

OK COAL

*J. King*  
7/007/0001

UNITED STATES BANKRUPTCY COURT  
EASTERN DIVISION OF KENTUCKY  
LEXINGTON DIVISION

IN RE:

LODESTAR ENERGY, INC.  
LODESTAR HOLDINGS, INC.  
INDUSTRIAL FUELS MINERALS CO.

CASE NO. 01-50969  
CASE NO. 01-50972 and  
CASE NO. 03-70015  
CHAPTER 7

DEBTORS

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**ORDER REGARDING ALLOWANCE AND DISALLOWANCE OF UNCONTESTED  
TIER 3 CLAIMS NOTICES**

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This matter having come before the Court upon the Trustee's Motion for Determination, Allowance and Final Payment to Tier 3 Allowed Claims and to Approve Notice Procedures Regarding Same [Doc. No. 4149], and this Court's Order sustaining the Trustee's Motion [Doc. No. 4169], and the Trustee having filed in the record a copy of the Notice which was served upon all known potential Tier 3 Claims [Doc. No. 4179], and certifying the service of the Notice as set forth in the Trustee's Certificate of Service [Doc. No. 4188], whereby the Trustee served numerous claimants as set forth therein on May 11, May 12, May 15 and May 16, 2006, and the Notice having provided that any claimant who disagreed with the amount of the Tier 3 Claim as proposed by the Trustee having 30 days from the date of the Notice to file and serve written objection, and the Notice having further notified claimants that if no timely written objection was filed, the Trustee would tender an Order to the Court after the 30-day notice period had expired, sustaining the Trustee's proposed Tier 3 allowance without further notice or opportunity for hearing, and the Trustee hereby tendering this Order for claimants for which no written response has been timely received, or who responded that they agreed to the proposed amount, and the

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DIV. OF OIL, GAS & MINING

Court being sufficiently advised and having considered same, and finding that due, proper and adequate notice has been given, it is hereby ORDERED AND ADJUDGED as follows:

1. Each claimant listed on the attached Exhibit A holds an Allowed Tier 3 Claim in the amount set forth in the attached Exhibit A.
2. The claims of all claimants on Exhibit B hereto are disallowed as Tier 3 Claims.
3. The claim of Cook Tire is disallowed as a Tier 3 claim, but is an allowed pre-petition claim in the sum of \$66,168.51 pursuant to this Court's Order of July 29, 2005 [Doc. No. 3269] and is not affected by this Order and remains in full force and effect.
4. This is a final and appealable Order.

Tendered by:

WISE DELCOTTO PLLC

/s/ Laura Day DelCotto, Esq.  
219 North Upper Street  
Lexington, Kentucky 40507  
Tel No. (859) 231-5800  
Fax No. (859) 281-1179  
ldelcotto@wisedel.com  
COUNSEL FOR TRUSTEE

Pursuant to Local Rule 9022-1(c) Wise DelCotto PLLC shall cause a copy of this Order to be served on each of the parties designated to receive this Order in the Electronic Master Service List No. 4, to the party designated below, and those parties designated on the attached Exhibits A and B pursuant to Local Rule 9022-1(a) and shall file with the court a certificate of service of the Order upon such parties, within ten (10) days hereof.

DeAnn Owen Esq.  
Office of the Solicitor  
Rocky Mountain Region  
755 Parfet Street, Suite 151  
Lakewood, CO 80215

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***The affixing of this Court's electronic seal below is proof this document has been signed by the Judge and electronically entered by the Clerk in the official record of this case.***



**Signed By:**  
***Joseph M. Scott***  
**Bankruptcy Judge**  
**Dated: Thursday, June 29, 2006**  
**(jms)**

**EXHIBIT B**

CLAIM NO.	CREDITOR NAME	TIER 3 CLAIM AMOUNT
1167	STAFFORD, BUSTER, ELMER & TINGLER	\$0.00
616	STAKER PAVING & CONSTRUCTION CO	\$0.00
657	STAKER PAVING & CONSTRUCTION CO	\$0.00
1716	STANDARD HYDRAULICS	\$0.00
453	STANDARD HYDRAULICS, INC	\$0.00
196	STANLEY, DENNIS	\$0.00
197	STANLEY, DENNIS	\$0.00
675	STANLEY, DENNIS	\$0.00
676	STANLEY, DENNIS	\$0.00
1355	STANLEY, T. J.	\$0.00
1555	STANLEY, T. J.	\$0.00
1190	STAPLETON, MICKY	\$0.00
1539	STAPLETON, MICKY	\$0.00
517	STARKEY, MARK	\$0.00
518	STARKEY, MARK	\$0.00
1333	STATE ELECTRIC SUPPLY CO	\$0.00
249	STATE OF UTAH	\$0.00
250	STATE OF UTAH	\$0.00
969	STATE STREET BANK	\$0.00
970	STATE STREET BANK	\$0.00
971	STATE STREET BANK	\$0.00
972	STATE STREET BANK	\$0.00
3099	STEPHENS, BYRON	\$0.00
3100	STEPHENS, BYRON	\$0.00
917	STEPHENS, CHARLES E	\$0.00
829	STEPHENS, JAMES W	\$0.00
1214	STEPP, JONAH G & NORMA S	\$0.00
304	STEVENS, DONALD	\$0.00
176	STEWART, DARRELL	\$0.00
714	STEWART, DARRELL	\$0.00
1255	STILLS, FLOYEDITH	\$0.00
1256	STILLS, FLOYEDITH	\$0.00
1254	STILLS, RAYMOND	\$0.00
531	STILWELL, IRIS ANNETTE WALLS	\$0.00
987	STINE, WILLARD C	\$0.00
737	STITES & HARBISON	\$0.00
3165	STOLL, KEENON & PARK LLP	\$0.00
297	STOWERS FIRE EXTINGUISHER	\$0.00
710	STRATA PRODUCTS (USA), INC	\$0.00
323	STRATON SERVICE STATION	\$0.00