UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

In re:	§	Chapter 11
	§	
WALTER ENERGY, INC., *et al.*,	§	Case No. 15–02741–TOM11
Debtors.[1]	§	
	§	Jointly Administered
DOMINION RESOURCES BLACK WARRIOR TRUST, by and through its TRUSTEE, SOUTHWEST BANK,	§	Adversary No.: _____
Plaintiff,	§	
VS.	§	
WALTER BLACK WARRIOR BASIN LLC,	§	
Defendant.	§	

MOTION TO EXPEDITE HEARING ON PLAINTIFF'S VERIFIED APPLICATION FOR TEMPORARY RESTRAING ORDER

COMES NOW, Dominion Resources Black Warrior Trust ("Dominion" by and through its Trustee, Southwest Bank, and pursuant to 11 U.S.C. § 105(a) and Bankruptcy Rule 9006, files this Motion to Expedite Hearing on the Plaintiff's Verified Application for Temporary Restraining Order (the "Motion for TRO"). In support thereof, Dominion states as follows:

[1] The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: Walter Energy, Inc. (9953); Atlantic Development and Capital, LLC (8121); Atlantic Leaseco, LLC (5308); Blue Creek Coal Sales, Inc. (6986); Blue Creek Energy, Inc. (0986); J.W. Walter, Inc. (0648); Jefferson Warrior Railroad Company, Inc. (3200); Jim Walter Homes, LLC (4589); Jim Walter Resources, Inc. (1186); Maple Coal Co., LLC (6791); Sloss-Sheffield Steel & Iron Company (4884); SP Machine, Inc. (9945); Taft Coal Sales & Associates, Inc. (8731); Tuscaloosa Resources, Inc. (4869); V Manufacturing Company (9790); Walter Black Warrior Basin LLC (5973); Walter Coke, Inc. (9791); Walter Energy Holdings, LLC (1596); Walter Exploration & Production LLC (5786); Walter Home Improvement, Inc. (1633); Walter Land Company (7709); Walter Minerals, Inc. (9714); and Walter Natural Gas, LLC (1198). The location of the Debtors' corporate headquarters is 3000 Riverchase Galleria, Suite 1700, Birmingham, Alabama 35244-2359.

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334. This matter is a core proceeding under 28 U.S.C. § 157.

2. Dominion filed the instant Motion for TRO seeking an Order from the Court preventing Debtor from comingling, encumbering and potentially disposing of Dominion's property.

3. As set forth in the in the Adversary Proceeding filed contemporaneously herewith, the Production Proceeds due for distribution to Dominion on August 14, 2015 total $983,828.

4. Further, the Debtor is scheduled to receive proceeds from the sale of Dominion's proportionate share of production on August 25, 2015, for the production month of July 2015. The Debtor refuses to segregate the forthcoming Production Proceeds such that the funds will not be subject to liens of other creditors or used to pay other obligations of the Debtors. If the proceeds from the July 2015 production are not segregated, Dominion may be irreparably harmed.

5. Prompt consideration of the relief requested in the Motion for TRO is critical to the protection of Dominion's property rights. As set forth in the Motion for TRO, if Dominion is not paid its proportionate share of Production Proceeds pursuant to the Conveyance, Dominion may be delisted from the NYSE, the Trust may terminate and the Trustee may be forced to sell the ORRI.

6. Expedited consideration of the Motion for TRO is justified because absent such emergency relief, the rights of Dominion could be severely impacted. Under the circumstances, the passage of time and the continued commingling of Dominion's proportionate share of production detracts from its ability to enforce its rights. It is imperative that the Court conduct a hearing on the Motion for TRO so that Dominion's rights can be preserved and to prevent

irreparable harm. The production proceeds due to Dominion should not be commingled with other cash in which other creditors or stakeholders may claim an interest.

7. Dominion knows of no valid reason that exists for an immediate hearing not to be held upon the Motion for TRO and further believes that requisite cause exists for the shortening of time on this matter pursuant to Bankruptcy Rule 9006(c).

8. Dominion requests that the hearing on the Motion for TRO be scheduled on August 18, 2015 along with Dominion's Motion to Reconsider Cash Management Order.

WHEREFORE, PREMISES CONSIDERED, Dominion respectfully requests the Court enter an Order setting the TRO for hearing on **August 18, 2015** at the United States Bankruptcy Court for the Northern District of Alabama, Northern Division or at the Court's earliest convenience and for such other and further relief as the Court deems just and proper.

Respectfully submitted on this 11th day of August, 2015.

Lee R. Benton (ASB 8421-E63L)
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ATTORNEYS FOR THE DOMINION RESOURCES
BLACK WARRIOR TRUST

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of August, 2015, I electronically filed the **MOTION TO EXPEDITE HEARING ON PLAINTIFF'S VERIFIED APPLICATION FOR TEMPORARY RESTRAING ORDER** with the Clerk of the Court using the CM-ECF system, and served a copy of the above and foregoing, to parties listed below.

VIA US MAIL AND CERTIFIED MAIL RETURN RECEIPT REQUESTED:
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/s/ Jamie A. Wilson
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