

**U.S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA**

**Honorable Rebecca B. Connelly**

**Monday, March 23, 2015**

*Current as of 3/20/2015 at 3:26 PM*

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**Charlottesville**

**Charlottesville, Room 200, US Courthouse**

**255 W. Main St.**

**Hearing**

**Charlottesville, VA 22902**

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10:00 AM **14-61215**

IBCS Mining, Inc.

Ch 11

**Moving:** Robert S Westermann

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** **376) Approval of Disclosure Statement filed by Debtor**

**Courtroom Deputy Notes:**

Parties to participate by dialing in to court conference #540-769-8744:

Beth Driver, Dale Davenport for Virginia Community Bank

Margaret Garber for U.S. Trustee

Robert Chappell, Timothy Moore for Integral Electrical Services, Inc.

Kirk Vogel for Vezina, Lawrence & Piscitelle, P.A.

**Other Parties:**

David Stetson - Chief Restructuring Officer

Doug Little, Suzanne Trowbridge for Cremer Technical Services, Inc.

Lynn Tavenner, Paula Beran, Patricia Burgess for Community Trust Bank

Aaron McCollough, Whitney Travis for Virginia Electric and Power Company

Jay Jaffe, Chris Perkins for Wells Fargo Bank Northwest, N.A.

Billy Shelton for Southern Coal Corporation

Peter Pearl for for Branch Banking and Trust

Jeremy Williams, Loc Pfeiffer for People's United Equipment Finance Corporation

Rich Maxwell and James Brand for Norshield Security Products, LLC

W. Stephen Scott for Capital Corporation

Alen Tenenbaum for Department of Justice

Danielle Brown for Case Coal Sales, LLC

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10:00 AM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:** Timothy G. Moore

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** 250) Motion to Deem Proof of Claim Timely Filed by Integrated Electrical Services, Inc.  
253) Supplement to Motion to Deem Proof of Claim Timely Filed  
311) Second Supplement to Motion to Deem Proof of Claim Timely Filed

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10:00 AM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** 209) Motion for Entry of Order Authorizing the Debtor to Enter into a Royalty Agreement filed by Debtor  
227) Objection filed by Creditor Branch Banking and Trust Company (Pearl)  
229) Objection filed by Creditor Wells Fargo Bank Northwest, N.A. as Indenture Trustee (Perkins)

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10:00 AM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:** Robert S Westermann

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** 359) Final Hearing on Debtors Second Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to Obtain Limited Post-Petition Date Financing Pursuant to 11 U.S.C. 105 364)(c)(1) 364)(d), and 364)(e); and (II) Scheduling Final Hearing Under Bankruptcy Rule 4001

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10:00 AM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:** Robert S Westermann

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** 327) Debtors Motion for Entry of Interim and Final Orders (I) Authorizing the Use of Cash Collateral; (II) Granting Adequate Protection to BB&T; and (III) Scheduling Final Hearing Filed by Debtor IBCS Mining, Inc.  
335) Objection Filed by Christopher L. Perkins on behalf of Wells Fargo Bank Northwest, N.A. as Indenture Trustee  
337) Objection Filed by Aaron G. McCollough on behalf of Virginia Electric and Power Company  
374) Objection Filed by Peter Pearl on behalf of Branch Banking and Trust Company

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10:00 AM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:** Robert S Westermann

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** 438) Debtors Motion for Entry of an Order Authorizing the Debtors to Enter into Various Mining Agreements

439) Debtors Motion for Entry of an Order Authorizing Post-Petition Date Non-Residential Real Property Lease

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10:00 AM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:** Robert S Westermann

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** 457) Application to Employ Ritchie Bros. Auctioneers Filed by Debtor

458) Motion to Sell Equipment Filed by Debtor

459) Motion to Expedite Hearing on Application to Employ and Motion to Sell Filed by Debtor

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10:00 AM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:** Robert S Westermann

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** 465) Emergency Motion Against Southern Coal Corporation for Civil Contempt, to Compel Compliance with Court Order, and to Impose Sanctions for Violation Thereof Filed by Robert S Westermann on behalf of IBCS Mining, Inc.

466) Motion to Expedite Hearing

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1:00 PM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:**

**Opposing:** Melissa Yvonne York

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** 419) First Omnibus Objection by Debtor to Claim:

#8 and #10 of Kevin Souleyrette

#9 of John Osterberg

#46, #47 and #48 of KDS Contracting

#61 of Department of the Treasury - IRS

#64 of James River Equipment Virginia, LLC

456) Response by James River Equipment Virginia LLC

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1:00 PM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** 420) Second Omnibus Objection by Debtor to Claim  
#72 of Integrated Electrical Services, Inc.  
#73 of Atlas Copco Customer Finance USA LLC  
#75 and #76 of Art's Rental Equipment & Supply Inc.  
#78 of John Deere Construction & Forestry Co.  
#79 of Mountain Aggregates Inc.  
#80 of First and Citizens Bank

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1:00 PM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** 421) Third Omnibus Objection by Debtor to Claim  
#16 of Trey K. Electric  
#20 of Golder Associates, Inc.  
#46 and #48 of KDS Contracting  
451) Response by Golder Associates Inc.

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1:00 PM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** 422) Fourth Omnibus Objection by Debtor to Claim #9, #35, #36, #37 and #38 of John Osterberg

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1:00 PM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** 423) Fifth Omnibus Objection by Debtor to Claim #27 and #28 of Norshield Security Products

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1:00 PM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** 424) Sixth Omnibus Objection by Debtor to Claim #8, #10 and #11 of Kevin Souleyrette

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1:00 PM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** **Doc# 425 Objection by Debtor to Claim No. 7 of Branch Banking & Trust Company; Order and Notice .**

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1:00 PM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** **Doc# 426 Objection by Debtor to Claim No. 29 of KDS Contracting; Order and Notice .**

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1:00 PM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** **Doc# 427 Objection by Debtor to Claim No. 62 of Corinthian Housing and Development Corp. Order and Notice .**

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1:00 PM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** **Doc# 428 Objection by Debtor to Claim No. 69 of Federal Insurance Company Order and Notice .**

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1:00 PM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** **Doc# 429 Objection by Debtor to Claim No. 77 of US Navy CNIC Facilities & Acquisitions; Order and Notice .**

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1:00 PM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:**

**Opposing:** Andrew S Goldstein

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** **Doc# 430 Objection by Debtor to Claim No. 34 of Williams Bros Coal Co, Inc. Order and Notice 462) Response by Williams Brothers Coal Company, Inc.**

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1:00 PM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** **Doc# 431 Objection by Debtor to Claim No. 57 of Richard Rodgers Order and Notice .**

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1:00 PM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** **Doc# 432 Objection by Debtor to Claim No. 66 of Wells Fargo Bank Northwest Order and Notice .**

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1:00 PM 14-61215 IBCS Mining, Inc.  
Ch 11

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert S Westermann

**Matter:** **Doc# 433 Objection by Debtor to Claim No. 70 of Federal Insurance Company; Order and Notice .**

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