



NO. S-1510120  
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,  
R.S.C. 1985, c. C-36, AS AMENDED

AND

IN THE MATTER OF THE *BUSINESS CORPORATIONS ACT*,  
S.B.C. 2002, c. 57, AS AMENDED

AND

IN THE MATTER OF THE PLAN OF COMPROMISE AND ARRANGEMENT OF NEW WALTER  
ENERGY CANADA HOLDINGS, INC., NEW WALTER CANADIAN COAL CORP., NEW BRULE COAL  
CORP., NEW WILLOW CREEK COAL CORP., NEW WOLVERINE COAL CORP. AND CAMBRIAN  
ENERGYBUILD HOLDINGS ULC

PETITIONERS

**ORDER MADE AFTER APPLICATION  
(CLAIMS PROCESS AMENDMENT ORDER - UNRESOLVED RESTRUCTURING CLAIMS)**

BEFORE THE HONOURABLE  
MADAM JUSTICE FITZPATRICK

)  
)  
)

TUESDAY, THE 15<sup>TH</sup> DAY OF  
AUGUST, 2017

THE APPLICATION of the Petitioners coming on for hearing at Vancouver, British Columbia, on August 15, 2017; AND ON HEARING Mary Paterson, counsel for the Petitioners, Peter Reardon, counsel for KPMG Inc. and those other counsel listed on Schedule "A" hereto; AND UPON READING the material filed, including the 14th Affidavit of William E. Aziz sworn August 11, 2017 and the 12th Report of the Monitor dated August 14, 2017;

THIS COURT ORDERS AND DECLARES THAT:

1. The Order of this Court pronounced August 16, 2016 styled "Claims Process Order" as amended by the Order of this Court pronounced December 21, 2016 styled "CCAA Continuity and Vesting Order" (as so amended, the "**Claims Process Order**") is hereby amended and supplemented as follows (the "**Unresolved Restructuring Claims Process**"):

- (a) All capitalized terms used in this Order but not defined herein have the meanings given to such terms in the Claims Process Order.
- (b) A Proof of Claim in connection with any Restructuring Claim and Director/Officer Claim that may be asserted or made in whole or in part against any member of the Walter Canada Group, any Petitioner and any of their respective past or present directors and officers that

has not become an Allowed Claim, has not been barred pursuant to the terms of the Claims Process Order or is not the subject of an unresolved Notice of Dispute (any such claim an **"Unresolved Restructuring Claim"**) shall be filed with the Monitor in the manner set out in paragraph 43 of the Claims Process Order on or before 5:00 p.m. (Vancouver Time) on October 6, 2017 (the **"Unresolved Restructuring Claims Bar Date"**).

- (c) For greater certainty, Unresolved Restructuring Claims include any claims under any agreement with any member of the Walter Canada Group or any Petitioner, whether or not such agreement has been disclaimed, including, for greater certainty, any cooperation agreement between any First Nation or Métis organization and any member of the Walter Canada Group, any Petitioner or any of their predecessors and includes any asset purchase agreement or similar transaction agreement entered into by any member of the Walter Canada Group or any Petitioner and approved by the Court in these CCAA Proceedings, but does not include: (i) any Pre-Commencement Claim, Employee Claim, the UMWA 1974 Plan Claim or any Unaffected Claim; or (ii) any Restructuring Claim or Directors/Officers Claim that was required to be filed prior to the date hereof.
- (d) Forthwith after the entry of this Order, and in any event within ten (10) Business Days following the date of this Order, the Monitor shall cause a newspaper notice in the form attached hereto as Schedule "B" to be published for one (1) Business Day in the Globe and Mail (National Edition), the Vancouver Sun and the ~~Tumbler Ridge News~~ and such other publications as the Monitor deems advisable and the Monitor shall post the newspaper notice on its website for these CCAA Proceedings.   
↑ *Alaskan Highway News*  
~~and The Northern Miner~~
- (e) The Monitor shall send an instruction letter in the form attached hereto as Schedule "C" and a proof of claim in the form attached hereto as Schedule "D" ("**Proof of Claim**") to all Persons that the Monitor or any of the Petitioners has reason to believe may have an Unresolved Restructuring Claim and to any other Person as the Monitor or the Petitioners may determine is advisable, which shall include those First Nations and Métis organizations that have entered into cooperation agreements with predecessors of any of the Petitioners, and the Monitor shall post the instruction letter and the Proof of Claim form on its website for these CCAA Proceedings.
- (f) All other provisions of the Claims Process Order shall continue to apply, *mutatis mutandis*, including the provisions regarding adjudication of Claims set out in paragraphs 34 to 40 of the Claims Process Order and the timelines provided for therein.
- (g) The Monitor shall continue to have the benefit of all powers and protections set out in the Claims Process Order, including those protections set out in paragraph 10 of the Claims

Process Order, and any activities carried out by the Monitor under this Order shall be and shall be deemed to be carrying out the provisions of the Claims Process Order.

#### **NOTICE SUFFICIENT**

2. The forms of newspaper notice, instruction letter and Proof of Claim attached to this Order as Schedules "B", "C" and "D", respectively, are hereby approved. Despite the foregoing, the Monitor, in consultation with the Petitioners, may, from time to time, make minor changes to such forms as the Monitor, in consultation with the Petitioners, may consider necessary or desirable and may make such changes to the key dates as are permitted pursuant to the terms hereof or the terms of the Claims Process Order.

3. Publication of the newspaper notice and the mailing of the instruction letter and the Proof of Claim form in accordance with paragraph 1(e) of this Order shall constitute good and sufficient service and delivery of notice of the Claims Process Order, this Order and the Unresolved Restructuring Claims Bar Date on all Persons who may be entitled to receive notice and who may wish to assert a Claim, and no other notice or service need be given or made and no other document or material need be sent to or served upon any Person in respect of the Claims Process or the Unresolved Restructuring Claims Process.

#### **FILING OF UNRESOLVED RESTRUCTURING CLAIMS AND BARRING OF CLAIMS**

4. Any Person who does not file a Proof of Claim as provided for in paragraph 1(b) hereof so that such Proof of Claim is received by the Monitor on or before the Unresolved Restructuring Claims Bar Date, or such later date as the Monitor, in consultation with the Petitioners, may agree in writing or the Court may otherwise direct, shall:

- (a) be and is hereby forever barred, estopped and enjoined from asserting or enforcing any Claim against any of the Walter Canada Group entities, any of the Petitioners and any of their respective past or present directors and officers and all such Claims shall forever be extinguished;
- (b) not be permitted to vote on any Plan on account of such Claim;
- (c) not be permitted to participate in any distribution under any Plan from the proceeds of any sale of the Walter Canada Group's or the Petitioners' assets or otherwise on account of such Claim(s); and
- (d) not be entitled to receive further notice in respect of the Claims Process, these CCAA Proceedings or any Meeting Dates.

## **GENERAL PROVISIONS**

5. The Claims Process as amended by this Order, including the Unresolved Restructuring Claims Process and the Unresolved Restructuring Claims Bar Date, is hereby approved.

6. The Claims Process, including the Claims Bar Date, any Restructuring Claims Bar Date that has occurred in the Claims Process and all other matters as set out in the Claims Process Order, including the barring of any Pre-Commencement Claims, Employee Claims, Directors/Officers Claims and Restructuring Claims as provided for therein remain in full force and effect, and no provision of this Order shall or shall be deemed to re-open the Claims Process in any manner whatsoever.

## **AMENDMENT TO INITIAL ORDER – BELCOURT SAXON MATTERS**

7. Paragraph 20 of the Initial Order shall be of no force or effect from and after August 4, 2017.

## **APPROVAL**

8. Endorsement of this Order by counsel appearing on this application is hereby dispensed with.

THIS COURT REQUESTS the aid, recognition and assistance of other Canadian and foreign Courts, tribunal, regulatory or administrative bodies, including any Court or administrative tribunal of any Federal or State Court or administrative body in the United States of America, to act in aid of and be complementary to this Court in carrying out the terms of this Order where required. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to:

- (a) make such orders and to provide such assistance to the Petitioners and to the Monitor, as an officer of this Court, as may be necessary or desirable to give effect to this Order;
- (b) grant representative status to any of the Petitioners and the Monitor to act on behalf of any or all of the Petitioners in any foreign proceeding; and,
- (c) assist the Petitioners, the Monitor and the respective agents of each of the forgoing in carrying out the terms of this Order.


In addition, each of the Petitioners and the Monitor shall be at liberty, and is hereby authorized and empowered, to make such further applications, motions or proceedings to or before such other courts and judicial regulatory and administrative bodies, and take such other steps, in Canada, the United States of America or elsewhere, as may be necessary or advisable to give effect to this Order and any other Order granted by this Court.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:

  
\_\_\_\_\_  
Lawyers for the Petitioners

for Osler, Hoskin & Harcourt LLP  
(Mary Paterson)

  
\_\_\_\_\_  
BY THE COURT  
REGISTRAR  
Re Fitzpatrick, J.

  
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Schedule "A"

Counsel Name	Party Represented
Mary Paterson	Petitioners
John Sandrelli	United Mine Workers
Craig Bavis	United Steel Workers
Peter Reardon	KPMG INC. (Monitor)

Schedule "B"

FORM OF NEWSPAPER NOTICE

NOTICE TO THE CREDITORS OF:

WALTER ENERGY CANADA HOLDINGS, INC.	NEW WALTER ENERGY CANADA HOLDINGS, INC
WALTER CANADIAN COAL PARTNERSHIP	NEW WALTER CANADIAN COAL CORP
WOLVERINE COAL PARTNERSHIP	NEW WOLVERINE COAL CORP
BRULE COAL PARTNERSHIP	NEW BRULE COAL CORP
WILLOW CREEK COAL PARTNERSHIP	NEW WILLOW CREEK COAL CORP
PINE VALLEY COAL LTD.	

and those other entities listed as Petitioners on Schedule "A" to the Initial Order  
(collectively, the "Walter Canada Group")

**RE: NOTICE OF THE UNRESOLVED RESTRUCTURING CLAIMS PROCESS FOR THE WALTER CANADA GROUP PURSUANT TO THE COMPANIES' CREDITORS ARRANGEMENT ACT ("CCAA")**

This notice is being published pursuant to an order of the Supreme Court of British Columbia dated ●, 2017 which approved a claims process for the determination of certain remaining restructuring claims against the Walter Canada Group or their respective past or present directors or officers (the "**Claims Process Amendment Order**"). Any capitalized terms used but not defined herein have the meanings ascribed to them in the Claims Process Amendment Order.

A copy of the Claims Process Amendment Order and other public information concerning the CCAA proceedings can be obtained on the website of KPMG Inc., the Court-appointed Monitor of the Walter Canada Group (the "**Monitor**") at <http://www.kpmg.com/ca/walterenergycanada>. Any person who may have an Unresolved Restructuring Claim against any member of the Walter Canada Group or any of their respective past or present directors or officers should carefully review and comply with the Claims Process Amendment Order.

The Unresolved Restructuring Claims Process only applies to Unresolved Restructuring Claims. Unresolved Restructuring Claims are claims arising as a result of a restructuring, disclaimer, resiliation, termination or breach by any member of the Walter Canada Group on or after the Commencement Date of any contract, employment agreement, lease or other agreement or arrangement of any nature whatsoever, whether written or oral, and includes any cooperation agreement with any member of or predecessor of any member the Walter Canada Group, and any claim against respective past or present director or officer of a member of the Walter Canada Group that has not become an Allowed Claim, is not been barred pursuant to the terms of the Claims Process Order or is not the subject of an unresolved Notice of Dispute.

Any person having an Unresolved Restructuring Claim against any member of the Walter Canada Group or any of their respective past or present directors or officers must send a Proof of Claim to the Monitor such that the Proof of Claim **is received by the Monitor by no later than 5:00 p.m. (Vancouver Time) on October 6, 2017** (the "**Restructuring Claims Bar Date**").

For the avoidance of doubt, any claim a Claimant may have against any of the Walter Canada Group entities or their respective past or present directors or officers must be filed in accordance with the procedures set forth in the Claims Process Amendment Order.

Claimants requiring more information or who have not received a Proof of Claim form or Claims Package should contact the Monitor by phone at ● or email at ● or visit the Monitor's website at <http://www.kpmg.com/ca/walterenergycanada>.

UNLESS EXPRESSLY PROVIDED IN THE CLAIMS PROCESS AMENDMENT ORDER, HOLDERS OF CLAIMS THAT DO NOT FILE PROOFS OF CLAIM WITH THE MONITOR BY OCTOBER 6, 2017 SHALL NOT BE ENTITLED TO ANY FURTHER NOTICE OR DISTRIBUTION UNDER A PLAN, IF ANY, OR OF ANY PROCEEDS OF SALE OF ANY OF THE WALTER CANADA GROUP'S ASSETS, OR TO PARTICIPATE AS A CLAIMANT IN THE CCAA PROCEEDINGS OF THE WALTER CANADA GROUP, AND SHALL BE PROHIBITED FROM MAKING OR ENFORCING ANY CLAIM AGAINST ANY MEMBER OF THE WALTER CANADA GROUP AND/OR ANY OF THEIR DIRECTORS AND/OR OFFICERS. ADDITIONALLY, ANY CLAIMS SUCH CLAIMANT MAY HAVE AGAINST ANY MEMBER OF THE WALTER CANADA GROUP AND/OR ANY OF THEIR DIRECTORS AND/OR OFFICERS SHALL BE FOREVER BARRED AND EXTINGUISHED.



Schedule "C"

FORM OF INSTRUCTION LETTER

INSTRUCTION LETTER  
FOR FILING UNRESOLVED RESTRUCTURING CLAIMS IN RESPECT OF

WALTER ENERGY CANADA HOLDINGS, INC.	NEW WALTER ENERGY CANADA HOLDINGS, INC
WALTER CANADIAN COAL PARTNERSHIP	NEW WALTER CANADIAN COAL CORP
WOLVERINE COAL PARTNERSHIP	NEW WOLVERINE COAL CORP
BRULE COAL PARTNERSHIP	NEW BRULE COAL CORP
WILLOW CREEK COAL PARTNERSHIP	NEW WILLOW CREEK COAL CORP
PINE VALLEY COAL LTD.	

and those other entities listed as Petitioners on Schedule "A" to the Initial Order (collectively, the "Walter Canada Group")

1. Claims Procedure

By order of the Supreme Court of British Columbia (the "Court") dated ●, 2017 (as may be amended, restated or supplemented from time to time, (the "Claims Process Amendment Order"), in the proceeding commenced by Walter Energy Canada Holdings, Inc. and the other Petitioners listed on Schedule "A" to the Initial Order under the *Companies' Creditors Arrangement Act*, R.S.C. 1985 c. C-36, as amended (the "CCAA"), KPMG Inc., in its capacity as the Court-appointed Monitor of the Walter Canada Group (the "Monitor"), has been authorised to continue a claims process with respect to claims against the Walter Canada Group entities (the "Unresolved Restructuring Claims Process"). A copy of the Claims Process Amendment Order, with all schedules, may be found on the Monitor's Website at: <http://www.kpmg.com/ca/walterenergycanada>. Capitalised terms used in this letter which are not defined in this letter shall have the meaning ascribed to them in the Claims Process Amendment Order.

This letter provides instructions for completing the Proof of Claim. A blank Proof of Claim is included with this letter.

The Claims Process only applies to Unresolved Restructuring Claims. Unresolved Restructuring Claims are claims arising as a result of a restructuring, disclaimer, resiliation, termination or breach by any member of the Walter Canada Group on or after the Commencement Date of any contract, employment agreement, lease or other agreement or arrangement of any nature whatsoever, whether written or oral, [and includes any cooperation agreement with any member of or predecessor of any member the Walter Canada Group and includes any asset purchase agreement or similar transaction agreement entered into by any member of the Walter Canada Group or any Petitioner and approved by the Court in these CCAA Proceedings], and any claim against respective past or present director or officer of a member of the Walter Canada Group that has not become an Allowed Claim, is not been barred pursuant to the terms of the Claims Process Order or is not the subject of an unresolved Notice of Dispute.

If you have any questions regarding the Claims Process, please contact the Court-appointed Monitor at the address below.

All enquiries with respect of the Claims Process should be addressed to:

KPMG Inc.  
Court-appointed Monitor of New Walter Energy Canada Holdings, Inc., *et al.*  
777 Dunsmuir St  
Vancouver, BC V7Y 1K4

Attention: Mike Clark  
Email: maclark@kpmg.ca  
Phone: 604-691-3468

For the avoidance of doubt, any Unresolved Restructuring Claim you may have against the members of the Walter Canada Group and their respective past or present directors or officers must be filed in accordance with the procedures set forth herein.

Additional Proof of Claim forms can be found on the Monitor's website at <http://www.kpmg.com/ca/walterenergycanada> or obtained by contacting the Monitor at the address indicated above and providing particulars as to your name, address, facsimile number and email address. Once the Monitor has this information, you will receive, as soon as practicable, additional Proof of Claim forms.

If you are submitting your Proof of Claim electronically, please submit it in PDF form and ensure that the name of the file is **[legal name of Claimant]poc.pdf**. If you submit your claim electronically and you do **not** receive an email confirming receipt of your Proof of Claim within one (1) business day of submitting the Proof of Claim, your Proof of Claim has **not** been successfully received by the Monitor and you should submit your Proof of Claim using an alternate method.

Any person having an Unresolved Restructuring Claim against any member of the Walter Canada Group or any of their respective past or present directors or officers must send a Proof of Claim to the Monitor such that the Proof of Claim **is received by the Monitor by no later than 5:00 p.m. (Vancouver Time) on October 6, 2017** (the "Restructuring Claims Bar Date")

**IF A PROOF OF CLAIM IN RESPECT OF YOUR CLAIM IS NOT RECEIVED BY THE MONITOR BY OCTOBER 6, 2017:**

- A. **YOUR CLAIM SHALL BE FOREVER BARRED AND EXTINGUISHED AND YOU WILL BE PROHIBITED FROM MAKING OR ENFORCING ANY CLAIM AGAINST ANY MEMBER OF THE WALTER CANADA GROUP AND/OR ANY OF THEIR PAST OR PRESENT DIRECTORS OR OFFICERS;**
- B. **YOU SHALL NOT BE PERMITTED TO VOTE ON THE PLAN OR ENTITLED TO ANY FURTHER NOTICE OR DISTRIBUTION UNDER THE PLAN, IF ANY;**
- C. **YOU SHALL NOT BE ENTITLED TO ANY PROCEEDS OF SALE OF ANY MEMBER OF THE WALTER CANADA GROUP'S ASSETS; AND,**
- D. **YOU SHALL NOT BE ENTITLED TO PARTICIPATE AS A CLAIMANT IN THE CCAA PROCEEDINGS OF ANY MEMBER OF THE WALTER CANADA GROUP.**

Schedule "D"

FORM OF PROOF OF CLAIM

PROOF OF CLAIM  
FOR FILING UNRESOLVED RESTRUCTURING CLAIMS IN RESPECT OF

WALTER ENERGY CANADA HOLDINGS, INC.	NEW WALTER ENERGY CANADA HOLDINGS, INC
WALTER CANADIAN COAL PARTNERSHIP	NEW WALTER CANADIAN COAL CORP
WOLVERINE COAL PARTNERSHIP	NEW WOLVERINE COAL CORP
BRULE COAL PARTNERSHIP	NEW BRULE COAL CORP
WILLOW CREEK COAL PARTNERSHIP	NEW WILLOW CREEK COAL CORP
PINE VALLEY COAL LTD.	

and those other entities listed as Petitioners on Schedule "A" to the Initial Order  
(collectively, the "Walter Canada Group")

Please read the enclosed Instruction Letter carefully prior to completing this Proof of Claim. Defined terms not defined within this Proof of Claim form shall have the meaning ascribed thereto in the Claims Process Amendment Order dated ●, 2017, as may be amended, restated or supplemented from time to time.

1. **Particulars of Claimant**

- a. Please complete the following (Full legal name should be the name of the original Claimant, regardless of whether an assignment of a Claim, or a portion thereof, has occurred prior to or following the Commencement Date) and Full Mailing Address of the Claimant (the Original Claimant, not the Assignee.)

Full Legal Name:	
Full Mailing Address:	
Telephone Number:	
Facsimile Number:	
Email Address:	
Attention (Contact Person):	

- b. Has the Claim been sold, transferred or assigned by the Claimant to another party (an Assignee")

Yes:

No:

2. **Particulars of Assignee (if any)**

Please complete the following if all or a portion of the Claim has been assigned, insert full legal name of assignee(s) of the Claim. If there is more than one assignee, please attach a separate sheet with the required information:

Full Legal Name of Assignee:	
Full Mailing Address of Assignee:	
Telephone Number of Assignee:	
Facsimile Number of Assignee:	
Email Address of Assignee:	
Attention (Contact Person):	

**Proof of Claim**

I, \_\_\_\_\_, (*name of individual Claimant or Representative of corporate Claimant*), of \_\_\_\_\_ (*City, Province or State*) do hereby certify: that I [ \_\_\_ ] am a Claimant; OR

that I [ \_\_\_ ] am a Claimant; OR

[ \_\_\_ ] am \_\_\_\_\_ (*state position or title*) of \_\_\_\_\_ (*name of corporate Claimant*) which is a Claimant;

that I have knowledge of all the circumstances connected with the Claim referred to below;

that \_\_\_\_\_ (*name of applicable Walter Canada Group entity and/or directors and/or officers*) was and still is indebted to the Claimant as follows:

**UNRESOLVED RESTRUCTURING CLAIM**

\$ \_\_\_\_\_ (*insert value of Claim arising after the Commencement Date resulting from the restructuring, disclaimer, resiliation, termination or breach after the Commencement Date of any contract, employment agreement, lease or other agreement or arrangement of any nature whatsoever, whether written or oral*);

that the Claimant's Claim and the Claimant's invoices, statements and/or supporting documents attached are denominated in:

[            ] Canadian Dollars

[            ] U.S. Dollars

[            ] Other \_\_\_\_\_ (*stipulate other currency referenced*)

A. TOTAL CLAIM(S): \$ \_\_\_\_\_

**Nature of Claim:**

*(Check and complete appropriate category)*

[ \_\_\_\_\_ ] A. UNSECURED CLAIM OF\$ \_\_\_\_\_. That in respect of this debt, no assets of any of the Walter Canada Group entities are pledged as security.

[ \_\_\_\_\_ ] B. SECURED CLAIM OF\$ \_\_\_\_\_. That in respect of this debt, assets of \_\_\_\_\_ *(insert name of applicable Walter Canada Group entity)* valued at \$ \_\_\_\_\_ are pledged to me as security, particulars of which are as follows.

*(Give full particulars of the security, including the date on which the security was given and the value at which you assess the security, and attach a copy of the security documents.)*

**Particulars of Claims:**

Other than as already set out herein, the particulars of the undersigned's total Unresolved Restructuring Claim are attached.

*(Provide all particulars of the claims and supporting documentation, including amount, description of transaction(s) or agreement(s) giving rise to the claims, name of any guarantor which has guaranteed the claims, and amount of invoices, particulars of all credits, discounts, etc. claimed, description of the security, if any, granted by the Walter Canada Group entities to the Claimant and estimated value of such security. Where a claim is advanced against any past or present directors or officers, please provide either a reference to a statutory authority for your claim or enclose a draft Notice of Civil Claim.)*

**Filing of Claims:**

This Proof of Claim **must be received by the Monitor by no later than 5:00 p.m. (Vancouver Time) on October 6, 2017** (the "Restructuring Claims Bar Date").

Failure to file your proof of claim as directed by the Restructuring Claims Bar Date will result in your claim being forever barred and extinguished and you will be prohibited from making or enforcing a claim against any of the Walter Canada Group entities and/or any of their respective past or present directors or officers.

KPMG Inc.  
Court-appointed Monitor of New Walter Energy Canada Holdings, Inc., et al.  
777 Dunsmuir St  
Vancouver, BC V7Y 1K4

Attention: Mike Clark  
Email: maclark@kpmg.ca  
Phone: 604-691-3468

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Witness: \_\_\_\_\_

Per: \_\_\_\_\_

Print name of Claimant: \_\_\_\_\_

*If Claimant is not an individual, print name and title of authorised signatory.*

Name:

Title:

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NO. S-1510120  
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA**  
IN THE MATTER OF THE *COMPANIES' CREDITORS*  
*ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED

AND

IN THE MATTER OF THE *BUSINESS CORPORATIONS ACT*,  
S.B.C. 2002, c. 57, AS AMENDED

AND

IN THE MATTER OF THE PLAN OF COMPROMISE AND  
ARRANGEMENT OF NEW WALTER ENERGY CANADA  
HOLDINGS, INC., NEW WALTER CANADIAN COAL CORP.,  
NEW BRULE COAL CORP., NEW WILLOW CREEK COAL  
CORP., NEW WOLVERINE COAL CORP. AND CAMBRIAN  
ENERGYBUILD HOLDINGS ULC

PETITIONERS

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**ORDER MADE AFTER APPLICATION**  
**(Claims Process Amendment Order)**

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**OSLER HOSKIN & HARCOURT LLP**  
Barristers & Solicitors  
1055 West Hastings Street  
Suite 1700, The Guinness Tower  
Vancouver, BC V6E 2E9

Tel. No. 416.862.4924  
Fax No. 416.862.6666

Client Matter No. 1164807