

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF WEST VIRGINIA  
AT CLARKSBURG

**XCOAL ENERGY RESOURCES,**  
**Plaintiff,**

v.

**WRIT OF EXECUTION**

**Case No. 1:22-mc-00009-TSK**

**BLUESTONE ENERGY SALES  
CORPORATION, SOUTHERN  
COAL CORPORATION; and  
JAMES C. JUSTICE, II,**  
**Defendants.**

**IN THE NAME OF THE UNITED STATES OF AMERICA:**

**TO THE UNITED STATES MARSHAL  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA:**

Pursuant to the judgment issued by the United States District Court for the District of Delaware on April 14, 2021, amended on September 28, 2021, and registered in the United States District Court for Northern District of West Virginia at Clarksburg on May 5, 2022, we command you that of the goods and chattels of **James C. Justice, II** in your bailiwick, you cause to be made the sum of **\$1,828,356.08** with interest thereon at a rate of 0.00000164% per day from April 14, 2021,<sup>1</sup> until paid, which the above named **Xcoal Energy Resources** recovered against the named **James C. Justice, II** and make your return thereof on **June 5, 2023**.

**Cheryl Dean Riley**

**CHERYL DEAN RILEY, CLERK OF COURT**

Date: 05/12/2023

BY: S. Cole

**DEPUTY CLERK**

<sup>1</sup> Interest shall be applied to the Judgment amount of \$10,005,283.08 at a rate of 0.00000164% per day from April 14, 2021, through December 5, 2022, when Judgment Debtors partially satisfied the Judgment. The amount of \$1,828,356.08 does not account for post-judgment interest accrued between April 14, 2021, through December 5, 2022.

**RETURN ON WRIT OF EXECUTION**

*(FOR COMPLETION BY THE UNITED STATES MARSHAL OR A DEPUTY UNITED STATES MARSHAL)*

**This writ was received and executed.**

**DATE RECEIVED:** \_\_\_\_\_ **DATE EXECUTED:** \_\_\_\_\_

**COMMENTS:**

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**UNITED STATES MARSHAL**

**BY:** \_\_\_\_\_  
**DEPUTY MARSHAL**

U.S. Department of Justice  
United States Marshals Service

# PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF XCOAL ENERGY RESOURCES		COURT CASE NUMBER 1:22-mc-00009
DEFENDANT BLUESTONE ENERGY SALES CORPORATION, et. al.		TYPE OF PROCESS Writ of Execution
SERVE AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN James C. Justice, II	
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 1716 Kanawha Blvd E, Charleston, WV 25305	
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW James C. Walls, III 501 Grant Street, Suite 200 Pittsburgh, PA 15219		Number of process to be served with this Form 285 <b>1</b> Number of parties to be served in this case <b>1</b> Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Alternative Address: 264 Dwyer Ln., Lewisburg, WV 24901

Signature of Attorney other Originator requesting service on behalf of: <b>James C. Walls, III</b> Digitally signed by James C. Walls, III Date: 2023.05.04 16:08:39 -04'00'	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 412-562-1506	DATE 5/4/2023
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## SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process _____	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk _____	Date _____
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)	Date	Time <input type="checkbox"/> am <input type="checkbox"/> pm
Address (complete only different than shown above)		Signature of U.S. Marshal or Deputy

Costs shown on attached USMS Cost Sheet >>

REMARKS