

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF KENTUCKY**

In re:

Cambrian Holding Company, Inc., et al.,¹

Debtors.

Chapter 11

Case No. 19-51200 (GRS)

(Jointly Administered)

Honorable Gregory R. Schaaf

**ORDER APPROVING SETTLEMENT AGREEMENT BETWEEN THE DEBTORS
AND APPALACHIAN POWER COMPANY d/b/a AMERICAN ELECTRIC POWER
AND KENTUCKY POWER COMPANY d/b/a AMERICAN ELECTRIC POWER**

This matter, having come before the Court upon the *Renewed Motion for Order Approving Settlement Agreement Between the Debtors and Appalachian Power Company d/b/a American Electric Power and Kentucky Power Company d/b/a American Electric Power* (the “Motion”),² and the Court finding that it has jurisdiction over the Motion pursuant to 28 U.S.C. §§ 157 and 1334, that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), and that venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having the authority to grant the requested relief in the Motion pursuant to Bankruptcy Rule 9019(a) and section 105(a) of the Bankruptcy Code; and the Court being sufficiently advised and having considered the Motion; and it appearing that adequate notice of the Motion given; and it further appearing that no objections having been filed or timely objections being hereby overruled,

IT IS HEREBY ORDERED as follows:

1. The Motion is hereby GRANTED.

¹ 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).

² Capitalized terms used but not defined in this order have the meanings given in the Application.

2. The Settlement Agreement is APPROVED.

3. An administrative expense in the amount of \$191,000.00 is hereby allowed in favor of Kentucky Power Company (or its assigns and/or subrogees) against the estate of Clintwood Elkhorn Mining, LLC.

4. The Debtors are AUTHORIZED to enter into and take any and all action necessary to consummate the Settlement Agreement immediately upon entry of this Order.

5. The Court shall retain jurisdiction to interpret, implement, and enforce the provisions of this Order and the Settlement Agreement.

TENDERED BY:

WHITEFORD, TAYLOR & PRESTON, LLP

Respectfully submitted,

/s/ Masten Childers, III

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*Conflicts and Special Counsel
to the Debtors and Debtors in Possession*

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The affixing of this Court's electronic seal below is proof this document has been signed by the Judge and electronically entered by the Clerk in the official record of this case.



Signed By:
Gregory R. Schaaf
Bankruptcy Judge
Dated: Monday, April 20, 2020
(grs)