

October 27, 2019

United States Bankruptcy Court
Northern District of Alabama
Southern Division
Attention: Tamara O. Mitchell, Bankruptcy Judge
1800 5th Avenue North
Birmingham, Alabama 35203-2111

Re: New Wei, Inc et al (Walter Energy)
Case # 15-02741-TOM7
Case # 15-02741-TOM11

Tamara O. Mitchell, Bankruptcy Judge / United States Bankruptcy Court,

I am in receipt of the Notice of Hearing as dated and received on October 26, 2019, and as a documented Creditor, I am responding in a professional timely manner and well within the thirty (30) day response time, with regard to my Creditor Proof of Claim filed in a timely manner on September 23, 2015 in the fully documented claim amount of \$21,019 in senior secured corporate bonds issued by Walter Energy, not including bondholder interest due to date.

My summary evidence presented herewith to the Trustee and Court is as follows:

1. My Proof of Claim was filed in a professional and timely manner.
2. My Proof of Claim was submitted with complete and fully documented evidence.
3. I have continued to communicate verbally and in writing to the Court and Debtor from September 23, 2015 to this date in a professional and timely manner.
4. The Debtor, New Wei, Inc et al (Walter Energy) admits verbally and in writing to borrowing said monies in the amount of \$40,000.00 from myself as the Creditor and Senior Secured Bondholder.
5. The Court acknowledges that Debtor could have borrowed monies for its operations from the US banking institutions, however, the Debtor chose willingly and openly to borrow funds in the United States licensed and regulated U.S. bond market, in the form of Senior Secured Bonds commencing on or about June 15, 2013 for operations from myself as a Creditor and Senior Secured Bondholder.
6. The Debtor issued Senior Secured Bonds bearing a \$1,000 face value, coupon bearing 9.875%, Moody Rated, maturity due December 12, 2020, with accumulated interest due and payable semi-annually by United States law. (CUSIP # 93317QAH8 and CUSIP # U9312CAA2.)



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7. The Debtor filed for Chapter 11 with the Court, stating publically that it did not have monies to repay myself as a legal Creditor, yet continued to pay salaries, options and bonuses to its executives and legal fees to its minions of attorneys.
8. While still in Chapter 11 and stating to the Court that it had no monies to repay long-term patient loyal Creditors such as myself, the Debtor found monies to pay newly identified non-loyal short-term non-Creditors and to pay Debtor Attorneys, who had no long-term loyalty no history and no monies lent or invested; such improper and illegal payments among others under U.S. bond laws and regulations.
9. The Trustee and Court in this Chapter 7 hearing should absolutely and firmly demand that my legal Proof of Claims be fully honored; never to be dismissed, expunged and/or reclassified for any reason including the unsubstantiated as "not goods within 30 days".
10. As a legal fully documented Creditor, I request the Court to direct the Debtor to immediately repay myself the \$40,000.00 lent in good faith, or at minimum repayment compensation, issue to myself as Creditor, 10-year maturity senior secured bonds with the same nominal face value and interest

Based on the above indisputable and fully documented facts as a senior secured bondholder and Creditor, I strongly formally Object to the stated notice that an insane amount of \$150,000.00 in "compensation" is even being considered by the Court to potentially be paid to a non-investor and non-Creditor, one stated, Andre M. Toffel. That is insane, unjust, legally fraudulent and without merit, as the Debtor, New Wei (Walter Energy) has stated on the record that it has no monies to repay myself as a documented senior secure bondholder, yet now can mysteriously "find money" to pay non-Creditors who never have made any financial investments in the firm and business, never have taken any risk and never have lent, unlike myself, any of their own hard-earned monies to the said firm and business. I am furious and insulted by this said potential disbursement of my monies to others. It cannot be allowed to stand!!!

This unjust and illegal action of the Court must end now. I am filing a formal legal Complaint to the Atlanta SEC Regional Office and the U.S. Department of Justice that regulates and oversees fraudulent and improper behavior the Bankruptcy Courts.

Respectfully submitted,



Peter Spuler, Jr., PE.
Registered Professional Engineer/Documented Creditor
Licensed Energy Consultant/ Senior Secured Bondholder

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**cc: U.S. Trustee, Office of the United States (Southern Division of Alabama)
U. S. Department of Justice (Washington, DC)
SEC-Securities and Exchange Commission (Atlanta Regional Office)**