

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF KENTUCKY**

**In re:**

**Cambrian Holding Company, Inc., et al.,<sup>1</sup>**

## Debtors.

## Chapter 11

**Case No. 19-51200 (GRS)**

**(Joint Administration)**

### **THIRD NOTICE OF RESUBMISSION OF MONTHLY OPERATING REPORTS**

Comes now Ellen Arvin Kennedy, solely in her capacity as the Liquidating Trustee (the “Liquidating Trustee”) of the Cambrian Liquidating Trust (the “Liquidating Trust”), by and through her counsel, and hereby gives notice of resubmission of Debtors’ consolidated monthly operating reports for the months of November, 2020, through December, 2020.

On March 3, 2021, the effective date of the Debtors' Chapter 11 plan of liquidation, the Liquidating Trustee began her work of collecting the funds escrowed for the benefit of the Liquidating Trust and financial information from the Debtors necessary for the administration of the Liquidating Trust, which included payment of outstanding Chapter 11 administrative claims. Analysis of financial information and calculation of claims against the Liquidating Trust led to the discovery of a series of systemic errors in the monthly operating reports originally filed by the Debtors prior to the effective date of the Chapter 11 plan of liquidation.

<sup>1</sup> The Debtors in these Chapter 11 cases are (with the last four digits of their federal tax identification numbers in parentheses): Cambrian Holding Company, Inc. (8203), Cambrian Coal LLC (3394), Apex Energy, Inc. (3455), C.W. Augering, Inc. (2875), Marshall Resources, Inc. (9735), PLM Holding Company LLC (7427), Bear Branch Coal LLC (0674), Clintwood Elkhorn Mining LLC (6910), Gatliff Coal LLC (5768), Perry County Coal LLC (4382), Ray Coal LLC (0981), Whitaker Coal LLC (8270), Pike-Letcher Land LLC (8952), Premier Elkhorn Coal LLC (8951), Raven Rock Development LLC (1351), Rich Mountain Coal LLC (1974), S.T.&T Leasing, Inc., (0340), T.C. Leasing, Inc. (7705), and Shelby Resources, LLC (5085).

Since that discovery, the Liquidating Trustee has gathered additional banking and related information from the former Debtors and others necessary for correction of the flawed operating reports. Working with the support of B. Riley, FBR, Inc., the Liquidating Trustee submitted revised operating reports for the months of October 2019 through April of 2020 [DE 1819] and May 2020 through October 2020 [DE 1831]. The Liquidating Trustee has completed the correction of operating reports for the months of November 2020, through December of 2020, which are attached hereto. Any reports that remain outstanding will be filed as they are completed. The Liquidating Trustee submits these amended reports are accurate to the best of her knowledge based on available records and they will serve as the basis for her administration of claims against the Liquidating Trust.

Respectfully Submitted,

/s/ John M. Spires

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was served this the 31<sup>th</sup> day of August, 2021, electronically in accordance with the method established under this Court's CM/ECF Administrative Procedures upon all parties in the electronic filing system in this case.

/s/ John M. Spires

*Attorney for the Liquidating Trustee*