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IT IS SO ORDERED.



John E. Hoffman, Jr.
John E. Hoffman, Jr.
United States Bankruptcy Judge

Dated: February 12, 2020

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

In re:)	
)	Chapter 11
)	
MURRAY METALLURGICAL COAL)	Case No. 20-10390
HOLDINGS, LLC, <i>et al.</i> , ¹)	
)	Judge John E. Hoffman, Jr.
)	
Debtors.)	(Joint Administration Requested)
)	

**ORDER SCHEDULING EXPEDITED HEARING ON FIRST DAY MOTIONS AND
APPROVING THE FORM AND MANNER OF NOTICE THEREOF
[RELATED TO DOC. NO. 24]**

Upon the motion (the "Motion")² of the above-captioned debtors and debtors in possession (collectively, the "Debtors") for entry of an order (this "Order"), pursuant to section 105 of title 11 of the United States Code (the "Bankruptcy Code") and Rule 9073-1 of the Local Bankruptcy Rules for the Southern District of Ohio (the "Local Rules"), (a) scheduling an

¹ The Debtors in these Chapter 11 cases, along with the last four (4) digits of each Debtor's federal tax identification number, if applicable, are: Murray Metallurgical Coal Holdings, LLC (4633); Murray Eagle Mining, LLC (4268); Murray Alabama Minerals, LLC (4047); Murray Alabama Coal, LLC (3838); Murray Maple Eagle Coal, LLC (4435); and Murray Oak Grove Coal, LLC (4878). The Debtors' primary business address is 46226 National Road, St. Clairsville, OH 43950.

² Capitalized terms used but not otherwise defined herein have the meanings given to them in the Motion.

expedited hearing on first day motions and (b) approving the form and manner of notice thereof, all as more fully set forth in the Motion; and upon the First Day Declarations; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *General Order 30-3* from the United States Bankruptcy Court for the Southern District of Ohio, dated December 4, 2019; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and this Court may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest; and this Court having found that the Debtors' notice of the Motion and opportunity for a hearing on the Motion were 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, it is **HEREBY ORDERED THAT:**

1. The Motion is granted as set forth in this Order.
2. The First Day Motions shall be heard on **Friday, February 14, 2020, at 2:00 p.m.**, prevailing Eastern Time in **Courtroom A** at the United States Bankruptcy Court, 170 North High Street, Columbus, Ohio 43215.
3. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of Bankruptcy Rule 6004(a) and the Local Rules are satisfied by such notice.

4. The Debtors are authorized to take all reasonable actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

5. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

6. The Debtors' form and manner of notice of the expedited hearings on the First Day Motions as described in the Motion is hereby approved.

7. By no later than 10:00 a.m. EDT on February 13, 2020, counsel for Debtors shall serve this Order and the notice of the hearing on the following parties or their respective counsel (collectively, the "First Day Notice Parties"):

- a. the U.S. Trustee for the Southern District of Ohio;
- b. the Debtors and their counsel;
- c. any official committee appointed in these chapter 11 cases and its counsel;
- d. holders of the 30 largest unsecured claims against the Debtors (on a consolidated basis);
- e. the administrative agent under the Debtors' proposed debtor-in-possession financing facility and their respective counsel;
- f. the administrative agent under the Take-Back Facility;
- g. Javelin Investment Holdings LLC;
- h. counsel to the Ad Hoc Group of Prepetition Term Loan Lenders and proposed DIP lender;
- i. the Environmental Protection Agency and similar state environmental agencies for states in which the Debtors operate;
- j. the office of the attorneys general for the states in which the Debtors operate;
- k. the United States Attorney's Office for the Southern District of Ohio

- l. the Internal Revenue Service;
 - m. the Pension Benefit Guaranty Corporation;
 - n. the United Mine Workers of America;
 - o. Javelin Global;
 - p. all taxing authorities;
 - q. all mechanic's lien claimants;
 - r. all lessors;
 - s. all Utility Services and Utility Companies appearing on the Utility Service List (as each of those terms is defined in the Debtors' Utility Motion [Doc. 13]); and
 - t. any party that has requested notice pursuant to Bankruptcy Rule 2002.
8. Service of the notice of expedited hearing on the First Day Motions via overnight mail, electronic mail, and/or facsimile on the First Day Notice Parties, is deemed sufficient and adequate notice under the circumstances and in full compliance with the applicable provisions of the Bankruptcy Code, the Bankruptcy Rules, and the Local Rules, and Debtors are directed to file a Certificate of Service certifying service in accordance therewith.
9. Parties in interest seeking to oppose the relief requested may do so by filing an objection prior to the hearing and prosecuting the objection during the hearing or by raising their objections orally in open court at the hearing.
10. Parties wishing to appear or audit the hearing must register with CourtSolutions LLC, a private vendor, at www.court-solutions.com in advance of the hearing. Parties must create an account and then submit a participation request to the Court through CourtSolutions. If a party's participation is approved by the Court, CourtSolutions will provide call-in instructions. Telephonic participation is at the sole discretion of the Court.

SO ORDERED.

SUBMITTED BY:

/s/ James A. Coutinho

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