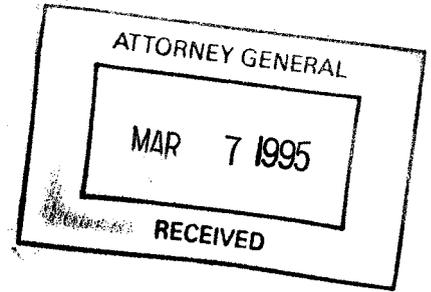


0023

U.S. Bankruptcy Court  
721 19th Street  
Denver, CO 80202

94 - 12794 cem



State of Utah Board and Division of Oil, Gas & Mining  
c/o Utah Attorney General's Office  
#3 Triad Suite 475  
355 West North Temple  
Salt Lake City , UT 84180-1203

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**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO IN BANKRUPTCY**  
**Minutes of Proceedings**

Date: March 2, 1995

**FILED**  
 UNITED STATES BANKRUPTCY COURT  
 DISTRICT OF COLORADO

MAR - 2 1995

In re:

Sunnyside Coal Co.

Debtor(s),

**BRADFORD L. BOLTON, Clerk**  
 BY ..... **DEPUTY CLERK**

Plaintiff(s)/Applicant(s),  
 vs.

Case No. 94 12794 CEM

Defendant(s)/Respondent(s).

Proceeding No. \_\_\_\_\_

Present: Hon. Charles E. Matheson  
*Bankruptcy Judge*

Anne Riordan Tunnell

Electronically Recorded

*Courtroom Deputy*

*Court Reporter*

Trustee \_\_\_\_\_ Counsel Leo Weiss

Debtor(s) \_\_\_\_\_ Counsel Jack Smith

1. Creditors: Committee Counsel Caroline Fuller

2. Creditors: Office of Surface Mining U.S. DOI. / Utah D.O.G.&M. Counsel Robert Clark / Tom Mitchell

3. Creditors: UMWA / UMWA Funds Counsel Sue Tyburski / Joan Burleson

4. Plaintiff: Cities of East Carbon, Sunnyside, Range Creek, P/S / BXG Counsel Mark Fulford / Randy Feuerstein / Bruce Dierking

5. Defendant: Tucker Group / Siglar Group Counsel Jim Burghardt / Thomas Wood

**Proceedings:**

(2) Debtor's Motion for Sale of Assets Outside the Ordinary Course of Business,  
 Free & Clear of Liens

- No appearances  Entry of Appearances and arguments made  
 Witnesses sworn  See attached list  Exhibits entered  See attached list  
 Cities of East Carbon and Sunnyside withdraws its objection to sale

Robert M. Burnham

**Orders:**

Relief sought in complaint/motion:  
 Granted  Denied  Dismissed  Awarded by default

Judgment to enter for:  
 Plaintiff  Defendant  Applicant  Respondent  
 In the amount of \$ \_\_\_\_\_

Matter taken under advisement  
 Oral findings and conclusions made of record

Formal order or Judgment to enter  
 Continued to Monday, March 6, 1995 at 2:00 P.M. for hrg to consider  
 form of order approving sale

March 2, 1995

Date

FOR THE COURT:

Bradford L. Bolton, Clerk

By A.E. Riordan Tunnell  
 Deputy Clerk