

M-2025-3052793

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT COURT OF DELAWARE**

In re:

KTRV LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 25-10601 (MFW)

(Jointly Administered)

Re: Docket Nos. 10 and 56

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**FINAL ORDER (I) AUTHORIZING
DEBTORS TO PAY CERTAIN PREPETITION TAXES AND FEES;
(II) AUTHORIZING BANKS TO HONOR AND PROCESS CHECKS AND
ELECTRONIC TRANSFER REQUESTS; AND (III) GRANTING RELATED RELIEF**

Upon the motion (the "Motion")² of the Debtors for entry of an interim order and this final order (the "Order") (i) authorizing, but not directing, the Debtors, in their discretion, to remit and pay certain Taxes and Fees accrued prior to the Petition Date that will become payable during the pendency of these chapter 11 cases to the Authorities; and (ii) authorizing Banks to honor and process check and electronic transfer requests related to the foregoing; and (iii) granting related relief, all as more fully set forth in the Motion; and upon consideration of the First Day Declaration; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order of Reference from the United States District Court for the District of Delaware dated February 29, 2012; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and this Court having found that venue of these cases and this proceeding is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the Debtors' notice of the Motion and opportunity for a hearing on the Motion were

¹ The Debtors in these chapter 11 cases, along with each the last four digits of each Debtor's tax identification number, are as follows: KTRV LLC (9993), Heritage Coal & Natural Resources, LLC (8326). The Debtors' service address is 1521 Concord Pike, Suite 201, Wilmington, DE 19803.

² Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Motion.

appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court (the "Hearing"); and this Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED on a final basis as set forth herein.
2. The Debtors are hereby authorized, but not directed, in their sole discretion, to pay all prepetition Taxes and Fees owed to Authorities in the ordinary course of their business, and to continue paying Taxes and Fees to the Authorities in the ordinary course post-petition. The receipt by any Authority of any Taxes and/or Fees, as applicable, shall constitute payment of such Taxes or Fees and shall relieve the Debtors' estates, representatives, directors, officers, lenders, agents and/or assignees of any responsibility for the applicable Taxes or Fees to the extent of such payment. In no event shall the Debtors pay any amounts of Taxes and Fees that arose or accrued prior to the Petition Date before such amounts are due and payable, and this Final Order shall not be deemed to allow the Debtors to accelerate payment of any amounts for Taxes and Fees to the Authorities that may be due and owing by the Debtors.
3. The Debtors shall maintain a schedule of amounts remitted, satisfied, or paid (including tax credits used to offset) on account of Taxes and Fees subject to the terms and conditions of this Final Order, including the following information: (a) the names of the payee; (b) the category as further described and classified in the Motion; and (c) the date and the aggregate

amount of the payment by category, and provide a copy to counsel for the official committee of unsecured creditors every 30 days beginning upon the date of entry of this Final Order.

4. To the extent that certain Taxes and Fees constitute funds held in trust for the applicable Authorities, such funds shall be deemed to be held in trust for the exclusive benefit of such Authorities, as applicable, until such time as the Debtors pay such Taxes and Fees to the applicable Authorities.

5. All applicable banks and other financial institutions are authorized to receive, process, honor, and pay any and all such checks (whether issued or presented prior to or after the Petition Date) and electronic payments issued by the Debtors for the payment of Taxes and Fees approved herein, whether prior to or after commencement of these chapter 11 cases.

6. The Debtors are authorized to issue postpetition checks, or to effect postpetition fund transfer requests, in replacement of any checks or fund transfer requests that are dishonored as a consequence of the chapter 11 cases with respect to prepetition amounts owed in connection with the payment of any Taxes and Fees referenced herein.

7. Nothing in this Order nor any actions taken hereunder: (a) is intended or shall be deemed to constitute an assumption of any agreement pursuant to section 365 of the Bankruptcy Code or an admission as to the validity of any claim against the Debtors or their estates; (b) shall impair, prejudice, waive, or otherwise affect the rights of the Debtors or their estates to contest the validity, priority, or amount of any claim against the Debtors or their estates; (c) shall impair, prejudice, waive, or otherwise affect the rights of the Debtors or their estates with respect to any and all claims or causes of action against any third party; (d) shall be construed as a promise to pay a claim or continue any applicable program postpetition, which decision shall be in the discretion of the Debtors; or (e) shall create, or is intended to create, any rights in favor of, or

enhance the status of any claim held by, any person. Any payment made pursuant to this Order is not intended to be nor should it be construed as an admission as to the validity of any claim or a waiver of the Debtors' rights to subsequently dispute such claim.

8. Notwithstanding anything to the contrary in the Motion or this Order, any payment made or authorization hereunder shall be subject to the applicable budget and/or cash collateral authorization requirements imposed on the Debtors under any order(s) of the Court authorizing the Debtors' use of Cash Collateral, including any order(s) authorizing post-petition financing (each, a "Financing Order" and collectively, the "Financing Orders").

9. The requirements of Bankruptcy Rule 6003 are satisfied.

10. Notwithstanding Bankruptcy Rule 6004(h) or any other procedural rule, this Order shall be effective and enforceable immediately upon entry hereof and notice of the Motion as provided therein shall be deemed good and sufficient pursuant to the requirements of Bankruptcy Rule 6004(a) and the Local Rules.

11. The Debtors are authorized and empowered to take all actions necessary to implement the relief granted in this Order.

12. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation or enforcement of this Order.

Dated: April 17th, 2025
Wilmington, Delaware


MARY F. WALRATH
UNITED STATES BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

KTRV LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 25-10601 (MFW)

(Jointly Administered)

**AMENDED² NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON APRIL 17, 2025 AT 3:00 P.M. (ET)**

**** THIS HEARING HAS BEEN CANCELLED WITH PERMISSION OF THE COURT. ****

ADJOURNED MATTERS:

1. Motion of the Debtors and Debtors-In-Possession for Order Pursuant to 11 U.S.C. §§ 105(a) and 363 and Fed. R. Bankr. P. 9019(B) Authorizing and Approving a Global Settlement With Bedrock Industries Investco 1 LLC With Respect to the Strict Foreclosure and Foreclosed Equipment [Filed April 1, 2025; Docket No. 26].

Objection Deadline: April 10, 2025 at 4:00 p.m. (ET); extended to April 11, 2025 at 4:00 p.m. (ET) for Robindale Coal Sales LLC. The objection deadline for the official committee of unsecured creditors is April 18, 2025.

Objection/Response(s) Received:

- A. Objection and Reservation of Rights of Robindale Coal Sales, LLC, and Robindale Export, LLC to Debtors Motion for (I) Order Pursuant to 11 U.S.C. §§ 105(a) and 363 and Fed. R. Bankr. P. 9019(B) Authorizing and Approving a Global Settlement with Bedrock Industries Investco 1 LLC with Respect to the Strict Foreclosure and Foreclosed Equipment; and (II) Shortening the Notice Period with Respect to the Motion [Filed April 4, 2025; Docket No. 68].
- B. United States Trustee's Objection to Motion of the Debtors and Debtors-in-Possession for Order Pursuant to 11 U.S.C. §§ 105(a) and 363 and Fed. R. Bankr. P. 9019(b) Authorizing and Approving a Global Settlement with Bedrock Industries Investco 1 LLC with Respect to the Strict Foreclosure and Foreclosed Equipment [Filed April 10, 2025; Docket No. 83].

¹ The Debtors in these chapter 11 cases, along with each the last four digits of each Debtor's tax identification number, are as follows: KTRV LLC (9993), Heritage Coal & Natural Resources, LLC (8326). The Debtors' service address is 1521 Concord Pike, Suite 201, Wilmington, DE 19803.

² Amended items appear in **BOLD**.

- C. [SEALED] Objection of Angela Svonavec, Jason Svonavec, and Heritage Holding Co., LLC to the Motion of the Debtors and Debtors-In-Possession for Order Pursuant to 11 U.S.C. §§ 105(a) And 363 and Fed. R. Bankr. P. 9019(B) Authorizing and Approving a Global Settlement with Bedrock Industries Investco 1 LLC With Respect to the Strict Foreclosure and Foreclosed Equipment [Filed April 10, 2025; Docket No. 86].
- D. [REDACTED] Objection of Angela Svonavec, Jason Svonavec, and Heritage Holding Co., LLC to the Motion of the Debtors and Debtors-In-Possession for Order Pursuant to 11 U.S.C. §§ 105(a) And 363 and Fed. R. Bankr. P. 9019(B) Authorizing and Approving a Global Settlement with Bedrock Industries Investco 1 LLC With Respect to the Strict Foreclosure and Foreclosed Equipment [Filed April 15, 2025; Docket No. 100].
- E. [UNSEALED] Objection of Angela Svonavec, Jason Svonavec, and Heritage Holding Co., LLC to the Motion of the Debtors and Debtors-In-Possession for Order Pursuant to 11 U.S.C. §§ 105(a) And 363 and Fed. R. Bankr. P. 9019(B) Authorizing and Approving a Global Settlement with Bedrock Industries Investco 1 LLC With Respect to the Strict Foreclosure and Foreclosed Equipment [Filed April 15, 2025; Docket No. 101].

Related Documents:

- A. Debtors' Motion for Entry of an Order Shortening the Notice Period with Respect to the Motion of the Debtors and Debtors-In-Possession for Order Pursuant to 11 U.S.C. §§ 105(a) and 363 and Fed. R. Bankr. P. 9019(B) Authorizing and Approving a Global Settlement With Bedrock Industries Investco 1 LLC With Respect to the Strict Foreclosure and Foreclosed Equipment [Filed April 1, 2025; Docket No. 27].
- B. Notice of Status Conference Scheduled for April 4, 2025 at 11:30 a.m. (ET) [Filed April 2, 2025; Docket No. 61].
- C. **Motion of Angela Svonavec, Jason Svonavec, and Heritage Holding Co., LLC to File Under Seal Exhibits to the Objection of Angela Svonavec, Jason Svonavec, and Heritage Holding Co., LLC to the Motion of the Debtors and Debtors-In-Possession for Order Pursuant to 11 U.S.C. §§ 105(a) And 363 and Fed. R. Bankr. P. 9019(B) Authorizing and Approving a Global Settlement with Bedrock Industries Investco 1 LLC With Respect to the Strict Foreclosure and Foreclosed Equipment [Filed April 15, 2025; Docket No. 99].**

Status: This matter is adjourned to April 24, 2025 at 12:30 p.m. (ET).

MATTERS UNDER CERTIFICATION OF COUNSEL/NO OBJECTION:

2. Debtors' Motion Pursuant to Sections 105 and 366 of the Bankruptcy Code for Entry of Interim and Final Orders (I) Prohibiting Utility Companies from Altering, Refusing or Discontinuing Services To, Or Discriminating Against, the Debtors, (II) Determining That the Utility Companies are Adequately Assured of Postpetition Payment and (III) Establishing Procedures for Resolving Requests for Additional Adequate Assurance [Filed March 30, 2025; Docket No. 6].

Objection Deadline: April 10, 2025 at 4:00 p.m. (ET).

Objection/Response(s) Received:

- A. Objection of Pennsylvania Electric Company and Potomac Edison Company to the Debtors' Motion Pursuant to Sections 105 and 366 of the Bankruptcy Code for Entry of Interim and Final Orders (I) Prohibiting Utility Companies from Altering, Refusing or Discontinuing Services to, or Discriminating Against, the Debtors, (II) Determining That the Utility Companies are Adequately Assured of Postpetition Payment and (III) Establishing Procedures for Resolving Requests for Additional Adequate Assurance [Filed April 2, 2025; Docket No. 74].
- B. Notice of Withdrawal of Objection of Pennsylvania Electric Company and Potomac Edison Company to the Debtors' Motion Pursuant to Sections 105 and 366 of the Bankruptcy Code for Entry of Interim and Final Orders (I) Prohibiting Utility Companies from Altering, Refusing or Discontinuing Services to, or Discriminating Against, the Debtors, (II) Determining That the Utility Companies are Adequately Assured of Postpetition Payment and (III) Establishing Procedures for Resolving Requests for Additional Adequate Assurance [Filed April 15, 2025; Docket No. 97].

Related Documents:

- A. Declaration of Brian Ryniker in Support of the Debtors' Chapter 11 Petitions and First Day Pleadings [Filed March 31, 2025; Docket No. 15].
- B. Certification of Counsel Regarding Interim Order (I) Prohibiting Utility Companies from Altering, Refusing or Discontinuing Services To, Or Discriminating Against, the Debtors, (II) Determining That the Utility Companies are Adequately Assured of Postpetition Payment and (III) Establishing Procedures for Resolving Requests for Additional Adequate Assurance [Filed April 2, 2025; Docket No. 36].
- C. Interim Order (I) Prohibiting Utility Companies from Altering, Refusing or Discontinuing Services To, Or Discriminating Against, the Debtors, (II) Determining That the Utility Companies are Adequately Assured of Postpetition

Payment and (III) Establishing Procedures for Resolving Requests for Additional Adequate Assurance [Entered April 2, 2025; Docket No. 54].

D. Omnibus Notice of First Day Motions and Final Hearing Thereon [Filed April 5, 2025; Docket No. 72].

E. **Certification of Counsel Regarding Final Order (I) Prohibiting Utility Companies from Altering, Refusing or Discontinuing Services To, Or Discriminating Against, the Debtors, (II) Determining That the Utility Companies are Adequately Assured of Postpetition Payment and (III) Establishing Procedures for Resolving Requests for Additional Adequate Assurance** [Filed April 17, 2025; Docket No. 115].

F. **Notice of Withdrawal of Certification of Counsel Regarding Final Order (I) Prohibiting Utility Companies from Altering, Refusing or Discontinuing Services To, Or Discriminating Against, the Debtors, (II) Determining That the Utility Companies are Adequately Assured of Postpetition Payment and (III) Establishing Procedures for Resolving Requests for Additional Adequate Assurance** [Filed April 17, 2025; Docket No. 127].

G. **Certification of Counsel Regarding Final Order (I) Prohibiting Utility Companies from Altering, Refusing or Discontinuing Services To, Or Discriminating Against, the Debtors, (II) Determining That the Utility Companies are Adequately Assured of Postpetition Payment and (III) Establishing Procedures for Resolving Requests for Additional Adequate Assurance** [Filed April 17, 2025; Docket No. 128].

H. **Final Order (I) Prohibiting Utility Companies from Altering, Refusing or Discontinuing Services To, Or Discriminating Against, the Debtors, (II) Determining That the Utility Companies are Adequately Assured of Postpetition Payment and (III) Establishing Procedures for Resolving Requests for Additional Adequate Assurance** [Entered April 17, 2025; Docket No. 129].

Status: The Debtors have resolved the Objection of Pennsylvania Electric Company and Potomac Edison Company through language in the proposed final order. **A final order has been entered by the Court. Accordingly, a hearing on this matter is no longer required.**

3. Debtors' Motion for Entry of Interim and Final Orders Authorizing (I) Maintenance of Existing Bank Accounts, (II) Suspending the Requirements of Section 345(b); (III) Continued Use of Existing Cash Management System; (IV) Continued Use of Business Forms; and (V) Granting Related Relief [Filed March 30, 2025; Docket No. 7].

Objection Deadline: April 10, 2025 at 4:00 p.m. (ET).

Objection/Response(s) Received: None.

Related Documents:

- A. Declaration of Brian Ryniker in Support of the Debtors' Chapter 11 Petitions and First Day Pleadings [Filed March 31, 2025; Docket No. 15].
- B. Certification of Counsel Regarding Interim Order Authorizing (I) Maintenance of Existing Bank Accounts, (II) Suspending the Requirements of Section 345(b); (III) Continued Use of Existing Cash Management System; (IV) Continued Use of Business Forms; and (V) Granting Related Relief [Filed April 2, 2025; Docket No. 37].
- C. Interim Order Authorizing (I) Maintenance of Existing Bank Accounts, (II) Suspending the Requirements of Section 345(b); (III) Continued Use of Existing Cash Management System; (IV) Continued Use of Business Forms; and (V) Granting Related Relief [Entered April 2, 2025; Docket No. 55].
- D. Omnibus Notice of First Day Motions and Final Hearing Thereon [Filed April 5, 2025; Docket No. 72].
- E. **Certification of Counsel Regarding Final Order Authorizing (I) Maintenance of Existing Bank Accounts, (II) Suspending the Requirements of Section 345(b); (III) Continued Use of Existing Cash Management System; (IV) Continued Use of Business Forms; and (V) Granting Related Relief [Filed April 17, 2025; Docket No. 116].**
- F. **Final Order Authorizing (I) Maintenance of Existing Bank Accounts, (II) Suspending the Requirements of Section 345(b); (III) Continued Use of Existing Cash Management System; (IV) Continued Use of Business Forms; and (V) Granting Related Relief [Entered April 17, 2025; Docket No. 123].**

Status: A final order has been entered by the Court. Accordingly, a hearing on this matter is no longer required.

- 4. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to Pay or Honor Prepetition Claims of Critical Vendors; (II) Authorizing and Directing Finance Institutions to Honor All Related Checks and Electronic Payment Requests; and (III) Granting Related Relief [Filed March 30, 2025; Docket No. 8].

Objection Deadline: April 10, 2025 at 4:00 p.m. (ET).

Objection/Response(s) Received: None.

Related Documents:

- A. Declaration of Brian Ryniker in Support of the Debtors' Chapter 11 Petitions and First Day Pleadings [Filed March 31, 2025; Docket No. 15].
- B. Certification of Counsel Regarding Interim Order (I) Authorizing Debtors to Pay or Honor Prepetition Claims of Critical Vendors; (II) Authorizing and Directing Finance Institutions to Honor All Related Checks and Electronic Payment Requests; and (III) Granting Related Relief [Filed April 2, 2025; Docket No. 35].
- C. Interim Order (I) Authorizing Debtors to Pay or Honor Prepetition Claims of Critical Vendors; (II) Authorizing and Directing Finance Institutions to Honor All Related Checks and Electronic Payment Requests; and (III) Granting Related Relief [Entered April 2, 2025; Docket No. 53].
- D. Omnibus Notice of First Day Motions and Final Hearing Thereon [Filed April 5, 2025; Docket No. 72].
- E. **Certification of Counsel Regarding Final Order (I) Authorizing Debtors to Pay or Honor Prepetition Claims of Critical Vendors; (II) Authorizing and Directing Finance Institutions to Honor All Related Checks and Electronic Payment Requests; and (III) Granting Related Relief [Filed April 17, 2025; Docket No. 117].**
- F. **Final Order (I) Authorizing Debtors to Pay or Honor Prepetition Claims of Critical Vendors; (II) Authorizing and Directing Finance Institutions to Honor All Related Checks and Electronic Payment Requests; and (III) Granting Related Relief [Filed April 17, 2025; Docket No. 126].**

Status: A final order has been entered by the Court. Accordingly, a hearing on this matter is no longer required.

- 5. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to Pay Prepetition Claims of Shippers and Other Lien Claimants; (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers; and (III) Granting Related Relief [Filed March 30, 2025; Docket No. 9].

Objection Deadline: April 10, 2025 at 4:00 p.m. (ET).

Objection/Response(s) Received: None.

Related Documents:

- A. Declaration of Brian Ryniker in Support of the Debtors' Chapter 11 Petitions and First Day Pleadings [Filed March 31, 2025; Docket No. 15].

- B. Certification of Counsel Regarding Interim Order (I) Authorizing Debtors to Pay Prepetition Claims of Shippers and Other Lien Claimants; (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers; and (III) Granting Related Relief [Filed April 2, 2025; Docket No. 33].
- C. Interim Order (I) Authorizing Debtors to Pay Prepetition Claims of Shippers and Other Lien Claimants; (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers; and (III) Granting Related Relief [Entered April 2, 2025; Docket No. 51].
- D. Omnibus Notice of First Day Motions and Final Hearing Thereon [Filed April 5, 2025; Docket No. 72].
- E. **Certification of Counsel Regarding Final Order (I) Authorizing Debtors to Pay Prepetition Claims of Shippers and Other Lien Claimants; (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers; and (III) Granting Related Relief [Filed April 17, 2025; Docket No. 118].**
- F. **Final Order (I) Authorizing Debtors to Pay Prepetition Claims of Shippers and Other Lien Claimants; (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers; and (III) Granting Related Relief [Entered April 17, 2025; Docket No. 124].**

Status: A final order has been entered by the Court. Accordingly, a hearing on this matter is no longer required.

- 6. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to Pay Certain Prepetition Taxes and Fees; (II) Authorizing Banks to Honor and Process Checks and Electronic Transfer Requests; and (III) Granting Related Relief [Filed March 30, 2025; Docket No. 10].

Objection Deadline: April 10, 2025 at 4:00 p.m. (ET).

Objection/Response(s) Received: None.

Related Documents:

- A. Declaration of Brian Ryniker in Support of the Debtors' Chapter 11 Petitions and First Day Pleadings [Filed March 31, 2025; Docket No. 15].
- B. Certification of Counsel Regarding Interim Order (I) Authorizing Debtors to Pay Certain Prepetition Taxes and Fees; (II) Authorizing Banks to Honor and Process Checks and Electronic Transfer Requests; and (III) Granting Related Relief [Filed April 2, 2025; Docket No. 38].

- C. Interim Order (I) Authorizing Debtors to Pay Certain Prepetition Taxes and Fees; (II) Authorizing Banks to Honor and Process Checks and Electronic Transfer Requests; and (III) Granting Related Relief [Entered April 2, 2025; Docket No. 56].
- D. Omnibus Notice of First Day Motions and Final Hearing Thereon [Filed April 5, 2025; Docket No. 72].
- E. **Certification of Counsel Regarding Final Order (I) Authorizing Debtors to Pay Certain Prepetition Taxes and Fees; (II) Authorizing Banks to Honor and Process Checks and Electronic Transfer Requests; and (III) Granting Related Relief [Filed April 17, 2025; Docket No. 119].**
- F. **Final Order (I) Authorizing Debtors to Pay Certain Prepetition Taxes and Fees; (II) Authorizing Banks to Honor and Process Checks and Electronic Transfer Requests; and (III) Granting Related Relief [Filed April 17, 2025; Docket No. 125].**

Status: A final order has been entered by the Court. Accordingly, a hearing on this matter is no longer required.

- 7. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Pay Prepetition Wages, Employee Benefits Obligations, and Other Compensation, and (B) Continue Employee Benefits Programs and Pay Related Administrative Obligations and (II) Granting Related Relief [Filed March 30, 2025; Docket No. 11].

Objection Deadline: April 10, 2025 at 4:00 p.m. (ET).

Objection/Response(s) Received: None.

Related Documents:

- A. Declaration of Brian Ryniker in Support of the Debtors' Chapter 11 Petitions and First Day Pleadings [Filed March 31, 2025; Docket No. 15].
- B. Certification of Counsel Regarding Interim Order (I) Authorizing Debtors to (A) Pay Prepetition Wages, Employee Benefits Obligations, and Other Compensation, and (B) Continue Employee Benefits Programs and Pay Related Administrative Obligations and (II) Granting Related Relief [Filed April 2, 2025; Docket No. 34].
- C. Interim Order (I) Authorizing Debtors to (A) Pay Prepetition Wages, Employee Benefits Obligations, and Other Compensation, and (B) Continue Employee Benefits Programs and Pay Related Administrative Obligations and (II) Granting Related Relief [Entered April 2, 2025; Docket No. 52].

- D. Omnibus Notice of First Day Motions and Final Hearing Thereon [Filed April 5, 2025; Docket No. 72].
- E. **Certification of Counsel Regarding Final Order (I) Authorizing Debtors to (A) Pay Prepetition Wages, Employee Benefits Obligations, and Other Compensation, and (B) Continue Employee Benefits Programs and Pay Related Administrative Obligations and (II) Granting Related Relief** [Filed April 17, 2025; Docket No. 120].
- F. **Final Order (I) Authorizing Debtors to (A) Pay Prepetition Wages, Employee Benefits Obligations, and Other Compensation, and (B) Continue Employee Benefits Programs and Pay Related Administrative Obligations and (II) Granting Related Relief** [Entered April 17, 2025; Docket No. 130].

Status: A final order has been entered by the Court. Accordingly, a hearing on this matter is no longer required.

- 8. Debtors' Motion for Interim and Final Orders Authorizing But Not Directing Debtors to (I) Pay Certain Prepetition Obligations Arising Under Their Insurance Policies and Surety Bonds, and (II) for Related Relief [Filed March 30, 2025; Docket No. 12].

Objection Deadline: April 10, 2025 at 4:00 p.m. (ET).

Objection/Response(s) Received: None.

Related Documents:

- A. Declaration of Brian Ryniker in Support of the Debtors' Chapter 11 Petitions and First Day Pleadings [Filed March 31, 2025; Docket No. 15].
- B. Certification of Counsel Regarding Interim Order Authorizing But Not Directing Debtors to (I) Pay Certain Prepetition Obligations Arising Under Their Insurance Policies and Surety Bonds, and (II) for Related Relief [Filed April 2, 2025; Docket No. 47].
- C. Interim Order Authorizing But Not Directing Debtors to (I) Pay Certain Prepetition Obligations Arising Under Their Insurance Policies and Surety Bonds, and (II) for Related Relief [Entered April 2, 2025; Docket No. 58].
- D. Omnibus Notice of First Day Motions and Final Hearing Thereon [Filed April 5, 2025; Docket No. 72].
- E. **Certification of Counsel Regarding Final Order Authorizing But Not Directing Debtors to (I) Pay Certain Prepetition Obligations Arising Under**

Their Insurance Policies and Surety Bonds, and (II) for Related Relief [Filed April 17, 2025; Docket No. 121].

F. Final Order Authorizing But Not Directing Debtors to (I) Pay Certain Prepetition Obligations Arising Under Their Insurance Policies and Surety Bonds, and (II) for Related Relief [Entered April 17, 2025; Docket No. 131].

Status: A final order has been entered by the Court. Accordingly, a hearing on this matter is no longer required.

MATTERS GOING FORWARD:

9. Debtors' Motion for Entry of Interim Order (I) Authorizing Debtors and Debtors in Possession to (A) Use Cash Collateral and (B) Grant Adequate Protection to the Prepetition Lender; (II) Modifying the Automatic Stay; and (III) Granting Related Relief [Filed March 30, 2025; Docket No. 14].

Objection Deadline: April 10, 2025 at 4:00 p.m. (ET); extended to April 11, 2025 at 4:00 p.m. (ET) for Robindale Coal Sales LLC; extended through and including April 18, 2025 for the official committee of unsecured creditors.

Objection/Response(s) Received:

A. [SEALED] Objection of Angela Svonavec, Jason Svonavec, and Heritage Holding Co., LLC to Debtors Motion for Entry of Interim and Final Orders (I) Authorizing Debtors and Debtors in Possession to (A) Use Cash Collateral and (B) Grant Adequate Protection to the Prepetition Lender; (II) Modifying the Automatic Stay; and (III) Granting Related Relief [Filed April 10, 2025; Docket No. 87].

Related Documents:

A: Declaration of Brian Ryniker in Support of the Debtors' Chapter 11 Petitions and First Day Pleadings [Filed March 31, 2025; Docket No. 15].

B. Certification of Counsel Regarding Interim Order (I) Authorizing Debtors and Debtors in Possession to (A) Use Cash Collateral and (B) Grant Adequate Protection to the Prepetition Lender; (II) Modifying the Automatic Stay; and (III) Granting Related Relief [Filed April 2, 2025; Docket No. 43].

C. Interim Order (I) Authorizing Debtors and Debtors in Possession to (A) Use Cash Collateral and (B) Grant Adequate Protection to the Prepetition Lender; (II) Modifying the Automatic Stay; and (III) Granting Related Relief [Entered April 2, 2025; Docket No. 57].

- D. Omnibus Notice of First Day Motions and Final Hearing Thereon [Filed April 5, 2025; Docket No. 72].
- E. **Certification of Counsel Regarding Second Interim Order (I) Authorizing Debtors and Debtors in Possession to (A) Use Cash Collateral and (B) Grant Adequate Protection to the Prepetition Lender; (II) Modifying the Automatic Stay; and (III) Granting Related Relief** [Filed April 17, 2025; Docket No. 122].
- F. **Second Interim Order (I) Authorizing Debtors and Debtors in Possession to (A) Use Cash Collateral and (B) Grant Adequate Protection to the Prepetition Lender; (II) Modifying the Automatic Stay; and (III) Granting Related Relief** [Entered April 17, 2025; Docket No. 132].

Status: A second interim order has been entered by the Court and a final hearing on the motion will go forward on April 24, 2025 at 12:30 p.m. (ET). Accordingly, a hearing on this matter is no longer required.

Dated: April 17, 2025
Wilmington, Delaware

MORRIS JAMES LLP

/s/ Jeffrey R. Waxman

Jeffrey R. Waxman (DE Bar No. 4159)
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