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September 16, 2026

VIA ELECTRONIC FILING

Honorable Wendy A. Kinsella
United States Bankruptcy Court
Northern District of New York
100 South Clinton Street
Syracuse, New York 13202

Re: *Vanderbilt Minerals, LLC; Chapter 11 Case 26-60110*

Dear Chief Judge Kinsella,

We write as counsel to R.T. Vanderbilt Holding Company, Inc., and its direct and indirect subsidiaries other than Vanderbilt Minerals, LLC (collectively, "***R.T. Vanderbilt***"). We have only had a brief opportunity to review the revised chapter 11 plan (the "***Plan***") and disclosure statement (the "***Disclosure Statement***") and related redlines that were filed this morning at Docket Nos. 962, 963 and 964.

The revised Plan includes provisions that directly violate the terms of Settlement and Release Agreement, dated as of February 15, 2026 (as amended on April 30, 2026 and as further modified by the Letter Agreement, dated May 5, 2026, the "***Settlement Agreement***"), which was approved by the Court on April 28, 2026 at Docket No. 493 (the "***Settlement Order***"). Specifically, as a condition to waiving the requirement of a final order before implementing the Settlement Agreement, the Debtor agreed that Mr. Pickering and his counsel at Katten Muchin Rosenman LLP would remain in place until the appeal of the Settlement Order was resolved. *See* Docket No. 544. In contrast, the proposed Plan appears to require that Mr. Pickering and Katten abandon their work to contest the appeal on behalf of the Debtor, waives certain arguments the Debtor might make in the appeal, and reserves up to $11 million for the Committee to continue to try to overturn this Court's Settlement Order.

In light of this, we oppose any sort of expedited timeline for approval of the Disclosure Statement and request the full statutorily required 28 days' notice by mail before any hearing to approve the newly filed Disclosure Statement. We need time to study the Disclosure Statement and Plan, take appropriate discovery, and prepare an objection.

We may also determine it is necessary to file a motion to enforce the Settlement Agreement, and believe any such motion should be resolved before the Debtor expends precious estate resources soliciting votes on a Plan that violates the Settlement Agreement and is patently unconfirmable.

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Sincerely,

VINSON & ELKINS LLP

/s/ George R. Howard

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