

OGMCOAL - Re: Fwd: RE: cw mining permit

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From: Mark Reynolds <mark.reynolds@hiawathacoal.com>  
To: Dana Dean <danadean@utah.gov>  
Date: 12/15/2008 2:20 PM  
Subject: Re: Fwd: RE: cw mining permit  
CC: Steve Alder <STEVEALDER@utah.gov>

*Incoming*  
*12/15/0025*  
*GA*

Dana,

I have been trying to get talk to you about this matter and other matters but just get your voice mail. I thought the lawyers for C. W. Mining and Hiawatha were very clear what our position was in the meeting we had, it was unfortunate that you were not in it, and have never heard our side of the argument. Both C. W. Mining and Hiawatha are contacting their lawyers and I am sure they will be talking to you today. I am asking you to please hold off on any decisions until you have talked to them. They are experts in bankruptcy law and when I listen to them, it seems very clear to me that Hiawatha has a right to continue mining, but that is just my understanding. Please listen to our lawyers and the laws and precedences they cite and then make your decision.

Mark.

Dana Dean wrote:

Mark,

We have been informed by Chris Jones, of Prince Yeates, council to the Trustee that: "...the Trustee is and will oppose the transfer o  
They feel that the July contempt order issued in the bankruptcy case specifically invalidates and voids the transfer of operating autho  
Our attorney, Steve Alder, is asking for clarification of what Mr. Jones is relying on to say that the transfer was invalidated, our un  
In any case, the fact that the Trustee is opposing the transfer, and that we still have not received assurance of bond coverage for the  
Please feel free to contact me to discuss this situation.

Dana Dean, P.E.  
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Utah Division of Oil, Gas, and Mining  
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