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ACT/007/007 #2

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF COLORADO DIVISION

In re: )  
)  
SUNNYSIDE COAL COMPANY, )  
)  
Debtor(s). )  
)  
)  
\_\_\_\_\_ )

Case No. 9412794 CEM

NOTICE PURSUANT TO LOCAL BANKRUPTCY RULE 202 OF FABIAN &  
CLENDENIN'S FIRST APPLICATION FOR ALLOWANCE OF SPECIAL INTERIM  
COMPENSATION FOR SPECIAL COUNSEL TO THE DEBTOR FOR THE PERIOD  
BEGINNING MARCH 25, 1994 AND ENDING JUNE 30, 1994

TO ALL PARTIES IN INTEREST:

NOTICE IS HEREBY GIVEN that the movant named below has applied to this Court or is intending to take action as follows:

The law firm Fabian & Clendenin hereby moves this Court for an order allowing its interim compensation as special counsel to the debtor, pursuant to §§ 327 and 333 of the Bankruptcy Code, as amended. Fabian & Clendenin hereby submits this Application for an

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order allowing interim compensation of \$13,477.25, and reimbursement of expenses of \$594.79 for the period commencing March 25, 1994 and ending June 30, 1994.

A copy of the pleading is available for inspection in the Bankruptcy Court Clerk's Office, or upon request from the undersigned attorney.

Pursuant to Rule 202 of the Local Rules of Bankruptcy Procedure, if you desire to oppose this action you must file a written objection and request for a hearing with the Court on or before September 23, 1994, and serve a copy thereof on the undersigned attorney. Objections and requests for hearing shall clearly specify the grounds upon which they are based, including the citation of supporting legal authority, if any. General objections will not be considered by the Court.

In the absence of a timely and substantiated objection and request for hearing by an interested party, the court may approve or grant the aforementioned application without any further notice to creditors or other interested parties.

DATED this 31<sup>st</sup> day of August, 1994.

  
Denise A. Dragoo  
FABIAN & CLENDENIN,  
a Professional Corporation  
Special Counsel for Debtor