of Appearance and Request for Notice <i>on behalf of Kellerman Land Associates, aka Margaret Shook Cooper et al dba Kellerman Land Associates</i> by Robert A Morgan Filed by Attorney Rachel L Webber. (Morgan, Robert) (Entered: 08/04/2015)
08/04/2015	 342	Amended Appointment of Unsecured Creditors Committee Filed by Bankruptcy Administrator J. Thomas Corbett (BAoffice, bg) Modified on 8/5/2015 to match text to pdf (klt). (Entered: 08/04/2015)
08/05/2015	 343	Receipt number from District Court filing fee paid by Sharon L. Levine (Re Item: 190 Motion to Appear pro hac vice) B4601064015 (RE: related document(s) 190 Motion to Appear pro hac vice filed by Creditor United Mine Workers of America). (klt) (Entered: 08/05/2015)
08/05/2015	 344	Receipt number from District Court filing fee paid by Paul Kizel (Re Item: 191 Motion to Appear pro hac vice) B4601064015 (RE: related document(s) 191 Motion to Appear pro hac vice filed by Creditor United Mine Workers of America). (klt) (Entered: 08/05/2015)
08/05/2015	 345	Receipt number from District Court filing fee paid by Nicole M. Brown (Re Item: 193 Motion to Appear pro hac vice) B4601064015 (RE: related document(s) 193 Motion to Appear pro hac vice filed by Creditor United Mine Workers of America). (klt) (Entered: 08/05/2015)
08/05/2015	 346	Receipt number from District Court filing fee paid by Philip J. Gross (Re Item: 192 Motion to Appear pro hac vice) B4601064015 (RE: related document(s) 192 Motion to Appear pro hac vice filed by Creditor United Mine Workers of America). (klt) (Entered: 08/05/2015)
08/05/2015	 347	










		Order Granting Motion To Appear pro hac vice of Sharon L. Levine (Related Doc # 190) Signed on 8/5/2015. (klt) (Entered: 08/05/2015)
08/05/2015	 348	Order Granting Motion To Appear pro hac vice of Paul Kizel (Related Doc # 191) Signed on 8/5/2015. (klt) (Entered: 08/05/2015)
08/05/2015	 349	Order Granting Motion To Appear pro hac vice of Philip J. Gross (Related Doc # 192) Signed on 8/5/2015. (klt) (Entered: 08/05/2015)
08/05/2015	 350	Order Granting Motion To Appear pro hac vice of Nicole M. Brown (Related Doc # 193) Signed on 8/5/2015. (klt) (Entered: 08/05/2015)
08/05/2015	 351	Certificate of Service (<i>Supplemental</i>) re: <i>Notice of Commencement of Chapter 11 Bankruptcy Cases</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 144 Order on Motion to Extend Time). (Kass, Albert) (Entered: 08/05/2015)
08/05/2015	 352	Certificate of Service <i>Supplemental re: Notice of Hearing on Motion for an Order (A) Authorizing the Debtors to Assume a Restructuring Support Agreement and (B) Granting Related Relief</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 82 Notice of Hearing). (Kass, Albert) (Entered: 08/05/2015)
08/05/2015	 353	Transcript of hearing held on: 08/03/15 You are noticed that a transcript has been filed. Pursuant to the Judicial Conference Policy on Privacy, remote electronic access to this transcript is restricted through 11/3/2015. To review the transcript for redaction purposes, you may purchase a copy from the transcriber, or the transcript may be viewed at the public terminal located in the Bankruptcy Court Clerk's Office. Contact the Court Reporter/Transcriber J&J Court Transcribers, telephone number 609-586-2311. All parties have seven (7) calendar days to file a Notice of Intent to Request Transcript Redaction of any social security numbers, financial account data, names of minor-age children, dates of birth, and home addresses. If the Notice of Intent is filed, the party has 21 calendar days from the date the transcript was filed to file the Transcript Redaction Request indicating the location of the identifiers within the transcript with the Court and to provide the list to the transcriber. The redacted transcript is due 31 days from the date of filing of the transcript. The transcript will be made electronically available to the general public 90 calendar











		days from the date of filing.. Notice of Intent to Request Redaction Deadline Due By 8/12/2015. Redaction Request Due By 08/26/2015. Redacted Transcript Submission Due By 09/8/2015. Transcript access will be restricted through 11/3/2015. (Bowen, James) (Entered: 08/05/2015)
08/05/2015	 354	Certificate of Good Standing Filed by Interested Party BOKF, N.A. (RE: related document(s) 305 Motion to Appear pro hac vice <i>Motion to Admit Andrew I. Silfen</i>). (Williams, Mark) (Entered: 08/05/2015)
08/05/2015	 355	Certificate of Good Standing Filed by Interested Party BOKF, N.A. (RE: related document(s) 306 Motion to Appear pro hac vice <i>Motion to Admit Leah M. Eisenberg</i>). (Williams, Mark) (Entered: 08/05/2015)
08/05/2015	 356	Certificate of Good Standing Filed by Interested Party BOKF, N.A. (RE: related document(s) 307 Motion to Appear pro hac vice <i>Motion to Admit Beth M. Brownstein</i>). (Williams, Mark) (Entered: 08/05/2015)
08/05/2015	 357	Certificate of Service (Supplemental) re: Notice of Commencement of Chapter 11 Bankruptcy Cases Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 145 Meeting of Creditors Chapter 11). (Kass, Albert) (Entered: 08/05/2015)
08/05/2015	 358	Certificate of Service re: Order on 239 Emergency Motion to Reconsider filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 333 Notice and Order). (Kass, Albert) (Entered: 08/05/2015)
08/05/2015	 359	Certificate of Service (Supplemental) re: Notice of Commencement of Chapter 11 Bankruptcy Case and Notice of Meeting of Creditors Chapter 11 Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 145 Meeting of Creditors Chapter 11). (Kass, Albert) (Entered: 08/05/2015)
08/05/2015	 360	BNC Certificate of Notice (RE: related document(s) 327 Order on Motion to Appear Pro Hac Vice). Notice Date 08/05/2015. (Admin.) (Entered: 08/06/2015)
08/05/2015	 361	BNC Certificate of Notice (RE: related document(s) 328 Order on Motion to Appear Pro Hac Vice). Notice Date 08/05/2015. (Admin.) (Entered: 08/06/2015)






08/05/2015	 362	BNC Certificate of Notice (RE: related document(s) 329 Order on Motion to Appear Pro Hac Vice). Notice Date 08/05/2015. (Admin.) (Entered: 08/06/2015)
08/05/2015	 363	BNC Certificate of Notice (RE: related document(s) 332 Amended Order). Notice Date 08/05/2015. (Admin.) (Entered: 08/06/2015)
08/05/2015	 364	BNC Certificate of Notice (RE: related document(s) 323 Notice of Hearing). Notice Date 08/05/2015. (Admin.) (Entered: 08/06/2015)
08/06/2015	 365	Motion to Shorten Time (<i>Motion to Shorten Time to Respond to Interrogatories and Request for Production of Documents</i>) Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank (Attachments: # 1 Exhibit A # 2 Exhibit B) (Benton, Lee) (Entered: 08/06/2015)
08/06/2015	 366	Motion to Appear pro hac vice of Robert L. Paddock Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank (Wilson, Jamie) Modified on 8/6/2015 to add text (klt). (Entered: 08/06/2015)
08/06/2015	 367	Notice of Appearance and Request for Notice by Max C. Pope Jr Filed by Creditor A.W.S., Inc.. (Pope, Max) (Entered: 08/06/2015)
08/06/2015	 368	BNC Certificate of Notice (RE: related document(s) 333 Notice and Order). Notice Date 08/06/2015. (Admin.) (Entered: 08/07/2015)
08/06/2015	 369	BNC Certificate of Notice (RE: related document(s) 336 Order on Motion to Appoint Creditors Committee). Notice Date 08/06/2015. (Admin.) (Entered: 08/07/2015)
08/06/2015	 370	Adversary Proceeding 15-00098 Opened - U. S. District Court Order Referring Case to Bankruptcy Signed on 8/4/2015. (klt) (Entered: 08/07/2015)
08/07/2015	 371	Receipt number from District Court filing fee paid by Robert Paddock (Re Item: 366 Motion to Appear pro hac vice) B4601064328 (RE: related document(s) 366 Motion to Appear pro hac vice filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank). (thc) (Entered: 08/07/2015)
08/07/2015	 372	









		Receipt number from District Court filing fee paid by Lars Peterson (Re Item: 331 Motion to Appear pro hac vice) B4601064277 (RE: related document(s) 331 Motion to Appear pro hac vice). (thc) (Entered: 08/07/2015)
08/07/2015	 373	Receipt number from District Court filing fee paid by Harold Kaplan (Re Item: 330 Motion to Appear pro hac vice) B4601064318 (RE: related document(s) 330 Motion to Appear pro hac vice). (thc) (Entered: 08/07/2015)
08/07/2015	 374	Order Granting Motion To Appear pro hac vice of Robert L. Paddock (Related Doc # 366) Signed on 8/7/2015. (klt) (Entered: 08/07/2015)
08/07/2015	 375	Order Granting Motion To Shorten Time until noon August 13, 2015, unless another date is mutually agreed upon by the parties. (Related Doc # 365) Signed on 8/7/2015. (thc) (Entered: 08/07/2015)
08/07/2015	 376	Order Granting Motion To Appear pro hac vice of Harold L. Kaplan (Related Doc 330) Signed on 8/7/2015. (thc) Modified on 8/10/2015 to add text (klt). (Entered: 08/07/2015)
08/07/2015	 377	Order Granting Motion To Appear pro hac vice of Lars Peterson (Related Doc 331) Signed on 8/7/2015. (thc) Modified on 8/10/2015 to add text (klt). (Entered: 08/07/2015)
08/07/2015	 378	Objection to (related document(s): 44 Motion to Assume Lease or Executory Contract <i>The Debtors' Motion for an Order (A) Authorizing the Debtors to Assume a Restructuring Support Agreement and (B) Granting Related Relief</i> filed by Debtor Walter Energy, Inc., et al.) <i>Objection of the United Mine Workers of America to Debtors' Motion for Entry of (I) an Order Authorizing the Debtors to Assume a Restructuring Support Agreement; and (II) Final Cash Collateral Order</i> Filed by Creditor United Mine Workers of America (Attachments: # 1 Exhibit A # 2 Exhibit B) (Kimble, Jennifer) (Entered: 08/07/2015)
08/07/2015	 379	Motion to Continue Hearing On (related documents 42 Motion Re: Chapter 11 First Day Motions, 44 Motion to Assume Lease or Executory Contract) Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (Bensinger, Bill) (Entered: 08/07/2015)
08/07/2015	 380	Motion to Expedite Hearing (related documents 379 Motion to Continue Hearing) Filed by Creditor Committee Official







		Committee of Unsecured Creditors of Walter Energy, Inc., et al. (Bensinger, Bill) (Entered: 08/07/2015)
08/07/2015	 381	Certificate of Service (<i>Supplemental</i>) re: Notice of Commencement of Chapter 11 Bankruptcy Cases Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 145 Meeting of Creditors Chapter 11). (Kass, Albert) (Entered: 08/07/2015)
08/07/2015	 382	BNC Certificate of Notice (RE: related document(s) 347 Order on Motion to Appear Pro Hac Vice). Notice Date 08/07/2015. (Admin.) (Entered: 08/08/2015)
08/07/2015	 383	BNC Certificate of Notice (RE: related document(s) 348 Order on Motion to Appear Pro Hac Vice). Notice Date 08/07/2015. (Admin.) (Entered: 08/08/2015)
08/07/2015	 384	BNC Certificate of Notice (RE: related document(s) 349 Order on Motion to Appear Pro Hac Vice). Notice Date 08/07/2015. (Admin.) (Entered: 08/08/2015)
08/07/2015	 385	BNC Certificate of Notice (RE: related document(s) 350 Order on Motion to Appear Pro Hac Vice). Notice Date 08/07/2015. (Admin.) (Entered: 08/08/2015)
08/08/2015	 386	Order Granting - The official committee of unsecured creditors through their selected counsel have requested that the hearing on the Cash Collateral Motion and the RSA Assumption Motion be continued from the current date of August 18, 2015 and that related deadlines for objections and replies also be extended. Further the committee counsel have requested an expedited hearing on the Motion to Continue. It appears that the Motion to Expedite is due to be granted; now therefore the Motion to Expedite is GRANTED, the Motion to Continue will be heard on Thursday, August 13, 2015 at 10:00 a.m. Any objections to the Motion to Continue must be filed on or before noon on Wednesday, August 12, 2015. Counsel may appear by telephone. /s/ TAMARA O. MITCHELL (RE: 380 Motion to Expedite Hearing) (Entered: 08/08/2015)
08/09/2015	 387	BNC Certificate of Notice (RE: related document(s) 374 Order on Motion to Appear Pro Hac Vice). Notice Date 08/09/2015. (Admin.) (Entered: 08/10/2015)
08/09/2015	 388	BNC Certificate of Notice (RE: related document(s) 376 Order on Motion to Appear Pro Hac Vice). Notice Date 08/09/2015. (Admin.) (Entered: 08/10/2015)







08/09/2015	 389	BNC Certificate of Notice (RE: related document(s) 377 Order on Motion to Appear Pro Hac Vice). Notice Date 08/09/2015. (Admin.) (Entered: 08/10/2015)
08/09/2015	 390	BNC Certificate of Notice (RE: related document(s) 375 Order on Motion to Shorten Time). Notice Date 08/09/2015. (Admin.) (Entered: 08/10/2015)
08/10/2015	 391	**AMENDED BY 394** - Notice of Hearing on (RE: related document(s) 379 Motion to Continue Hearing filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.). Objections due by Noon, 8/12/2015; Hearing scheduled 8/13/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) Modified on 8/10/2015 (klt). (Entered: 08/10/2015)
08/10/2015	 392	Hearing Scheduled (RE: related document(s) 378 Objection filed by Creditor United Mine Workers of America). Hearing scheduled 8/18/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/10/2015)
08/10/2015	 393	Notice of Appearance and Request for Notice (<i>Notice of Appearance by Robert L. Paddock for Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank</i>) by Jamie Alisa Wilson Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank. (Wilson, Jamie) (Entered: 08/10/2015)
08/10/2015	 394	Amended Notice of Hearing on (RE: related document(s) 379 Motion to Continue Hearing filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.). Objections due by Noon, 8/12/2015. Hearing scheduled 8/13/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/10/2015)
08/10/2015	 395	**AMENDED BY 402** - Amended Motion to Appear pro hac vice <i>OF MICHAEL S. ETKIN</i> Filed by Creditors Michael Earl Carney, Peter Rush (Wilson, Kenneth) Modified on 8/11/2015 (klt). (Entered: 08/10/2015)
08/10/2015	 396	**AMENDED BY 401** - Amended Motion to Appear pro hac vice <i>OF S. JASON TEELE</i> Filed by Creditors Michael Earl Carney, Peter Rush (Wilson, Kenneth) Modified on 8/11/2015 (klt). (Entered: 08/10/2015)
08/10/2015	 397	Certificate of Service <i>Supplemental Certificate of Service of Clarissa D. Cu re: Notice of Commencement of Chapter 11</i>








		<i>Bankruptcy Cases</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 145 Meeting of Creditors Chapter 11). (Kass, Albert) (Entered: 08/10/2015)
08/10/2015	 398	Certificate of Service <i>re: Request for Nominations to Section 1114 Committee in re Walter Energy, Inc., et al., Case No. 1502741 and Section 1114 Committee Questionnaire</i> Filed by Other Professional Kurtzman Carson Consultants LLC. (Kass, Albert) (Entered: 08/10/2015)
08/10/2015	 399	Notice of Appearance and Request for Notice Filed by Interested Party Michael Bazley . (klt) (Entered: 08/10/2015)
08/10/2015	 400	Notice of Appearance and Request for Notice Filed by Interested Party GE Capital Information Technology Solutions, Inc f/d/b/a IKON Financial Services . (klt) (Entered: 08/10/2015)
08/11/2015	 401	Amended Motion to Appear pro hac vice <i>of S. Jason Teele</i> Filed by Creditors Michael Earl Carney, Peter Rush (Wilson, Kenneth) (Entered: 08/11/2015)
08/11/2015	 402	Amended Motion to Appear pro hac vice <i>of Michael S. Etkin</i> Filed by Creditors Michael Earl Carney, Peter Rush (Wilson, Kenneth) (Entered: 08/11/2015)
08/11/2015	 403	Partial Joinder to (Re Item: 379 Motion to Continue Hearing On (related documents 42 Motion Re: Chapter 11 First Day Motions, 44 Motion to Assume Lease or Executory Contract) filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.) Filed by Interested Party BOKF, N.A. (Williams, Mark) Modified on 8/11/2015 to match text to pdf (klt). (Entered: 08/11/2015)
08/11/2015	 404	Hearing Scheduled (RE: related document(s) 403 Partial Joinder filed by Interested Party BOKF, N.A.) Hearing scheduled 8/13/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/11/2015)
08/11/2015	 405	Notice of Appearance and Request for Notice by Lee R. Benton Filed by Interested Party WHH Real Estate, LLC. (Benton, Lee) (Entered: 08/11/2015)
08/11/2015	 406	Notice of Appearance and Request for Notice by Jamie Alisa Wilson Filed by Interested Party WHH Real Estate, LLC. (Wilson, Jamie) (Entered: 08/11/2015)
08/11/2015	 407	










		Notice of Appearance and Request for Notice by Samuel Stephens Filed by Interested Party WHH Real Estate, LLC. (Stephens, Samuel) (Entered: 08/11/2015)
08/11/2015	 408	Objection to (related document(s): 42 Debtors Motion for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105, 361, 362, 363, 507 and 552, Bankruptcy Rules 2002, 4001, 6003, 6004 and 9014 (A) (I) Authorizing Postpetition Use filed by Debtor Walter Energy, Inc., et al., Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank (Attachments: # 1 Exhibit A - Part 1 # 2 Exhibit A - Part 2 # 3 Exhibit B # 4 Exhibit C) (Benton, Lee) Modified on 8/12/2015 to match text to pdf (klt). (Entered: 08/11/2015)
08/11/2015	 409	Joinder in Objection (related document(s): 42 Debtors Motion for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105, 361, 362, 363, 507 and 552, Bankruptcy Rules 2002, 4001, 6003, 6004 and 9014 (A) (I) Authorizing Postpetition Use filed by Debtor Walter Energy, Inc., et al., 408 Debtors' Motion for Entry of Final Order Authorizing Use of Cash Collateral and UMWA's Objection to Motion for Entry of (I) An Order Authorizing The Debtor's To Assume A Restructuring Support Agreement; and (II) Final Cash Collateral Order) Filed by Interested Party Ramsay McCormack Land Co. Inc. (Benton, Lee) Modified on 8/11/2015 to match text to pdf (klt). (Entered: 08/11/2015)
08/11/2015	 410	Joinder in Objection (related document(s): 42 Debtors Motion for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105, 361, 362, 363, 507 and 552, Bankruptcy Rules 2002, 4001, 6003, 6004 and 9014 (A) (I) Authorizing Postpetition Use filed by Debtor Walter Energy, Inc., et al., 408 Debtors' Motion for Entry of Final Order Authorizing Use of Cash Collateral and UMWA's Objection to Motion for Entry of (I) An Order Authorizing The Debtor's To Assume A Restructuring Support Agreement; and (II) Final Cash Collateral Order) Filed by Interested Party WHH Real Estate, LLC (Benton, Lee) Modified on 8/11/2015 to match text to pdf (klt). (Entered: 08/11/2015)
08/11/2015	 411	Amended Certificate of Service Filed by Interested Party BOKF, N.A. (RE: related document(s) 403 Response). (Williams, Mark) (Entered: 08/11/2015)
08/11/2015	 412	Motion to Appear pro hac vice of <i>Brett H. Miller</i> Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (Bensinger, Bill) (Entered: 08/11/2015)










08/11/2015	 413	Motion to Appear pro hac vice <i>of Lorenzo Marinuzzi</i> Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (Bensinger, Bill) (Entered: 08/11/2015)
08/11/2015	 414	Motion to Appear pro hac vice <i>of Jennifer L. Marines</i> Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (Bensinger, Bill) (Entered: 08/11/2015)
08/11/2015	 415	Motion to Appear pro hac vice <i>of Joseph Alexander Lawrence</i> Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (Bensinger, Bill) (Entered: 08/11/2015)
08/11/2015	 416	Motion to Appear pro hac vice <i>of Samantha Leigh Martin</i> Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (Bensinger, Bill) (Entered: 08/11/2015)
08/11/2015	 417	Motion to Appear pro hac vice <i>of James Andrew Newton</i> Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (Bensinger, Bill) (Entered: 08/11/2015)
08/11/2015	 418	Motion to Appear pro hac vice <i>Erica Jean Richards</i> Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (Bensinger, Bill) (Entered: 08/11/2015)
08/11/2015	 419	Adversary case 15-00102. 72 (Injunctive relief - other)) Complaint by Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank against Walter Black Warrior Basin LLC. Fee Amount \$350 (Benton, Lee) (Entered: 08/11/2015)
08/11/2015	 420	Amended Motion to Continue Hearing On (related documents 18 Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) the Debtors to Pay Prepetition Claims of Certain Critical Vendors and Foreign Vendors and (II) Financial Institutions to Honor and Process Related Checks and Transfers and (B) Granting Related Relief , 19 Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) Payment of Certain Prepetition Claims of Shippers, Storage Providers and Service Providers and (II) Financial Institutions to Honor and Process Related Checks and Transfers and (B) Granting Related Relief, 27 Debtors Motion for an Order (A) Establishing Notification Procedures and Approving Restrictions on Certain




		Transfers of Interests in the Debtors Estate and (B) Granting Related Relief, 42 Debtors Motion for Entry of Interim and Final Orders (A) (I) Authorizing Postpetition Use of Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, and (III) Scheduling a Final Hearing; and (B) Granting Related Relief, 44 Debtors' Motion for an Order (A) Authorizing the Debtors to Assume a Restructuring Support Agreement and (B) Granting Related Relief) Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (Bensinger, Bill) Modified on 8/13/2015 to match text to pdf (klt). (Entered: 08/11/2015)
08/11/2015	 421	Hearing Scheduled (RE: related document(s) 420 Amended Motion to Continue Hearing filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.). Hearing scheduled 8/13/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/11/2015)
08/12/2015	 422	Objection to (related document(s): 379 Motion to Continue Hearing On (related documents 42 Motion Re: Chapter 11 First Day Motions, 44 Motion to Assume Lease or Executory Contract) filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.) (<i>Dominion Resources Black Warrior Trust's Limited Objection to Motion to Continue</i>) Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank (Benton, Lee) (Entered: 08/12/2015)
08/12/2015	 423	Receipt number from District Court filing fee paid by Andrew I. Silfen (Re Item: 305 Motion to Appear pro hac vice) B4601064372 (RE: related document(s) 305 Motion to Appear pro hac vice filed by Interested Party BOKF, N.A.). (klt) (Entered: 08/12/2015)
08/12/2015	 424	Receipt number from District Court filing fee paid by Leah M. Eisenberg (Re Item: 306 Motion to Appear pro hac vice) B4601064373 (RE: related document(s) 306 Motion to Appear pro hac vice filed by Interested Party BOKF, N.A.). (klt) (Entered: 08/12/2015)
08/12/2015	 425	Receipt number from District Court filing fee paid by Beth M. Brownstein (Re Item: 307 Motion to Appear pro hac vice) B4601064374 (RE: related document(s) 307 Motion to Appear pro hac vice filed by Interested Party BOKF, N.A.). (klt) (Entered: 08/12/2015)
08/12/2015	 426	Receipt number from District Court filing fee paid by Michael Etkin and Jason Teele (Re Item: 395 Motion to Appear pro hac




		vice, 396 Motion to Appear pro hac vice) B4601064441 (RE: related document(s) 395 Motion to Appear pro hac vice filed by Creditor Michael Earl Carney, Creditor Peter Rush, 396 Motion to Appear pro hac vice filed by Creditor Michael Earl Carney, Creditor Peter Rush). (klt) (Entered: 08/12/2015)
08/12/2015	 427	Receipt number from District Court filing fee paid by Brett H. Miller (Re Item: 412 Motion to Appear pro hac vice) B4061064471 (RE: related document(s) 412 Motion to Appear pro hac vice filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.). (klt) (Entered: 08/12/2015)
08/12/2015	 428	Receipt number from District Court filing fee paid by Lorenzo Marinuzzi (Re Item: 413 Motion to Appear pro hac vice) B4061064471 (RE: related document(s) 413 Motion to Appear pro hac vice filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.). (klt) (Entered: 08/12/2015)
08/12/2015	 429	Receipt number from District Court filing fee paid by Jennifer L. Marines (Re Item: 414 Motion to Appear pro hac vice) B4061064471 (RE: related document(s) 414 Motion to Appear pro hac vice filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.). (klt) (Entered: 08/12/2015)
08/12/2015	 430	Receipt number from District Court filing fee paid by Joseph Alexander Lawrence (Re Item: 415 Motion to Appear pro hac vice) B4061064471 (RE: related document(s) 415 Motion to Appear pro hac vice filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.). (klt) (Entered: 08/12/2015)
08/12/2015	 431	Receipt number from District Court filing fee paid by Samantha Leigh Martin (Re Item: 416 Motion to Appear pro hac vice) B4061064471 (RE: related document(s) 416 Motion to Appear pro hac vice filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.). (klt) (Entered: 08/12/2015)
08/12/2015	 432	Receipt number from District Court filing fee paid by James Andrew Newton (Re Item: 417 Motion to Appear pro hac vice) B4061064471 (RE: related document(s) 417 Motion to Appear pro hac vice filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.). (klt) (Entered: 08/12/2015)








08/12/2015	 433	Receipt number from District Court filing fee paid by Erica Jean Richards (Re Item: 418 Motion to Appear pro hac vice) B4061064471 (RE: related document(s) 418 Motion to Appear pro hac vice filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.). (klt) (Entered: 08/12/2015)
08/12/2015	 434	Hearing Scheduled (RE: related document(s) 408 Objection filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank, 409 Joinder in Objection filed by Interested Party Ramsay McCormack Land Co. Inc., 410 Joinder in Objection filed by Interested Party WHH Real Estate, LLC). Hearing scheduled 8/18/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/12/2015)
08/12/2015	 435	Hearing Scheduled (RE: related document(s) 422 Limited Objection filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank). Hearing scheduled 8/13/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/12/2015)
08/12/2015	 436	Response to (Re Item: 379 Motion to Continue Hearing On (related documents 42 Motion Re: Chapter 11 First Day Motions, 44 Motion to Assume Lease or Executory Contract) filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al., 420 Amended Motion to Continue Hearing On (related documents 18 Motion Re: Chapter 11 First Day Motions, 19 Motion Re: Chapter 11 First Day Motions, 27 Motion Re: Chapter 11 First Day Motions, 42 Motion Re: Chapter 11 First Day Motions, 44 Motion filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.) <i>Steering Committee's Response to Motion for Continuance</i> Filed by Interested Party Steering Committee (Hall, Michael) (Entered: 08/12/2015)
08/12/2015	 437	Hearing Scheduled (RE: related document(s) 436 Response filed by Interested Party Steering Committee). Hearing scheduled 8/13/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/12/2015)
08/12/2015	 438	Order Granting Motion To Appear pro hac vice of S. Jason Teele (Related Doc # 401) Signed on 8/12/2015. (klt) (Entered: 08/12/2015)
08/12/2015	 439	Order Granting Motion To Appear pro hac vice of Michael S. Etkin (Related Doc # 402) Signed on 8/12/2015. (klt) (Entered: 08/12/2015)







08/12/2015	 440	Statement <i>Debtors' Agenda for Hearing Scheduled for August 13, 2015</i> Filed by Debtor Walter Energy, Inc., et al.. (Bailey, James) (Entered: 08/12/2015)
08/12/2015	 441	Motion to Appear pro hac vice of <i>Charles L. Kerr</i> Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (Bensinger, Bill) (Entered: 08/12/2015)
08/12/2015	 442	Notice of Appearance and Request for Notice by Brian R Walding Filed by Creditor Alabama Gas Corporaton. (Walding, Brian) (Entered: 08/12/2015)
08/12/2015	 443	Notice of Appearance and Request for Notice by Edwin Bryan Nichols Filed by Creditor Alabama Gas Corporaton. (Nichols, Edwin) (Entered: 08/12/2015)
08/12/2015	 444	Motion for Relief from Stay , Fee Amount \$176, Filed by Creditor Jewel D Chaney (Cockrell, Ginger) (Entered: 08/12/2015)
08/12/2015		Receipt of Motion for Relief from Stay(15-02741-TOM11) [motion,mrlfsty] (176.00) Filing Fee. Receipt number 18347071. Fee Amount 176.00 (re:Doc# 444) (U.S. Treasury) (Entered: 08/12/2015)
08/12/2015	 445	Motion to Expedite Hearing (related documents 444 Motion for Relief from Stay) Filed by Creditor Jewel D Chaney (Cockrell, Ginger) (Entered: 08/12/2015)
08/12/2015	 446	Notice of Application and Application to Employ Bradley Arant Boulton Cummings LLP as Attorneys for the Debtors Nunc Pro Tunc to the Petition Date Filed by Debtor Walter Energy, Inc., et al. (Darby, Patrick) Modified on 8/13/2015 to match text to pdf (klt). (Entered: 08/12/2015)
08/12/2015	 447	Notice of Application and Application to Employ Paul, Weiss, Rifkind, Wharton & Garrison LLP as Attorneys for the Debtors Nunc Pro Tunc to the Petition Date Filed by Debtor Walter Energy, Inc., et al. (Darby, Patrick) Modified on 8/13/2015 to match text to pdf (klt). (Entered: 08/12/2015)
08/12/2015	 448	Notice of Application and Application to Employ Maynard, Cooper, & Gale, P.C. as Special Counsel for the Debtors Nunc Pro Tunc to the Petition Date Filed by Debtor Walter Energy, Inc., et al. (Darby, Patrick) Modified on 8/13/2015 to match text to pdf (klt). (Entered: 08/12/2015)












08/12/2015	 449	Notice of Application and Application to Employ Ogletree, Deakins, Nash, Smoak, & Stewart, P.C. as Special Counsel for the Debtors Nunc Pro Tunc to the Petition Date Filed by Debtor Walter Energy, Inc., et al. (Darby, Patrick) Modified on 8/13/2015 (klt). (Entered: 08/12/2015)
08/12/2015	 450	Notice of Application and Application to Employ AlixPartners, LLP as Restructuring Advisor Nunc Pro Tunc to the Petition Date Filed by Debtor Walter Energy, Inc., et al. (Darby, Patrick) Modified on 8/13/2015 (klt). (Entered: 08/12/2015)
08/12/2015	 451	Notice of Application and Application to Employ Ernst & Young LLP as Auditors and Tax Advisors Filed by Debtor Walter Energy, Inc., et al., Nunc Pro Tunc to the Petition Date (Attachments: # 1 Part 2 # 2 Part 3) (Darby, Patrick) Modified on 8/13/2015 to match text to pdf (klt). (Entered: 08/12/2015)
08/12/2015	 452	Notice of Application and Application to Employ KPMG LLP as Auditors and Tax Advisors Nunc Pro Tunc to the Petition Date Filed by Debtor Walter Energy, Inc., et al. (Attachments: # 1 Part 2 # 2 Part 3 # 3 Part 4 # 4 Part 5 # 5 Part 6 # 6 Part 7 # 7 Part 8 # 8 Part 9) (Darby, Patrick) Modified on 8/13/2015 to match text to pdf (klt). (Entered: 08/12/2015)
08/12/2015	 453	Notice of Motion and Debtors' Motion for an Order (A) Establishing Bar Dates for Filing Prepetition Proofs of Claim, Including Section 503(b)(9) Claims, (B) Approving the Form and Manner of Notice Thereof and (C) Granting Related Relief Filed by Debtor Walter Energy, Inc., et al. (Darby, Patrick) Modified on 8/13/2015 to match text to pdf (klt). (Entered: 08/12/2015)
08/12/2015	 454	Notice of Motion and Debtors' Motion for an Administrative Order Pursuant to Sections 105(a) and 331 of the Bankruptcy Code Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals Filed by Debtor Walter Energy, Inc., et al. (Darby, Patrick) Modified on 8/13/2015 to match text to pdf (klt). (Entered: 08/12/2015)
08/12/2015	 455	BNC Certificate of Notice (RE: related document(s) 391 Notice of Hearing). Notice Date 08/12/2015. (Admin.) (Entered: 08/13/2015)
08/12/2015	 456	BNC Certificate of Notice (RE: related document(s) 394 Notice of Hearing). Notice Date 08/12/2015. (Admin.) (Entered: 08/13/2015)
08/13/2015	 457	










		Order Granting - Movant requests an expedited hearing on a Motion for Relief from stay to allow a mediation of a pre-petition lawsuit that includes one of the Debtors. The Motion to Expedite is GRANTED and the Motion for Relief from Stay will be set for August 18, 2015 at 10:00. /s/ TAMARA O. MITCHELL (RE: 445 Motion to Expedite Hearing) (Entered: 08/13/2015)
08/13/2015	 458	Notice of Final Hearing on Motion for Relief from Stay filed by Jewel Chaney (RE: related document(s) 444 Motion for Relief from Stay filed by Creditor Jewel D Chaney). Hearing scheduled 8/18/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/13/2015)
08/13/2015	 459	Hearing Scheduled (RE: related document(s) 27 Debtors Motion for an Order (A) Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors Estate and (B) Granting Related Relief). Hearing scheduled 8/18/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/13/2015)
08/13/2015	 460	Notice of Hearing on (RE: related document(s) 446 Notice of Application and Application to Employ Bradley Arant Boult Cummings LLP as Attorneys for the Debtors Nunc Pro Tunc, 447 Notice of Application and Application to Employ Paul, Weiss, Rifkind, Wharton & Garrison LLP as Attorneys for the Debtors Nunc Pro Tunc, 448 Notice of Application and Application to Employ Maynard, Cooper, & Gale, P.C. as Special Counsel for the Debtors Nunc Pro Tunc, 449 Notice of Application and Application to Employ Ogletree, Deakins, Nash, Smoak, & Stewart, P.C. as Special Counsel for the Debtors Nunc Pro Tunc, 450 Notice of Application and Application to Employ AlixPartners, LLP as Restructuring Advisor Nunc Pro Tunc, 451 Notice of Application and Application to Employ Ernst & Young LLP as Auditors and Tax Advisors Filed by Debtor Walter Energy, Inc., et al., Nunc Pro Tunc, 452 Notice of Application and Application to Employ KPMG LLP as Auditors and Tax Advisors Nunc Pro Tunc, 453 Notice of Motion and Debtors' Motion for an Order (A) Establishing Bar Dates for Filing Prepetition Proofs of Claim, Including Section 503(b)(9) Claims, (B) Approving the Form and Manner of Notice Thereof and (C) Granting Related Relief, 454 Notice of Motion and Debtors' Motion for an Administrative Order Pursuant to Sections 105(a) and 331 of the Bankruptcy Code Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals). Hearing scheduled 9/2/2015 at 11:30 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/13/2015)









08/13/2015	 461	Order Granting Amended Motion To Continue Hearing and the following matters are continued: 18 Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) the Debtors to Pay Prepetition Claims of Certain Critical Vendors and Foreign Vendors and (II) Financial Institutions to Honor and Process Related Checks and Transfers and (B) Granting Related Relief, 19 Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) Payment of Certain Prepetition Claims of Shippers, Storage Providers and Service Providers and (II) Financial Institutions to Honor and Process Related Checks and Transfers and (B) Granting Related Relief, 27 Debtors Motion for an Order (A) Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors Estate and (B) Granting Related Relief, 42 Debtors Motion for Entry of Interim and Final Orders (A) (I) Authorizing Postpetition Use of Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, and (III) Scheduling a Final Hearing; and (B) Granting Related Relief, 44 Debtors' Motion for an Order (A) Authorizing the Debtors to Assume a Restructuring Support Agreement and (B) Granting Related Relief Signed on 8/13/2015. Hearing to be held on 9/2/2015 at 11:30 AM Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/13/2015)
08/13/2015	 462	Hearing Scheduled Continuing (RE: related document(s) 408 Objection filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank, 409 Joinder filed by Interested Party Ramsay McCormack Land Co. Inc., 410 Joinder filed by Interested Party WHH Real Estate, LLC). Hearing scheduled 9/2/2015 at 11:30 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/13/2015)
08/13/2015	 463	Certificate of Service <i>re: Documents Served on August 12, 2015</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 440 Statement, 446 Application to Employ Bradley Arant Boult Cummings LLP as Attorneys for the Debtors , 447 Application to Employ Paul, Weiss, Rifkind, Wharton & Garrison LLP as Attorneys for the Debtors , 448 Application to Employ Maynard, Cooper, & Gale, P.C. as Special Counsel for the Debtors , 449 Application to Employ Ogletree, Deakins, Nash, Smoak, & Stewart, P.C. as Special Counsel for the Debtors , 450 Application to Employ AlixPartners, LLP as Restructuring Advisor , 451 Application to Employ Ernst & Young LLP as Auditors and Tax Advisors , 452 Application to Employ KPMG LLP as Auditors and Tax Advisors , 453 Motion to Set Last Day to File Proofs of Claim <i>Debtors' Motion for an Order (A) Establishing Bar Dates for Filing Prepetition Proofs of Claim, Including Section 503(b)(9) Claims, (B) Approving the Form and Manner of Notice Thereof</i>








		<i>and (C) Gran, 454 Motion Debtors' Motion for an Administrative Order Pursuant to Sections 105(a) and 331 of the Bankruptcy Code Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals). (Kass, Albert) (Entered: 08/13/2015)</i>
08/13/2015	 464	Certificate of Service (Supplemental) re: Certificate of Service re: Documents Served on August 12, 2015 Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 463 Certificate of Service). (Kass, Albert) (Entered: 08/13/2015)
08/13/2015	 465	Report to Court <i>Periodic Report Regarding Value, Operations, and Profitability of Entities in Which the Estate of Walter Energy, Inc. Holds a Substantial or Controlling Interest</i> Filed by Debtor Walter Energy, Inc., et al.. (Darby, Patrick) (Entered: 08/13/2015)
08/14/2015	 466	Objection to (related document(s): 239 Motion to Reconsider (related documents 60 Order on Motion Re: Chapter 11 First Day Motions) (<i>Emergency Motion by Dominion Resources Black Warrior Trust to Reconsider, on a Limited Basis, The Cash Management Order</i>) filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank) Filed by Debtor Walter Energy, Inc., et al. (Darby, Patrick) (Entered: 08/14/2015)
08/14/2015	 467	Joinder of Steering Committee in 466 Debtors' Objection to Emergency Motion by Dominion Resources Black Warrior Trust to Reconsider on a Limited Basis, the Cash Management Order Filed by Interested Party Steering Committee (Hall, Michael) Modified on 8/14/2015 to add related docket entry link (klt). (Entered: 08/14/2015)
08/14/2015	 468	Hearing Scheduled (RE: related document(s) 466 Objection filed by Debtor Walter Energy, Inc., et al., 467 Joinder filed by Interested Party Steering Committee). Hearing scheduled 8/18/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/14/2015)
08/14/2015	 469	Joinder of The Official Committee of Unsecured Creditors in 466 Debtors' Objection to 239 Emergency Motion by Dominion Resources Black Warrior Trust to Reconsider, on a Limited Basis, the Cash Management Order (Bensinger, Bill) Modified on 8/14/2015 to add related docket entry link and match text to pdf (klt). (Entered: 08/14/2015)
08/14/2015	 470	











		Hearing Scheduled (RE: related document(s) 378 Objection filed by Creditor United Mine Workers of America). Hearing scheduled 9/2/2015 at 11:30 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/14/2015)
08/14/2015	 471	Hearing Scheduled (RE: related document(s) 469 Joinder in Debtor's Objection filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.). Hearing scheduled 8/18/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/14/2015)
08/14/2015	 472	Hearing Scheduled (RE: related document(s) 226 Debtors' Notice of Revised Proposed Final Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors' Estates). Hearing scheduled 9/2/2015 at 11:30 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/14/2015)
08/14/2015	 473	Notice of Appearance and Request for Notice <i>filed by Michael Leo Hall and D. Christopher Carson</i> by Michael Leo Hall Filed by Interested Party Steering Committee. (Hall, Michael) (Entered: 08/14/2015)
08/14/2015	 474	Certificate of Service (<i>Supplemental</i>) <i>re: 1) Notice of Interim Trading Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in Debtors' Estates; 2) Order Scheduling Omnibus Hearing Dates; 3) Debtors' Notice of Revised Proposed Final Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors' Estates; 4) Order (S) Authorizing the Formation of a Committee of Retired Employees Pursuant to Sections 1114(c)(2) and 114 (d) of the Bankruptcy Code and (II) Establishing Procedures for Selecting Committee Members and (b) Granting Related Relief</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 187 Motion to Appear pro hac vice <i>Richard M. Seltzer</i> , 264 Order on Motion to Appoint Creditors Committee). (Kass, Albert) (Entered: 08/14/2015)
08/14/2015	 475	Certificate of Service (<i>Supplemental</i>) <i>re: Notice of Commencement of Chapter 11 Bankruptcy Case and Notice of Meeting of Creditors Chapter 11</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 145 Meeting of Creditors Chapter 11). (Kass, Albert) (Entered: 08/14/2015)
08/14/2015	 476	







		BNC Certificate of Notice (RE: related document(s) 438 Order on Motion to Appear Pro Hac Vice). Notice Date 08/14/2015. (Admin.) (Entered: 08/15/2015)
08/14/2015	 477	BNC Certificate of Notice (RE: related document(s) 439 Order on Motion to Appear Pro Hac Vice). Notice Date 08/14/2015. (Admin.) (Entered: 08/15/2015)
08/15/2015	 478	BNC Certificate of Notice (RE: related document(s) 461 Order on Motion to Continue Hearing). Notice Date 08/15/2015. (Admin.) (Entered: 08/16/2015)
08/15/2015	 479	BNC Certificate of Notice (RE: related document(s) 458 Hearing (Motion for Relief) Set). Notice Date 08/15/2015. (Admin.) (Entered: 08/16/2015)
08/15/2015	 480	BNC Certificate of Notice (RE: related document(s) 460 Notice of Hearing). Notice Date 08/15/2015. (Admin.) (Entered: 08/16/2015)
08/17/2015	 481	Order Granting Motion To Appear pro hac vice of Brett H. Miller (Related Doc # 412) Signed on 8/17/2015. (klt) (Entered: 08/17/2015)
08/17/2015	 482	Order Granting Motion To Appear pro hac vice of Lorenzo Marinuzzi (Related Doc # 413) Signed on 8/17/2015. (klt) (Entered: 08/17/2015)
08/17/2015	 483	Order Granting Motion To Appear pro hac vice of Jennifer L. Marines (Related Doc # 414) Signed on 8/17/2015. (klt) (Entered: 08/17/2015)
08/17/2015	 484	Order Granting Motion To Appear pro hac vice of Joseph Alexander Lawrence (Related Doc # 415) Signed on 8/17/2015. (klt) (Entered: 08/17/2015)
08/17/2015	 485	Order Granting Motion To Appear pro hac vice of Samantha Leigh Martin (Related Doc # 416) Signed on 8/17/2015. (klt) (Entered: 08/17/2015)
08/17/2015	 486	Order Granting Motion To Appear pro hac vice of James Andrew Newton (Related Doc # 417) Signed on 8/17/2015. (klt) (Entered: 08/17/2015)
08/17/2015	 487	Order Granting Motion To Appear pro hac vice of Erica Jean Richards (Related Doc # 418) Signed on 8/17/2015. (klt) (Entered: 08/17/2015)










08/17/2015	 488	Amended Witness and Exhibit List for August 18, 2015 Hearing Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank (RE: related document(s) 239 Motion to Reconsider (related documents 60 Order on Motion Re: Chapter 11 First Day Motions) (<i>Emergency Motion by Dominion Resources Black Warrior Trust to Reconsider, on a Limited Basis, The Cash Management Order</i>)). (Benton, Lee) Modified on 8/17/2015 to match text to pdf (klt). (Entered: 08/17/2015)
08/17/2015	 489	Debtors' Agenda for Hearing Scheduled for August 18, 2015 Filed by Debtor Walter Energy, Inc., et al.. (Bailey, James) Modified on 8/25/2015 to match text to pdf (klt). (Entered: 08/17/2015)
08/17/2015	 490	Notice of Appearance and Request for Notice by Ginger D Cockrell Filed by Creditor Jewel D Chaney. (Cockrell, Ginger) (Entered: 08/17/2015)
08/17/2015	 491	Certificate of Service re: <i>Periodic Report Regarding Value, Operations, and Profitability of Entities in Which the Estate of Walter Energy, Inc. Holds a Substantial or Controlling Interest</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 465 Report to Court). (Kass, Albert) (Entered: 08/17/2015)
08/17/2015	 492	Certificate of Service re: <i>Objection to (related document(s): 239 Motion to Reconsider (related documents 60 Order on Motion Re: Chapter 11 First Day Motions) (Emergency Motion by Dominion Resources Black Warrior Trust to Reconsider, on a Limited Basis, The Cash Management Order)</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 466 Objection). (Kass, Albert) (Entered: 08/17/2015)
08/17/2015	 493	Notice of Appearance and Request for Notice Filed by Interested Party Robert Makohin . (klt) (Entered: 08/17/2015)
08/17/2015	 494	Order Granting Motion To Appear pro hac vice of Andrew I. Silfen (Related Doc # 305) Signed on 8/17/2015. (klt) (Entered: 08/17/2015)
08/17/2015	 495	Order Granting Motion To Appear pro hac vice of Leah M. Eisenberg (Related Doc # 306) Signed on 8/17/2015. (klt) (Entered: 08/17/2015)
08/17/2015	 496	










		Order Granting Motion To Appear pro hac vice of Beth M. Brownstein (Related Doc # 307) Signed on 8/17/2015. (klt) (Entered: 08/17/2015)
08/18/2015	 497	Amended Order Signed on 8/18/2015 (RE: related document(s) 494 Order Granting Motion To Appear pro hac vice of Andrew I. Silfen). (klt) (Entered: 08/18/2015)
08/18/2015	 498	Amended Order Signed on 8/18/2015 (RE: related document(s) 495 Order Granting Motion To Appear pro hac vice of Leah M. Eisenberg). (klt) (Entered: 08/18/2015)
08/18/2015	 499	Amended Order Signed on 8/18/2015 (RE: related document(s) 496 Order Granting Motion To Appear pro hac vice of Beth M. Brownstein). (klt) (Entered: 08/18/2015)
08/18/2015	 500	NOTE: We are experiencing technical difficulties with the calling in of external users for today's hearing. Please continue to be patient as we work to resolve this problem with AT&T. (thc) (Entered: 08/18/2015)
08/18/2015	 501	Notice and Order Signed on 8/18/2015 continuing (RE: related document(s) 444 Motion for Relief from Stay filed by Creditor Jewel D Chaney). Hearing scheduled 9/29/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/18/2015)
08/18/2015	 502	 PDF with attached Audio File. Court Date & Time [8/18/2015 10:03:30 AM]. File Size [6333 KB]. Run Time [00:17:35]. (RE: Doc #24; Final Hearing on Debtors Motion for Entry of Interim and Final Orders (A) (I) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Utility Services, (II) Deeming Utility Companies Adequately Assured of Future Performan). (adiuser). (Entered: 08/18/2015)
08/19/2015	 503	Transcript of hearing held on: 08/13/15 You are noticed that a transcript has been filed. Pursuant to the Judicial Conference Policy on Privacy, remote electronic access to this transcript is restricted through 11/17/2015. To review the transcript for redaction purposes, you may purchase a copy from the transcriber, or the transcript may be viewed at the public terminal located in the Bankruptcy Court Clerk's Office. Contact the Court Reporter/Transcriber J&J Court Transcribers, telephone number 609-586-2311. All parties have seven (7) calendar days to file a Notice of Intent to Request Transcript Redaction of any social security numbers, financial account data, names of minor-age children, dates of birth, and home addresses. If the Notice of Intent is filed, the party has 21 calendar days from the date the transcript was filed to file the







		Transcript Redaction Request indicating the location of the identifiers within the transcript with the Court and to provide the list to the transcriber. The redacted transcript is due 31 days from the date of filing of the transcript. The transcript will be made electronically available to the general public 90 calendar days from the date of filing.. Notice of Intent to Request Redaction Deadline Due By 8/26/2015. Redaction Request Due By 09/9/2015. Redacted Transcript Submission Due By 09/21/2015. Transcript access will be restricted through 11/17/2015. (Bowen, James) (Entered: 08/19/2015)
08/19/2015	 504	Amended Certificate of Service Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank (RE: related document(s) 408 Objection, 409 Objection, 410 Objection). (Wilson, Jamie) (Entered: 08/19/2015)
08/19/2015	 505	Final Order Granting (A) (I) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Utility Services, (II) Deeming Utility Companies Adequately Assured of Future Performance and (III) Establishing Procedures for Determining Adequate Assurance of Payment; (B) Authorizing and Directing Applicable Banks and Other Financial Institutions to Process and Pay All Checks Presented for Payment and to Honor All Funds Transfer Requests Made by the Debtors Relating to the Foregoing and (C) Granting Related Relief (Related Doc # 24) Signed on 8/19/2015. (klt) (Entered: 08/19/2015)
08/19/2015	 506	Final Order (A) Authorizing Debtors to Continue and Renew Their Surety Bond Program and (B) Granting Related Relief (Related Doc # 31) Signed on 8/19/2015. (klt) (Entered: 08/19/2015)
08/19/2015	 507	Order Authorizing Debtors to Retain, Employ and Compensate Certain Professionals Utilized in the Ordinary Course of Business, Nunc Pro Tunc to the Petition Date (Related Doc # 224) Signed on 8/19/2015. (klt) (Entered: 08/19/2015)
08/19/2015	 508	Order Modifying the Automatic Stay to Proceed with Workers' Compensation and Black Lung Claims and Actions (Related Doc # 225) Signed on 8/19/2015. (klt) (Entered: 08/19/2015)
08/19/2015	 509	Application to Employ Blackstone Advisory Partners L.P. as Investment Banker to the Debtors Filed by Debtor Walter Energy, Inc., et al. (Darby, Patrick) (Entered: 08/19/2015)
08/19/2015	 510	Affidavit of Publication of the Notice of Commencement of Chapter 11 Bankruptcy Cases Filed by Other Professional







		Kurtzman Carson Consultants LLC (RE: related document(s) 144 Order on Motion to Extend Time). (Attachments: # 1 Exhibit A through E # 2 Exhibit F through J) (Kass, Albert) (Entered: 08/19/2015)
08/19/2015	 511	Certificate of Service <i>re: Debtors' Agenda for Hearing Scheduled for August 18, 2015</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 489 Statement). (Kass, Albert) (Entered: 08/19/2015)
08/19/2015	 512	Certificate of Service (<i>Supplemental</i>) <i>re: Notice of Commencement of Chapter 11 Bankruptcy Case and Notice of Meeting of Creditors Chapter 11</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 145 Meeting of Creditors Chapter 11). (Kass, Albert) (Entered: 08/19/2015)
08/19/2015	 513	BNC Certificate of Notice (RE: related document(s) 481 Order on Motion to Appear Pro Hac Vice). Notice Date 08/19/2015. (Admin.) (Entered: 08/20/2015)
08/19/2015	 514	BNC Certificate of Notice (RE: related document(s) 482 Order on Motion to Appear Pro Hac Vice). Notice Date 08/19/2015. (Admin.) (Entered: 08/20/2015)
08/19/2015	 515	BNC Certificate of Notice (RE: related document(s) 483 Order on Motion to Appear Pro Hac Vice). Notice Date 08/19/2015. (Admin.) (Entered: 08/20/2015)
08/19/2015	 516	BNC Certificate of Notice (RE: related document(s) 484 Order on Motion to Appear Pro Hac Vice). Notice Date 08/19/2015. (Admin.) (Entered: 08/20/2015)
08/19/2015	 517	BNC Certificate of Notice (RE: related document(s) 485 Order on Motion to Appear Pro Hac Vice). Notice Date 08/19/2015. (Admin.) (Entered: 08/20/2015)
08/19/2015	 518	BNC Certificate of Notice (RE: related document(s) 486 Order on Motion to Appear Pro Hac Vice). Notice Date 08/19/2015. (Admin.) (Entered: 08/20/2015)
08/19/2015	 519	BNC Certificate of Notice (RE: related document(s) 487 Order on Motion to Appear Pro Hac Vice). Notice Date 08/19/2015. (Admin.) (Entered: 08/20/2015)
08/19/2015	 520	BNC Certificate of Notice (RE: related document(s) 494 Order on Motion to Appear Pro Hac Vice). Notice Date 08/19/2015. (Admin.) (Entered: 08/20/2015)





08/19/2015	 521	BNC Certificate of Notice (RE: related document(s) 495 Order on Motion to Appear Pro Hac Vice). Notice Date 08/19/2015. (Admin.) (Entered: 08/20/2015)
08/19/2015	 522	BNC Certificate of Notice (RE: related document(s) 496 Order on Motion to Appear Pro Hac Vice). Notice Date 08/19/2015. (Admin.) (Entered: 08/20/2015)
08/20/2015	 523	Notice of Appearance and Request for Notice by Bill D Bensinger Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.. (Bensinger, Bill) (Entered: 08/20/2015)
08/20/2015	 524	Debtor-In-Possession Monthly Operating Report for Filing Period Ended July 31, 2015 Filed by Debtor Walter Energy, Inc., et al.. (Darby, Patrick) (Entered: 08/20/2015)
08/20/2015	 525	Transcript of hearing held on: 08/18/15 You are noticed that a transcript has been filed. Pursuant to the Judicial Conference Policy on Privacy, remote electronic access to this transcript is restricted through 11/18/2015. To review the transcript for redaction purposes, you may purchase a copy from the transcriber, or the transcript may be viewed at the public terminal located in the Bankruptcy Court Clerk's Office. Contact the Court Reporter/Transcriber J&J Court Transcribers, telephone number 609-586-2311. All parties have seven (7) calendar days to file a Notice of Intent to Request Transcript Redaction of any social security numbers, financial account data, names of minor-age children, dates of birth, and home addresses. If the Notice of Intent is filed, the party has 21 calendar days from the date the transcript was filed to file the Transcript Redaction Request indicating the location of the identifiers within the transcript with the Court and to provide the list to the transcriber. The redacted transcript is due 31 days from the date of filing of the transcript. The transcript will be made electronically available to the general public 90 calendar days from the date of filing.. Notice of Intent to Request Redaction Deadline Due By 8/27/2015. Redaction Request Due By 09/10/2015. Redacted Transcript Submission Due By 09/21/2015. Transcript access will be restricted through 11/18/2015. (Bowen, James) (Entered: 08/20/2015)
08/20/2015	 526	Certificate of Service <i>re: Documents Served on August 19, 2015</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 505 Order on Motion Re: Chapter 11 First Day Motions, 506 Order on Motion Re: Chapter 11 First Day Motions, 507 Order on Motion, 508 Order on Motion For Relief From Stay, 509 Application to Employ Blackstone







		Advisory Partners L.P. as Investment Banker to the Debtors). (Kass, Albert) (Entered: 08/20/2015)
08/20/2015	 527	BNC Certificate of Notice (RE: related document(s) 497 Amended Order). Notice Date 08/20/2015. (Admin.) (Entered: 08/21/2015)
08/20/2015	 528	BNC Certificate of Notice (RE: related document(s) 498 Amended Order). Notice Date 08/20/2015. (Admin.) (Entered: 08/21/2015)
08/20/2015	 529	BNC Certificate of Notice (RE: related document(s) 499 Amended Order). Notice Date 08/20/2015. (Admin.) (Entered: 08/21/2015)
08/20/2015	 530	BNC Certificate of Notice (RE: related document(s) 501 Notice and Order). Notice Date 08/20/2015. (Admin.) (Entered: 08/21/2015)
08/21/2015	 531	Receipt number from District Court filing fee paid by Charles Kerr (Re Item: 441 Motion to Appear pro hac vice) B4601064502 (RE: related document(s) 441 Motion to Appear pro hac vice filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.). (thc) (Entered: 08/21/2015)
08/21/2015	 532	Order Granting Motion To Appear pro hac vice of Charles L. Kerr (Related Doc # 441) Signed on 8/21/2015. (klt) (Entered: 08/21/2015)
08/21/2015	 533	Supplemental Certificate of Service re: 1) Order on 239 Emergency Motion to Reconsider filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank, 244 Joinder filed by Interested Party Ramsay McCormack Land Co. Inc., 266 Joinder filed by Creditor Frontier Enterprises); and 2) Notice of Commencement of Chapter 11 Bankruptcy Case and Notice of Meeting of Creditors Chapter 11. Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 145 Meeting of Creditors Chapter 11, 333 Notice and Order). (Kass, Albert) Modified on 8/24/2015 to match text to pdf (klt). (Entered: 08/21/2015)
08/21/2015	 534	BNC Certificate of Notice (RE: related document(s) 505 Order on Motion Re: Chapter 11 First Day Motions). Notice Date 08/21/2015. (Admin.) (Entered: 08/22/2015)
08/21/2015	 535	








		BNC Certificate of Notice (RE: related document(s) 506 Order on Motion Re: Chapter 11 First Day Motions). Notice Date 08/21/2015. (Admin.) (Entered: 08/22/2015)
08/21/2015	 536	BNC Certificate of Notice (RE: related document(s) 507 Order on Motion). Notice Date 08/21/2015. (Admin.) (Entered: 08/22/2015)
08/21/2015	 537	BNC Certificate of Notice (RE: related document(s) 508 Order on Motion For Relief From Stay). Notice Date 08/21/2015. (Admin.) (Entered: 08/22/2015)
08/23/2015	 538	BNC Certificate of Notice (RE: related document(s) 532 Order on Motion to Appear Pro Hac Vice). Notice Date 08/23/2015. (Admin.) (Entered: 08/24/2015)
08/24/2015	 539	Notice of Filing OCP Declaration Pursuant to Order Authorizing the Debtors to Retain, Employ and Compensate Certain Professionals Utilized in the Ordinary Course of Business for Robinson McFadden & Moore, P.C. Filed by Debtor Walter Energy, Inc., et al. (Moore, Cathleen) Modified on 8/25/2015 to match text to pdf (klt). (Entered: 08/24/2015)
08/24/2015	 540	Letter Filed by New York State Department of Labor. (klt) (Entered: 08/24/2015)
08/24/2015	 541	Appointment of Committee of Retired Employees Filed by Bankruptcy Administrator J. Thomas Corbett (BAoffice, bg) Modified on 8/25/2015 to match text to pdf (klt). (Entered: 08/24/2015)
08/24/2015	 542	Order Granting in Limited Part and Denying the Remainder of The Emergency Motion of Dominion Resources Black Warrior Trust to Reconsider, on a Limited Basis, The Cash Management Order (Related Doc # 239). Debtor's Objection 466 , Joinder of Ramsay McCormack Land Co., Inc., 244 , Joinder of Steering Committee 467 and Joinder of Official Committee of Unsecured Creditors 469 Sustained. Signed on 8/24/2015. (klt) (Entered: 08/25/2015)
08/25/2015	 543	Notice of Appearance and Request for Notice by Randolph M Fowler Filed by Albert Plus, LLC and James Albert Holman Revocable Trust. (Fowler, Randolph) Modified on 8/25/2015 to match text to pdf and correct filer information from debtor to interested party (klt). (Entered: 08/25/2015)
08/25/2015	 544	**pdf not generated due to incorrect debtor name listed on form** Notice of Hearing on (RE: related document(s) 509


		Application to Employ Blackstone Advisory Partners L.P. as Investment Banker to the Debtors). (klt) Modified on 8/25/2015 (klt). (Entered: 08/25/2015)
08/25/2015	 545	**Amended by 546 ** - Notice of Hearing on (RE: related document(s) 509 Application to Employ Blackstone Advisory Partners L.P. as Investment Banker Nunc Pro Tunc to Petition Date). Hearing scheduled 9/15/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) Modified on 8/25/2015 (klt). (Entered: 08/25/2015)
08/25/2015	 546	Amended Notice of Hearing on (RE: related document(s) 509 Application to Employ Blackstone Advisory Partners L.P. as Investment Banker to Debtors andDebtorsinPossession Nunc Pro Tunc to Petition Date). Hearing scheduled 9/29/2015 at 10:00 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/25/2015)
08/25/2015	 547	Supplement to Joinder in Dominion Resources Black Warrior Trust's Objection to the Debtor's Motion for Entry of Final Order Authorizing Use of Cash Collateral and UMWA's Objection to Motion for Entry of Order Authorizing Debtors to Assume a Restructuring Support Agreement and Final Cash Collateral Order (related document(s): 409 Objection filed by Interested Party Ramsay McCormack Land Co. Inc. (Benton, Lee) Modified on 8/26/2015 to match text to pdf (klt). (Entered: 08/25/2015)
08/25/2015	 548	Supplement to Joinder in Dominion Resources Black Warrior Trust's Objection to Debtor's Motion for Entry of Final Order Authorizing Use of Cash Collateral and UMWA's Objection to Motion for Entry of Order Authorizing Debtors to Assume a Restructuring Support Agreement and Final Cash Collateral Order (related document(s): 410 Objection filed by Interested Party WHH Real Estate, LLC) (Benton, Lee) Modified on 8/26/2015 to match text to pdf (klt). (Entered: 08/25/2015)
08/25/2015	 549	Certificate of Service <i>re: Notice of Filing OCP Declaration Pursuant to Order Authorizing the Debtors to Retain, Employ and Compensate Certain Professionals Utilized in the Ordinary Course of Business for Robinson McFadden & Moore, P.C.</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 539 Declaration). (Kass, Albert) (Entered: 08/25/2015)
08/26/2015	 550	Hearing Scheduled (RE: related document(s) 547 Supplement to Joinder filed by Interested Party Ramsay McCormack Land Co. Inc., 548 Supplement to Joinder filed by Interested Party WHH












		Real Estate, LLC). Hearing scheduled 9/2/2015 at 11:30 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/26/2015)
08/26/2015	 551	Supplement to Objection To The Debtors' Motion For Entry Of A Final Order Authorizing Use Of Cash Collateral (related document(s): 408 Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank (Benton, Lee) Modified on 8/26/2015 to match text to pdf (klt). (Entered: 08/26/2015)
08/26/2015	 552	Amended Certificate of Service Filed by Interested Parties Ramsay McCormack Land Co. Inc., WHH Real Estate, LLC (RE: related document(s) 547 Objection, 548 Objection). (Wilson, Jamie) (Entered: 08/26/2015)
08/26/2015	 553	Hearing Scheduled (RE: related document(s) 551 Supplement to Objection To The Debtors' Motion For Entry Of A Final Order Authorizing Use Of Cash Collateral (related document(s): 408 Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank). Hearing scheduled 9/2/2015 at 11:30 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/26/2015)
08/26/2015	 554	Preliminary Objection to (related document(s): 44 The Debtors' Motion for an Order (A) Authorizing the Debtors to Assume a Restructuring Support Agreement and (B) Granting Related Relief and Request to Hold in Abeyance the Debtors Motion for an Order (A) Authorizing the Debtors to Assume a Restructuring Support Agreement and (B) Granting Related Relief Filed by Interested Party BOKF, N.A. (Williams, Mark) Modified on 8/26/2015 to match text to pdf (klt). (Entered: 08/26/2015)
08/26/2015	 555	Preliminary Objection (REDACTED PUBLIC VERSION) to 42 Debtors Motion for Entry of Interim and Final Orders Under 11 U.S.C. Section 105, 361, 362, 363, 507 and 552, Bankruptcy Rules 2002, 4001, 6003, 6004 and 9014 (A) (I) Authorizing Post-petition Use of Cash Collateral, Filed by Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (Attachments: # 1 Exhibit A # 2 Exhibit Declaration) (Bensinger, Bill) Modified on 8/26/2015 to match text to pdf (klt). Additional attachment(s) added on 9/3/2015 (klt). (Entered: 08/26/2015)
08/26/2015	 556	Objection to (related document(s): 44 Debtor's Motion for an Order (A) Authorizing the Debtors to Assume a Restructuring Support Agreement and (B) Granting Related Relief Filed by Official Committee of Unsecured Creditors of Walter Energy,







		Inc., et al. (Attachments: # 1 Exhibit Declaration # 2 Exhibit A to Declaration) (Bensinger, Bill) Modified on 8/26/2015 to match text to pdf (klt). Additional attachment(s) added on 9/3/2015 (klt). (Entered: 08/26/2015)
08/26/2015	 557	Declaration of Matthew A. Mazzucchi in Support Preliminary Objection to 42 Debtors Motion for Entry of Interim and Final Orders Under 11 U.S.C. Section 105, 361, 362, 363, 507 and 552, Bankruptcy Rules 2002, 4001, 6003, 6004 and 9014 (A) (I) Authorizing Post-petition Use of Cash Collateral, Filed by Creditor Committee Official Committee of Unsecured Creditors (RE: related document(s) 555 Objection). (Attachments: # 1 Exhibit A) (Bensinger, Bill) Modified on 8/26/2015 to match text to pdf (klt). (Entered: 08/26/2015)
08/26/2015	 558	Objection to (related document(s): 42 Debtors Motion for Entry of Interim and Final Orders Under 11 U.S.C. Section 105, 361, 362, 363, 507 and 552, Bankruptcy Rules 2002, 4001, 6003, 6004 and 9014 (A) (I) Authorizing Postpetition Use of Cash Collateral and 44 Debtors' Motion for an Order (A) Authorizing the Debtors to Assume a Restructuring Support Agreement and (B) Granting Related Relief Filed by Creditors United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, United Mine Workers of America 1992 Benefit Plan and its Trustees, United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, United Mine Workers of America Combined Benefit Fund and its Trustees (Davies, George) Modified on 8/26/2015 to match text to pdf (klt). (Entered: 08/26/2015)
08/26/2015	 559	Objection and Reservation of Rights to (related document(s): 42 Debtors Motion for Entry of Interim and Final Orders Under 11 U.S.C. Section 105, 361, 362, 363, 507 and 552, Bankruptcy Rules 2002, 4001, 6003, 6004 and 9014 (A) (I) Authorizing Postpetition Use of Cash Collateral and 44 Debtors' Motion for an Order (A) Authorizing the Debtors to Assume a Restructuring Support Agreement and (B) Granting Related Relief Filed by Creditor United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial Service Workers International Union, AFL-CIO, CLC (Connor, Glen) Modified on 8/26/2015 to match text to pdf (klt). (Entered: 08/26/2015)
08/26/2015	 560	












		Motion to Appear pro hac vice <i>Motion to Admit Allan J. Arffa Pro Hac Vice</i> Filed by Debtor Walter Energy, Inc., et al. (Bailey, James) (Entered: 08/26/2015)
08/26/2015	 561	Motion to Appear pro hac vice <i>Motion to Admit Daniel J. Leffell Pro Hac Vice</i> Filed by Debtor Walter Energy, Inc., et al. (Bailey, James) (Entered: 08/26/2015)
08/26/2015	 562	Hearing Scheduled (RE: related document(s) 554 Objection filed by Interested Party BOKF, N.A., 555 Objection filed by Official Committee of Unsecured Creditors of Walter Energy, Inc., et al., 556 Objection filed by Official Committee of Unsecured Creditors of Walter Energy, Inc., et al., 558 Objection filed by Creditor United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, Creditor United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, Creditor United Mine Workers of America 1992 Benefit Plan and its Trustees, Creditor United Mine Workers of America Combined Benefit Fund and its Trustees, Creditor United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, Creditor United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, 559 Objection filed by Creditor United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial Service Workers International Union, AFL-CIO, CLC). Hearing scheduled 9/2/2015 at 11:30 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/26/2015)
08/26/2015	 563	Motion to File Documents Under Seal Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (Bensinger, Bill) Modified on 8/27/2015 to match text to pdf (klt). (Entered: 08/26/2015)
08/26/2015	 564	Notice of Appearance and Request for Notice Filed by Creditor NATIONAL LABOR RELATIONS BOARD. (Webb, Joseph) (Entered: 08/26/2015)
08/26/2015	 565	Limited Reservation of Rights to Debtor's 27 Motion for an Order (A) Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors' Estates and (B) Granting Related Relief Filed by Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (Bensinger, Bill) Modified on 8/27/2015 to match text to pdf (klt). (Entered: 08/26/2015)
08/26/2015	 566	Debtors' Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code Filed by Debtor Walter Energy, Inc., et al. (Darby, Patrick) Modified on 8/27/2015 to match text to pdf (klt). (Entered: 08/26/2015)







08/26/2015	 567	Disclosure Statement for the Debtors' Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code Filed by Debtor Walter Energy, Inc., et al.. (Darby, Patrick) Modified on 8/27/2015 to match text to pdf (klt). (Entered: 08/26/2015)
08/26/2015	 568	Notice of Filing OCP Declaration Pursuant to Order Authorizing the Debtors to Retain, Employ, and Compensate Certain Professionals Utilized in the Ordinary Course of Business Filed by Debtor Walter Energy, Inc., et al.. (Moore, Cathleen) Modified on 8/27/2015 to match text to pdf (klt). (Entered: 08/26/2015)
08/26/2015	 569	Debtors' Notice of Filing Plan and Disclosure Statement Filed by Debtor Walter Energy, Inc., et al.. (Darby, Patrick) Modified on 8/27/2015 to match text to pdf (klt). (Entered: 08/26/2015)
08/27/2015	 570	Notice of Hearing on (RE: related document(s) 563 Motion to File Documents Under Seal Filed by Creditor Committee Official Committee of Unsecured Creditors). Hearing scheduled 9/2/2015 at 11:30 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/27/2015)
08/27/2015	 571	Receipt number from District Court filing fee paid by Allan J. Arffa (Re Item: 560 Motion to Appear pro hac vice) B4601064770 (RE: related document(s) 560 Motion to Appear pro hac vice filed by Debtor Walter Energy, Inc., et al.). (klt) (Entered: 08/27/2015)
08/27/2015	 572	Receipt number from District Court filing fee paid by Daniel J. Leffell (Re Item: 561 Motion to Appear pro hac vice) B4601064769 (RE: related document(s) 561 Motion to Appear pro hac vice filed by Debtor Walter Energy, Inc., et al.). (klt) (Entered: 08/27/2015)
08/27/2015	 573	NOTICE RE: TELEPHONIC APPEARANCE PROCEDURES FOR JUDGE TAMARA O. MITCHELL EFFECTIVE SEPTEMBER 2, 2015, FOR WALTER ENERGY, INC., et al. I. POLICY GOVERNING TELEPHONIC APPEARANCES - Telephonic appearances are allowed for the Walter Energy, Inc., et al., hearings set before Judge Tamara O. Mitchell in Courtroom 3, Robert S. Vance Federal Building, 1800 5th Avenue North, Birmingham, Alabama. No telephonic appearance will be allowed unless it is made through CourtCall, an independent conference call company, pursuant to the procedures set forth in Section II. If an individual schedules a telephonic appearance and then fails to respond to the call of a matter on the calendar, the court may pass the matter or may treat the failure to respond as a failure to appear. Scheduling








		<p>simultaneous telephonic appearances in multiple courts does not excuse a failure to appear. Individuals making use of the conference call service are cautioned that they do so at their own risk. Hearings generally will not be rescheduled due to missed connections. II. SCHEDULING A TELEPHONIC APPEARANCE - By Telephone: Absent an emergency, telephone appearances may be arranged by calling CourtCall at (866) 582-6878 no later than 12:00 noon the court day prior to the hearing date. III. PROCEDURE FOR TELEPHONIC APPEARANCE - CourtCall will provide counsel with written confirmation of a telephonic appearance, and give counsel a number to call to make the telephonic appearance. It is counsel's responsibility to dial into the call no later than 10 minutes prior to the scheduled hearing. *CourtCall does not place a call to counsel. The initial charge per participant for a CourtCall appearance is \$35.00 for the first 45 minutes you are connected. For each additional 15 minute increment the charge is \$7.50. If you do not timely call and connect with the CourtCall operator, you will be billed for the call and the hearing may proceed in your absence. Telephonic appearances are connected directly with the courtroom's public address system and electronic recording equipment so that a normal record is produced. To ensure the quality of the record, the use of cellular phones, speakerphones, public telephone booths, or phones in other public places is prohibited except in the most extreme emergencies. Participants should be able to hear all parties without difficulty or echo. At the time of your hearing, you may initially be in the listening mode. After your call is connected to the courtroom, the Judge will call the case, request appearances, and direct the manner in which the hearing proceeds. Each time you speak, you should identify yourself for the record. The court's teleconferencing system allows more than one speaker to be heard, so the Judge can interrupt a speaker to ask a question or redirect the discussion. When the Judge informs the participants that the hearing is completed, you may disconnect at any time. Telephonic appearances by multiple participants are only possible when there is compliance with every procedural requirement. Sanctions may be imposed when there is any deviation from the required procedures or the Court determines that a person's conduct makes telephonic appearances inappropriate. Sanctions may include dropping a matter from the calendar, continuing the hearing, proceeding in the absence of an unavailable participant, a monetary sanction, and/or a permanent prohibition against a person appearing telephonically. (klt) (Entered: 08/27/2015)</p>
08/27/2015	 574	Order Granting Motion To Appear pro hac vice of Allan J. Arffa (Related Doc # 560) Signed on 8/27/2015. (klt) (Entered: 08/27/2015)







08/27/2015	 575	Order Granting Motion To Appear pro hac vice of Daniel J. Leffell (Related Doc # 561) Signed on 8/27/2015. (klt) (Entered: 08/27/2015)
08/27/2015	 576	Notice of Appearance and Request for Notice (<i>Corrected</i>) Filed by Creditor NATIONAL LABOR RELATIONS BOARD. (Chahrouri, Katherine) (Entered: 08/27/2015)
08/27/2015	 577	Notice of Withdrawal as Attorney for <i>Kellerman Land Associates, aka Margaret Shook Cooper, et al dba Kellerman Land Associates</i> . (Webber, Rachel) (Entered: 08/27/2015)
08/27/2015	 578	Notice of Withdrawal as Attorney for <i>Claimant Patricia L. Hanson</i> . (Webber, Rachel) (Entered: 08/27/2015)
08/27/2015	 579	BNC Certificate of Notice (RE: related document(s) 542 Order on Motion To Reconsider). Notice Date 08/27/2015. (Admin.) (Entered: 08/28/2015)
08/27/2015	 580	BNC Certificate of Notice (RE: related document(s) 545 Notice of Hearing). Notice Date 08/27/2015. (Admin.) (Entered: 08/28/2015)
08/27/2015	 581	BNC Certificate of Notice (RE: related document(s) 546 Notice of Hearing). Notice Date 08/27/2015. (Admin.) (Entered: 08/28/2015)
08/28/2015	 582	Hearing Scheduled (RE: related document(s) 565 Limited Reservation of Rights to Debtor's 27 Motion for an Order (A) Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors' Estates and (B) Granting Related Relief Filed by Official Committee of Unsecured Creditors). Hearing scheduled 9/2/2015 at 11:30 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/28/2015)
08/28/2015	 583	Motion to Appear pro hac vice <i>Bruce D. Buechler</i> Filed by Creditor United Mine Workers of America (Kimble, Jennifer) (Entered: 08/28/2015)
08/28/2015	 584	Motion to Appear pro hac vice <i>Motion to Admit Robert N. Kravitz Pro Hac Vice</i> Filed by Debtor Walter Energy, Inc., et al. (Bailey, James) (Entered: 08/28/2015)
08/28/2015	 585	Notice of Amendment to Ordinary Course Professional List Pursuant to Order Authorizing the Debtors to Retain, Employ, and Compensate Certain Professionals Utilized in the Ordinary







		Course of Business Filed by Debtor Walter Energy, Inc., et al.. (Moore, Cathleen) Modified on 8/28/2015 to match text to pdf (klt). (Entered: 08/28/2015)
08/28/2015	 586	Exhibit and Witness List (<i>Dominion Resources Black Warrior Trust's Witness and Exhibit List for September 2, 2015 Hearing</i>) Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank (RE: related document(s) 250 Motion to Amend and/or Alter (related documents 60 Order on Motion Re: Chapter 11 First Day Motions) , 252 Motion for Relief from Stay <i>to the Extent Applicable, to Allow Payment of Defense Costs and Other Loss Under Directors and Officers Liability Insurance Policies</i> , Fee Amount \$176.). (Benton, Lee) (Entered: 08/28/2015)
08/28/2015	 587	Joinder of United Mine Workers of America's in the Limited Reservation of Rights of the Official Committee of Unsecured Creditors to 27 Debtors' Motion for an Order (A) Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interest in the Debtors' Estate and (B) Granting Related Relief Filed by Creditor United Mine Workers of America (Kimble, Jennifer) Modified on 8/28/2015 to match text to pdf and add related docket entry number (klt). (Entered: 08/28/2015)
08/28/2015	 588	Hearing Scheduled (RE: related document(s) 587 Joinder of United Mine Workers of America's in the Limited Reservation of Rights of the Official Committee of Unsecured Creditors to 27 Debtors' Motion for an Order (A) Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interest in the Debtors' Estate and (B) Granting Related Relief). Hearing scheduled 9/2/2015 at 11:30 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 08/28/2015)
08/28/2015	 589	Notice of Resignation as Member of Official Committee of Unsecured Creditors filed by Cowin & Company. (Sparks, Daniel) Modified on 8/28/2015 to match text to pdf (klt). (Entered: 08/28/2015)
08/28/2015	 590	Debtors' Notice of Proposed Final Order (A) Authorizing Postpetition Use of Cash Collateral (B) Granting Adequate Protection to Prepetition Secured Parties, and (C) Granting Related Relief Filed by Debtor Walter Energy, Inc., et al.. (Moore, Cathleen) Modified on 8/31/2015 to match text to pdf (klt). (Entered: 08/28/2015)
08/28/2015	 591	Schedules A-J Filed by Debtor Walter Energy, Inc., et al.. (Darby, Patrick) (Entered: 08/28/2015)






08/28/2015	 592	Statement of Financial Affairs Filed by Debtor Walter Energy, Inc., et al.. (Darby, Patrick) (Entered: 08/28/2015)
08/29/2015	 593	Motion to Appear pro hac vice of <i>Deborah Newman</i> Filed by Interested Party Steering Committee (Hall, Michael) (Entered: 08/29/2015)
08/29/2015	 594	BNC Certificate of Notice (RE: related document(s) 574 Order on Motion to Appear Pro Hac Vice). Notice Date 08/29/2015. (Admin.) (Entered: 08/30/2015)
08/29/2015	 595	BNC Certificate of Notice (RE: related document(s) 575 Order on Motion to Appear Pro Hac Vice). Notice Date 08/29/2015. (Admin.) (Entered: 08/30/2015)
08/29/2015	 596	BNC Certificate of Notice (RE: related document(s) 570 Notice of Hearing). Notice Date 08/29/2015. (Admin.) (Entered: 08/30/2015)
08/31/2015	 597	Motion to Appear pro hac vice <i>Wojciech F. Jung</i> Filed by Creditor United Mine Workers of America (Kimble, Jennifer) (Entered: 08/31/2015)
08/31/2015	 598	Receipt number from District Court filing fee paid by Deborah Newman (Re Item: 593 Motion to Appear pro hac vice) B4601064831 (RE: related document(s) 593 Motion to Appear pro hac vice filed by Interested Party Steering Committee). (klt) (Entered: 08/31/2015)
08/31/2015	 599	Receipt number from District Court filing fee paid by Robert N. Kravitz (Re Item: 584 Motion to Appear pro hac vice) B4601064817 (RE: related document(s) 584 Motion to Appear pro hac vice filed by Debtor Walter Energy, Inc., et al.). (thc) (Entered: 08/31/2015)
08/31/2015	 600	Receipt number from District Court filing fee paid by Deborah Newman (Re Item: 593 Motion to Appear pro hac vice) B4601064831 (RE: related document(s) 593 Motion to Appear pro hac vice filed by Interested Party Steering Committee). (thc) (Entered: 08/31/2015)
08/31/2015	 601	Receipt number from District Court filing fee paid by Bruce D. Buechler (Re Item: 583 Motion to Appear pro hac vice) B4601064795 (RE: related document(s) 583 Motion to Appear pro hac vice filed by Creditor United Mine Workers of America). (thc) (Entered: 08/31/2015)
		











08/31/2015	602	Receipt number from District Court filing fee paid by Wojciech F. Jung (Re Item: 597 Motion to Appear pro hac vice) B4601064830 (RE: related document(s) 597 Motion to Appear pro hac vice filed by Creditor United Mine Workers of America). (thc) (Entered: 08/31/2015)
08/31/2015	 603	Ordinary Course Attorney Declaration on Behalf of Bressler, Amery & Ross, P.C. (klt) (Entered: 08/31/2015)
08/31/2015	 604	Certificate of Service (<i>Supplemental</i>) re: <i>Notice of Commencement of Chapter 11 Bankruptcy Case and Notice of Meeting of Creditors Chapter 11</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 144 Order on Motion to Extend Time, 145 Meeting of Creditors Chapter 11). (Kass, Albert) (Entered: 08/31/2015)
08/31/2015	 605	Certificate of Service re: <i>Amended Notice of Hearing on (RE: related document(s)509 Application to Employ Blackstone Advisory Partners L.P. as Investment Banker to Debtors andDebtorsinPossession Nunc Pro Tunc to Petition Date</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 546 Notice of Hearing). (Kass, Albert) (Entered: 08/31/2015)
08/31/2015	 606	Certificate of Service re: <i>Documents Served on August 26, 2015</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 560 Motion to Appear pro hac vice <i>Motion to Admit Allan J. Arffa Pro Hac Vice</i> , 561 Motion to Appear pro hac vice <i>Motion to Admit Daniel J. Leffell Pro Hac Vice</i> , 566 Chapter 11 Plan, 567 Disclosure Statement, 568 Declaration, 569 Statement). (Kass, Albert) (Entered: 08/31/2015)
08/31/2015	 607	Certificate of Service re: <i>Notice of Amendment to Ordinary Course Professional List Pursuant to Order Authorizing the Debtors to Retain, Employ, and Compensate Certain Professionals Utilized in the Ordinary Course of Business</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 585 Statement). (Kass, Albert) (Entered: 08/31/2015)
08/31/2015	 608	Certificate of Service re: <i>Debtors' Notice of Proposed Final Order (A) Authorizing Postpetition Use of Cash Collateral (B) Granting Adequate Protection to Prepetition Secured Parties, and (C) Granting Related Relief</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 590 Statement). (Kass, Albert) (Entered: 08/31/2015)





08/31/2015	 609	Order Granting Motion To Appear pro hac vice of Robert N. Kravitz (Related Doc # 584) Signed on 8/31/2015. (klt) (Entered: 09/01/2015)
08/31/2015	 610	Order Granting Motion To Appear pro hac vice of Deborah Newman (Related Doc # 593) Signed on 8/31/2015. (klt) (Entered: 09/01/2015)
08/31/2015	 611	Order Granting Motion To Appear pro hac vice of Bruce D. Buechler (Related Doc # 583) Signed on 8/31/2015. (klt) (Entered: 09/01/2015)
08/31/2015	 612	Order Granting Motion To Appear pro hac vice of Wojciech F. Jung (Related Doc # 597) Signed on 8/31/2015. (klt) (Entered: 09/01/2015)
09/01/2015	 613	Exhibit and Witness List <i>filed by Steering Committee for September 2, 2015 Hearing</i> Filed by Interested Party Steering Committee. (Hall, Michael) (Entered: 09/01/2015)
09/01/2015	 614	Debtors' Omnibus Reply to Objections to the Debtors' (I) Motion for an Order Authorizing the Assumption of the Restructuring Support Agreement and (II) Motion for a Final Order (A) Authorizing Postpetition Use of Cash Collateral, (B) Granting Adequate Protection to Prepetition Secured Parties, and (C) Granting Related Relief Filed by Debtor Walter Energy, Inc., et al. (Darby, Patrick) Modified on 9/1/2015 to match text to pdf (klt). (Entered: 09/01/2015)
09/01/2015	 615	Declaration of Steven Zelin in Support of Debtors Omnibus Reply to Objections to the Debtors (I) Motion for an Order Authorizing the Assumption of the Restructuring Support Agreement and (II) Motion for a Final Order (A) Authorizing Postpetition Use of Cash Collateral, (B) Granting Adequate Protection to Prepetition Secured Parties, and (C) Granting Related Relief Filed by Debtor Walter Energy, Inc., et al.. (Attachments: # 1 Combined Exhibits_Part1 # 2 Combined Exhibits_Part2 # 3 Combined Exhibits_Part3 # 4 Combined Exhibits_Part4 # 5 Combined Exhibits_Part5 # 6 Combined Exhibits_Part6 # 7 Combined Exhibits_Part7 # 8 Combined Exhibits_Part8 # 9 Combined Exhibits_Part9 # 10 Combined Exhibits_Part10 # 11 Combined Exhibits_Part11 # 12 Combined Exhibits_Part12 # 13 Combined Exhibits_Part13 # 14 Combined Exhibits_Part14 # 15 Combined Exhibits_Part15 # 16 Combined Exhibits_Part16 # 17 Combined Exhibits_Part17 # 18 Combined Exhibits_Part18 # 19 Combined Exhibits_Part19) (Darby, Patrick) Modified on 9/1/2015 to match text to pdf (klt). (Entered: 09/01/2015)



09/01/2015	 616	Omnibus Reply in Support of Debtors' Motions for Entry of (A) Final Order Authorizing Post Petition Use of Cash Collateral, Granting Adequate Protection to Pre-Petition Secured Parties and Granting Related Relief, and (B) Order Authorizing Debtors to Assume a Restructuring Support Agreement Filed by Interested Party Steering Committee (Hall, Michael) Modified on 9/1/2015 to match text to pdf (klt). (Entered: 09/01/2015)
09/01/2015	 617	Hearing Scheduled (RE: related document(s) 614 Debtors' Omnibus Reply to Objections to the Debtors' (I) Motion for an Order Authorizing the Assumption of the Restructuring Support Agreement and (II) Motion for a Final Order (A) Authorizing Postpetition Use of Cash Collateral, (B) Granting Adequate Protection to Prepetition Secured Parties, and (C) Granting Related Relief). Hearing scheduled 9/2/2015 at 11:30 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 09/01/2015)
09/01/2015	 618	Statement of Wilmington Trust, National Association, as Indenture Trustee, in Support of the Cash Collateral Motion Filed by Interested Party Wilmington Trust, National Association, as Indenture Trustee (RE: related document(s) 42 The Debtors Motion for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105, 361, 362, 363, 507 and 552, Bankruptcy Rules 2002, 4001, 6003, 6004 and 9014 (A) (I) Authorizing Postpetition U, 614 Reply, 616 Reply). (Chen, Patricia) Modified on 9/1/2015 to match text to pdf (klt). (Entered: 09/01/2015)
09/01/2015	 619	Hearing Scheduled (RE: related document(s) 616 Omnibus Reply in Support of Debtors' Motions for Entry of (A) Final Order Authorizing Post Petition Use of Cash Collateral, Granting Adequate Protection to Pre-Petition Secured Parties and Granting Related Relief, and (B) Order Authorizing Debtors to Assume a Restructuring Support Agreement Filed by Interested Party Steering Committee). Hearing scheduled 9/2/2015 at 11:30 AM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 09/01/2015)
09/01/2015	 620	Debtors' Notice of Proposed Amended Order (A) Authorizing the Debtors to Assume a Restructuring Support Agreement and (B) Granting Related Relief Filed by Debtor Walter Energy, Inc., et al.. (Darby, Patrick) Modified on 9/1/2015 to match text to pdf (klt). (Entered: 09/01/2015)
09/01/2015	 621	Debtors' Agenda for Hearing Scheduled for September 2, 2015 Filed by Debtor Walter Energy, Inc., et al.. (Bailey, James) Modified on 9/1/2015 to match text to pdf (klt). (Entered: 09/01/2015)


09/01/2015		Adversary Case 2:15-ap-102 Closed (klt) (Entered: 09/01/2015)
09/01/2015	 622	Emergency Motion of the Official Committee of Unsecured Creditors for Entry of an Order under Bankruptcy Code Sections 105, 361, 363 and 1103 and Bankruptcy Rules of 2002, 4001, 6004 and 9014 (I) Authorizing the Debtors' Non-Consensual Postpetition Use of Cash Collateral and (II) Granting Adequate Protection to Prepetition Secured Parties Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (Attachments: # 1 Exhibit A # 2 Exhibit B) (Sparks, Daniel) Modified on 9/2/2015 to match text to pdf (klt). (Entered: 09/01/2015)
09/01/2015	 623	Declaration of Edwin N. Ordway, Jr. in Support of Emergency Motion of the Official Committee of Unsecured Creditors for Entry of an Order under Bankruptcy Code Sections 105, 361, 363 and 1103 and Bankruptcy Rules of 2002, 4001, 6004 and 9014 (I) Authorizing the Debtors' Non-Consensual Postpetition Use of Cash Collateral and (II) Granting Adequate Protection to Prepetition Secured Parties Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (REDACTED PUBLIC VERSION) (RE: related document(s) 622 Response). (Sparks, Daniel) Modified on 9/2/2015 to match text to pdf(klt). (Entered: 09/01/2015)
09/01/2015	 624	Declaration of Matthew A. Mazzucchi in Support of Emergency Motion of the Official Committee of Unsecured Creditors for Entry of an Order under Bankruptcy Code Sections 105, 361, 363 and 1103 and Bankruptcy Rules of 2002, 4001, 6004 and 9014 (I) Authorizing the Debtors' Non-Consensual Postpetition Use of Cash Collateral and (II) Granting Adequate Protection to Prepetition Secured Parties Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (RE: related document(s) 622 Response). (Sparks, Daniel) Modified on 9/2/2015 to match text to pdf (klt). (Entered: 09/01/2015)
09/01/2015	 625	Motion to Expedite Hearing (related documents 622 Response) <i>on Emergency Motion of the Official Committee of Unsecured Creditors for Entry of an Order under Bankruptcy Code Sections 105, 361, 363 and 1103 and Bankruptcy Rules of 2002, 4001, 6004 and 9014 (I) Authorizing the Debtors' Non-Consensual Postpetition Use of Cash Collateral and (II) Granting Adequate Protection to Prepetition Secured Parties</i> Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (Sparks, Daniel) (Entered: 09/01/2015)
		









09/01/2015	626	Order Regarding the Motion to Expedite - The Court will hear and consider the Motion to Expedite during the hearing already scheduled in this case on September 2, 2015 at 11:30 a.m. Counsel and parties opposed to the Motion to Expedite need not file written responses but may voice any objections at the hearing. /s/ TAMARA O. MITCHELL (RE: 625 Motion to Expedite Hearing) (Entered: 09/01/2015)
09/02/2015	 627	Response to (Re Item: 625 Motion to Expedite Hearing (related documents 622 Response) <i>on Emergency Motion of the Official Committee of Unsecured Creditors for Entry of an Order under Bankruptcy Code Sections 105, 361, 363 and 1103 and Bankruptcy Rules of 2002, 4001, 6004 filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.) Steering Committee's Brief Statement in Opposition to the Official Committee of Unsecured Creditors (1) Emergency Motion for Entry of an Order (I) Authorizing the Debtors NonConsensual PostPetition Use of Collateral and (II) Granting Adequate Protection to Prepetition Secured Parties and (2) Motion to Expedite Motion for Non-Consensual Use of Cash Collateral Filed by Interested Party Steering Committee (Hall, Michael) (Entered: 09/02/2015)</i>
09/02/2015	 628	Exhibit and Witness List Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.. (Bensinger, Bill) (Entered: 09/02/2015)
09/02/2015	 629	Notice of Appearance and Request for Notice by Stephen B Porterfield Filed by Creditor EXLP Operating, LLC. (Porterfield, Stephen) (Entered: 09/02/2015)
09/02/2015	 630	Notice of Filing OCP Declaration Pursuant to Order Authorizing the Debtors to Retain, Employ, and Compensate Certain Professionals Utilized in the Ordinary Course of Business Filed by Debtor Walter Energy, Inc., et al.. (Moore, Cathleen) Modified on 9/2/2015 to match text to pdf (klt). (Entered: 09/02/2015)
09/03/2015	 631	Hearing Scheduled (RE: related document(s) 42 Debtors Motion for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105, 361, 362, 363, 507 and 552, Bankruptcy Rules 2002, 4001, 6003, 6004 and 9014 (A) (I) Authorizing Postpetition Use of Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, and (III) Scheduling a Final Hearing; and (B) Granting Related Relief, 44 Debtors' Motion for an Order (A) Authorizing the Debtors to Assume a Restructuring Support Agreement and (B) Granting Related






		Relief). Hearing scheduled 9/3/2015 at 01:00 PM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 09/03/2015)
09/03/2015	 632	Exhibit and Witness List (<i>Amended</i>) Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.. (Bensinger, Bill) (Entered: 09/03/2015)
09/03/2015	 633	Order Granting Motion to File Documents Under Seal Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (Related Doc # 563) Signed on 9/3/2015. (klt) (Entered: 09/03/2015)
09/03/2015	 634	Order Granting Motion For Order Authorizing Certain Payments and Relief from the Automatic Stay, to the Extent Applicable, to Allow Payment of Defense Costs and Other Loss Under Directors and Officers Liability Insurance Policies (Related Doc # 252) Signed on 9/3/2015. (klt) (Entered: 09/03/2015)
09/03/2015	 635	Order Granting Motion For Relief From Automatic Stay, to the Extent Applicable, to Allow Payment of Defense Costs and Other Loss for Derivative Actions Under Directors and Officers Liability Insurance Policies (Related Doc # 253) Signed on 9/3/2015. (klt) (Entered: 09/03/2015)
09/03/2015	 636	 PDF with attached Audio File. Court Date & Time [9/2/2015 11:31:22 AM]. File Size [11316 KB]. Run Time [00:31:26]. (RE: Doc #18; Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) the Debtors to Pay Prepetition Claims of Certain Critical Vendors and Foreign Vendors and (II) Financial Institutions to Honor and Process Related Checks and Transf). (adiuser). (Entered: 09/03/2015)
09/03/2015	 637	 PDF with attached Audio File. Court Date & Time [9/2/2015 12:08:57 PM]. File Size [36518 KB]. Run Time [01:41:26]. (RE: Doc #18; Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) the Debtors to Pay Prepetition Claims of Certain Critical Vendors and Foreign Vendors and (II) Financial Institutions to Honor and Process Related Checks and Transf). (adiuser). (Entered: 09/03/2015)
09/03/2015	 638	 PDF with attached Audio File. Court Date & Time [9/2/2015 1:58:46 PM]. File Size [39113 KB]. Run Time [01:48:39]. (RE: Doc #18; Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) the Debtors to Pay Prepetition Claims of Certain Critical Vendors and Foreign









		Vendors and (II) Financial Institutions to Honor and Process Related Checks and Transf). (adiuser). (Entered: 09/03/2015)
09/03/2015	 639	 PDF with attached Audio File. Court Date & Time [9/2/2015 3:57:36 PM]. File Size [20321 KB]. Run Time [00:56:27]. (RE: Doc #18; Debtors Motion for Entry of Interim and Final Orders (A) Authorizing (I) the Debtors to Pay Prepetition Claims of Certain Critical Vendors and Foreign Vendors and (II) Financial Institutions to Honor and Process Related Checks and Transf). (adiuser). (Entered: 09/03/2015)
09/03/2015	 640	Exhibit and Witness List (<i>Dominion Resources Black Warrior Trust's AMENDED Witness and Exhibit List for September 2, 2015 Hearing (to correct typographical error)</i>) Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank. (Benton, Lee) (Entered: 09/03/2015)
09/03/2015	 641	Notice of Appeal to District Court. Fee Amount \$298 Filed by Interested Party Dominion Resources Black Warrior Trust by and through its Trustee, Southwest Bank (RE: related document (s) 60 Order (A)(I) Approving Continued Use of Debtor's Existing Cash Management System; (II) Authorizing Use of Existing Bank Accounts and Checks; (III) Waiving the Requirements of 11 U.S.C. 345(b); (IV) Granting Administrative Expense Status to Certain Post-Petition Intercompany Claims; and (V) Authorizing Continuation of Certain Intercompany Transactions; and (B) Granting Related Relief (Related Doc # 38) Debtors Motion for an Order (A) (I) Approving Continued Use of the Debtors Existing Cash Management System, (II) Authorizing Use of Existing Bank Accounts and Checks, (III) Waiving the Requirements of 11 U.S.C. § 345(b), (IV) Granting Administrative Expense Status to Postpetition Intercompany Claims, and (V) Authorizing the Continuation of Certain Intercompany Transactions; and (B) Granting Related Relief , 542 Order Granting in Limited Part and Denying the Remainder of The Emergency Motion of Dominion Resources Black Warrior Trust to Reconsider, on a Limited Basis, The Cash Management Order (Related Doc # 239). Debtor's Objection 466 , Joinder of Ramsay McCormack Land Co., Inc., 244 , Joinder of Steering Committee 467 and Joinder of Official Committee of Unsecured Creditors 469 Sustained). Appellant Designation due by 09/17/2015. (Benton, Lee) Modified on 9/3/2015 to match text to pdf (klt). (Entered: 09/03/2015)
09/03/2015		












		Receipt of Notice of Appeal(15-02741-TOM11) [appeal,ntcapl] (298.00) Filing Fee. Receipt number 18432902. Fee Amount 298.00 (re:Doc# 641) (U.S. Treasury) (Entered: 09/03/2015)
09/03/2015	 642	Submission Sheet to U.S. District Court (RE: related document (s) 641 Notice of Appeal). U.S. District Court Case Number 2:15-cv-01531-LSC (klt) Modified on 9/8/2015 to add text (klt). (Entered: 09/03/2015)
09/03/2015	 643	Service of Notice of Appeal by Court. Pursuant to Fed. R. Bankr. P. 8003(c)(3) the Notice of Appeal, document number 641, filed on 9/3/15 was served electronically on Frank A. Anderson, anderson.frank@pbgc.gov; James Blake Bailey, jbailey@babc.com, kkirsch@babc.com; Joseph E. Bain, joseph.bain@tklaw.com, TJ.Crittendon@tklaw.com, patricia.flores@tklaw.com; Jay R. Bender, jbender@babc.com; Bill D Bensinger, bdbensinger@csattorneys.com, dml@csattorneys.com; Lee R. Benton, lbenton@bcattys.com, kmartin@bcattys.com; Clyde Ellis Brazeal, III, ebrazeal@joneswalker.com, twortham@joneswalker.com; Marty L. Brimmage, Jr., mbrimmage@akingump.com; Michael E Bybee, mbybee1@bellsouth.net, crow.bybee@gmail.com; Matthew M Cahill, mcahill@bakerdonelson.com, townen@bakerdonelson.com; D. Christopher Carson, ccarson@burr.com, mstinson@burr.com, erains@burr.com; Patricia Chen, patricia.chen@ropesgray.com; Ginger D Cockrell, gingercockrell@comcast.net; Glen Marshall Connor, gconnor@qcwdr.com, jherrin@qcwdr.com; gjackson@qcwdr.com; Patrick Darby, pdarby@babc.com; George N. Davies, gdavies@qcwdr.com, jherrin@qcwdr.com; agundlach@qcwdr.com; Ira Dizengoff, idizengoff@akingump.com; Leah M. Eisenberg, eisenberg.leah@arentfox.com; Randolph M Fowler, rfowler@pjgf.com, randolphfowler@hotmail.com; Marvin E. Franklin, mfranklin@najjar.com, rramey@najjar.com; Frederick Mott Garfield, fmg@spain-gillon.com, dsv@spain-gillon.com; dianavest@gmail.com; Benjamin Shaw Goldman, bgoldman@handarendall.com, ajohnson@handarendall.com; lstatum@handarendall.com; Michael Leo Hall, mhall@burr.com, rellis@burr.com; mivey@burr.com; Tye C. Hancock, tye.hancock@tklaw.com; James G Henderson, JamesH@pm-j.com; Lindan J. Hill, lhill@gattorney.com, kdoss@gattorney.com; William W Kannel, wkannel@mintz.com; Albert Kass, ecfpleadings@kccllc.com; Jennifer Brooke Kimble jkimble@rumberger.com, mbarnette@rumberger.com; docketingorlando@rumberger.com; jkimblesecy@rumberger.com; mcourtney@rumberger.com; ldowner@rumberger.com; Hanna Lahr, hlahr@burr.com,










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09/03/2015	 644	




		BNC Certificate of Notice (RE: related document(s) 609 Order on Motion to Appear Pro Hac Vice). Notice Date 09/03/2015. (Admin.) (Entered: 09/04/2015)
09/03/2015	 645	BNC Certificate of Notice (RE: related document(s) 610 Order on Motion to Appear Pro Hac Vice). Notice Date 09/03/2015. (Admin.) (Entered: 09/04/2015)
09/03/2015	 646	BNC Certificate of Notice (RE: related document(s) 611 Order on Motion to Appear Pro Hac Vice). Notice Date 09/03/2015. (Admin.) (Entered: 09/04/2015)
09/03/2015	 647	BNC Certificate of Notice (RE: related document(s) 612 Order on Motion to Appear Pro Hac Vice). Notice Date 09/03/2015. (Admin.) (Entered: 09/04/2015)
09/03/2015	 648	Final Order (A) Authorizing (I) The Debtors to Pay Prepetition Claims of Certain Critical Vendors and Foreign Vendors and (II) Financial Institutions to Honor and Process Related Checks and Transfers and (B) Granting Related Relief). (Related Doc # 18) Signed on 9/3/2015. (rwh) (Entered: 09/04/2015)
09/03/2015	 649	Final Order Authorizing (I) Debtors to Pay Certain Prepetition Claims of Shippers, Storage Providers and Service Providers and (II) Financial Institutions to Honor and Process Related Checks and Transfers and (B) Granting Related Relief. (Related Doc # 19) Signed on 9/3/2015. (rwh) (Entered: 09/04/2015)
09/03/2015	 650	Order Pursuant to Sections 105(a) and 331 of the Bankruptcy Code Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals. (Related Doc # 454) Signed on 9/3/2015. (rwh) (Entered: 09/04/2015)
09/03/2015	 651	Order (A) Establishing Bar Dates for Filing Prepetition Proofs of Claim, Including Section 503(b)(9) Claims, (B) Approving the Form and Manner of Notice Thereof and (C) Granting Related Relief(Related Doc # 453) Signed on 9/3/2015. Proofs of Claims due by 10/13/2015. Government Proof of Claim due by 1/11/2016. (rwh) (Entered: 09/04/2015)
09/04/2015	 652	Order Requiring 1) Filing of Proposed Orders on the Debtors' Motion Authorizing Use of Cash Collateral and Granting Adequate Protection and 2) Parties and Counsel to Confer - The Court held a final hearing on the use of cash collateral and payment of adequate protection. Counsel for the Debtors shall file their proposed Order on or before noon (Central Time) on Monday, September 7, 2015. Counsel for the Unsecured Creditors Committee (in consultation with other parties that






		joined in their objections) shall file a proposed Order on or before noon (Central Time) on Wednesday, September 9, 2015. Further, all parties participating in the final hearing shall continue to confer and negotiate the proposed terms for use of cash collateral and payment of adequate protection. By noon (Central Time) on Friday, September 11, 2015, Counsel for the Parties shall advise the Court if any agreements have been reached or if there are any changes to the proposed Orders. /s/ TAMARA O. MITCHELL (Entered: 09/04/2015)
09/04/2015	 653	Order Authorizing the Retention and Employment of Bradley Arant Boult Cummings LLP as Attorneys for the Debtors and Debtors- In-Possession Nunc Pro Tunc to the Petition Date. (Related Doc # 446) Signed on 9/4/2015. (rwh) (Entered: 09/04/2015)
09/04/2015	 654	Order Authorizing the Retention and Employment of Maynard, Cooper, & Gale, P.C., as Special Counsel for the Debtors and Debtors-In-Possession Nunc Pro Tunc to the Petition Date. (Related Doc # 448) Signed on 9/4/2015. (rwh) (Entered: 09/04/2015)
09/04/2015	 655	Order Authorizing the Retention and Employment of Ogletree, Deakins, Nash, Smoak & Stewart, P.C., as Special Counsel for the Debtors and Debtors-In-Possession Nunc Pro Tunc to the Petition Date. (Related Doc # 449) Signed on 9/4/2015. (rwh) (Entered: 09/04/2015)
09/04/2015	 656	Order Authorizing the Retention and Employment of Paul, Weiss, Rifkind, Wharton & Garrison LLP as Attorneys for the Debtors and Debtors-In-Possession Nunc Pro Tunc to the Petition Date. (Related Doc # 447) Signed on 9/4/2015. (rwh) (Entered: 09/04/2015)
09/04/2015	 657	Transcript of hearing held on: 09/02/15 You are noticed that a transcript has been filed. Pursuant to the Judicial Conference Policy on Privacy, remote electronic access to this transcript is restricted through 12/3/2015. To review the transcript for redaction purposes, you may purchase a copy from the transcriber, or the transcript may be viewed at the public terminal located in the Bankruptcy Court Clerk's Office. Contact the Court Reporter/Transcriber J&J Court Transcribers, telephone number 609-586-2311. All parties have seven (7) calendar days to file a Notice of Intent to Request Transcript Redaction of any social security numbers, financial account data, names of minor-age children, dates of birth, and home addresses. If the Notice of Intent is filed, the party has 21 calendar days from the date the transcript was filed to file the


		Transcript Redaction Request indicating the location of the identifiers within the transcript with the Court and to provide the list to the transcriber. The redacted transcript is due 31 days from the date of filing of the transcript. The transcript will be made electronically available to the general public 90 calendar days from the date of filing.. Notice of Intent to Request Redaction Deadline Due By 9/11/2015. Redaction Request Due By 09/25/2015. Redacted Transcript Submission Due By 10/5/2015. Transcript access will be restricted through 12/3/2015. (Bowen, James) (Entered: 09/04/2015)
09/04/2015	 658	**Corrected by 659** Application to Employ Cunningham Bounds, LLC and Maynard, Cooper & Gale, P.C. as Special Counsel Filed by Debtor Walter Energy, Inc., et al. (Darby, Patrick) Modified on 9/8/2015 (klt). (Entered: 09/04/2015)
09/04/2015	 659	Application to Employ Cunningham Bounds, LLC and Maynard, Cooper & Gale, P.C. as Special Counsel (corrected to include list of potential parties in interest) Filed by Debtor Walter Energy, Inc., et al. (Darby, Patrick) (Entered: 09/04/2015)
09/04/2015	 660	Certificate of Service (<i>Supplemental</i>) <i>re: Notice of Commencement of Chapter 11 Bankruptcy Case</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 145 Meeting of Creditors Chapter 11). (Kass, Albert) (Entered: 09/04/2015)
09/04/2015	 661	Certificate of Service <i>re: Documents Served on September 1, 2015</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 614 Reply, 615 Declaration, 620 Statement, 621 Statement). (Kass, Albert) (Entered: 09/04/2015)
09/04/2015	 662	Certificate of Service <i>re: Notice of Filing OCP Declaration Pursuant to Order Authorizing the Debtors to Retain, Employ, and Compensate Certain Professionals Utilized in the Ordinary Course of Business</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 630 Declaration). (Kass, Albert) (Entered: 09/04/2015)
09/04/2015	 663	 PDF with attached Audio File. Court Date & Time [9/3/2015 12:01:59 PM]. File Size [84684 KB]. Run Time [03:55:14]. (RE: Doc #42; Debtors Motion for Entry of Interim and Final Orders). (adiuser). (Entered: 09/04/2015)
09/04/2015	 676	Order Authorizing Debtors to Employ and Retain Alixpartners LLP as Their Restructuring Advisor Nunc Pro Tunc to the

		Petition Date (Related Doc # 450) Signed on 9/4/2015. (klt) (Entered: 09/08/2015)
09/04/2015	 677	Order Authorizing the Debtors' Retention of Ernst & Young LLP as Auditors and Tax Advisors Nunc Pro Tunc to the Petition Date (Related Doc # 451) Signed on 9/4/2015. (klt) (Entered: 09/08/2015)
09/04/2015	 678	Order Authorizing the Debtors and Debtors-in-Possession to Retain and Employ KPMG LLP as Tax Valuation, Accounting and Bankruptcy Administration Advisors Nunc Pro Tunc to the Petition Date (Related Doc # 452) Signed on 9/4/2015. (klt) (Entered: 09/08/2015)
09/05/2015	 664	BNC Certificate of Notice (RE: related document(s) 633 Order on Motion to Seal). Notice Date 09/05/2015. (Admin.) (Entered: 09/06/2015)
09/05/2015	 665	BNC Certificate of Notice (RE: related document(s) 634 Order on Motion For Relief From Stay). Notice Date 09/05/2015. (Admin.) (Entered: 09/06/2015)
09/05/2015	 666	BNC Certificate of Notice (RE: related document(s) 635 Order on Motion For Relief From Stay). Notice Date 09/05/2015. (Admin.) (Entered: 09/06/2015)
09/06/2015	 667	BNC Certificate of Notice (RE: related document(s) 648 Order on Motion Re: Chapter 11 First Day Motions). Notice Date 09/06/2015. (Admin.) (Entered: 09/07/2015)
09/06/2015	 668	BNC Certificate of Notice (RE: related document(s) 649 Order on Motion Re: Chapter 11 First Day Motions). Notice Date 09/06/2015. (Admin.) (Entered: 09/07/2015)
09/06/2015	 669	BNC Certificate of Notice (RE: related document(s) 650 Order on Motion). Notice Date 09/06/2015. (Admin.) (Entered: 09/07/2015)
09/06/2015	 670	BNC Certificate of Notice (RE: related document(s) 651 Order on Motion To Set Last Day to File Proofs of Claim). Notice Date 09/06/2015. (Admin.) (Entered: 09/07/2015)
09/06/2015	 671	BNC Certificate of Notice (RE: related document(s) 653 Order on Application to Employ). Notice Date 09/06/2015. (Admin.) (Entered: 09/07/2015)
09/06/2015	 672	

		BNC Certificate of Notice (RE: related document(s) 654 Order on Application to Employ). Notice Date 09/06/2015. (Admin.) (Entered: 09/07/2015)
09/06/2015	 673	BNC Certificate of Notice (RE: related document(s) 655 Order on Application to Employ). Notice Date 09/06/2015. (Admin.) (Entered: 09/07/2015)
09/06/2015	 674	BNC Certificate of Notice (RE: related document(s) 656 Order on Application to Employ). Notice Date 09/06/2015. (Admin.) (Entered: 09/07/2015)
09/07/2015	 675	Debtors' Notice of Filing Revised Proposed Final Order (A) Authorizing Postpetition Use of Cash Collateral (B) Granting Adequate Protection to Prepetition Secured Parties, and (C) Granting Related Relief Filed by Debtor Walter Energy, Inc., et al.. (Moore, Cathleen) Modified on 9/8/2015 to match text to pdf (klt). (Entered: 09/07/2015)
09/08/2015	 679	Notice of Hearing on (RE: related document(s) 659 Application to Employ filed by Debtor Walter Energy, Inc., et al.). Hearing scheduled 9/29/2015 at 01:30 PM at Courtroom 2 (MAM) Birmingham. (klt) (Entered: 09/08/2015)
09/08/2015	 680	Final Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtor's Estates (Related Doc # 27) Signed on 9/8/2015. (klt) (Entered: 09/08/2015)
09/08/2015	 681	Order of Recusal as to One Matter - As noted on the record at a regularly scheduled hearing in this case, Judge Mitchell has a conflict related to the Application to Employ the Cunningham Bounds Law Firm. Accordingly, Judge Mitchell hereby recuses from hearing this Application to Employ and pursuant to this Court's long standing policy and procedure, the Application shall be heard by another southern Division Judge, Judge Margaret Mahoney. /s/ TAMARA O. MITCHELL (RE: 659 Application to Employ) (Entered: 09/08/2015)
09/08/2015	 682	Notice of Appearance and Request for Notice by Lee R. Benton Filed by Interested Party University of Notre Dame. (Benton, Lee) (Entered: 09/08/2015)
09/08/2015	 683	Notice of Appearance and Request for Notice by Jamie Alisa Wilson Filed by Interested Party University of Notre Dame. (Wilson, Jamie) (Entered: 09/08/2015)
09/08/2015	 684	

		Notice of Appearance and Request for Notice by Samuel Stephens Filed by Interested Party University of Notre Dame. (Stephens, Samuel) (Entered: 09/08/2015)
09/08/2015	 685	Transcript of hearing held on: 09/03/15 You are noticed that a transcript has been filed. Pursuant to the Judicial Conference Policy on Privacy, remote electronic access to this transcript is restricted through 12/7/2015. To review the transcript for redaction purposes, you may purchase a copy from the transcriber, or the transcript may be viewed at the public terminal located in the Bankruptcy Court Clerk's Office. Contact the Court Reporter/Transcriber J&J Court Transcribers, telephone number 609-586-2311. All parties have seven (7) calendar days to file a Notice of Intent to Request Transcript Redaction of any social security numbers, financial account data, names of minor-age children, dates of birth, and home addresses. If the Notice of Intent is filed, the party has 21 calendar days from the date the transcript was filed to file the Transcript Redaction Request indicating the location of the identifiers within the transcript with the Court and to provide the list to the transcriber. The redacted transcript is due 31 days from the date of filing of the transcript. The transcript will be made electronically available to the general public 90 calendar days from the date of filing.. Notice of Intent to Request Redaction Deadline Due By 9/15/2015. Redaction Request Due By 09/29/2015. Redacted Transcript Submission Due By 10/9/2015. Transcript access will be restricted through 12/7/2015. (Bowen, James) (Entered: 09/08/2015)
09/08/2015	 686	Notice of Telephonic Hearing on (RE: related document(s) 42 Debtors' Motion for Entry of Interim and Final Orders Under 11 U.S.C. Sections 105, 361, 362, 363, 507 and 552, Bankruptcy Rules 2002, 4001, 6003, 6004 and 9014 (A) (I) Authorizing Postpetition Use of Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, and (III) Scheduling a Final Hearing; and (B) Granting Related Relief (and all written objections thereto), 44 Debtors' Motion for an Order (A) Authorizing the Debtors to Assume a Restructuring Support Agreement and (B) Granting Related Relief (and all written objections thereto). Hearing scheduled 9/11/2015 at 01:00 PM at Courtroom 3 (TOM) Birmingham. (klt) (Entered: 09/08/2015)
09/08/2015	 687	Exhibit <i>Deposition Designations</i> Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (RE: related document(s) 42 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105, 361, 362, 363, 507 and 552, Bankruptcy Rules 2002, 4001, 6003, 6004</i>

		<i>and 9014 (A) (I) Authorizing Postpetition U, 44 Motion to Assume Lease or Executory Contract The Debtors' Motion for an Order (A) Authorizing the Debtors to Assume a Restructuring Support Agreement and (B) Granting Related Relief). (Sparks, Daniel) (Entered: 09/08/2015)</i>
09/08/2015	 688	Exhibit <i>Supplemental Exhibit Submission</i> Filed by Creditor Committee Official Committee of Unsecured Creditors of Walter Energy, Inc., et al. (RE: related document(s) 42 Motion Regarding Chapter 11 First Day Motions <i>The Debtors Motion for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105, 361, 362, 363, 507 and 552, Bankruptcy Rules 2002, 4001, 6003, 6004 and 9014 (A) (I) Authorizing Postpetition U, 44 Motion to Assume Lease or Executory Contract The Debtors' Motion for an Order (A) Authorizing the Debtors to Assume a Restructuring Support Agreement and (B) Granting Related Relief). (Sparks, Daniel) (Entered: 09/08/2015)</i>
09/08/2015	 689	Certificate of Service <i>re: Documents Served on September 4, 2015</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 648 Order on Motion Re: Chapter 11 First Day Motions, 649 Order on Motion Re: Chapter 11 First Day Motions, 650 Order on Motion, 651 Order on Motion To Set Last Day to File Proofs of Claim, 652 Order, 653 Order on Application to Employ, 654 Order on Application to Employ, 655 Order on Application to Employ, 656 Order on Application to Employ, 658 Application to Employ Cunningham Bounds, LLC and Maynard, Cooper & Gale, P.C. as Special Counsel , 659 Application to Employ Cunningham Bounds, LLC and Maynard, Cooper & Gale, P.C. as Special Counsel (corrected to include list of potential parties in interest)). (Kass, Albert) (Entered: 09/08/2015)
09/08/2015	 690	Certificate of Service <i>re: Debtors' Notice of Filing Revised Proposed Final Order (A) Authorizing Postpetition Use of Cash Collateral (B) Granting Adequate Protection to Prepetition Secured Parties, and (C) Granting Related Relief</i> Filed by Other Professional Kurtzman Carson Consultants LLC (RE: related document(s) 675 Statement). (Kass, Albert) (Entered: 09/08/2015)
09/08/2015	 691	Motion to Appear pro hac vice <i>of Mark F. Hebbeln</i> Filed by Creditor UMB Bank, N.A. (Peterson, Lars) (Entered: 09/08/2015)
09/08/2015	 692	Certificate of Service (Supplemental) <i>re: Final Order (A) Authorizing Debtors to Continue and Renew Their Surety Bond Program and (B) Granting Related Relief</i> Filed by Other

		Professional Kurtzman Carson Consultants LLC (RE: related document(s) 506 Order on Motion Re: Chapter 11 First Day Motions, 526 Certificate of Service). (Kass, Albert) (Entered: 09/08/2015)
09/09/2015	 693	Notice of Appearance and Request for Notice <i>and Pleadings</i> by Robert Moore Weaver Filed by Creditor Committees UMWA 1974 Pension Plan and Trust, United Mine Workers of America, Creditors UMWA Health and Retirement Funds, United Mine Workers of America, United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, United Mine Workers of America 1992 Benefit Plan and its Trustees, United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees, United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, United Mine Workers of America Combined Benefit Fund and its Trustees. (Weaver, Robert) (Entered: 09/09/2015)

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

In re:)	
)	
)	Chapter 11
)	
WALTER ENERGY, INC. ¹)	Case No. 15-02741 (TOM11)
)	
Debtors.)	(Jointly Administered)
)	
)	

**NOTICE OF APPEAL OF THE MEMORANDUM OPINION AND ORDER
GRANTING DEBTORS' MOTION FOR AN ORDER (I) AUTHORIZING
THE DEBTORS TO (A) REJECT COLLECTIVE BARGAINING AGREEMENTS,
(B) IMPLEMENT FINAL LABOR PROPOSALS, AND (C) TERMINATE RETIREE
BENEFITS; AND (II) GRANTING RELATED RELIEF**

The United Mine Workers of America 1974 Pension Plan and Trust (the “1974 Pension Plan”), the United Mine Workers of America 1993 Benefit Plan (the “1993 Plan”), the United Mine Workers of America 2012 Retiree Bonus Account Plan (the “Account Plan”), the United Mine Workers of America Cash Deferred Savings Plan of 1988 (the “CDSP”), the United Mine Workers of America Combined Benefit Fund (the “Combined Fund”), and the United Mine Workers of America 1992 Benefit Plan (the “1992 Plan,” and together with the Combined Fund, the “Coal Act Funds” and the Coal Act Funds, together with the 1974 Pension Plan, the 1993 Plan, the Account Plan, and the CDSP, “UMWA Funds”), by and through their undersigned attorneys, hereby file this Notice of Appeal to the U.S. District Court for the Northern District of Alabama, pursuant to 28 U.S.C. § 158 and Federal Rules of Bankruptcy Procedure 8002 and 8003. The UMWA Funds are interested parties and objectors in the above-captioned proceeding.

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: Walter Energy, Inc. (9953); Atlantic Development and Capital, LLC (8121); Atlantic Leaseco, LLC (5308); Blue Creek Coal Sales, Inc. (6986); Blue Creek Energy, Inc. (0986); J.W. Walter, Inc. (0648); Jefferson Warrior Railroad Company, Inc. (3200); Jim Walter Homes, LLC (4589); Jim Walter Resources, Inc. (1186); Maple Coal Co., LLC (6791); Sloss-Sheffield Steel & Iron Company (4884); SP Machine, Inc. (9945); Taft Coal Sales & Associates, Inc. (8731); Tuscaloosa Resources, Inc. (4869); V Manufacturing Company (9790); Walter Black Warrior Basin LLC (5973); Walter Coke, Inc. (9791); Walter Energy Holdings, LLC (1596); Walter Exploration & Production LLC (5786); Walter Home Improvement, Inc. (1633); Walter Land Company (7709); Walter Minerals, Inc. (9714); and Walter Natural Gas, LLC (1198). The location of the Debtors' corporate headquarters is 3000 Riverchase Galleria, Suite 1700, Birmingham, Alabama 35244-2359.

The UMWA Funds appeal from the December 28, 2015 *Memorandum Opinion and Order Granting Debtors' Motion for an Order (I) Authorizing the Debtors to (A) Reject Collective Bargaining Agreements, (B) Implement Final Labor Proposals, and (C) Terminate Retiree Benefits; and (II) Granting Related Relief; and Establishing Other Deadlines* (the "1113/1114 Order") (Doc. No. 1489) and the December 30, 2015 Order amending the 1113/1114 Order (Doc. No. 1510), which were entered by the U.S. Bankruptcy Court for the Northern District of Alabama (Mitchell, J.). The 1113/1114 Order and amended 1113/1114 Order are final orders from which the UMWA Funds may appeal without leave of the Court, pursuant to 28 U.S.C. § 158(a)(1).

The names of all parties to the judgment, order, or decree from which the UMWA Funds appeal, and the names, addresses, and telephone numbers of their attorneys are as follows:

	Party	Attorneys
1.	Debtors	<p>Paul, Weiss, Rifkind, Wharton & Garrison LLP Stephen J. Shimshak Kelley A. Cornish Claudia R. Tobler Diane Meyers Ann K. Young Michael S. Rudnick Allan Arffa Robert Kravitz Daniel Leffell Dan Youngblut 1285 Avenue of the Americas New York, New York 10019 Telephone: (212) 373-3000 Email: sshimshak@paulweiss.com kcornish@paulweiss.com ctobler@paulweiss.com dmeyers@paulweiss.com ayoung@paulweiss.com mrudnick@paulweiss.com</p> <p>Bradley Arant Boult Cummings LLP Patrick Darby Jay Bender Cathleen Moore James Bailey One Federal Place 1819 Fifth Avenue North Birmingham, Alabama 35203 Telephone: (205) 521-8000 Email: pdarby@babco.com jbender@babco.com ccmoore@babco.com jbailey@babco.com</p> <p>Maynard, Cooper & Gale, P.C. Jayna Lamar Robert Ozols 1901 6th Ave N 2400 Regions Harbert Plaza Birmingham, AL 35203 205-254-1048 Fax : 205-254-1999 Email: jlamar@maynardcooper.com rozols@maynardcooper.com</p>

	Party	Attorneys
2.	Steering Committee of First Lien Lenders and Noteholders	<p>Burr & Forman LLP Michael Leo Hall D. Christopher Carson Hanna Lahr 420 North 20th Street, Suite 3400 Birmingham, AL 35203 Phone: (205) 251-3000 Fax: (205) 458-5100 Email: mhall@burr.com ccarson@burr.com hlahr@burr.com</p> <p>Akin Gump Strauss Hauer & Feld LLP Ira S. Dizengoff Marty L. Brimmage Deborah J. Newman Kristine G. Manoukian One Bryant Park Bank of America Tower New York, NY 10036-6745 Phone: (212) 872-1000 Fax: (212) 872-1002 Email: idezengoff@akingump.com mbrimmage@akingump.com djnewman@akingump.com kmanoukian@akingump.com</p> <p>Akin Gump Strauss Hauer & Feld LLP James Savin, Esq. 1333 New Hampshire Avenue, N.W. Washington, DC 20036 Phone: (202) 887-4000 Fax: (202) 887-4288 Email: jsavin@akingump.com</p>

	Party	Attorneys
3.	Official Committee of Unsecured Creditors of Walter Energy, Inc., et al.	<p>Christian & Small, LLP Bill D. Bensinger Daniel D Sparks 1800 Financial Center 505 North 20th Street Birmingham, AL 35203 205-250-6626 Fax : 205-328-7234 Email: bdbensinger@csattorneys.com ddsparks@csattorneys.com</p> <p>Morrison & Foerster LLP Charles L. Kerr J. Alexander Lawrence Jennifer L. Marines Lorenzo Marinuzzi Samantha Martin Brett Miller James A. Newton Erica J. Richards 250 West 55th Street New York, NY 10019-9601 212-468-8000 Fax : 212-468-7900 Email: ckerr@mofo.com alawrence@mofo.com jmarines@mofo.com LMarinuzzi@mofo.com smartin@mofo.com brettmiller@mofo.com jnewton@mofo.com erichards@mofo.com</p>

	Party	Attorneys
4.	Official Committee of Retired Employees	<p>Adams & Reese LLP Richard P. Carmody Regions Harbert Plaza 1901 6th Avenue North, Suite 3000 Birmingham, AL 35203 Telephone: (205) 250-5000 Facsimile: (205) 250-5034 Email: richard.carmondy@arlaw.com</p> <p>Jenner & Block LLP Catherine Steege Charles B. Sklarsky Melissa M. Root Landon S. Raiford 353 North Clark Street Chicago, Illinois 60654-3456 Telephone: (312) 222-9350 Facsimile: (312) 527-0484 Email: csteege@jenner.com csklarsky@jenner.com mroot@jenner.com lraiford@jenner.com</p>

	Party	Attorneys
5.	United Mine Workers of America	<p>Rumberger Kirk & Caldwell 2001 Park Place North Suite 1300 Birmingham, Alabama 35203 Attn: Jennifer B. Kimble Telephone: (205) 327-5550 Facsimile: (205) 326-6786 Email: jkimble@rumberger.com</p> <p>Lowenstein Sandler LLP 65 Livingston Avenue Roseland, New Jersey 07068 Attn: Sharon Levine Paul Kizel Philip J. Gross Nicole M. Brown Telephone: (973) 597-2500 Facsimile: (973) 597-6247 Email: slevine@lowenstein.com pkizel@lowenstein.com pgross@lowenstein.com nbrown@lowenstein.com</p>

	Party	Attorneys
6.	UMWA 1974 Pension Plan and Trust; UMWA 1993 Benefit Plan; UMWA 1992 Benefit Plan; UMWA Combined Benefit Fund; UMWA 2012 Retiree Bonus Account Plan	<p>Quinn, Connor, Weaver, Davies & Rouco LLP Glen M. Connor George N. Davies Two North Twentieth Building 2 – 20th Street North, Suite 930 Birmingham, Alabama 35203 Telephone: 205-870-9989 Facsimile: 205-803-4143 Email: gconnor@qcwdr.com gdavies@qcwdr.com</p> <p>Mooney, Green, Saindon, Murphy & Welch, P.C. Paul A. Green John R. Mooney 1920 L Street, N.W., Suite 400 Washington, D.C. 20036 Telephone: (202) 783-0010 Facsimile: (202) 783-608</p> <p>Morgan, Lewis & Bockius LLP John C. Goodchild, III (<i>pro hac vice</i>) Rachel Jaffe Mauceri (<i>pro hac vice</i>) 1701 Market Street Philadelphia, PA 19103-2921 Telephone: (215) 963-5000 Facsimile: (215) 963-5001 Email: jgoodchild@morganlewis.com rmauceri@morganlewis.com</p> <p>-and-</p> <p>Julia Frost-Davies Amelia C. Joiner One Federal Street Boston, MA 02110-1726 Telephone: (617) 951-8000 Facsimile: (617) 341-7701 Email: julia.frost-davies@morganlewis.com</p>

	Party	Attorneys
7.	United Steel, Paper and Forestry, Rubber, Manufacturing, Energy Allied Industrial and Service Workers International Union	<p>Quinn, Connor, Weaver, Davies & Rouco, LLP Glen M. Connor George N. Davies Richard P. Rouco Two North Twentieth Building 2-20th Street North, Suite 930 Birmingham, Alabama 35203 Phone: (205) 870-9989 Fax: (205) 803-4143 Email: gconnor@qcwdr.com</p> <p>Cohen, Weiss and Simon LLP Richard M. Seltzer Thomas N. Ciantra 330 West 42nd Street New York, New York 10036-6979 Phone: (212) 563-4100 Facsimile: (646) 473-8238 Email: tciantra@cwsny.com</p> <p>David Jury Associate General Counsel United Steel, Paper and Forestry, Rubber, Manufacturing, Energy Allied Industrial and Service Workers International Union Five Gateway Center, Room 807 USW Pittsburgh, Pennsylvania 15222 Phone: (412) 562-2400 Facsimile: (412) 562-2574 Email: djury@usw.org</p>

Pursuant to Federal Rule of Bankruptcy Procedure 8003(a)(3), a copy of the 1113/1114 Order is attached hereto as Exhibit A. A copy of the amended 1113/1114 Order is attached hereto as Exhibit B.

This Notice of Appeal is also accompanied by the prescribed fee.

Dated: January 8, 2016

Respectfully submitted,

/s/ George N. Davies

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– and –

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Attorneys for the UMWA Health and Retirement Funds

CERTIFICATE OF SERVICE

I hereby certify that on January 8, 2016, a true and correct copy of the foregoing was filed using the Court's CM/ECF system, which will notify and serve all persons and entities that have formally appeared and requested service in this case. Additionally, I hereby certify that a true and correct copy of the foregoing was served on the Standard Parties via electronic mail as follows:

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From: CourtMail1@alnb.uscourts.gov
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Subject: 15-02741-TOM11 Memorandum Opinion
Date: Monday, December 28, 2015 11:16:05 AM

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**U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA**

Notice of Electronic Filing

The following transaction was received from klt entered on 12/28/2015 at 11:14 AM CST and filed on 12/28/2015

Case Name: Walter Energy, Inc., et al.

Case Number: [15-02741-TOM11](#)

Document Number: [1489](#)

Docket Text:

Memorandum Opinion and Order Granting Debtor's Motion for an Order (I) Authorizing The Debtors to (A) Reject Collective Bargaining Agreements, (B) Implement Final Labor Proposals, and (C) Terminate Retiree Benefits; and (II) Granting Related Relief Signed on 12/28/2015 (RE: related document(s)[1094] Debtors' Motion Pursuant to 11 U.S.C. Sections 105(a), 1113(c) and 1114(g) for an Order (I) Authorizing the Debtors to (A) Reject Collective Bargaining Agreements, (B) Implement Final Labor Proposals, and (C) Terminate Retiree Benefits; and (II) Granting Related Relief, [1189] Objection filed by United Mine Workers of America overruled, [1198] Objection filed by United Mine Workers of America 1974 Pension Plan and Trust and its Trustees, United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, United Mine Workers of America 1992 Benefit Plan and its Trustees, United Mine Workers of America Combined Benefit Fund and its Trustees, United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, United Mine Workers of America 2012 Retiree Bonus Account Trust and its Trustees overruled). (klt)

The following document(s) are associated with this transaction:

Document description:Main Document

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[STAMP bkecfStamp_ID=1043685241 [Date=12/28/2015] [FileNumber=30784785-0] [030752539106ef767daa3d1d06cb6adabff2feb9af885c7041acaf90a38264fa77597f433d846f0badafff6503488529bc5f9353ecd1d2d9e0f1c04c714e7857]]

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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

In re:) Chapter 11
)
WALTER ENERGY, INC., <i>et al.</i> , ¹) Case No. 15-02741-TOM11
)
Debtors.) Jointly Administered

ORDER

Having considered the December 29, 2015 Motion to Alter or Amend (Doc. 1502) (the “**Motion**”) wherein the Committee of Retired Employees (the “**Committee**”) requested that the Court alter or amend its December 28, 2015 Memorandum Opinion and Order Granting Debtors’ Motion for an Order (I) Authorizing the Debtors to (A) Reject Collective Bargaining Agreements, (B) Implement Final Labor Proposals, and (C) Terminate Retiree Benefits; and (II) Granting Related Relief (Doc. 1489) (the “**Order**”), this Court has determined that the Motion should be granted. Accordingly, it is hereby ORDERED, ADJUDGED, and DECREED that:

1. The Motion is GRANTED as set forth herein; and
2. The Order is hereby amended so that Paragraph 93 reads as follows:

Here, the UMW lacks good cause for rejecting the Debtors’ Final Proposal. The Debtors’ dire circumstances require them to undertake the 363 Sale, or else they will cease operations and all employees’ jobs will be lost. And, under the terms of the Stalking Horse APA, the 363 Sale cannot be consummated unless the Successorship Provisions of the UMW CBA are eliminated. Similarly, the other obligations remaining under the UMW CBA and Retiree

¹ The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: Walter Energy, Inc. (9953); Atlantic Development and Capital, LLC (8121); Atlantic Leaseco, LLC (5308); Blue Creek Coal Sales, Inc. (6986); Blue Creek Energy, Inc. (0986); J.W. Walter, Inc. (0648); Jefferson Warrior Railroad Company, Inc. (3200); Jim Walter Homes, LLC (4589); Jim Walter Resources, Inc. (1186); Maple Coal Co., LLC (6791); Sloss-Sheffield Steel & Iron Company (4884); SP Machine, Inc. (9945); Taft Coal Sales & Associates, Inc. (8731); Tuscaloosa Resources, Inc. (4869); V Manufacturing Company (9790); Walter Black Warrior Basin LLC (5973); Walter Coke, Inc. (9791); Walter Energy Holdings, LLC (1596); Walter Exploration & Production LLC (5786); Walter Home Improvement, Inc. (1633); Walter Land Company (7709); Walter Minerals, Inc. (9714); and Walter Natural Gas, LLC (1198). The location of the Debtors’ corporate headquarters is 3000 Riverchase Galleria, Suite 1700, Birmingham, Alabama 35244-2359.

Benefits must be terminated upon closing the 363 Sale because the Debtors will not have the money to pay them.

Done and ordered on this 30th day of December 2015.

/s/ Tamara O. Mitchell
HON. TAMARA O. MITCHELL
UNITED STATES BANKRUPTCY JUDGE

Notice Recipients

District/Off: 1126-2
Case: 15-02741-TOM11

User: ltumlin
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aty Lisa Beckerman

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	Tower	New York, NY 10036-6745		

TOTAL: 148

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

In re:

WALTER ENERGY, INC., et al.,¹

Debtors.

Chapter 11

Case No. 15-02741-TOM11

Jointly Administered

**MEMORANDUM OPINION AND ORDER
GRANTING DEBTORS' MOTION FOR AN ORDER
(I) AUTHORIZING THE DEBTORS TO (A) REJECT COLLECTIVE
BARGAINING AGREEMENTS, (B) IMPLEMENT FINAL LABOR PROPOSALS, AND
(C) TERMINATE RETIREE BENEFITS; AND (II) GRANTING RELATED RELIEF**

This case came before the Court for hearing on December 15 and 16, 2015 on *Debtors' Motion for an Order (I) Authorizing the Debtors to (A) Reject Collective Bargaining Agreements, (B) Implement Final Labor Proposals, and (C) Terminate Retiree Benefits; and (II) Granting Related Relief; and Establishing Other Deadlines* (hereafter "1113/1114 Motion") [Doc. No. 1094] dated November 23, 2015, and objections to the 1113/1114 Motion filed by the United Mine Workers of America (hereafter "UMWA") [Doc. No. 1189] and the United Mine workers of America 1974 Pension Plan and Trust and its Trustees, United Mine Workers of America 1992 Benefit Plan and its Trustees, United Mine Workers of America 1993 Pension Plan and Trust and its Trustees, United Mine Workers of America 2012 Retiree Bonus Account

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: Walter Energy, Inc. (9953); Atlantic Development and Capital, LLC (8121); Atlantic Leaseco, LLC (5308); Blue Creek Coal Sales, Inc. (6986); Blue Creek Energy, Inc. (0986); J.W. Walter, Inc. (0648); Jefferson Warrior Railroad Company, Inc. (3200); Jim Walter Homes, LLC (4589); Jim Walter Resources, Inc. (1186); Maple Coal Co., LLC (6791); Sloss-Sheffield Steel & Iron Company (4884); SP Machine, Inc. (9945); Taft Coal Sales & Associates, Inc. (8731); Tuscaloosa Resources, Inc. (4869); V Manufacturing Company (9790); Walter Black Warrior Basin LLC (5973); Walter Coke, Inc. (9791); Walter Energy Holdings, LLC (1596); Walter Exploration & Production LLC (5786); Walter Home Improvement, Inc. (1633); Walter Land Company (7709); Walter Minerals, Inc. (9714); and Walter Natural Gas, LLC (1198). The location of the Debtors' corporate headquarters is 3000 Riverchase Galleria, Suite 1700, Birmingham, Alabama 35244-2359.

Trust and its Trustees, United Mine Workers of America Cash Deferred Savings Trust of 1988 and its Trustees, United Mine Workers of America Combined Benefit Fund and its Trustees (hereafter “UMWA Funds”)[Doc. No. 1198] (collectively “objections”).²

INTRODUCTION

At the outset, the Court notes and recognizes the impact any ruling on the pending Motion and objections has on multiple stake holders in these Chapter 11 cases. As noted on the record during the hearing, the dollar or quantitative monetary impact on each employee or retiree may not be as high an amount as to other creditors. However, the impact on each employee and each retiree is huge, and may be difficult for many, if not all, to understand, much less accept as fair, equitable or just.

In *In re Patriot Coal*, the following was noted:

[T]here is unquestionably no dispute that the lives and livelihood of Debtors’ employees, both, union and non-union, current, and retired, depend on the outcome of Debtors’ reorganization. “The retirees’ health and access to health care depend on the outcome of these cases. Indeed, without the dedication and sacrifice of the coal miners and their families, there would be no coal, and there would be no Patriot Coal.”³

The *Patriot Coal* court also noted, without “men and women willing to bend their knees to excavate coal” there would be no need for the Chapter 11 cases or the mines.⁴

This Court recognizes that the miners are the backbone and crucial workforce in these mining operations. Essentially, the dilemma facing the Court is whether to shut down the mines or allow the possibility that the mining operations continue in the hopes that coal prices will

² Objections to the 1113/1114 Motion were also filed by the Retiree Committee and the Steel Workers, but those were resolved as noted on the record in open court.

³ *In re Patriot Coal Corp.*, 493 B.R. 65, 78 (Bankr. E.D. Mo. 2013) (quoting *In re Patriot Coal Corp.*, 482 B.R. 718, 722 (Bankr. S.D.N.Y. 2012).

⁴ *Patriot Coal*, 493 B.R. at 78.

rebound in time and the miners keep valuable jobs, and are able to benefit when better times and better coal prices occur.

FINDINGS OF FACT⁵

1. The Debtors produce and export metallurgical coal (“met coal”) for the global steel industry with mineral reserves in the U.S., Canada and the United Kingdom. The Debtors also extract, process, and market thermal and anthracite coal and produce metallurgical coke and coal bed methane gas. [Zelin Decl. ¶ 7.] The No. 4 and 7 mines at Jim Walter Resources, Inc. (“Jim Walter”), with depths over 2,000 feet, are the heart of the Debtors’ operations. [Zelin Decl. ¶ 8.] However, despite the high quality of met coal that the Debtors sell, the Debtors, like many other U.S. coal producers, were unable to survive the sharp decline in the global met coal industry and filed for Chapter 11 relief on July 15, 2015 (the “Petition Date”), commencing these cases (the “Chapter 11 Cases”). After a failed attempt to restructure pursuant to a Chapter 11 plan process and a restructuring support agreement, the Debtors are now liquidating their assets pursuant to a going concern sale to an entity owned by their first lien creditors (the “First Lien Creditors”). The proposed buyer, however, will not take the Debtors’ assets subject to their legacy and current labor costs. Accordingly, pursuant to sections 1113 and 1114 of the Bankruptcy Code, the Debtors are seeking to reject their collective bargaining agreements (the “CBAs” as further defined below) to eliminate the successorship provisions and to implement their final proposals pursuant to which, upon the closing of the proposed sale, the Debtors will terminate their retiree benefit obligations and any other obligations remaining under the CBAs, so the Debtors’ assets may be sold free and clear any obligations pursuant to the CBAs or otherwise required.

⁵ Pursuant to Rule 201 of the Federal Rules of Evidence, the Court may take judicial notice of the contents of its own files. See *ITT Rayonier, Inc. v. U.S.*, 651 F.2d 343 (5th Cir. Unit B July 1981); *Florida v. Charley Toppino & Sons, Inc.*, 514 F.2d 700, 704 (5th Cir. 1975).

2. The Debtors' filed a motion on November 9, 2015 to approve bidding procedures and for the sale of all or substantially all of its assets. The bidding procedures have been approved, there is a Stalking Horse Bidder, an auction is scheduled for January 5, 2016 and a hearing on the sale set for January 6, 2016. The record in this case, as well as the testimony offered at this hearing, indicate the proposed going concern sale is the best chance for selling the Debtors' Alabama mines and to provide potential future employment for the Debtors' represented employees. If the sale is not approved or the sale fails to close, the Debtors will have no choice but to immediately pursue shut downs of the mines and/or convert to Chapter 7, thereby destroying the going concern value of the mines and eliminating future employment opportunities.

A. The Debtors' Labor Obligations.

3. The Debtors are party to two collective bargaining agreements and a memorandum of understanding. Specifically, (a) Jim Walter is party to the June 2011 Contract between the United Mine Workers of America and the Bituminous Coal Operators Association (the "BCOA") (together with any side letters of agreement and closing agreements and the memorandum of understanding between Jim Walter and the UMWA, the "UMWA CBA"); and (b) Walter Coke, Inc. ("Walter Coke") is party to an Agreement dated March 25, 2010, between the USW on behalf of Local Union No. 12014 and Walter Coke (the "USW CBA").⁶ The UMWA CBA covers approximately 700 active employees.

4. In addition, the Debtors owe retiree benefits (as such term is defined by section 1114 of the Bankruptcy Code, the "Retiree Benefits") to approximately 3,100 retirees and spouses represented by either the UMWA or the USW, together with approximately 100

⁶ As noted on the record, the Debtors' and the USW stipulated that all relief requested in the Debtors' 1113/1114 Motion was withdrawn, therefore no relief is granted in this Order as to the USW or the USW CBA.

non-Union retirees and spouses represented by the statutory committee of retirees appointed in these Chapter 11 Cases (the “Section 1114 Committee”). These Retiree Benefits include those owed under: (i) the UMWA CBA (the “UMWA Retiree Medical Plan”) which, as of December 31, 2014, had approximately \$579.2 million in unfunded liabilities; (ii) a collective bargaining agreement that does not cover any active employees with the UMWA (the “Taft Retiree Medical Plan”) that, as of December 31, 2014, had approximately \$3.4 million in unfunded liabilities; (iii) the USW CBA (the “Walter Coke Retiree Medical Plan” and the “Walter Coke Retiree Life Plan”) that, as of December 31, 2014, had approximately \$11.0 million and \$0.5 million in unfunded liabilities, respectively; and (iv) the medical plan for non-Union retirees⁷ (the “Salaried Retiree Medical Plan”) that, as of December 31, 2014, had approximately \$4.3 million in unfunded liabilities. (See Scheller Decl. ¶ 4; Farrell Decl. ¶ 4; Zelin Decl. ¶ 27.)

5. The Debtors are also responsible for numerous forms of pension liabilities and retiree benefit obligations arising from the Debtors’ relationship with the UMWA, including, as defined below, the 1974 Pension Plan, the Coal Act Funds, the 1993 Benefit Plan, the Account Plan, and the CDSP (collectively, the “UMWA Funds”). Specifically, in 2014, Jim Walter Resources contributed (a) over \$17 million to the 1974 Pension Plan;⁸ (b) over \$80,000 to the CDSP⁹; and (c) approximately \$3.6 million to the 1993 Benefit Plan.¹⁰ The Debtors also have an

⁷ A separate Stipulation and Order has been entered (Doc. No. 1333) resolving all non-union retiree issues.

⁸ The United Mine Workers of America 1974 Pension Plan and Trust (the “1974 Pension Plan”) is a multiemployer, defined-benefit pension plan established pursuant to 29 U.S.C. § 186(c)(5). The 1974 Pension Plan is responsible for pension and death benefits to approximately 90,000 retired or disabled miners and their eligible surviving spouses. *See Objection of UMWA Health and Retirement Funds to the Debtors’ Motion for an Order (A) Approving the Debtors’ Key Employee Retention Plan and (B) Granting Related Relief* (the “UMWA Funds KERP Objection”)[Docket No. 1148], ¶¶ 7-8.

⁹ The United Mine Workers of America Cash Deferred Savings Plan of 1988 (the “CDSP”) is a multiemployer savings plan established by the 1988 CBA between the UMWA and the BCOA. The CDSP is funded by both

annual premium of approximately \$170,000 (payable monthly) owed to the Combined Benefit Fund,¹¹ and currently administer a Coal Act individual employer plan (an “IEP”) that provides retiree health benefits to approximately 572 retirees and their dependents.¹² Finally, in 2014, Jim Walter contributed approximately \$5.1 million to a retiree bonus Account Plan.¹³

6. In aggregate, the Debtors pay approximately \$25-30 million per year on account of their Retiree Benefits.

B. The Chapter 11 Cases and Going-Concern Sale.

7. The decline of the global met coal industry since 2011 is well established and has devastated the industry. Fundamental downward shifts in the Chinese economy, coupled with the increase of low-cost supply of met coal from Australia and Russia, have driven met coal prices down from their historic high of \$330 per metric ton in 2011 to their current low of \$89 per metric ton. [Zelin Decl. ¶ 8.] The spot price for met coal is currently less than \$80 per

voluntary employee wage deferrals and numerous contributions from employers. *See* UMW Funds KERP Objection, ¶ 12.

¹⁰ The United Mine Workers of America 1993 Benefit Plan and Trust (the “1993 Benefit Plan”) provides retiree health benefits to approximately 10,837 retired coal miners and dependents. *See* UMW Funds KERP Objection, ¶ 13; Declaration of William G. Harvey in Support of First Day Motions (the “Harvey Declaration”)[Docket No. 3]; ¶ 85.

¹¹ The United Mine Workers of America Combined Benefit Fund (the “Combined Benefit Fund”) provides health and death benefits to coal industry retirees who, as of July 20, 1992, were receiving benefits from the 1950 Benefit Trust or the 1974 Benefit Trust. The Combined Benefit Fund is financed by an annual premium assessed every October and certain transfers from the federal government. UMW Funds KERP Objection, ¶5; Harvey Declaration, ¶83.

¹² The United Mine Workers of America 1992 Benefit Plan (the “1992 Plan,” and, together with the Combined Benefit Fund, the “Coal Act Funds”) provides benefits to (a) those who, based on their age and service record as of February 1, 1993, could have retired and received benefits under the 1950 Benefit Trust or the 1974 Benefit Trust if those trusts had not been merged by statute, and who actually retired between July 20, 1992 and October 1, 1994; and (b) those who would be covered by an IEP maintained pursuant to the Coal Act but who no longer receive such coverage. *See* UMW Funds KERP Objection, ¶ 6, Harvey Declaration, ¶ 83.

¹³ The United Mine Workers of America 2012 Retiree Bonus Account Plan (the “Account Plan”) was established in the 2011 NBCWA to make annual single-sum payments to beneficiaries on November 1, 2014, November 1, 2015, and November 1, 2016. Depending on the beneficiary’s pension under the 1974 Pension Plan, a beneficiary receives either \$455 or \$580 from the Account Plan. *See* UMW Funds KERP Objection, ¶ 11, Harvey Declaration, ¶ 86.

metric ton. As met coal prices began to decline, the Debtors' management responded to the changing industry environment by implementing numerous operational and cash-flow savings measures.¹⁴ [Zelin Decl. ¶ 9.]

8. Despite these efforts, the burden on the Debtors of their funded debt obligations and labor-related liabilities was unsustainable. With cash reserves of as of July 15, 2015, of approximately \$250 million, inclusive of cash at their Canadian and U.K. entities, the Debtors continued to suffer substantial losses from operations despite the far-reaching cost cuts already taken. Accordingly, the Debtors' investment banking and financial advisors began negotiating with advisors to an informal committee that comprises the holders of a majority in amount of the Debtors' first lien senior secured debt (the "Steering Committee"). The negotiations culminated in a Restructuring Support Agreement (the "RSA") and the terms of an agreed order approving the Debtors' use of the First Lien Creditors' cash collateral. [Zelin Decl. ¶ 12.]

9. The RSA created a dual-track framework for the Debtors' restructuring: the Debtors would first seek to confirm a debt-for-equity Chapter 11 restructuring plan (the "Plan"), but at the same time, the Debtors would also pursue a going-concern sale in the event that the Debtors could not confirm the Plan. [Zelin Decl. ¶ 12.] In fact, one of the milestones in the RSA mandated that the Debtors commence the marketing of their assets on or before August 19, 2015, in case a going-concern sale became the only viable option. [Zelin Decl. ¶ 12.]

10. The Court held contested hearings on the Debtors' motion to assume the RSA on September 2 and 3, 2015. On September 14, 2015, the Court entered an order approving

¹⁴ These included a reduction of SG&A by 20% (\$32 million), 25% (\$33 million) and 28% (\$28 million) in 2012, 2013 and 2014 respectively. The Debtors also cut their capital expenditures by 10% (\$45 million), 61% (\$238 million), and 28% (\$28 million) in 2012, 2013 and 2014 respectively. Among other things, the Debtors idled numerous mines and implemented significant reduction in force initiatives. [Zelin Decl. ¶ 9.]

the RSA on amended terms. [Doc. No. 723.] Subsequently, on September 18, 2015, the Steering Committee filed a motion, which the Debtors later joined, seeking confirmation that the RSA had terminated on its own terms. [Doc. Nos. 746, 774.] Following a hearing on September 24, 2015, the Court entered an order confirming that the RSA had terminated. [Doc. No. 796.]

11. When the RSA terminated, the Debtors were left with its cash resources and liquidity running out and no viable source of funding. The Debtors evaluated all of their options but could not find a feasible path towards consummating a Plan. [See Zelin Decl. ¶ 13.] In addition, no third party buyer had come forward for the Debtors' core assets. [See Zelin Decl. ¶ 14.] As a result, the Debtors commenced negotiations with the Steering Committee and its advisors with respect to a going-concern sale. [See Zelin Decl. ¶ 14.] In particular, the Debtors were focused on (i) preserving the Debtors' Alabama Coal Operations (as defined below) to the greatest extent possible, (ii) maximizing potential for future employment for the Debtors' workers, and (iii) ensuring that the Debtors' estates after a sale closing would retain sufficient assets to wind-down in a safe and orderly manner. [See Zelin Decl. ¶ 15, 29.]

12. After two months of negotiations, on November 5, 2015, the Debtors executed an asset purchase agreement (the "Stalking Horse APA") with Coal Acquisition LLC, an entity owned by the First Lien Creditors (the "Proposed Buyer"). [Zelin Decl. ¶ 15.] Under the Stalking Horse APA, the Debtors will sell their core Alabama mining operations (i.e., the Jim Walter No. 4 and 7 mines, related methane gas operations, and certain additional assets incidental thereto) (the "Alabama Coal Operations") to the Proposed Buyer for \$1.15 billion (the "363 Sale"). The consideration for the purchase price will be a credit bid by the First Lien Creditors of their prepetition liens and their adequate protection claims. In addition, the

Proposed Buyer will (a) purchase the Debtors' avoidance actions for \$5.4 million in cash (subject to certain reductions); (b) fund various wind down trusts to safely liquidate the Debtors' assets remaining after consummation of the sale to the Proposed Buyer; and (c) assume an estimated \$115 million in liabilities, including Black Lung obligations, reclamation, trade payables, cure costs and professional fees and expenses. The Stalking Horse APA is subject to higher or better offers and an open auction at which other qualified bidders may seek to purchase the Alabama Coal Operations and other assets on higher or better terms.

13. The testimony presented at this hearing indicated that the discussions between the Debtors and their advisors and the Proposed Buyer and its advisors were protracted, difficult, contentious, frustrating, but at arm's-length. [See also Zelin Decl. ¶ 15.] To facilitate continued negotiations, the Steering Committee agreed to extend the Debtors' use of Cash Collateral twice during this time: first on October 8, 2015, extending the use of Cash Collateral to November 20, 2015, and again on November 17, 2015, extending the use of Cash Collateral to December 1, 2015.¹⁵ [Doc. Nos. 857, 1053.] In response to the Debtors' deteriorating financial condition, the Steering Committee also agreed to defer the adequate protection payments due on October 15 and November 15 that the Debtors were otherwise obligated to make to the First Lien Creditors. [Doc. Nos. 890, 1037.]

14. The Proposed Buyer refused to acquire the Alabama Coal Operations burdened by the Debtors' legacy and current labor costs. The Stalking Horse APA thus requires a sale "free and clear" of legacy union liabilities. [Zelin Decl. ¶ 16.] Towards that end, the Stalking Horse APA requires the elimination of any clause or provision imposing on the Debtors the requirement that any buyer assume the Debtors' CBAs or any of the Debtors' liabilities or

¹⁵ On December 1, 2015, the Steering Committee granted an additional extension, permitting the Debtors' use of Cash Collateral to January 8, 2016. [Doc. No. 1158.]

obligations under their CBAs (collectively, the “Successorship Provisions”) or alternatively, rejection of the Debtor’s collective bargaining agreements.

15. Successorship clauses are contractual provisions in collective bargaining agreements that seek to require an employer to bind a purchasing employer to all the terms and conditions of an existing collective bargaining agreement in the event of a sale or assignment of the business. The UMWA CBA provides, for example:

This Agreement shall be binding upon all signatories hereto, including those Employers which are members of signatory associations, and their successors and assigns. In consideration of the Union’s execution of this Agreement, each Employer promises that its operations covered by this Agreement shall not be sold, conveyed, or otherwise transferred or assigned to any successor without first securing the agreement of the successor to assume the Employer’s obligations under this Agreement. Immediately upon the conclusion of such sale, conveyance, assignment or transfer of its operations, the Employer shall notify the Union of the transaction. Such notification shall be by certified mail to the Secretary-Treasurer of the International Union and shall be accompanied by documentation that the successor obligation has been satisfied. Provided that the Employer shall not be a guarantor or be held liable for any breach by the successor or assignee of its obligations, and the UMWA will look exclusively to the successor or assignee for compliance with the terms of this Agreement.

UMWA CBA, p. 5.

16. Because the Proposed Buyer is unwilling to purchase the Alabama Coal Operations subject to the CBAs, with respect to the UMWA CBA, the Stalking Horse APA provides:

On the Closing Date, the Acquired Assets shall be transferred to Buyer and/or one or more Buyer Designees, as applicable, free and clear of all Encumbrances and Liabilities (including, for the avoidance of doubt, all successor liability, ***including any successorship obligations under any Collective Bargaining Agreement***, and/or with respect to any Benefit Plan that is not an Buyer Benefit Plan), other than the Permitted Encumbrances and the Assumed Liabilities, including any Reclamation obligations that are Assumed Liabilities.

Stalking Horse APA § 7.12 (emphasis added).

17. The Stalking Horse APA further requires as a closing condition that:

(i) the Bankruptcy Court shall have determined that Sellers can sell the Acquired Assets free and clear of any successor clause in the UMWA Collective Bargaining Agreements, (ii) the UMWA shall have agreed to waive or remove the successor clause in the UMWA Collective Bargaining Agreements, or (iii) ***the Bankruptcy Court shall have granted a motion acceptable to Buyer filed by the applicable Seller pursuant to Section 1113(c) of the Bankruptcy Code authorizing the applicable Seller to reject the UMWA Collective Bargaining Agreements.***

Stalking Horse APA § 9.9(a)(i) (emphasis added).

18. Despite extensive efforts, the Debtors did not find any buyer willing to purchase the Debtors' assets subject to the CBAs. In fact, no buyer other than the Proposed Buyer expressed any interest in the Alabama Coal Operations at all. This was true even though, as of the date of the Section 1113/1114 Motion, the Debtors' investment banking advisor PJT Partners LP ("PJT") had contacted 47 strategic acquirers (including domestic coal producers, international coal producers and integrated steel companies) and 37 financial sponsors. Throughout the marketing process, PJT did not receive a single indication of interest to purchase all of the Debtors' Alabama Coal Operations although PJT did receive a few proposals with respect to certain of the Debtors' other assets. [Zelin Decl. ¶ 25; *see also* Tab 10, Zelin Trial Notebook.]

19. Today, the Debtors continue to rapidly lose cash, even excluding interest expenses and notwithstanding substantial cash conservation initiatives the Debtors implemented. If the Stalking Horse APA is not approved, and if no alternative successful bidder emerges, the Debtors will run out of cash by early 2016 and will have no choice but to liquidate. [Zelin Decl. ¶ 29; *see also* Tab 1, Zelin Trial Notebook.] In addition, if the proposed 363 Sale is

consummated, the Debtors will be left with insufficient funds to make payments on the Retiree Benefits and any ongoing obligations under the UMWA CBA. [Zelin Decl. ¶ 16.]

C. The Debtors' Labor Negotiations with the UMWA.¹⁶

20. Starting before the Petition Date, the Debtors have met and negotiated with the UMWA concerning proposed modifications to the UMWA CBA. [Scheller Decl. ¶ 5.] When the Chapter 11 Cases first commenced, the Debtors negotiated with the UMWA intending to reorganize and confirm a Chapter 11 plan consistent with the RSA. [Scheller Decl. ¶ 11.] Prior to the Petition Date, on July 8, 2015, the Debtors met with the UMWA to provide the UMWA with an overview of market conditions, the Debtors' historical financial performance, and the reasons and goals for the Debtors' anticipated restructuring. [Scheller Decl. ¶ 6.]

21. On August 26, 2015, the Debtors presented the UMWA with their first proposal (the "First UMWA Proposal") for a set of terms and conditions to effectuate a reorganization as contemplated in the RSA, including deletion of the Successorship Provisions. [Scheller Decl. ¶ 13.] In the First UMWA Proposal, the Debtors also sought aggregate annual savings of approximately \$150 million which they then believed was the minimum needed to eventually return the Debtors to profitability. [Scheller Decl. ¶ 12.] Even with those savings, the Debtors' financial advisors projected that the feasibility of any Chapter 11 plan would require significant capital investment over a period of years. [Zelin Decl. ¶ 17.]

22. The Debtors met with the UMWA to discuss the First UMWA Proposal five times in September 2015. The First UMWA Proposal included elimination of Retiree Benefits and modifications to healthcare, all of which were discussed in these meetings.

¹⁶ "The UMWA is a labor union which was formed in Columbus, Ohio on January 22, 1890 with the stated purpose of 'educating all mine workers in America to realize the necessity of unity of action and purpose, in demanding and securing by lawful means the just fruits of our toil.'" *Patriot Coal*, 493 B.R. at 80 (quoting Mair B. Fox, *United We Stand: The United Mine Workers of America 1890-1990* 22 (International Union, United Mine Workers of America 1990, in turn citing the UMWA Preamble, 1890).

[Scheller Decl. ¶ 14.] Following those discussions, on October 1, 2015, the UMWA made its first counter-proposal to the First UMWA Proposal. [Scheller Decl. ¶ 15.]

23. When the RSA was terminated and confirmation of a plan of reorganization proved impossible, the Debtors switched their focus to a sale path and continued to meet with the UMWA to discuss the Debtors' options in light of the sale process. [Scheller Decl. ¶ 17.] As the Stalking Horse APA was crystallizing, the Debtors engaged again with the UMWA to discuss the UMWA CBA. [See Scheller Decl. ¶¶ 19-21.] Specifically, the Debtors met with the UMWA twice in October to provide status reports on the Stalking Horse APA negotiations and the Debtors' deteriorating liquidity position. [Scheller Decl. ¶¶ 20-21.]

24. Five days after entering into the Stalking Horse APA, the Debtors met with the UMWA, withdrew their First Proposal and presented their final proposal (the "Final UMWA Proposal"). [Scheller Decl. ¶ 23 & Ex. 2.] The Final UMWA Proposal included the following terms:

- (a) Successorship clause. Deletion of the successorship clause in its entirety to comply with the terms of the Stalking Horse APA and facilitate the 363 Sale process. [Scheller Decl. ¶ 24.]
- (b) Healthcare for laid-off employees. Elimination of the requirement to provide healthcare benefits for employees who are laid off for up to 12 months after the month in which the layoff occurs, providing instead that no healthcare or other welfare benefits will be provided to any active or laid-off employee after the sale of the mines under the 363 Sale closes. [Scheller Decl. ¶ 24.]
- (c) Termination of agreement. Termination effective as of the date the 363 Sale closes, on which date all of the Debtors' obligations to make any payment that arises from any contractual requirement, grievance settlement, arbitration decision or other obligation that vested or was incurred prior to the date of the sale of the mines to the Proposed Buyer under the Stalking Horse APA would also terminate. [Scheller Decl. ¶ 24.]

- (d) Effects bargaining. Continued good faith discussions regarding any proposal that the UMWA may have concerning the effects of the sale of the mines on the UMWA's members. [Scheller Decl. ¶ 24.]
- (e) Health and welfare benefits for retirees. Termination of health and welfare benefits, including the UMWA Retiree Medical Plan and Taft Retiree Medical Plan, for all of the UMWA's retirees effective no later than the closing date of the Section 363 Sale, as the Buyers are not agreeing to assume responsibility for such healthcare benefits for retirees under the Stalking Horse APA, and the Debtors will no longer have any funds available to provide any benefits to the UMWA retirees post-closing. [Scheller Decl. ¶ 24.]
- (f) Coal Act retirees. Coordination with the UMWA and with the UMWA 1992 Plan officials to arrange for the transition of retirees entitled to Coal Act Benefits to the UMWA 1992 Benefit Plan with no loss of benefits. (The Coal Act provides that when an employer becomes financially unable to provide healthcare benefits to its Coal Act-eligible retirees, the UMWA 1992 Benefit Plan will enroll the impacted retirees and provide their benefits.) [Scheller Decl. ¶ 24.]

25. On November 20, 2015, the UMWA rejected the Debtors' Final UMWA Proposal. [Scheller Decl. ¶ 27 & Ex. 3.] The UMWA response was that it would agree to facilitate the termination or modification of the UMWA CBA obligations "as appropriate for the winding down of JWR and its exit from the coal industry" but "only upon" ratification of a new collective bargaining agreement with the Proposed Buyer that, among other things, addresses healthcare for retired Jim Walter miners. [*Id.*]

26. The testimony at the hearing showed that the UMWA has been negotiating with the Proposed Buyer. On November 6, 2015, the day after the Stalking Horse APA was signed, Mr. Doug Williams, CEO of Coal Acquisitions, LLC, sent a letter to Cecil E. Roberts, the UMWA's President, introducing himself to Mr. Roberts and hoping to set the stage for further discussions and negotiations. Further, Mr. Williams advised that Coal Acquisition

planned to begin interviewing individuals for employment after a sale and that some of the individuals who may be interviewed are currently represented by the UMWA at Jim Walter's number 4 and 7 mines, surface facilities and preparation plants. After the letter was sent to Mr. Roberts, the advisors to the Proposed Buyer exchanged numerous emails and calls and meetings with the UMWA were scheduled for and held November 16, December 2, and December 8, 2015, and another meeting is scheduled for December 18, 2015. [Williams Decl. ¶ 5 and testimony.] At the November 16th meeting, the Proposed Buyer made an initial contract proposal to the UMWA, subject to a number of conditions, including the Proposed Buyer providing offers of employment to the bargaining unit employees previously employed at Jim Walter's mines numbers 4 and 7, preparation plants and surface facilities, and a majority of those bargaining unit employees accepting such offers. [Williams Decl. ¶ 6.] A counterproposal has since been provided by the UMWA, and the hearing, the testimony indicated the parties intend to continue to negotiate.

27. Throughout the negotiation process, the Debtors provided the UMWA with full access to extensive diligence information, including approximately 75,000 pages of the relevant operational, financial, business planning and other documents. Towards that end, the Debtors established an electronic data room to facilitate information sharing on a confidential basis. The data room was made available to the UWMA on July 14, 2015. [Scheller Decl. ¶ 8.] In addition to providing access to thousands of pages of data, the Debtors and their advisors gave the UMWA numerous detailed presentations about the Company, its businesses, financial conditions, business plan and projected performance. [Scheller Decl. ¶ 9.]

D. The Debtors' Motion Pursuant to 11 U.S.C. §§ 105(a), 1113(c), and 1114(g).

28. On November 23, 2015, the Debtors filed this Section 1113/1114 Motion pursuant to sections 105(a), 1113(c), and 1114(g) of title 11 of the United States Code for an

order (I) (A) authorizing the rejection of the collective bargaining agreements of Jim Walter and Walter Coke, (B) implementing Jim Walter's and Walter Coke's final labor proposals, and (C) terminating the Debtors' retiree benefits and related obligations; and (II) granting related relief. Along with the Motion, Debtors filed declarations of Steven Zelin, a Partner at PJT Partners, Debtors' financial advisor; Walter J. Scheller, III, the CEO of Walter Energy, Inc.; and Carol W. Ferrell, President of Walter Coke, Inc. In addition, as a proponent of the Motion, the lenders filed the declaration of Stephen Douglas Williams, the CEO of Coal Acquisitions, LLC, the Stalking Horse Bidder. In addition to these declarations admitted as evidence at the hearing, Mr. Zelin, Mr. Scheller and Mr. Williams testified.

29. In the Section 1113/1114 Motion, the Debtors request the authority to (a) reject the UMWA CBA in its entirety and (b) implement the Final Proposals pursuant to which any Successorship Provision would be eliminated and upon the closing of the 363 Sale, the UMWA CBA and the other obligations remaining under the UMWA CBA, as well as the Retiree Benefits, would terminate.

30. The UMWA¹⁷ and the UMWA Funds,¹⁸ (collectively, the "Objectors") filed objections to the Section 1113/1114 Motion.¹⁹ The Objectors make the following

¹⁷ See *Objection of the United Mine Workers of America to Debtors' Motion Pursuant to 11 U.S.C. §§ 105(a), 1113(c) and 1114(g) for an Order (I) Authorizing the Debtors to (A) Reject Collective Bargaining Agreements, (B) Implement Final Labor Proposals, and (C) Terminate Retiree Benefits; and (II) Granting Related Relief* [Doc. No. 1189] (the "UMWA Objection").

¹⁸ See *Objection of the United Mine Workers of American 1974 Pension Plan and Trust, the United Workers of America 1993 Benefit Plan, the United Mine Workers of America 2012 Retiree Bonus Account Plan, the United Mine Workers of America Cash Deferred Savings Plan of 1988, the United Mine Workers of America Combined Benefit Plan and the United Mine Workers of America 1992 Benefit Plan to (1) Debtors' Motion Pursuant to 11 U.S.C. §§ 105(a), 1113(c) and 1114(g) for an Order (I) Authorizing the Debtors to (A) Reject Collective Bargaining Agreements, (B) Implement Final Labor Proposals, and (C) Terminate Retiree Benefits; and (II) Granting Related Relief* [Doc. No. 1198] (the "UMWA Funds Objection").

¹⁹ The USW also filed an objection to the Section 1113/14 Motion. See *Opposition of the United Steelworkers to the Debtors' Motion Pursuant to 11 U.S.C. §§ 105(a), 1113(c) and 1114(g)* [Doc. No. 1195] (the "USW Objection"). The Debtors filed a notice of withdrawal of the Section 1113/14 Motion as it relates to the USW

arguments: (a) relief under sections 1113 and 1114 of the Bankruptcy Code is not appropriate here, where the Debtors are selling substantially all of their assets only to then possibly liquidate in a Chapter 7, as opposed to restructuring or reorganizing; (b) even assuming that a liquidating debtor can seek relief under sections 1113 and 1114 of the Bankruptcy Code, at a minimum, these sections require the Debtors to demonstrate an ability to confirm a Chapter 11 plan, which the Debtors cannot do here because they lack the funding needed to satisfy accrued but unpaid administrative claims, including environmental, pension, and certain other legacy retiree/employee liabilities; (c) the Section 1113/1114 Motion inappropriately seeks to terminate the Debtors' obligations to its employees and retirees under the Coal Act statutory obligations that the Debtors cannot modify under section 1114 of the Bankruptcy Code; and (d) the Section 1113/1114 Motion fails to satisfy the substantive requirements of sections 1113 and 1114 of the Bankruptcy Code for a plethora of other reasons, including that termination of the Successorship Provisions is not necessary to permit the reorganization of the Debtors as contemplated by the Bankruptcy Code and that the requested relief is otherwise not fair and equitable.

JURISDICTION²⁰

31. The Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409. This is a core proceeding under 28 U.S.C. § 157(b).

32. The statutory and legal predicates for the relief sought herein are sections 105(a), 1113(c), and 1114(g) of the Bankruptcy Code and Bankruptcy Rules 2002 and 6004.

[Doc. No. 1227]. The Court confirmed with USW counsel that he had no objection to the withdrawal and that essentially the withdrawal constituted a stipulation of dismissal as to the USW provisions of the Motion.

²⁰ This Memorandum Opinion and Order constitutes findings of fact and conclusions of law pursuant to Federal Rule of Civil Procedure 52, applicable to adversary proceedings in bankruptcy pursuant to Federal Rule of Bankruptcy Procedure 7052.

33. On July 30, 2015, the Bankruptcy Administrator for the Northern District of Alabama appointed an eleven member Official Committee of Unsecured Creditors (the “Creditors Committee”). [Doc. No. 268.] On August 4, 2015, the Bankruptcy Administrator appointed two additional members to the Creditors Committee [Doc. Nos. 336, 342.]

34. On July 30, 2015, the Court entered an order authorizing the formation of a committee of retired employees pursuant to sections 1114(c)(2) and 1114(d) of the Bankruptcy Code (the “Section 1114 Committee”). [Doc. No. 264.] Both the UMWA and the United Steelworkers (the “USW,” and, together with the UMWA, the “Unions”) are members of the Creditors Committee and each serves as the authorized representative of the retirees of their respective Unions on the Section 1114 Committee. [Doc. Nos. 268, 264.] No trustee or examiner has been appointed in the Chapter 11 Cases.

CONCLUSIONS OF LAW

A. Sections 1113 and 1114 of the Bankruptcy Code.

35. Congress enacted section 1113 of the Bankruptcy Code in response to the Supreme Court’s decision in *NLRB v. Bildisco & Bildisco*, 465 U.S. 513 (1984). In *Bildisco*, the Supreme Court “held that a debtor may unilaterally reject a collective bargaining agreement under section 365(a) of the Bankruptcy Code by showing that the agreement ‘burdens the estate, and that after careful scrutiny, the equities balance in favor of rejecting the labor contract.’”²¹ To address concerns that the Supreme Court’s decision would permit debtors to use bankruptcy as a weapon in the collective bargain process, Congress enacted section 1113 to “replace the *Bildisco* standard with one that was more sensitive to the national policy favoring collective bargaining

²¹ *In re AMR Corp.*, 477 B.R. 384, 405 (Bankr. S.D.N.Y. 2012) (quoting *NLRB v. Bildisco & Bildisco*, 465 U.S. 513, 526 (1984)).

agreements”²² Section 1113 accordingly is intended “to ensure that well-informed and good faith negotiations occur in the market place, not as part of the judicial process.”²³ It does so by imposing more stringent standards and rigorous procedures for rejecting a collective bargaining agreement than apply to an ordinary executory contract. Section 1113 thereby encourages the debtor-employer and the union to reach a negotiated settlement. *See Collier on Bankruptcy* ¶ 1113.01 (citing the language and history of section 1113).

36. Section 1113 provides in relevant part:

(a) The debtor in possession, or the trustee if one has been appointed under the provisions of this Chapter, other than a trustee in a case covered by subChapter IV of this Chapter and by title I of the Railway Labor Act, may assume or reject a collective bargaining agreement only in accordance with the provisions of this section.

(b) (1) Subsequent to filing a petition and prior to filing an application seeking rejection of a collective bargaining agreement, the debtor in possession or trustee (hereinafter in this section “trustee” shall include a debtor in possession), shall—

(A) make a proposal to the authorized representative of the employees covered by such agreement, based on the most complete and reliable information available at the time of such proposal, which provides for those necessary modifications in the employees benefits and protections that are necessary to permit the reorganization of the debtor and assures that all creditors, the debtor and all of the affected parties are treated fairly and equitably; and

(B) provide, subject to subsection (d)(3), the representative of the employees with such relevant information as is necessary to evaluate the proposal.

(2) During the period beginning on the date of the making of a proposal provided for in paragraph (1) and ending on

²² *Wheeling-Pittsburgh Steel Corp. v. United Steelworkers of America*, 791 F.2d 1074, 1089 (3d Cir. 1986).

²³ *New York Typographical Union No. 6 v. Maxwell Newspapers, Inc. (In re Maxwell Newspapers, Inc.)*, 981 F.2d 85, 90 (2d Cir. 1992).

the date of the hearing provided for in subsection (d)(1), the trustee shall meet, at reasonable times, with the authorized representative to confer in good faith in attempting to reach mutually satisfactory modifications of such agreement.

(c) The court shall approve an application for rejection of a collective bargaining agreement only if the court finds that—

(1) the trustee has, prior to the hearing, made a proposal that fulfills the requirements of subsection (b)(1);

(2) the authorized representative of the employees has refused to accept such proposal without good cause; and

(3) the balance of the equities clearly favors rejection of such agreement.

37. “Section 1113(b) requires that a debtor take a number of procedural steps prior to rejecting a collective bargaining agreement.”²⁴ At the outset, the debtor must provide the union with its proposed modifications to a collective bargaining agreement prior to filing an application with the court to reject the agreement. Moreover, the proposed modifications must be (a) “based on the most complete and reliable information available at the time of the proposal,” (b) “necessary to permit the reorganization of the debtor,” and (c) “assure[] that all creditors, the debtor and all of the affected parties are treated fairly and equitably.”²⁵ The debtors must also provide the union with the relevant information necessary for the union to evaluate the proposal.²⁶ Finally, “the debtor must bargain in good faith with the union in an attempt to reach an agreement” between the time that the section 1113 proposal is made by the debtor and the date that any section 1113 application is set to be heard.²⁷

²⁴ *AMR Corp.*, 477 B.R. at 406.

²⁵ 11 U.S.C. § 1113(b)(1)(A); *AMR Corp.*, 477 B.R. at 406 (citing 11 U.S.C. § 1113(b)(1)(A)).

²⁶ *Id.*

²⁷ *AMR Corp.*, 477 B.R. at 406.

38. Section 1113(c) also requires that a debtor establish the following three substantive requirements to reject a collective bargaining agreement: (a) that the debtor's section 1113 proposal fulfills the requirements of the statute, (b) that the union refused to accept the proposal without good cause, and (c) that the balance of the equities favors rejection of the agreement.²⁸ "The debtor bears the burden of proof by the preponderance of the evidence on the elements of section 1113."²⁹

39. Similarly, the debtor may modify or terminate retiree benefits upon satisfying the following conditions:

- (1) the trustee has, prior to the hearing, made a proposal that fulfills the requirements of subsection (f);
- (2) the authorized representative of the retirees has refused to accept such proposal without good cause; and
- (3) such modification is necessary to permit the reorganization of the debtor and assures that all creditors, the debtor, and all of the affected parties are treated fairly and equitably, and is clearly favored by the balance of the equities;

except that in no case shall the court enter an order providing for such modification which provides for a modification to a level lower than that proposed by the trustee in the proposal found by the court to have complied with the requirements of this subsection and subsection (f)
 ...³⁰

40. Subsection (f) requires as follows:

- (1) Subsequent to filing a petition and prior to filing an application seeking modification of the retiree benefits, the trustee shall—
 - (A) make a proposal to the authorized representative of the retirees, based on the most complete and reliable information available at the time of such proposal, which provides for

²⁸ 11 U.S.C. § 1113(c); *AMR Corp.*, 477 B.R. at 406.

²⁹ *AMR Corp.*, 477 B.R. at 406 (citing *Truck Drivers Local 807 v. Carey Transp., Inc. (Carey Transp. II)*, 816 F.2d 82, 88 (2d Cir. 1987); *In re Nw. Airlines Corp.*, 346 B.R. 307, 320-21 (Bankr. S.D.N.Y. 2006)).

³⁰ 11 U.S.C. § 1114(g).

those necessary modifications in the retiree benefits that are necessary to permit the reorganization of the debtor and assures that all creditors, the debtor and all of the affected parties are treated fairly and equitably; and

(B) provide, subject to subsection (k)(3), the representative of the retirees with such relevant information as is necessary to evaluate the proposal.

(2) During the period beginning on the date of the making of a proposal provided for in paragraph (1), and ending on the date of the hearing provided for in subsection (k)(1), the trustee shall meet, at reasonable times, with the authorized representative to confer in good faith in attempting to reach mutually satisfactory modifications of such retiree benefits.³¹

41. The statutory “requirements for modification of retiree benefits are . . . substantially the same as the requirements for rejection of collective bargaining agreements.”³² Thus, the nine-part analysis found in *In re American Provision Company*, discussed below, applies equally to both.³³ Courts thus routinely analyze motions for relief under sections 1113 and 1114 together, and the Court will do so here.³⁴ Accordingly, the following discussion relating to the requirements under section 1113 also applies to the relief the Debtors request under section 1114 and as applicable to the UMWA and UMWA Funds.³⁵ Applicable Standard Under Sections 1113 and 1114 of the Bankruptcy Code.

³¹ 11 U.S.C. § 1114(f)..

³² *In re Horizon Natural Res. Co.*, 316 B.R. 268, 281 (Bankr. E.D. Ky. 2004)

³³ *In re Horizon Natural Res.*, 316 B.R. at 280-81. *See In re American Provision Co.*, 44 B.R. 907, 909 (Bankr. D. Minn. 1984).

³⁴ *See, e.g., Horizon Natural Res.*, 316 B.R. at 279-83; *In re Horsehead Indus., Inc.*, 300 B.R. 573, 583 (Bankr. S.D.N.Y. 2003).

³⁵ Thus any reference in this Opinion to the UMWA also, if applicable, shall be a reference to the UMWA Funds.

42. The requirements of section 1113 were restated in a nine-part test in *In re American Provision Co.*, 44 B.R. 907, 909 (Bankr. D. Minn. 1984).³⁶ The test requires that the following be met:

- (a) The debtor in possession must make a proposal to the union to modify the collective bargaining agreement;
- (b) The proposal must be based on complete and reliable information available at the time of the proposal;
- (c) The proposed modifications must be “necessary to permit the reorganization of the debtor;”
- (d) The proposed modifications must assure that all creditors, the debtor and all of the affected parties are treated fairly and equitably;
- (e) The debtor must provide to the union such relevant information as is necessary to evaluate the proposal;
- (f) Between the time of the making of the proposal and the time of the hearing on approval of the rejection of the existing collective bargaining agreement, the debtor must meet at reasonable times with the union;
- (g) At the meetings the debtor must confer in good faith in attempting to reach mutually satisfactory modifications of the collective bargaining agreement;
- (h) The union must have refused to accept the proposal without good cause; and
- (i) The balance of the equities must clearly favor rejection of the collective bargaining agreement.

43. Before turning to this nine-factor *American Provision* test, the Court addresses the Objectors’ arguments that (a) relief under sections 1113 and 1114 of the Bankruptcy Code is not appropriate here where the Debtors are selling substantially all of their

³⁶ *In re Alabama Symphony Ass’n*, 155 B.R. 556, 573 n.38 (Bankr. N.D. Ala. 1993) (“This test is almost universally followed in the bankruptcy courts.”), *rev’d on other grounds, Birmingham Musicians’ Protective Ass’n, Local 256-733, of the Am. Fed. Of Musicians v. Alabama Symphony Ass’n (In re Alabama Symphony Ass’n)*, 211 B.R. 65 (N.D. Ala. 1996).

assets and liquidating, (b) the Debtors must demonstrate the ability to confirm a liquidating Chapter 11 plan, which the Debtors cannot do because they lack the funding needed to satisfy accrued but unpaid administrative claims, including environmental, pension, and certain other legacy retiree/employee liabilities, and (c) the Section 1113/1114 Motion inappropriately seeks to terminate the Debtors' obligations to its employees and retirees under the Coal Act, statutory obligations that the Debtors cannot modify under section 1114.

B. Sections 1113 and 1114 Apply in a Liquidating Chapter 11 Case and the Debtors Need Not Demonstrate an Ability to Confirm a Liquidating Chapter 11 Plan.

44. The Objectors argue that sections 1113 and 1114 do not apply in a liquidating Chapter 11 case, and accordingly, the Debtors' relief should be denied.³⁷ The Bankruptcy Code does not limit liquidation to Chapter 7 cases.³⁸ To the contrary, Chapter 11 expressly provides for liquidating Chapter 11 plans of reorganization.³⁹ As a result, when a Chapter 11 debtor is being sold or is liquidating rather than reorganizing, courts apply the requirements for section 1113(c) relief "contextually, rather than strictly," and "with the impending liquidation of the Debtor firmly in mind."⁴⁰ And while some courts have found that

³⁷ UMW Obj. at ¶¶ 70-76.

³⁸ See e.g., *In re Chicago Constr. Specialties, Inc.*, 510 B.R. 205, 214-16 (Bankr. N.D. Ill. 2014).

³⁹ 11 U.S.C. § 1129(a)(11) (enumerating as a confirmation requirement that "[c]onfirmation of the plan is not likely to be followed by . . . liquidation . . . unless such liquidation . . . is proposed in the plan"); see also 11 U.S.C. § 1123(b)(4) (Chapter 11 plan may "provide for the sale of all or substantially all of the property of the estate, and the distribution of the proceeds of such sale among holders of claims or interests[.]"); *Chicago Constr. Specialties*, 510 B.R. at 215.

⁴⁰ *Chicago Constr. Specialties, Inc.*, 510 B.R. at 217-18; *In re U.S. Truck Co. Holdings*, 2000 Bankr. LEXIS 1376, at *26-28 (Bankr. E.D. Mich. Sept. 29, 2000) ("[A]pplying § 1113 to a liquidating Chapter 11 . . . is somewhat problematic because many of the § 1113 requirements and the case law interpreting them focus on or presuppose efforts to rehabilitate an ongoing business [but] . . . these standards must necessarily be construed, if possible, in a way that gives them meaning in this liquidation setting."); *United Food & Commercial Workers Union, Local 211 v. Family Snacks, Inc. (In re Family Snacks, Inc.)*, 257 B.R. 884, 893 (8th Cir. B.A.P. 2001) ("[E]ach court that has addressed the meaning of the phrase 'reorganization of the debtor,' as found in § 1113(b)(1)(A), has held or assumed that § 1113 applies in a case where the debtor will not be engaged in business because it is selling its assets.").

“the procedural requirements imposed by § 1113 appear ill-suited to a liquidation proceeding,”⁴¹ courts have routinely applied the provision in liquidating Chapter 11 cases.⁴² Moreover, neither section 1113 nor 1114 require that the debtor establish the feasibility of a liquidating Chapter 11 plan as a condition precedent to relief.

45. The placement of sections 1113 and 1114 “in Chapter 11 requires its application to liquidating Chapter 11 cases.”⁴³ Even though Congress uses the term “reorganization” in both sections 1113 and 1114, the Bankruptcy Code does not define the term.⁴⁴ Courts, however, interpret “reorganization” to include all types of debt adjustment, including going-concern asset sales pursuant to section 363 of the Bankruptcy Code.⁴⁵ Permitting a debtor to avail itself of section 1113 and 1114 relief to consummate a going-concern sale where the debtor cannot confirm a Chapter 11 comports with Congressional intent that sections 1113 and 1114 serve a rehabilitative purpose.

⁴¹ *Chicago Constr. Specialties*, 510 B.R. at 215 (quoting *Carpenters Health and Welfare Trust Funds v. Robertson (In re Rufener Constr., Inc.)*, 53 F.3d 1064, 1067 (9th Cir. 1995).

⁴² *See, e.g., In re Maxwell Newspapers, Inc.*, 981 F.2d 85, 91 (2d Cir. 1992) (“The union . . . contends that the debtor has not shown that a collective bargaining agreement may be rejected to serve the interests of a purchaser of assets. The two lower courts believed that 11 U.S.C. § 1113 applied to this transaction because what is to emerge, if the sale is consummated, is the Daily News reorganized as an ongoing business. We agree.”); *In re Hoffman Bros. Packing Co., Inc.*, 173 B.R. 177, 186-87 (9th Cir. B.A.P. 1994) (“We agree, and hold that § 1113 does not preclude rejection of CBAs where the purpose or plan of the debtor is to liquidate by a going concern sale of the business.”); *accord Chicago Constr. Specialties*, 510 B.R. at 215; *In re Karykeion, Inc.*, 435 B.R. 663, 679 (Bankr. C.D. Cal. 2010); *Family Snacks*, 257 B.R. at 893. Indeed, this well-established proposition is even supported by a case that the UMWA cites liberally in its objection. *See In re Lady H. Coal Co.*, 193 B.R. 233, 240-43 (Bankr. S.D.W.Va. 1996) (denying the debtor’s section 1113 motion but noting that “a collective bargaining agreement (‘CBA’) may be rejected in contemplation of the sale of a substantial portion of a debtor’s assets as such sale is effectively the reorganization plan of a debtor”).

⁴³ *In re Ionosphere Club, Inc.*, 134 B.R. 515, 524 (Bankr. S.D.N.Y. 1991).

⁴⁴ 11 U.S.C. §§ 1113(b)(1)(a), 1114(f)(1)(A).

⁴⁵ *See, e.g., In re Karykeion, Inc.*, 435 B.R. 663, 679 (Bankr. C.D. Cal. 2010) (“[T]he only reorganization option for the debtor is the sale of [its hospital] to [buyer] and that sale is contingent on the court approving the debtor’s rejection of these CBAs.”).

46. Sections 1113 and 1114 do not require the Debtors to establish that the requested relief will result in a confirmable Chapter 11 plan of liquidation.⁴⁶ The Objectors confuse the rehabilitative effect of a going concern sale of the Debtors' Alabama Coal Operations to a new owner with the attendant wind-down and liquidation of the remaining bankruptcy estates, a process that occurs *after* the sale of the Debtors' Alabama Coal Operations as a going concern. Applying the "necessary to permit the reorganization of the debtor" requirement of section 1113(c) relief "contextually, rather than strictly," sections 1113 and 1114 apply in a liquidating Chapter 11 case regardless of the debtor's ability to confirm a liquidating Chapter 11 plan.

C. Benefits Under the Coal Act May Be Modified or Terminated Pursuant to Section 1114 of the Bankruptcy Code.

47. The Objectors also argue that the Section 1113/1114 Motion cannot be granted because the Final Proposals are inconsistent with federal law to the extent they seek to terminate healthcare coverage for retirees and dependents eligible for such coverage under the Coal Industry Retiree Health Benefit Act of 1992 (the "Coal Act").⁴⁷ Modification of Coal Act retiree benefits may be permitted if such modifications are necessary to facilitate a going concern sale, rather than a piecemeal liquidation. For the reasons set forth below, the Debtors' Final Proposals meet this standard.

48. By way of background, the Coal Act contains three "vehicles" to provide healthcare benefits for certain coal industry retirees. *First*, the Coal Act merges the 1950 and 1974 benefit plans into the "UMWA Combined Fund." *Second*, the Coal Act requires signatory operators who are obligated under the 1978 or any later NBCWA to provide benefits under an

⁴⁶ UMWA Obj. at ¶ 77; 1114 Committee Obj. at ¶ 11, 62.

⁴⁷ 26 U.S.C. §§ 9701-22. *See also Patriot Coal*, 493 B.R. at 83-84 for an explanation of the Coal Act and its predecessors.

IEP to continue to provide such coverage to certain retirees. *Third*, the Coal Act establishes the UMWA “1992 Benefit Plan to cover two classes of beneficiaries who are not covered under the Combined Fund or [an IEP]: (a) those who, based on age and service as of February 1, 1993, would otherwise have been eligible for benefits from the 1950 or 1974 plans were it not for the merger of those plans and the cut-off date set forth in the Coal Act, and (b) any person with respect to whom coverage under an [IEP] is required but is not provided.”⁴⁸ The Combined Fund and the UMWA 1992 Benefit Plan are financed by monthly and annual premiums.⁴⁹

49. Only one published decision, *In re Horizon Natural Resources Co.*, 316 B.R. 268 (Bankr. E.D. Ky. 2004), squarely addresses whether a debtor may modify or terminate Coal Act obligations pursuant to section 1114 and concludes that it does.⁵⁰ In *Horizon*, the debtors initially pursued a plan of reorganization by which they would retain their operating assets, but later changed their focus to liquidating through Chapter 11.⁵¹ The debtors moved under sections 1113 and 1114 to reject their collective bargaining agreements and modify or terminate retiree benefits because “[t]he unrefuted evidence . . . is that the debtors’ assets cannot be sold subject to the collective bargaining agreements and retiree benefits”⁵²

50. The Coal Act Funds objected, arguing that regardless of section 1114 of the Bankruptcy Code, which permits modification of retiree benefits, section 9711 of the Coal Act expressly prohibits the modification of retiree benefits for as long as the employer or its successor remains in business.⁵³ The Coal Act Funds maintained that the term “retiree benefits”

⁴⁸ *Holland v. Double G Coal Co., Inc.*, 898 F.Supp. 351, 354 (S.D.W.Va. 1995).

⁴⁹ *In re Leckie Smokeless Coal Co.*, 99 F.3d 573, 576-77 (4th Cir. 1996).

⁵⁰ *In re Horizon Natural Res.*, 316 B.R. at 276.

⁵¹ *Id.* at 271.

⁵² *Id.* at 282.

⁵³ *See id.* at 275.

as used in the Bankruptcy Code includes only benefits received pursuant to contract, not statutory benefits like those provided under the Coal Act.⁵⁴ The court disagreed, finding that the Bankruptcy Code defines “retiree benefits” to include both statutory benefits (*i.e.*, those arising under the Coal Act) and non-statutory benefits (*i.e.*, those arising under a collective bargaining agreement).⁵⁵

51. Section 1114 expressly “contemplates the modification of non-contractual obligations, because it authorizes the appointment of a committee of retirees to serve as the authorized representative . . . of those persons receiving any retiree benefits *not covered by a collective bargaining agreement*.”⁵⁶ Moreover, in reconciling the Coal Act with the Bankruptcy Code, the *Horizon* court found that the Coal Act does not expressly contradict section 1114 of the Bankruptcy Code. Rather, section 1114 deals with “a narrow, precise, and specific subject: it governs the modification of retiree benefits only when the former employer is a debtor in a Chapter 11 case and only to the extent necessary for the reorganization effort. The Coal Act, on the other hand, . . . ‘covers a more generalized spectrum’ in that it does not specify whether the former employer is or is not a debtor in possession.”⁵⁷ In other words, application of section 1114 to retiree benefits covered by the Coal Act “does not deprive the Coal Act of ‘any meaning at all’; the Coal Act would remain fully applicable where the last signatory operator is not a Chapter 11 debtor in possession or cannot satisfy § 1114’s requirements.”⁵⁸

52. The *Horizon* court relied on *In re Lady H Coal Co.*, 199 B.R. 595 (S.D.W.Va. 1996), a decision addressing the relationship between the Coal Act and section

⁵⁴ *See id.*

⁵⁵ *Id.* at 275-76

⁵⁶ *Id.* at 275 (emphasis in original).

⁵⁷ *Id.* at 276

⁵⁸ *Id.*

363(f) of the Bankruptcy Code. In *Lady H*, the Court considered the debtors' motion seeking a piecemeal liquidation of their assets free and clear of all liabilities, including those under the Coal Act.⁵⁹ The Coal Act Funds objected, but the *Lady H* court held that assets may be sold free and clear of Coal Act obligations under section 363(f) of the Bankruptcy Code.⁶⁰ The *Lady H* court reasoned that "[i]f Congress wished to exclude Coal Act liabilities from the reach of bankruptcy law, it could have done so . . . by providing express language in the Coal Act that liabilities remain unaffected by operation of the Bankruptcy Code."⁶¹

53. Based on *Lady H* and the reasoning above, the *Horizon* court granted the debtors' motion under section 1114 to modify retiree benefits arising under the Coal Act, holding that "the Coal Act imposes a general prohibition against certain retiree benefit modifications, [and] the Bankruptcy Code agrees with that general prohibition but establishes an extremely limited exception."⁶² The *Horizon* court further justified its holding by noting that "[i]t is in the best interests of the Coal Act Plan and Fund and their beneficiaries and creditors generally that the debtors' assets be sold for the best possible price, not on a piecemeal basis. If the modification of the Coal Act retiree benefits is necessary to accomplish that goal and the other requirements of § 1114 are satisfied, modification must be permitted."⁶³

54. The Objectors rely on *In re Sunnyside Coal Co.*, 146 F.3d 1273 (10th Cir. 1998) and other similar cases that consider the treatment of Coal Act claims in bankruptcy (but

⁵⁹ *Lady H*, 199 B.R. at 599-600.

⁶⁰ *Id.* at 603.

⁶¹ *Id.*; see also *In re Leckie Smokeless Coal Co.*, 99 F.3d 573, 585 (4th Cir. 1996) ("[T]he Bankruptcy Court may extinguish Coal Act successor liability pursuant to 11 U.S.C. § 363(f)(5)."); *Horizon Natural Resources*, 316 B.R. at 279 ("[A]ny additional financial problems encountered by the 1992 Fund resulting from the application of § 1114 to Coal Act obligations should be addressed by Congress and do not justify 'disturb[ing] the statutory scheme as we have found it.'") (quoting *Leckie Smokeless Coal Co.*, 99 F.3d at 586).

⁶² *Horizon Natural Resources*, 316 B.R. at 277.

⁶³ *Id.* at 279.

do not directly address whether a debtor can terminate Coal Act obligations under Section 1114), to argue that the Debtors cannot use Section 1114 here to terminate these obligations. Their reliance on these cases, none of which are binding on this Court, is misplaced. In *Sunnyside*, for example, the Court of Appeals for the Tenth Circuit held that Coal Act premiums under section 9712 of the Coal Act are “taxes incurred by the estate”⁶⁴ a conclusion with which the Court of Appeals for the Fourth Circuit agreed.⁶⁵ As is evident, these cases focus on the priority to which claims under the Coal Act are entitled in bankruptcy, an issue that is not before the Court.

55. The UMWA Funds cite to the bankruptcy court oral ruling in *Sunnyside* as “directly on point,” noting that the court there denied the debtor’s application under Section 1114 to terminate its Coal Act obligations.⁶⁶ This case is readily distinguishable. At the time the *Sunnyside* debtor sought termination of the Coal Act obligations, the debtor had ceased its active mining operations. It had shut off power and let the mine fill, thereby foreclosing any possibility of reopening the mine and conducting operations. Nor did the debtor intend to engage in active coal mining. In short, the *Sunnyside* debtor was liquidating and at issue in the Section 1114 application was whether the Coal Act claims could be terminated or were entitled to priority in payment from the liquidating estates. That is not the case here. Moreover, the *Sunnyside* bankruptcy court ruling does not analyze why Section 1114 cannot modify Coal Act obligations of such obligations constitute “retiree benefits.” It simply states its conclusion. *Sunnyside* is not

⁶⁴ *In re Sunnyside Coal Co.*, 146 F.3d 1273, 1280 (10th Cir. 1998).

⁶⁵ *Adventure Resources Inc. v. Holland*, 137 F.3d 786, 794 (4th Cir. 1998) (focusing primarily on “the question of whether the taxes levied by the Coal Act were . . . ‘incurred by the estate[s].’” (quoting § 503(b)(1)(B)(i)).

⁶⁶ *In re Sunnyside Coal Co.*, No. 94-12794-CEM (Bankr. D. Colo. July 29, 1994) (slip opinion).

helpful to the analysis here, and in any event, that ruling is not binding on this Court.⁶⁷

56. For the reasons set forth in *Horizon*, the Debtors may use section 1114 to modify Retiree Benefits arising under the Coal Act if the other requirements of section 1114 are satisfied. For the reasons set forth below, the Debtors have met the statutory standard of sections 1113 and 1114 to terminate the Retiree Benefits on the terms set forth in the Final Proposals.

D. The Debtors Have Satisfied the Statutory Requirements of Sections 1113 and 1114 of the Bankruptcy Code.

(1) The Debtors Made Proposals to the UMWA to Modify the UMWA CBA.

57. Section 1113 requires the Debtors to provide the UMWA with proposed modifications to the UMWA CBA *prior to* filing an application to reject the agreement.⁶⁸ The bar for satisfying this requirement is low because in most cases, this factor is a “routine formality.”⁶⁹ The Debtors made numerous proposals to the UMWA throughout the Chapter 11 Cases. When the RSA terminated and the Chapter 11 Cases pivoted to a sale track, the Debtors had no alternative but make the Final Proposal to the UMWA. The Debtors’ Final Proposal to the UMWA post-dated the filing of the Chapter 11 Cases and pre-dated the filing of the Section 1113/1114 Motion, which was filed on November 23, 2015. The statute requires submitting a proposal before filing the Section 1113/1114 Motion, which the Debtors did. However, neither section 1113 nor 1114 require completion of negotiations before filing the motion. To the contrary, section 1114 expressly contemplates that negotiations may take place

⁶⁷ Even the bankruptcy court was not convinced of its own conclusion. *Id.* at 18 (“The reality is that it is a point subject to argument, but you are here asking for my judgment in this proceeding and that’s what you get. I’m sure that this problem will haunt other Courts . . .”).

⁶⁸ 11 U.S.C. § 1113(b)(1)(A); *see also In re Nw. Airlines Corp.*, 346 B.R. 307, 320 (Bankr. S.D.N.Y. 2006).

⁶⁹ *See, e.g., Chicago Constr. Specialties*, 510 B.R. at 218.

after the filing of the motion, and the testimony and the evidence demonstrates that is what happened here,⁷⁰ so the Final Proposal to the UMWA met this requirement.

58. The Objectors argue that the Final Proposal to the UMWA was a “take it or leave it” unilateral rejection of the UMWA CBA and Retiree Benefits dictated by the Proposed Buyer under the Stalking Horse APA. Even if the Objectors are correct that the Final Proposal was necessitated by the Stalking Horse APA and the Debtors’ financial circumstances, and even if these exigencies preclude further negotiations with the UMWA and Section 1114 Committee, the Final Proposal in and of itself was not improper. First, the Final Proposal included those modifications necessary to consummate the Stalking Horse APA. This includes elimination of the Successorship Provisions or rejection of the UMWA CBA. The Debtors had no choice about including these terms in the Stalking Horse APA. The Debtors’ investment banker testified that after an extensive marketing process, no buyers emerged willing to purchase the Alabama Coal Operations as a going-concern, let alone as a going-concern burdened by the UMWA CBA. No contrary testimony or evidence was offered. Certainly, no entity is more familiar with coal operators than the UMWA, and if they had been aware of any potential purchasers, surely their representatives would have made that known.⁷¹ The fact that certain terms of the Final Proposal were non-negotiable for reasons beyond the Debtors’ control does not render the Final Proposals defective or proffered in bad faith.

59. Second, by its terms, the Final Proposal to the UMWA made clear that the Debtors were submitting proposals and were willing to negotiate, notwithstanding the dire

⁷⁰ Even counsel for the UMWA noted that a court may stop the 1113/1114 hearing and request or require the parties to negotiate.

⁷¹ *See Lady H*, 199 B.R. at 607 (“Therefore, it is now time for the UMWA and the 1992 Plan to do what every creditor has a right to do at such a sale; encourage bidders who they would like to have operate these properties, consider investing in or becoming an owner of the enterprise, or enter into an agreement with a buyer to assure that some of the profitability problems of the past are solved upon purchase of the Debtors’ assets.”)

circumstances in which the Debtors find themselves. Thus, for example, the UMWA Final Proposal provides:

JWR confirms that, in addition to the foregoing [proposals], it is willing to discuss any proposal that the Union may have concerning the effects of the sale of the mines on the Union's members.⁷²

60. Finally, not unlike many Chapter 11 cases, but even more so in these cases, the Debtors have had to move at “warp” speed. From day one, the Debtors, and every witness for the Debtors, at every hearing, have repeatedly made it known that the “cash burn” was occurring faster even than anticipated. Repeatedly the Debtors have advised that they had to move the cases quickly to get to an end before the cash was completely gone. Also, as in any Chapter 11, Debtors, their counsel and advisors, and the management, are not only dealing with ongoing routine business issues, but are attempting to deal with, negotiate and resolve issues on multiple fronts with multiple players. The UMWA labor issues are clearly not the only party or problems being addressed, all simultaneously.⁷³

61. In sum, the Objectors ignore the express language of the Final Proposal, which clearly invites further discussion, and in fact, such discussions took place. The extent to which the Debtors' circumstances may limit the opportunity to negotiate does not, of itself, determine whether the first factor of the nine-part *American Provision* test has been satisfied.⁷⁴

⁷² Scheller Decl. ¶ 26 & Ex. 2.

⁷³ The court notes that even while preparing for this hearing, the Debtors resolved the 1114 Non-Union Retiree issues. Further, a settlement was reached with the Unsecured Creditors Committee. The UMWA attorney tried to turn these accomplishments around by suggesting that everyone was getting something but the UMWA. The court disagrees, in a complex “mega” Chapter 11, every resolution counts and all help the Debtors reach the goal line.

⁷⁴ See *In re Alabama Symphony*, 155 B.R. 556, 573 (Bankr. N.D. Ala. 1993) (noting that the Bankruptcy Code “requires only that a debtor make *one* proposal, and that proposal must occur after the filing of the petition and before the application for rejection is made.”) (emphasis in original); see also *Chicago Constr. Specialties*, 510 B.R. at 219 (“[I]t may indeed be the case that opportunity to negotiate is limited by the facts. That, however, is not a consideration in determining whether the first factor of the nine-factor test has been satisfied.”).

Here, the Debtors submitted the Final Proposal within the timeframe the Bankruptcy Code contemplates, and the Court thus finds that the Final Proposal to the UMWA meets the standard required and that this factor is satisfied.⁷⁵

(2) The Debtors' Final Proposal Was Based on the Most Complete and Reliable Information, and the Debtor Provided Relevant, Necessary Information to the UMWA.

62. Both the second and fifth factors of the *American Provision* test pertain to the information necessary to support rejection of a collective bargaining agreement or retiree benefits under sections 1113 and 1114. The second factor addresses the information upon which the Debtors base their decision to reject the UMWA CBA or terminate benefits. The fifth factor, on the other hand, addresses the information the Debtors provide to the union or retirees.⁷⁶ In both cases, a debtor must gather the “most complete information at the time and . . . base its proposal on the information it considers reliable,” excluding “hopeful wishes, mere possibilities and speculation.”⁷⁷ “The breadth and depth of the requisite information will vary with the circumstances, including the size and complicity of the debtor’s business and work force; the complexity of the wage and benefit structure under the collective bargaining agreement; and the extent and severity of modifications the debtor is proposing.”⁷⁸ To satisfy the second and fifth

⁷⁵ Contents of 67

⁷⁶ 11 U.S.C. §§ 1113(b)(1)(A) and (B), 1114(f)(1)(A) and (B); *Chicago Constr. Specialties*, 510 B.R. at 219; *AMR Corp.*, 477 B.R. at 409.

⁷⁷ *Chicago Constr. Specialties*, 510 B.R. at 219 (quoting *AMR Corp.*, 477 B.R. at 409); see also *In re Karykeion, Inc.*, 435 B.R. 663, 678 (Bankr. C.D. Cal. 2010) (“Just as section 1113 precludes a debtor from altering union contracts based on wishful thinking and speculation, a debtor facing imminent closure cannot base its rejection of its only suitor on a speculative white knight with greater riches.”); *In re Patriot Coal*, 493 B.R. 65, 119 (Bankr. E.D. Mo. 2013) (debtors must provide “sufficient information for the UMWA to evaluate the [p]roposals.”).

⁷⁸ *AMR Corp.*, 477 B.R. at 409 (quoting *In re Mesaba Aviation, Inc. (Mesaba I)*, 341 B.R. 693, 714 (Bankr. D. Minn. 2006), *aff’d in part, rev’d in part sub nom. Ass’n of Flight Attendants – CWA-AFL-CIO v. Mesaba Aviation, Inc. (Mesaba II)*, 350 B.R. 435 (D. Minn. 2006)).

procedural requirements, a debtor need only provide that information that is within its power to provide.⁷⁹

63. The Final Proposal to the UMWA meets the second and fifth factors of the *American Provision* test. The evidence establishes that the Debtors filed these Chapter 11 Cases fully expecting to reorganize pursuant to a Chapter 11 plan. The Debtors' proposals to the UMWA sought relief tailored to that objective.⁸⁰ Once the RSA was terminated and reorganization through a Chapter 11 plan was no longer a possibility, the Debtors formulated the Final Proposal to the UMWA based on the requirements needed to consummate the sale(s). The Final Proposal was a result of the Debtors' severe and increasingly liquidity constraints which show that the Debtors did not, and would not, have any cash to fund operations after January 2016, and that once the sale(s) closes, the Debtors will not have any money to pay for obligations remaining under the UMWA CBA.⁸¹ No credible evidence was offered that this information is incomplete or unreliable.

64. Similarly, the Debtors provided the UMWA all the relevant information necessary to evaluate their proposals.⁸² The relevant time for evaluating the sufficiency of the information is early November 2015 and thereafter, when the Chapter 11 Cases pivoted to a sale process. By the time the Debtors filed the sale motion on November 5, 2015, (a) there was no escaping the fact that reorganization under a plan was an impossibility, and (b) the Proposed Buyer had committed to purchasing the Alabama Coal Operations as a going-concern. It was not until the Debtors had no other choice but to pursue the Stalking Horse APA that they filed the

⁷⁹ See *In re Pinnacle Airlines Corp.*, 483 B.R. 381, 411 (Bankr. S.D.N.Y. 2012).

⁸⁰ See Scheller Decl. ¶¶ 11, 13.

⁸¹ See Zelin Decl. ¶ 16.

⁸² See 11 U.S.C. §§ 1113(b)(1)(A) and (B), 1114(f)(1)(A) and (B).

Section 1113/1114 Motion. By this time, the “relevant information” was simple and apparent for all to see: the Debtors could not survive absent a sale in the near term, the Proposed Buyer had emerged as the only viable bidder that would purchase the Alabama Coal Operations as a going-concern, the sale of the Alabama Coal Operations as a going-concern provides the best chance for future employment of the Debtors’ employees, and the Stalking Horse APA requires elimination of the Successorship Provisions or rejection of the UMWA CBA. Moreover, upon closing of the sale(s) (or outright liquidation), the Debtors will have no money to pay Retiree Benefits.

65. Under these facts and circumstances, the UMWA received from the Debtors all the relevant information necessary for them to evaluate the Final Proposal. Beginning July 2015, the Debtors provided the UMWA’s members and advisors with access to an electronic data room that contains more than 75,000 pages of operational, financial, business planning and other documents relevant to the Objectors’ evaluation of the Debtors’ various proposals throughout these Chapter 11 Cases.⁸³ Once the RSA terminated, the Debtors continued to meet with the UMWA to apprise it of the status of the Chapter 11 Cases. Importantly, no party has challenged the reliability of the financial basis for the Debtors’ decision to sell the Alabama Coal Operations as a going-concern, although the Objectors take issue with terms of the proposed sale(s). But no party has come forward willing to purchase all of the Debtors’ Alabama Coal Operations burdened with the UMWA CBA and Retiree Benefits.⁸⁴

66. The Objectors argue that they are entitled to “a thorough analysis of all of the incidents of income and expense that would bear on the [debtor’s] ability to maintain a going-concern in the future” and that the union’s objections must “go to whether the Debtor

⁸³ Zelin Decl. at ¶ 28.

⁸⁴ Zelin Decl. at ¶ 30.

mustered a sufficiently comprehensive, detailed portrait of its financial posture and prospects before it formulated its proposals.”⁸⁵ The Objectors suggested by their cross examination of witnesses, that because no business plan for the Proposed Buyer had been provided, that the information was insufficient to evaluate the proposals. The Court finds otherwise, the Proposed Purchaser was formed almost simultaneously with the signing of the APA, little over one month ago. The Proposed Buyer, Coal Acquisitions, selected Mr. Williams as its CEO. He had been an advisor to the Lenders, and had been observing Debtors’ operations. It is clear to this Court from Mr. Williams’ testimony, that other than further streamlining and pairing expenses wherever it can, the operations are expected to continue much the same. Also, Objectors claim that the Debtors have failed to provide the information sections 1113 and 1114 require because the Debtors made the Final Proposal without providing a wind-down plan for the payment of accrued and/or vested administrative expenses owed under the UMWA CBA and without leaving sufficient assets to pay accrued post-petition obligations owed to represented employees and retirees.⁸⁶

67. The Debtors formulated the Final Proposal to facilitate the 363 Sale, a going-concern sale of their Alabama Coal Operations the Debtors entered into because their only other alternative is to shut down the mines, unlikely leaving an opportunity to be reopened, and to liquidate. This alternative seems the more dire and severe – it would preclude almost to a certainty, any future job opportunities for the UMWA and its members. The Debtors provided the Objectors with clear and comprehensive financial, business and operational information detailing the Debtors’ cash needs and the likelihood that the Debtors would run out of money in January 2016 unless the 363 Sale closed before then. This information was far more detailed and

⁸⁵ UMWA Obj. at ¶ 95, 99 (quoting *Mesaba I*, 341 B.R. at 712-13); 1114 Committee Obj. at ¶¶ 57-60.

⁸⁶ UMWA Obj. at ¶ 98; 1114 Committee Obj. at ¶ 63.

substantive than just a “snap-shot of current finances.”⁸⁷ In these circumstances, that information suffices to demonstrate the necessity of the section 1113 and 1114 relief. The Debtors are not required to state what the “gap” is between their current financial performance and the performance needed to emerge, as the UMWA maintains, or what proportion of the gap is filled by the proposed labor concessions.⁸⁸ By definition, in a going-concern sale, the Debtors are *not* emerging from Chapter 11 in their current form, and the purpose of the proposed labor concessions is to enable the sale, not to fill some hypothetical financial void.

68. For the same reason, the Debtors need not demonstrate the cost savings necessary to fund their post-sale wind-down.⁸⁹ Sections 1113 and 1114 require only that the Debtors demonstrate that the Final Proposal is “necessary to permit the reorganization of the Debtors,” which in this context means those modifications necessary to consummate the going-concern sale of their Alabama Coal Operations. Whether the labor concessions suffice to fund the subsequent wind-down of the estates, after the Debtors’ Alabama Coal Operations have already been sold to a new owner, has no bearing on the section 1113 standard.

69. Here, the irrefutable evidence establishes that the Debtors have no reasonable or good alternative but to sell the Alabama Coal Operations to the Proposed Buyer. Based on the above, the Court finds that the Debtors based their Final Proposal on the most complete information available at the time and that the Debtors provided the UMWA with the relevant information necessary to evaluate the Final Proposals.

⁸⁷ UMWA Obj. at ¶ 105.

⁸⁸ UMWA Obj. at ¶ 103.

⁸⁹ UMWA Obj. at ¶ 106.

(3) **The Final Proposals are Necessary to Permit the Going-Concern Sale and the Debtors' Reorganization.**

70. A debtor's proposed modifications to its collective bargaining agreements or retiree benefits must be "necessary to permit the reorganization of the debtor."⁹⁰ In the context of a liquidation or sale of substantially all of a debtor's assets, the phrase "'necessary to an effective reorganization' means . . . necessary to the Debtor's liquidation."⁹¹ This factor is the most debated among the nine *American Provision* factors, and its interpretation now exists in two divergent forms: the "absolutely essential" view espoused by the Court of Appeals for the Third Circuit in *Wheeling-Pittsburgh Steel Corp. v. United Steelworkers of America, AFL-CIO-CLC*, 791 F.2d 1074 (3d Cir. 1986), and the "necessary, but not absolutely minimal" view formulated by the Court of Appeals for the Second Circuit in *Truck Drivers Local 807, Int'l Bhd. of Teamsters, Chauffeurs, Warehousemen & Helpers of America v. Carey Transportation, Inc.*, 816 F.2d 82 (2d Cir. 1987).

71. In *Wheeling-Pittsburgh*, the Third Circuit tracked the legislative history of section 1113 at length and concluded that the "necessary" language required that the debtor's proposal contain only the "minimum modifications . . . that would permit the reorganization."⁹² The Third Circuit found this consistent with the purpose behind section 1113, which was to overturn the lenient *Bildisco* standard in favor of a more stringent standard.⁹³ It considered whether the modifications were intended to foster the debtor's ability to reorganize for the long-

⁹⁰ 11 U.S.C. §§ 1113(b)(1)(A), 1114(g)(3).

⁹¹ *Chicago Constr. Specialties*, 521 B.R. at 221; *see also Karykeion*, 435 B.R. at 678-79 (finding rejection of the CBA is "necessary to permit the debtor's reorganization" where "the only reorganization option for the debtor is the sale of [its hospital] to [buyer] and that sale is contingent on the court approving the debtor's rejection of these CBAs"); *Ionosphere Clubs*, 134 B.R. at 522 (discussing inability to apply literally section 1114's analogous "necessary to permit the reorganization of the debtor" language to a debtor liquidating in Chapter 11).

⁹² *See Alabama Symphony*, 155 B.R. at 574 (quoting *Wheeling-Pittsburgh*, 791 F.2d at 1087).

⁹³ *Id.* at n.42.

term, or whether they were only those that allowed the debtor to avoid liquidation. Based on its understanding of the legislative history, the Third Circuit determined that section 1113 required application of a stricter standard and that “necessary” modifications were only those that served the short term goal of preventing the debtor’s liquidation.⁹⁴

72. The Second Circuit, on the other hand, takes the view that “necessary” does not equate with “essential.”⁹⁵ Thus, the Second Circuit’s test formulates the “necessary” requirement as putting the burden on the debtor to make a proposal in good faith that includes necessary changes that will enhance the debtor’s ability to successfully reorganize.⁹⁶ Under either the *Wheeling-Pittsburgh* standard or the *Carey Transportation* standard, the Debtors have satisfied their burden under the third factor of the *American Provision* test. The Final Proposal – by eliminating the Successorship Provisions – seek only those modifications necessary to consummate the sale(s), thereby selling the Alabama Coal Operations as a going-concern and preventing the Debtors’ piecemeal liquidation and/or shut down of the coal mines.

73. More specifically, the unrefuted evidence before the Court is that the Debtors’ Alabama Coal Operations cannot be sold subject to the collective bargaining agreements and Retiree Benefits. The Debtors have engaged in and continue to engage in active efforts to sell their assets subject to the obligations, but no such offers have been received and none are anticipated. The amount of the employee legacy costs, including the costs of medical benefits for hourly rate retirees and for Coal Act beneficiaries and the liability arising from the Debtors’ withdrawal from the 1974 Pension Plan, are substantial. The testimony and evidence shows that even if the Debtors obtained savings of \$150 million from the Unions, the Debtors

⁹⁴ *Id.* at 574 (discussing *Wheeling-Pittsburgh*, 791 F.2d at 1089).

⁹⁵ *Id.* (discussing *Carey Transp. II*, 816 F.2d at 89).

⁹⁶ *See id.*

would have required hundreds of millions of dollars in new capital on emergence to remain viable. The Court finds credible that no potential buyers have an interest in assuming such obligations, let alone assuming such obligations *and* investing such new capital. The Debtors have, accordingly, carried their burden of showing that, absent the rejection of the UMWA CBA and the termination of the Retiree Benefits, the sale(s) will not close and conversion of these cases to Chapter 7 and a piecemeal liquidation would ensue. Therefore, the relief sought is necessary to permit the Debtors' reorganization within the meaning of sections 1113 and 1114.

74. The UMWA argues that there is no way the Debtors can establish that any of their present demands are necessary to the sale(s) transaction until the UMWA concludes its negotiations with the Proposed Buyer. The UMWA submits that it is only after the UMWA and the Proposed Buyer have had sufficient time to bargain that it would be appropriate to consider whether it is necessary to eliminate the Successorship Provisions. But the Stalking Horse APA states unequivocally that termination of the Successorship Provisions in the UMWA CBA or rejection of the UMWA CBA is a condition *precedent* to completion of the sale(s).⁹⁷ Unless the Debtors' obtain the requested relief, there will be no Proposed Buyer with whom the UMWA can bargain. Moreover, the Debtors will run out of cash by early January 2016. No time exists to delay the sale(s) solely for purposes of maximizing the UMWA's leverage in their negotiations with the Proposed Buyer.

75. Sections 1113 and 1114 only require that the Debtors' Final Proposal be necessary to permit the *Debtors'* reorganization – *i.e.*, in these Chapter 11 Cases, those modifications necessary to consummate a going-concern sale. The Bankruptcy Code does not impose any obligation on the Debtors to ensure that the UMWA can negotiate the best possible

⁹⁷ See Stalking Horse APA § 7.12.

deal with the new owner of the Debtors' Alabama Coal Operations. The section 1113 inquiry focuses solely on the proposal made by the Debtors, not the other parties, and the UMWA is not entitled to a veto power over a going concern sale when the undisputed evidence establishes that it is the best way to maximize value for all creditors and provide the best chance for future employment for the Debtors' employees, including, but not limited to, UMWA-represented employees.⁹⁸ Section 1113 was never intended to give unions such power. Its purpose is to prevent the Debtors from unilaterally rejecting the UMWA CBA, to encourage negotiations with the UMWA, and to plainly articulate the process for seeking rejection. Here, the Debtors have complied with these requirements and established that the modifications are necessary to permit their reorganization within the meaning of sections 1113 and 1114.

76. The Debtors' situation in these Chapter 11 Cases is very similar to that of the debtor in *In re Karykeion, Inc.*, 435 B.R. 663 (Bankr. C.D. Cal. 2010), and the reasoning of that case is persuasive. In *Karykeion*, the Chapter 11 debtor operated a community hospital that was almost out of money, and moved to reject its collective bargaining agreements with its unions in order to facilitate a going-concern sale to a third party. As is the case here, in *Karykeion*, the sale of the hospital as a going-concern to a third-party buyer was the only reorganization option for the debtor, and the sale was contingent on the court approving the debtor's rejection of the collective bargaining agreements, including the successor clauses.⁹⁹ Given these circumstances, and having found that the Debtors satisfied the requirements for rejection set forth in section 1113, the *Karykeion* court authorized the debtor to reject its

⁹⁸ See *AMR Corp.*, 477 B.R. at 414 (noting that "courts have rejected attempts to focus the Section 1113 inquiry on a proposal made by a party other than the debtor")

⁹⁹ *Karykeion*, 435 B.R. at 679.

collective bargaining agreement.¹⁰⁰

77. The Objectors' reliance on *In re Bruno's Supermarket, LLC*, 2009 WL 1148369 (Bankr. N.D. Ala. Apr. 27, 2009) is misplaced given the facts and circumstances of each case. The Debtors' situation differs markedly from that of *Bruno's*. As the *Karykeion* court noted:

In *Bruno's*, the evidence showed that the debtor was seeking to reject a similar CBA successorship clause because it felt it could more effectively market itself without such a requirement. There was no specific sale identified and all buyers were still just potential suitors. While a number of prospective buyers had expressed concern about the successorship clause, there was testimony that certain potential buyers might still be willing to negotiate parts of the union contract. The debtor here is not simply seeking to "enhance the market value" of its assets, as the court concluded in *Bruno's*. The debtor tried to find a buyer who would assume the CBAs and tried to reorganize its existing structure without rejecting any CBAs. It is now pursuing the only course of action left to it other than shutting down immediately and has already exhausted negotiations with the only prospective buyer still willing to proceed. Whether the debtor could have avoided being painted into this corner can be debated, but it is now crowded into the corner along with the other interested parties in the case.¹⁰¹

78. The same reasoning articulated by the *Karykeion* court applies here. The Debtors have presented overwhelming evidence that the deal with the Proposed Buyer will collapse unless the Successorship Provisions are terminated or the UMW CBA is rejected. The Proposed Buyer refused to agree to a sale transaction without that requirement and, given the depressed condition of the coal industry and the Debtors themselves, no other potential buyers have emerged to purchase the Debtors as a going-concern. In addition, once the sale(s) close, the Debtors will have no money to pay the Retiree Benefits or any other obligations remaining under the UMW CBA. The "wisdom" of the Proposed Buyer's position regarding which of the

¹⁰⁰ *Id.* at 684.

¹⁰¹ *Id.* at 679.

Debtors' liabilities it is willing to assume or pay is irrelevant.¹⁰² The only consideration is whether the Debtors' proposed elimination of the Successorship Provisions or rejection of the CBAs is necessary to permit the going-concern sale of the Alabama Coal Operations. The Sale will not close unless the Successorship Provisions are eliminated or the CBAs are rejected, and consequently, this requirement has been met.

(4) The Final Proposals Assure That All Parties Are Treated Fairly and Equitably.

79. Sections 1113 and 1114 also require that a debtor's proposed modifications affect all parties in a fair and equitable manner.¹⁰³ This requirement "spread[s] the burden of saving the company to every constituency while ensuring that all sacrifice to a similar degree."¹⁰⁴ "Courts take a flexible approach in considering what constitutes fair and equitable treatment due to the difficulty in comparing the differing sacrifices of the parties in interest."¹⁰⁵ A debtor can meet the requirement "by showing that its proposal treats the union fairly when compared with the burden imposed on other parties by the debtor's additional cost-cutting measures and the Chapter 11 process generally."¹⁰⁶

80. Bankruptcy Courts display significant discretion with respect to this part of the *American Provision* test. For example, courts have found the requirement fulfilled where non-union employees and managers received increased responsibilities as a result of a reduction-

¹⁰² *Id.*

¹⁰³ 11 U.S.C. §§ 1113(b)(1)(A); 1114(g)(3).

¹⁰⁴ *See AMR Corp.*, 47 B.R. at 408 (quoting *Carey Transp. II*, 816 F.2d at 90); *see also In re Century Brass Prods. Inc.*, 795 F.2d 265, 273 (2d Cir. 1986); *In re Elec. Contracting Servs. Co.*, 305 B.R. 22, 28 (Bankr. D. Colo. 2003) ("A debtor will not be allowed to reject a union contract where it has demanded sacrifices of its union without shareholders, non-union employees and creditors also making sacrifices."). Neither *AMR Corporation*, *Century Brass*, nor *Electric Contracting* discuss § 1114. However, as previously noted, "[t]he requirements for modification of retiree benefits are . . . substantially the same as the requirements for rejection of collective bargaining agreements." *Horizon*, 316 B.R. at 281; *see also Ionosphere*, 134 B.R. at 520.

¹⁰⁵ *AMR Corp.*, 47 B.R. at 408.

¹⁰⁶ *Nw. Airlines*, 346 B.R. at 326 (citing *Carey Transp. II*, 816 F.2d at 90).

in-force rather than pay cuts *per se*.¹⁰⁷ Additionally, at least one court has held that where union salaries and benefits constitute the bulk of the debtor's costs, and union employees generally earn more than their non-union counterparts, the "fair and equitable" requirement does not mandate perfectly proportionate burdens on both union and non-union employees.¹⁰⁸

81. The "fair and equitable" requirement does not mean that the non-union employees must take pay reductions in equal percentages.¹⁰⁹ To the contrary, the Bankruptcy Code requires that the Court look to how "all of the affected parties" are treated.¹¹⁰ The affected parties in this case include those who have intangible interests, such as the city, the state, the vendors who supply the Alabama Coal Operations, and most importantly, the employees who depend on the going concern sale as the best chance for future employment.

82. Here, just like the UMWA retirees, the Debtors' salaried employees are also facing termination of their Retiree Benefits upon consummation of the proposed sale(s). Other creditors are also either not getting paid or are receiving far less than the debt owed. Finally, the evidence establishes that the Debtors have undertaken aggressive cost-cutting measures across their business to address the Debtors' financial troubles and preserve jobs; management has taken steps to cut excess costs and overhead before approaching labor to request economic concessions.¹¹¹ Such cuts include significant reductions in force among

¹⁰⁷ *In re Patriot Coal Corp.*, 493 B.R. 65, 131 (Bankr. E.D. Mo. 2013) (citing *Carey Transp. II*, 816 F.2d at 90).

¹⁰⁸ *See In re Allied Delivery System Co.*, 49 B.R. 700, 702-03 (Bankr. N.D. Ohio 1985) ("Fair and equitable treatment does not of necessity mean identical or equal treatment."); *see also Carey Transp. II*, 816 F.2d at 90-91 ("[W]here . . . the employees covered by the pertinent bargaining agreements are receiving pay and benefits above industry standards, it is not unfair or inequitable to exempt the other employees from pay and benefit reductions.").

¹⁰⁹ *Alabama Symphony*, 155 B.R. at 575.

¹¹⁰ *Id.* (quoting *American Provision*, 44 B.R. at 909); 11 U.S.C. § 1113(b)(1)(A).

¹¹¹ *See In re Carey Transp. (Carey Transp. I)*, 50 B.R. 203, 210 (Bankr. S.D.N.Y. 1985) ("It is rare that management approaches labor seeking economic concessions without being able to demonstrate that it has already taken steps to cut costs and overhead.")

salaried employees, renegotiating key contracts, and other creditor concessions. The Final Proposal thus does not discriminate against Union employees or retirees.

83. The Objectors argue that the Debtors' proposed key employee retention plan (the "KERP")¹¹² evidences that the UMWA represented parties and retirees shoulder a disproportionate share of the Debtors' financial distress. They argue that the existence of the KERP, which they claim favors senior management to the detriment of the UMWA represented employees and retirees, renders the Final Proposal inherently unfair and inequitable.¹¹³ But the mere fact that the Debtors are pursuing the KERP does not mean that the Final Proposal is not fair and equitable with respect to employees and retirees. How the Final Proposal affects employees and retirees and whether any constituent unfairly shoulders the burden of their impact under Sections 1113 and 1114 presents a separate and distinct inquiry from whether the KERP is justified under the facts and circumstances of these Chapter 11 Cases under Section 503(c)(3). The Court will address the KERP on its own merits in the context of adjudicating the KERP motion. However, the Court notes that the evidence establishes that the overriding purpose of the KERP is to ensure the retention of twenty-six employees (not senior management generally) who the Debtors' believe are critically necessary to preserve the Alabama Coal Operations as a safe and functioning operation that can be sold as a going concern. These objectives are consistent with those of the Final Proposal, and the existence of the KERP on its own therefore does not demonstrate that the Final Proposal is not fair and equitable. Further, the testimony regarding the KERP was clear, credible and unrefuted that the funds available for the KERP are not available for any other purpose. Again, the goal of the KERP is completely consistent and

¹¹² See Debtors' Motion for an Order (A) Approving the Debtors' Key Employee Retention Plan and (B) Granting Related Relief [Doc. No. 1032] (the "KERP Motion").

¹¹³ UMWA Obj. at ¶ 112; UMWA Funds Obj. at ¶ 78; 1114 Committee Obj. at ¶ 63.

promotes the fair and equitable treatment in that it further ensures Debtors continue to operate as required and necessary to accomplish the sale.

84. The evidence establishes that the Alabama Coal Operations cannot be sold without rejection of the UMWA CBA and Retiree Benefits. Thus, absent the rejection, those operations would be closed and sold on a piecemeal basis. On the other hand, if the sale(s) consummate and the Alabama Coal Operations are sold as a going-concern, Debtors' employees have the best chance of future employment. Consummating the sale(s) is also necessary to achieve fairness to creditors including the unsecured creditors (trade vendors and other businesses that provided goods and/or services to the Debtors), the secured and administrative creditors who would receive considerably less as a result of a piecemeal Chapter 7 liquidation. Finally, consummating the sale(s) also serves the public interest, here, represented by the local community in which the mines operate. For example, the Proposed Buyer is assuming responsibility under various mine reclamation laws and regulations which benefits the governmental agencies charged with enforcing such laws. Further, if the mines continue to operate, the local community and its economy benefit.

85. Based on the foregoing, that the Debtors have shown that the Final Proposal treats all affected parties fairly and equitably, without placing a disproportionate burden on the Union members. The Debtors have accordingly satisfied the fourth factor of the *American Provision* test.

(5) The Debtors Met With the UMWA at Reasonable Times and in Good Faith.

86. Sections 1113 and 1114 require that a debtor "meet, at reasonable times" to confer "in good faith in attempting to reach mutually satisfactory modifications to [their

collective] bargaining agreement.”¹¹⁴ “[O]nce the debtor has shown that it has met with the Union representatives, it is incumbent upon the Union to produce evidence that the debtor did not confer in good faith.”¹¹⁵ A failure to reach agreement may be “the result of the difficulty of the task, rather than the lack of ‘good faith’ of either party.”¹¹⁶

87. “Determining what amounts to “reasonable times” to meet depends on the circumstances of the situation”.¹¹⁷ Here, the Debtors have met repeatedly with the UMWA to bargain and negotiate with it at every step of these Chapter 11 Cases.¹¹⁸ The Debtors requested meetings on numerous occasions. Not once did the Debtors decline a single request from the UMWA to negotiate.¹¹⁹

88. The Debtors have also met in good faith with the UMWA. The good faith requirement under section 1113 has been interpreted to mean that the debtor must make a serious effort to negotiate.¹²⁰ Here, the evidence establishes that the Debtors were sincere about their efforts to plow some middle ground before resorting to the measures allowed by section 1113. Indeed, the Debtors’ willingness to meet frequently with the UMWA is itself compelling evidence of the Debtors’ good faith.¹²¹

89. The Objectors argue that the Debtors did not meet in good faith because the Final Proposal was required by the Stalking Horse APA and were not subject to

¹¹⁴ 11 U.S.C. §§ 1113(b)(2), 1114(f)(2).

¹¹⁵ *Carey Transp. I*, 50 B.R. at 211 (quoting *American Provision*, 44 B.R. at 910).

¹¹⁶ *Id.* (quoting *In re Salt Creek Freightways*, 47 B.R. 835, 840 (Bankr. D. Wyo. 1985)).

¹¹⁷ *See Karykeion*, 435 B.R. at 681.

¹¹⁸ Scheller Decl. ¶¶ 9-14, 16-17, 20-21, 23.

¹¹⁹ *Id.* at ¶ 9.

¹²⁰ *Alabama Symphony*, 155 B.R. at 576 (citing *In re Ky. Truck Sales, Inc.*, 52 B.R. 797 (Bankr. W.D. Ky. 1985)).

¹²¹ *See In re Sol-Sieff Produce Co.*, 82 B.R. 787, 795 (Bankr. W.D. Pa. 1988) (concluding that the debtor negotiated in good faith where the “Debtor ha[d] at all times been ready, willing, and able to negotiate” with its union).

negotiation.¹²² The evidence establishes, however, that the Debtors made multiple proposals to the UMWA and met with the UMWA throughout the Chapter 11 Cases. It was only when a sale was inevitable, and the Debtors were close to running out of money, that the Debtors submitted the Final Proposal seeking elimination of the Successorship Provisions or rejection of the UMWA CBA. The UMWA's reliance on *In re Lady H Coal, Inc.*, 193 B.R. 233 (Bankr. S.D.W.Va. 1996) is thus misplaced. In *Lady H Coal*, the court found good faith lacking where the debtors had already obligated themselves prior to initiating modification negotiations.¹²³ Here, however, the Debtors were not locked in at the time negotiations commenced. They approached the UMWA to discuss labor cost reductions before commencing the Chapter 11 Cases, and met with the UMWA repeatedly throughout their restructuring process.

90. Notably, once the Stalking Horse APA was executed, the Debtor encouraged the Proposed Buyer to meet and confer with the UMWA. In fact, the Proposed Buyer has met with, and continues to negotiate with, the UMWA. And while the UMWA understandably objects to the Proposed Buyer's insistence on the condition in the Stalking Horse APA requiring rejection of the UMWA CBA or termination of the Successorship Provisions, the relevant inquiry for purposes of the Section 1113/1114 Motion is the good faith of the Debtors and the UMWA, not the Proposed Buyer's negotiation of the Stalking Horse APA. The Debtors have shown that they negotiated in good faith. No evidence exists to the contrary.

¹²² See *In re Delta Air Lines*, 342 B.R. 685, 697 (Bankr. S.D.N.Y. 2006) (“[A] debtor cannot be said to comply with its obligation under Section 1113(b)(2) . . . when it steadfastly maintains that its initial proposal under subsection (b)(1)(A) is non-negotiable.”).

¹²³ *Lady H Coal, Inc.*, 193 B.R. at 242 (“[T]he Debtors could not have bargained in good faith as the Debtors were, prior to any negotiations with the union, locked into at [sic] an agreement where the purchaser was not assuming the [CBA].”) (emphasis added).

**(5) The UMWA and Section 1114 Committee
Rejected the Final Proposals without Good Cause.**

91. Sections 1113 and 1114 also require a debtor to demonstrate that its unions have “refused to accept [its] proposal without good cause.”¹²⁴ Once the debtor establishes that its proposal is necessary, fair, and in good faith, the unions must produce sufficient evidence to justify their refusal to accept the proposal.¹²⁵ “[A]most invariably, if a debtor-in-possession goes through the procedural prerequisites for its motion, and if the substance of the proposal ultimately passes muster . . . , its union(s) will not have good cause to have rejected the proposal.”¹²⁶

92. Where a proposal is necessary for the debtor’s viability and the other section 1114 requirements are met, no good causes exists to reject the proposal, even if the proposal requires sacrifices by the union or retirees.¹²⁷ “Good cause” does not include demands that are not economically feasible or alternatives that would not permit the debtor to reorganize successfully.¹²⁸

93. Here, the UMWA and Section 1114 Committee lack good cause for rejecting the Debtors’ Final Proposal. The Debtors’ dire circumstances require them to

¹²⁴ 11 U.S.C. §§ 1113(c)(2), 1114(g)(2).

¹²⁵ *Nw. Airlines*, 346 B.R. at 328 (citing *Carey Transp. II*, 816 F.2d at 92).

¹²⁶ *Assoc. of Flight Attendants-CWA, AFL-CIO v. Mesaba Aviation, Inc. (Mesaba II)*, 350 B.R. 435, 461 (D. Minn. 2006) (internal quotation omitted).

¹²⁷ *Mesaba II*, 350 B.R. at 462 (“While the low wages imposed by the Proposals understandably motivated the Unions to reject the Proposal, they do not constitute good cause under the Bankruptcy Code.”); *see also In re Valley Steel Products Co., Inc.*, 142 B.R. 337, 342 (Bankr. E.D. Mo. 1992) (“It is clear that the Proposals would have a negative impact on the Teamster Drivers’ incomes. It is equally clear that if the Debtors do not receive these concessions they will be forced to liquidate and the Teamsters will be unemployed.”).

¹²⁸ *See Nw. Airlines*, 346 B.R. at 328; *see also Salt Creek Freightways*, 47 B.R. at 840 (“[T]he court must view the Union’s rejection utilizing an objective standard which narrowly construes the phrase ‘without good cause’ in light of the main purpose of Chapter 11, namely reorganization of financially distressed businesses.”); *Alabama Symphony*, 155 B.R. at 577 (union rejected the proposal without good cause where it merely insisted that the debtor comply with the terms of the CBA before beginning negotiations because the union “knew that the [debtor] did not have the funds to pay them”).

undertake the 363 Sale, or else they will cease operations and all employees' jobs will be lost. And, under the terms of the Stalking Horse APA, the 363 Sale cannot be consummated unless the Successorship Provisions of the UMWA CBA are eliminated. Similarly, the other obligations remaining under the UMWA CBA and Retiree Benefits must be terminated upon closing the 363 Sale because the Debtors will not have the money to pay them.

94. When the Chapter 11 Cases pivoted from a plan to a sale process, the Debtors encouraged the UMWA and the Proposed Buyer to meet with each other to negotiate the terms of an initial collective bargaining agreement.¹²⁹ In fact, the Proposed Buyer reached out to the UMWA as a courtesy the day after the Stalking Horse APA was signed.¹³⁰ The Proposed Buyer continues to meet with the UMWA, has already made an initial contract proposal to it, and a further meeting is already scheduled with the UMWA.¹³¹ As a result, the fact that the Stalking Horse APA requires elimination of the Successorship Provisions and the other section 1113/1114 relief as a condition to close the 363 Sale does not itself provide the UMWA with good reason to reject the Debtors' proposals.¹³²

95. Nor were the Debtors required to accept the UMWA's "counter-proposal" in which the UMWA expressed a willingness to engage in further negotiations with the Debtors, but only upon ratification of a collective bargaining agreement with the Proposed Buyer, provided such agreement addresses retiree healthcare. First, given the Debtors' lack of cash, no

¹²⁹ See Scheller Decl. ¶ 25.

¹³⁰ See Williams Decl. ¶¶ 3-4.

¹³¹ See Williams Decl. ¶¶ 6-7.

¹³² Cf. *In re Bruno's Supermarkets, LLC*, 2009 WL 1148369, at *18-19 (Bankr. N.D. Ala. Apr. 27, 2009) (finding that the union refused the debtor's proposal under section 1113 with good cause where the debtor failed to encourage negotiations between potential purchasers and the union); *In re Patriot Coal Corp.*, No. 15-32450 (Bankr. E.D. Va. Sept. 1, 2015), ECF No. 1043, Hearing Transcript at 145:5-10 (adjourning section 1113/1114 hearing for two days and ordering proposed buyer and union to "sit down across a table from each other" during that period).

more time exists to simply allow negotiations to proceed in the hope that all of the UMWA's demands will be met before a going concern sale is no longer possible. Second, the Debtors must eliminate the Successorship Provisions to consummate the 363 Sale. If the Successorship Provisions are not eliminated, there will be no Proposed Buyer with whom the UMWA can reach an initial collective bargaining agreement. Third, the UMWA's "counter-proposal" provides that the sale could not close and the Debtors would have to liquidate piecemeal if, despite the good faith efforts of the Proposed Buyer and the UMWA, such parties are unable to reach agreement on an initial collective bargaining agreement and/or such initial collective bargaining agreement is not ratified prior to closing. Fourth, the UMWA is already negotiating an initial collective bargaining agreement with the Proposed Buyer and nothing precludes them from continuing those negotiations.

96. The Court finds the statutory language "without good cause" troubling and previously found and held that this is not the same as nor synonymous with "in bad faith."¹³³ Rather, this requirement imposes on the Court an objective standard consistent with goals and purposes of Chapter 11 generally. "[T]he union must indicate a willingness to work with the debtor in its attempts to reorganize."¹³⁴ In this case, for the UMWA to make a counterproposal requiring a deal with the Proposed Buyer, which was and is completely beyond the control of the Debtors, is not a sufficient effort to work with the Debtors, and without good cause. It was not, and is not, reasonable, or good cause, for the Union to outright reject a proposal by demanding conduct or action the Debtors do not control. Further, the UMWA counterproposal did not offer,

¹³³ "'Without good cause' is not synonymous with 'in bad faith.'" *Alabama Symphony*, 155 B.R. at 577 (citing *In re Salt Creek Freightways*, 47 B.R. 835 (Bankr. D. Wyo. 1985)).

¹³⁴ *Alabama Symphony*, 155 B.R. at 577.

suggest, or open a door to other options or alternatives other than having a new CBA with the Proposed Buyer.

97. In the end, the Debtors and the UMWA have reached a stalemate with respect to elimination of the Successorship Provisions. The existence of a stalemate, however, does not constitute “cause” to reject the Debtors’ proposal, especially when the Debtors have no other options and the UMWA is in negotiations with the Proposed Buyer to reach an initial agreement. As a result, the Debtors have demonstrated that the UMWA lacked good cause to reject the Debtors’ proposal.

(6) The Balance of the Equities Clearly Favor Rejection.

98. Finally, the balance of the equities overwhelmingly favors rejection of the UMWA CBA and termination of the Retiree Benefits, as required for approval of a motion under sections 1113 and 1114.¹³⁵ When applying this test, “bankruptcy courts ‘must focus on the ultimate goal of Chapter 11... [as the] Bankruptcy Code does not authorize freewheeling consideration of every conceivable equity, but rather only how the equities relate to the success of the reorganization.’”¹³⁶ This is a fact-specific inquiry, and courts consider the following six factors:

- (a) the likelihood and consequences of liquidation if rejection is not permitted;
- (b) the likely reduction in the value of creditors’ claims if the bargaining agreement remains in force;
- (c) the likelihood and consequences of a strike if the bargaining agreement is voided;

¹³⁵ See 11 U.S.C. §§ 1113(c)(3), 1114(g)(3).

¹³⁶ *Nw. Airlines*, 346 B.R. at 329 (ellipses in original) (quoting *NLRB v. Bildisco & Bildisco*, 465 U.S. 513, 527 (1984)); see also *Ky. Truck Sales*, 52 B.R. at 806 (“[T]he primary question in a balancing test is the effect the rejection of the agreement will have on the debtor’s prospects for reorganization.”).

- (d) the possibility and likely effect of any employee claims for breach of contract if rejection is approved;
- (e) the cost-spreading abilities of the various parties, taking into account the number of employees covered by the bargaining agreement and how various employees' wages and benefits compare to those of others in the industry; and
- (f) the good or bad faith of the parties in dealing with the debtor's financial dilemma.¹³⁷

99. In addition, "[t]he balance of the equities . . . clearly favors rejection when it is apparent that a debtor is in need of substantial relief under a union contract and the bargaining process has failed to produce any results and is unlikely to produce results in the foreseeable future."¹³⁸

100. Here, the Debtors' liquidation is almost certain if this Court does not approve the rejection of the UMWA CBA; the testimony on this point was clear, convincing, unrefuted, and credible.¹³⁹ The alternative to the Debtors' requested relief will be far worse for all constituencies: the Debtors will soon run out of cash with no ability to attract additional financing. Under such a scenario, the evidence establishes that the value of the Debtors' estates will plummet, all of the Debtors' stakeholders will suffer, all of the Debtors' employees will lose their jobs, all of the Debtors' key vendors will lose a business partner, and the Central Alabama community will lose a valuable contributor to its economy and corporate life.

101. All of the remaining factors also favor granting the requested relief. As described above, the recoveries of all parties in these Chapter 11 Cases, including the unsecured creditors, administrative creditors and the Debtors' secured creditors, are at significant risk. The Proposed Buyer and the UMWA are engaged in negotiations for an initial collective bargaining

¹³⁷ *Carey Transp. II*, 816 F.2d at 93.

¹³⁸ *In re Royal Composing Room, Inc.*, 62 B.R. 403, 408 (Bankr. S.D.N.Y. 1986).

¹³⁹ *See Zelin Decl.* ¶ 29.

agreement, each side has made a full contract proposal, and the parties have had three meetings and have scheduled a subsequent meeting, which minimizes the likelihood and consequences of a strike. If the Court does not grant the relief requested, employee breach claims are almost a certainty, as the Debtors will be unable to afford the remaining obligations under their UMWA CBA.¹⁴⁰ Finally, for the reasons discussed above, the Debtors have acted in good faith and requested only those savings and changes that they truly need, with the burden of those savings spread equitably among the Debtors' various constituencies.

102. The balance of the equities clearly favors implementing the Final Proposal and the Court finds this final factor of the *American Provision* test has been satisfied.

CONCLUSION

The Union has objected to, and strongly urges this Court to deny, the Motion. It seems the Union is hopeful that if the Motion is denied, either 1) the Proposed Buyer would close the sale anyway, or 2) the Proposed Buyer would expedite and fast track the negotiations and reach an agreed-upon CBA that could be ratified so the sale could proceed. The Court notes that the sale motion hearing is set for January 6, 2015. Many objections to the sale have been filed, some by counsel for represented parties, but many have been filed by individuals employed by or retired from Walter energy. Their concerns are legitimate and clearly they seek only to retain what they have, and hope not to lose their pay, income, medical care benefits, pension benefits, and the like. This Court has reviewed these objections, even though not filed regarding this hearing and the Court has considered these concerns, as well as those voiced by UMWA counsel at the hearing. As noted in detail in one *Patriot Coal* reported decision, these miners and retirees endured "horrendous conditions," worked hard for decades below ground, many may have

¹⁴⁰ See Zelin Decl. ¶ 16.

permanent disabilities, physical and mental limitations, and now face frightening health care issues.¹⁴¹

Even though this Court fully appreciates the enormous potential hardship on many, the Court must follow the law and in doing so must decide what is best for ALL creditors and parties, including union and non-union employees. While the Union appears willing to risk the sale by insisting the Court deny the Motion, the Court is not in position to do so. This Court must assume the terms of the APA are firm and that if any condition is not met, there will be no sale. This Court finds that maintaining the coal operations as a going concern¹⁴², keeping the mines open, offering future job opportunities and continuing to be a productive member of the business community all require this Court to overrule the UMWA and the UMWA Funds' objections.

This result is based on the Court's conclusion that the 1) Debtors are out of time to close a sale; 2) the Proposed Buyer will not close the sale unless all the conditions are met, including rejection of the UMWA CBA and elimination of any liability for the UMWA Funds' as to the Proposed Buyer; and, 3) based on the statutory and substantial case law cited: a) the elimination of CBA obligations is not new or novel in bankruptcy cases; and, b) there is substantial and persuasive case law to support the Proposed Buyer's conditions regarding the CBA and related obligations. The relief sought in the Debtor's Motion pursuant to 11 U.S.C. §§ 1113 and 1114 is due to be granted. Accordingly, it is hereby

¹⁴¹ *Patriot Coal*, 493 B.R. at 79.

¹⁴² The Court notes that many large businesses have been through bankruptcy and some are well known and have continued in business. Thus, many employees have retained jobs, local economies have benefited, other businesses have continued to stay in business, and consumers have continued to use and enjoy products and services produced. The following are some well recognized names of business that have emerged from bankruptcy and are still in business: General Motors, Chrysler, Kmart, Kodak, Wall Street Deli, as well as multiple companies owned and operated by Donald Trump.

ORDERED, ADJUDGED and DECREED that the objections by the UMW and UMW Funds are **OVERRULED**. It is further

ORDERED, ADJUDGED and DECREED that the Motion filed by the Debtor is **GRANTED**, the Collective Bargaining Agreement is **REJECTED**, and any Sale of Assets shall be free and clear of any encumbrances and liabilities under either the CBA or with respect to any UMW Funds.

Dated: December 28, 2015

/s/ Tamara O. Mitchell
TAMARA O. MITCHELL
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

In re:) Chapter 11
)
WALTER ENERGY, INC., <i>et al.</i> , ¹) Case No. 15-02741-TOM11
)
Debtors.) Jointly Administered

ORDER

Having considered the December 29, 2015 Motion to Alter or Amend (Doc. 1502) (the “**Motion**”) wherein the Committee of Retired Employees (the “**Committee**”) requested that the Court alter or amend its December 28, 2015 Memorandum Opinion and Order Granting Debtors’ Motion for an Order (I) Authorizing the Debtors to (A) Reject Collective Bargaining Agreements, (B) Implement Final Labor Proposals, and (C) Terminate Retiree Benefits; and (II) Granting Related Relief (Doc. 1489) (the “**Order**”), this Court has determined that the Motion should be granted. Accordingly, it is hereby ORDERED, ADJUDGED, and DECREED that:

1. The Motion is GRANTED as set forth herein; and
2. The Order is hereby amended so that Paragraph 93 reads as follows:

Here, the UMWA lacks good cause for rejecting the Debtors’ Final Proposal. The Debtors’ dire circumstances require them to undertake the 363 Sale, or else they will cease operations and all employees’ jobs will be lost. And, under the terms of the Stalking Horse APA, the 363 Sale cannot be consummated unless the Successorship Provisions of the UMWA CBA are eliminated. Similarly, the other obligations remaining under the UMWA CBA and Retiree

¹ The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: Walter Energy, Inc. (9953); Atlantic Development and Capital, LLC (8121); Atlantic Leaseco, LLC (5308); Blue Creek Coal Sales, Inc. (6986); Blue Creek Energy, Inc. (0986); J.W. Walter, Inc. (0648); Jefferson Warrior Railroad Company, Inc. (3200); Jim Walter Homes, LLC (4589); Jim Walter Resources, Inc. (1186); Maple Coal Co., LLC (6791); Sloss-Sheffield Steel & Iron Company (4884); SP Machine, Inc. (9945); Taft Coal Sales & Associates, Inc. (8731); Tuscaloosa Resources, Inc. (4869); V Manufacturing Company (9790); Walter Black Warrior Basin LLC (5973); Walter Coke, Inc. (9791); Walter Energy Holdings, LLC (1596); Walter Exploration & Production LLC (5786); Walter Home Improvement, Inc. (1633); Walter Land Company (7709); Walter Minerals, Inc. (9714); and Walter Natural Gas, LLC (1198). The location of the Debtors’ corporate headquarters is 3000 Riverchase Galleria, Suite 1700, Birmingham, Alabama 35244-2359.

Benefits must be terminated upon closing the 363 Sale because the Debtors will not have the money to pay them.

Done and ordered on this 30th day of December 2015.

/s/ Tamara O. Mitchell
HON. TAMARA O. MITCHELL
UNITED STATES BANKRUPTCY JUDGE