

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

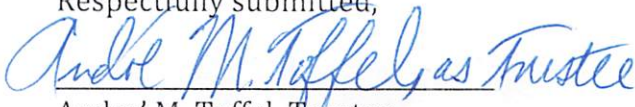
IN RE:)	
)	
NEW WEI INC.,)	CASE NO. #15-02741-TOM-7
)	CHAPTER 7 CASE
DEBTOR.)	

Report to Court

Comes Now Andre M. Toffel, Trustee ("the Trustee"), and submits this Report to Court in accordance with the Court's Order of October 1, 2024, Proc #3871, as follows:

1. The Trustee has been administering this case since the conversion of it from Chapter 11, and his subsequent appointment, both on February 21, 2017. There still remains work to be done by the Trustee and his Court-approved professionals.
2. Attached hereto and incorporated herein as Exhibit A is a schedule of funds received and disbursements made, prepared by Eddie Denaburg, CPA, after reviewing all of the Trustee's bank account information. Mr. Denaburg will be present at the December 4 hearing to answer any questions about his schedule.
3. Attached hereto and incorporated herein as Exhibit B is a list of known assets to be administered, prepared by the Trustee's counsel, Stephen Porterfield. Mr. Porterfield will be present at the hearing on December 4 as well.
4. The Trustee will provide such other information as may be requested, to the Court, the Bankruptcy Administrator, creditors, or other parties-in-interest.

October 28, 2024
Date

Respectfully submitted,

Andre' M. Toffel, Trustee



CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Application has been served upon all parties requesting notice through the CMECF system, and by email to the parties listed below, this the 28th day of October, 2024.


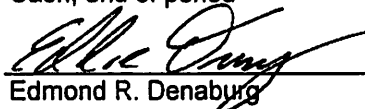

Of Counsel

EXHIBIT A

New WEI - Projected Inception To Date (ITD) cash activity through 12/31/24

	ITD thru 9/30/24	Projected activity 10/1-12/31	Projected ITD thru 12/31/24	
Cash received	3,596,807		3,596,807	
Cardem	3,146,833		3,146,833	
WC insurance settlement	2,755,399		2,755,399	
CVS Caremark	2,297,141		2,297,141	
Warrior Met	1,930,000		1,930,000	
BP Proceeds	1,680,270		1,680,270	
Retainers received	1,062,852		1,062,852	
1992 BP - cont/dist wire	600,000		600,000	
Mayer Electric refund	347,011		347,011	
Scotia Bank	270,181		270,181	
Unclaimed property	166,413		166,413	
Lexicon	130,079		130,079	
Deleware tax refund	101,718		101,718	
Arch insurance	103,462		103,462	
Interest income	108,370	11,000	119,370	
Silver Script	70,070		70,070	
MSHA	54,996		54,996	
Mueller tax refund (includes interest)	53,168		53,168	
Adams Reese (Ganey retire health)	4,389		4,389	
Other income	1,874		1,874	
	<u>18,481,033</u>	<u>11,000</u>	<u>18,492,033</u>	
Prof fees - Sirote	1,076,621	87,306	1,163,927	
Prof fees - Toffel	457,191	80,000	537,191	
Prof fees - Cunningham Bounds	254,284		254,284	
Prof fees - Denaburg	238,837		238,837	
Prof fees - Bradley	136,006		136,006	
Prof fees - Manewitz Weiker	30,000		30,000	
Prof fees - Hidden Assets, LLC	26,065		26,065	
Prof fees - Maynard	20,918		20,918	
Prof fees - Christian Small	19,347		19,347	
Prof fees - RSM	6,918		6,918	2,433,492 13.2% All prof fees paid
UWMA Health	600,000		600,000	
Kurtsman	257,471	2,200	259,671	
Bank fees	58,016		58,016	
Ala Department of Revenue taxes	42,977		42,977	
Direct Fee review	19,985	5,180	25,165	
Delaware tax	14,922		14,922	
Bond expense	11,697		11,697	
Silver Script fees	4,594		4,594	
Ganey	4,389		4,389	
GR Robbins and Assoc	4,343		4,343	
Iron Mountain	2,227		2,227	
Archive Corp	1,619		1,619	
CT Corp	889		889	3,464,001 18.7% All admin fees paid
Chapter 11 administrative claims	2,662,837		2,662,837	
Payments to Warrior Met Coal	<u>11,419,163</u>		<u>11,419,163</u>	14,081,999 76.2% Payments to creditors
	<u>17,371,314</u>	<u>174,686</u>	<u>17,546,000</u>	
Cash, end of period	1,109,719		946,032	946,032 5.1% Projected cash 12/31/24


 Edmond R. Denaburg

10/25/24
 Date

EXHIBIT B

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

In re:)
) Case No. 15-02741-TOM7
NEW WEI, INC., et al)
) Chapter 7
Debtor)

REMAINING ASSETS TO BE ADMINISTERED

The Trustee is aware of the following remaining assets yet to be administered for the benefit of the Estate:

1. A tax refund was filed on behalf of the Estate by Investment Recovery Group LLC, who were approved by this Court to act on behalf of the Trustee by Order dated December 1, 2020 (Doc. 3706). The tax refund is still pending and has not been approved or denied by the Internal Revenue Service.

2. The Estate is a plaintiff in multi-district litigation styled In Re: Rail Freight Fuel Surcharge Anti-Trust Litigation pending in the District Court for the District of Columbia. The Berger Montague PC firm is representing the Trustee by virtue of this Court's Order approving their employment dated November 12, 2020 (Doc. 3685). The experts hired by the plaintiffs have estimated the Estate's damages to be \$3.34 million. The deadlines for summary judgment replies and briefs will occur in December of this year. There is no trial date set in this matter.

3. The Trustee has been in discussions with several parties regarding the possible purchase of remnant assets. It is likely that the Trustee will propose to transfer the remnant assets to Warrior Met Coal, Inc. The Trustee estimates that the remnant assets issue will be resolved before the end of the first quarter of 2025.

Dated: October 28, 2024.

/s/ Stephen B. Porterfield

Stephen B. Porterfield

Attorney for Andre M. Toffel, Trustee

OF COUNSEL:

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