

RCUD PLC SEC BLR
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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

KTRV LLC, *et al.*,¹

Debtors.

Chapter 11

M-2025-3052793

Case No. 25-10601 (MFW)

(Jointly Administered)

**THE DEBTORS' WITNESS AND EXHIBIT LIST FOR
HEARING ON MAY 9, 2025 AT 3:00 P.M. (ET)**

The above-captioned debtors (collectively, the "Debtors") hereby file this Witness and Exhibit List for the hearing commencing on May 9, 2025 at 3:00 p.m. (ET) (the "Hearing") in connection with (i) 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 [Docket No. 14] (as may be supplemented or modified, the "Cash Collateral Motion"); (ii) 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 [Docket No. 26] (as may be supplemented or modified, the "9019 Motion"), (iii) Debtors' Motion for Entry of an Order (I) Approving the Bidding Procedures, (II) Authorizing the Debtors to Enter Into One or More Stalking Horse Agreements and Provide Bid Protections, (III) Approving the Form and Manner of Sale Notice, (IV) Scheduling an Auction and Sale Hearing, (V) Approving the Procedures for the Assumption and Assignment of Contracts, (VI) Approving the Sale of the Debtors' Assets Free and Clear, and (VII) Granting Related Relief [Docket No. 156] (as may be

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.

supplemented or modified, the “Bid Procedures Motion”), and (iv) Debtors' Application for (I) the Retention and Employment of Ritchie Bros. Auctioneers, Inc. as Auctioneer, *Nunc Pro Tunc* to April 24, 2025, (II) Authorizing the Sale of Equipment Free and Clear of All Liens, Claims and Encumbrances; and (III) Granting Related Relief [Docket No. 165] (as may be supplemented or modified, the “Ritchie Bros Application”).

WITNESSES

The Debtors identify the following individuals as potential witnesses for the Hearing whose testimony may be presented live and/or through their declarations:

1. Brian Ryniker, Chief Restructuring Officer;
2. Any witness or declarant called or listed by any other party in interest; and
3. Rebuttal and/or impeachment witnesses, as necessary.

EXHIBITS

The Debtors may offer into evidence any one or more of the following exhibits at the Hearing:

Exhibit No.	Description
1.	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
2.	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
3.	Debtors' Motion for Entry of an Order (I) Approving the Bidding Procedures, (II) Authorizing the Debtors to Enter Into One or More Stalking Horse Agreements and Provide Bid Protections, (III) Approving the Form and Manner of Sale Notice, (IV) Scheduling an Auction and Sale Hearing, (V) Approving the Procedures for the Assumption and Assignment of Contracts, (VI) Approving the Sale of the Debtors' Assets Free and Clear, and (VII) Granting Related Relief
4.	Debtors' Application for (I) the Retention and Employment of Ritchie Bros. Auctioneers, Inc. as Auctioneer, <i>Nunc Pro Tunc</i> to April 24, 2025, (II)

	Authorizing the Sale of Equipment Free and Clear of All Liens, Claims and Encumbrances; and (III) Granting Related Relief
5.	Schedules and Statements of Financial Affairs of Heritage Coal & Natural Resources, LLC [Docket Nos. 197, 198]
6.	Declaration of Brian Ryniker in Support of the Debtors' Chapter 11 Petitions and First Day Pleadings [Docket No. 15]
7.	Declaration of Brian Ryniker, Chief Restructuring Officer In Support Of 9019 Motion [Docket No. 192]
8.	UCC search results and related documents
9.	List of Debtors' Equipment (including Foreclosed Equipment)
10.	Complaint filed in Adversary Proceeding No. 25-50532.
11.	Notice of Default and Acceleration: Bedrock Industries Investco I LLC's Amended and Restated Loan Agreement, Security Agreement, Promissory Note and Guaranty dated January 20, 2025
12.	Amended and Restated Loan Agreement, dated as of June 27, 2024 between Heritage Coal & Natural Resources, LLC, KTRV LLC and Bedrock Industries Investco I LLC
13.	Forbearance Agreement dated as of February 4, 2025 between Bedrock, KTRV, HCNR, Jordan Kestenbaum, and David Tradburks
14.	Equipment Lease Agreement dated as of February 13, 2025 between Bedrock as Lessor, and HCNR as Lessee
15.	Projected budget through week ending July 4, 2025
16.	Debtors' historical financial records
	Any exhibit designated by any other party.
	Any pleading or other document filed with the Court on the docket of the above-captioned cases, including any attachments or exhibits thereto.
	Any exhibit necessary to rebut the evidence or impeach testimony of any witness offered or designated by any other party.

RESERVATION OF RIGHTS

The Debtors reserve the right to rely upon or introduce at the Hearing any document subsequently identified as an exhibit by any other party, any document used at the Hearing by any party, or any document necessary or appropriate for impeachment, rebuttal, or any other lawful purpose. The Debtors also reserve the right to amend or supplement this Witness and Exhibit List

[Signature]

at any time prior to the Hearing.

Dated: May 8, 2025
Wilmington, Delaware

MORRIS JAMES LLP

/s/ Jeffrey R. Waxman

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