

)	Chapter 11
In re)	
)	Case No. 19 – 11047 (KG)
CLOUD PEAK ENERGY INC., <i>et al.</i> ,)	
)	(Jointly Administered)
Debtors. ¹)	
)	Re: Docket Nos. 52 & 272

RLF1 21482638v.1

Order”). A final hearing to approve the Auction and Sale is scheduled to take place on **August 7, 2019 at 2:00 p.m. (prevailing Eastern Time)**.

PLEASE TAKE FURTHER NOTICE that, to ensure that the Auction and Sales process maximizes value for the benefit of the Debtors’ estates, the following key dates and deadlines have been established by the Debtors, pursuant to the Bidding Procedures Order, and are as follows:

- a. **Indication of Interest Deadline.** **June 14, 2019, at 5:00 p.m. (prevailing Eastern Time)**, was the deadline by which any party interested in a transaction was required to submit a non-binding indication of interest, *provided, however*, that the Debtors maintain the right³ to waive the requirement for Eligible Bidders to submit an Indication of Interest for any party.
- b. **Bid Deadline.** **July 25, 2019, at 5:00 p.m. (prevailing Eastern Time)**, is the deadline by which bids for the Assets (as well as the deposit and all other documentation required under the Bidding Procedures for Qualified Bidders) must be submitted.
- c. **Assigned Contract Objection Deadline.** **July 26, 2019, at 11:00 a.m. (prevailing Eastern Time)**, is the deadline by which all objections to the assumption and assignment of the Assigned Contracts or the Cure Costs (other than the Supplemental Assigned Contract Objections which are subject to the Supplemental Assigned Contract Objection Deadline) must be submitted.
- d. **Stalking Horse Bidder and Bid Protections.** The Debtors may, at any time until two calendar days prior to the date of the Auction, select one or more parties to be a Stalking Horse Bidder with respect to some or all of the Debtors’ Assets.
- e. **Auction.** **August 1, 2019, at 11:00 a.m. (prevailing Eastern Time)** is the date and time that the Auction, if any, will be held at Centerview Partners LLC, 31 West 52nd Street, 22nd Floor, New York, New York, 10019, or such later date, time, and location, as selected by the Debtors.
- f. **Sale Objection Deadline.** **August 5, 2019, at 11:00 a.m. (prevailing Eastern Time)** is the deadline by which all objections to the Sale (other than the Assigned Contract Objections and Supplemental Assigned Contract Objections which are subject to the Assigned Contract Objection Deadline and Supplemental Assigned Contract Objection Deadline, respectively) must be filed with the Court.
- g. **Sale Hearing.** The hearing approving the Sale to the Winning Bidder(s) shall take place before the Court on **August 7, 2019, at 2:00 p.m. (prevailing Eastern Time)**.

³ In the Debtors’ reasonable business judgment in consultation with the Consultation Parties.

PLEASE TAKE FURTHER NOTICE THAT objections, if any, to the Sale, assumption and assignment of the Assigned Contracts or the Cure Costs must be (i) in writing; (ii) comply with the applicable provisions of the Bankruptcy Rules, Local Rules, and any order governing the administration of these chapter 11 cases; and (iii) state with specificity the nature of the objection and, if the objection pertains to the proposed Cure Costs, state the cure amount alleged to be owed to the objecting Contract Counterparty, together with any applicable and appropriate documentation in support thereof; and (iv) be filed with the Court no later than **the Sale Objection Deadline, Assigned Contract Objection Deadline, or Supplemental Assigned Contract Objection Deadline, as applicable.**

PLEASE TAKE FURTHER NOTICE THAT, UNLESS AN OBJECTION IS TIMELY FILED IN ACCORDANCE WITH THIS NOTICE, IT MAY NOT BE CONSIDERED BY THE COURT AND THE COURT MAY GRANT THE RELIEF REQUESTED WITHOUT FURTHER HEARING AND NOTICE.

Dated: June 28, 2019
Wilmington, Delaware

/s/ David T. Queroli

RICHARDS, LAYTON & FINGER, P.A.

Daniel J. DeFranceschi (No. 2732)
John H. Knight (No. 3848)
David T. Queroli (No. 6318)
One Rodney Square
920 North King Street
Wilmington, DE 19801
Tel: 302.651.7700
Fax: 302.651.7701
defranceschi@rlf.com; knight@rlf.com;
queroli@rlf.com

- and -

VINSON & ELKINS LLP

David S. Meyer (admitted *pro hac vice*)
Jessica C. Peet (admitted *pro hac vice*)
Lauren R. Kanzer (admitted *pro hac vice*)
666 Fifth Avenue, 26th Floor
New York, NY 10103-0040
Tel: 212.237.0000
Fax: 212.237.0100
dmeyer@velaw.com; jpeet@velaw.com;
lkanzer@velaw.com

- and -

Paul E. Heath (admitted *pro hac vice*)
2001 Ross Avenue, Suite 3900
Dallas, TX 75201
Tel: 214.220.7700
Fax: 214.220.7716
pheath@velaw.com

*Attorneys for the Debtors and Debtors in
Possession*