

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

In re:

NEW WEI, INC., et al.

**Case No. 15-02741-TOM7
Chapter 7**

Debtor(s)¹

**MOTION FOR RULE 2004 EXAMINATION OF
GENERAL REINSURANCE CORPORATION**

COME NOW, Andre M. Toffel (the “Trustee”), in his capacity as the trustee for the Chapter 7 Debtors being jointly administered under this Case Number 15-02741-TOM and as the liquidating trustee of the liquidating trust (the “Liquidating Trust”) created in connection with the October 13, 2017 settlement agreement (the “Settlement Agreement”) with Warrior Met Coal, Inc. (“Warrior Met”), by and through his undersigned legal counsel of record, and requests an Order requiring non-debtor General Reinsurance Corporation (“GRC”), to produce documents as to matters which fall within the legal scope of Rule 2004(b). The production of the documents is necessary to investigate and

¹ The Debtors in these cases, along with the last four digits of each of the Debtors' 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).



discover facts relating to the acts, conduct, property, assets, liabilities, and financial condition of Debtors, n/k/a New WEI, Inc. (collectively, "Walter Energy"), and it is believed GRC has useful information in that regard. GRC is asked to produce the documents detailed on the document attached hereto as "Exhibit A" within fourteen (14) days of the Court's Order granting this motion.

THEREFORE, the Trustee asks this Court to enter an Order requiring GRC to produce documents requested herein pursuant to Bankruptcy Rule 2004. The Trustee specifically reserves the right to request a 2004 examination of GRC after review of the documents produced pursuant to this motion.

Dated this 15th day of January, 2021.

/s/Stephen B. Porterfield
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CERTIFICATE OF SERVICE

I hereby certify that on January 15, 2021, I served a copy of the foregoing on the following individuals via First class U.S. Mail:

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/s/Stephen B. Porterfield
OF COUNSEL

Exhibit A

Definitions and Instructions

1. The term "document" means any written, electronic or graphic means by which information is retained, saved, stored, preserved, viewed, transmitted or reported.
2. The term "communication" means the imparting or exchange of information between persons or systems by any means of transmission, including without limitation by voice, telephone, text, email, facsimile, wire, Bluetooth or WiFi transmission, or other writing.
3. The term "Guaranty Association" refers to the Alabama Workmen's Compensation Self-Insurers Guaranty Association, and all of the Association's agents, managers, employees, contractors, and others acting on the Association's behalf or at its direction.
4. The term "GRC" refers to General Reinsurance Corporation, and all of its agents, managers, employees, affiliates, contractors, and others acting on its behalf or at its direction.
5. The term "person" includes natural persons, corporations, partnerships, limited liability companies, ventures, and all other entities or forms of organization or association, and their officers, employees and agents.
6. The term "Walter Energy" refers to Walter Energy, Inc., and for all times, all of its parents, subsidiaries, affiliates, shareholders, directors, officers, employees, agents, attorneys, accountants, contractors, and others acting on its behalf or at its direction, including without limitation Jim Walter Resources, Inc. and each of the Debtors listed in footnote 1 above.

TRUSTEE'S REQUESTS FOR PRODUCTION

1. Produce all documents sufficient to show the calculations of any payments made from October 1, 2020 to December 31, 2020 to the Guaranty Association or the Trustee of Walter Energy regarding claims by Walter Energy or any of its affiliates.

2. Produce all documents related to any denials of claims made by the Guaranty Association or the Trustee of Walter Energy regarding claims by Walter Energy or any of its affiliates from October 1, 2020 to December 31, 2020.

3. Produce all non-privileged communications relating to the calculations of any payments made from October 1, 2020 to December 31, 2020 to the Guaranty Association or the Trustee of Walter Energy regarding claims by Walter Energy or any of its affiliates.