

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

In re: : Case No. 94-12794 CEM
 SUNNYSIDE COAL COMPANY : Chapter 7
 :
 Debtor.

*ACT/007/007
#2*

**COVER SHEET FOR TRUSTEE'S THIRD APPLICATION FOR COMPENSATION
AND REQUEST FOR REIMBURSEMENT OF EXPENSES**

Name of Applicant: Kenneth A. Rushton

Authorized to provide
professional services to: The Chapter 7 estate

Date Appointed: June 25, 1995

Period for which
compensation is sought: June 21, 1997 through July 31, 1998.

Amount of fees sought: \$20,397.50

Amount of expense reimbursement sought: \$50.00

Total Fees and Expenses sought: \$20,447.50

This is an: Interim Application [X]; Final Application []

If this is not the first application filed herein by this professional, disclose as to all prior fee applications: The Trustee's First Application for Compensation and Request for Reimbursement of Expenses was filed in June 1996. Pursuant to that Application, an order was entered approving fees in the sum of \$28,403.11 and reimbursement of expenses in the sum of \$917.03. The Trustee's Second Application for Compensation and Request for Reimbursement of Expenses was filed in July of 1997. Pursuant to that Application, an order was entered approving fees in the sum of \$43,140.00 and reimbursement of expenses in the sum of \$330.36. No other interim fee applications have been filed by the Trustee until this Third Application.

The aggregate amount of fees and expenses paid by any entity to the Applicant to date for services rendered and expenses incurred herein is: Fees - \$71,543.11; Reimbursement of Expenses: \$1,247.39.

DATED this 18th day of August, 1998.

LeBOEUF, LAMB, GREENE & MacRAE, L.L.P.

By: James H. Miller #26178
Bart B. Burnett (#21258)
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Steven J. McCardell
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1000 Kearns Building
136 South Main Street
Salt Lake City, Utah 84101

Counsel for Kenneth A. Rushton
Chapter 7 Trustee

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLORADO

In re:

SUNNYSIDE COAL COMPANY,

Debtor.

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CASE NO. 94-12794 CEM

Chapter 7

**NOTICE PURSUANT TO LOCAL BANKRUPTCY RULE 202
OF TRUSTEE'S THIRD APPLICATION FOR COMPENSATION AND
REQUEST FOR REIMBURSEMENT OF EXPENSES**

TO ALL PARTIES IN INTEREST:

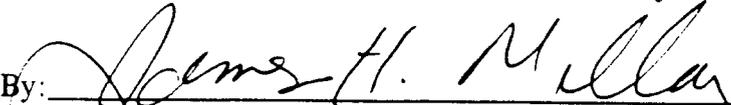
NOTICE IS HEREBY GIVEN that Trustee's Third Application for Compensation and Request for Reimbursement of Expenses (the "Application") has been filed. Pursuant to the Application, the Trustee seeks compensation in the amount of \$20,397.50 for the period of June 21, 1997 through July 31, 1998 and reimbursement of actual and necessary out-of-pocket expenses of \$50.00 incurred during the same period for total compensation of \$20,447.50. A complete copy of the Application is available 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 the relief sought in the Application, you must file a written objection and request for hearing with the Court, on or before Thursday, September 10, 1998, and serve a copy thereof on the undersigned attorneys. Objections and requests for hearing shall clearly specify the grounds on 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 enter its Order approving the Application without further notice to creditors or other interested parties.

Dated this 18th day of August, 1998.

LeBOEUF, LAMB, GREENE & MacRAE, L.L.P.

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and

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