



*Frank W. Volk*

Frank W. Volk, Chief Judge  
United States Bankruptcy Court  
Southern District of West Virginia

**Dated: September 20th,  
2019**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

In re:	)	Chapter 11
	)	
Blackjewel, L.L.C., <i>et al.</i> ,	)	Case No. 19-30289
	)	
Debtors. <sup>1</sup>	)	(Jointly Administered)
	)	
Shawn Abner, Jacob Helton,	)	
Billy Hatton, Individually and	)	
on behalf of others similarly	)	
situated,	)	
	)	
Plaintiffs,	)	Adversary Proceeding No.: 19-ap-03003
	)	
v.	)	
	)	
Blackjewel, L.L.C., Revelation	)	
Energy, LLC, Lexington Coal	)	
Co., LLC, Jeff Hoops, Sr., Jerrers	)	
A. Hoops, II	)	
	)	
Defendants.	)	

**STIPULATION AND AGREED ORDER**

This matter came before the Court upon the *Class Action Adversary Proceeding Complaint* [Adv. Docket No. 1] (the “Complaint”) filed by the putative employee class action plaintiffs (the

<sup>1</sup> The Debtors in these chapter 11 cases and the last four digits of each Debtor’s taxpayer identification number are as follows: Blackjewel, L.L.C. (0823); Blackjewel Holdings L.L.C. (4745); Revelation Energy Holdings, LLC (8795); Revelation Management Corporation (8908); Revelation Energy, LLC (4605); Dominion Coal Corporation (2957); Harold Keene Coal Co. LLC (6749); Vansant Coal Corporation (2785); Lone Mountain Processing, LLC (0457); Powell Mountain Energy, LLC (1024); and Cumberland River Coal LLC (2213). The headquarters for each of the Debtors is located at 1051 Main Street, Milton, West Virginia 25541-1215.

“Plaintiffs”); and Blackjewel, L.L.C. and its affiliated debtors and debtors-in-possession (collectively, the “Blackjewel Defendants,” and with the Plaintiffs, the “Stipulating Parties”) having filed the *Debtors’ Motion to Stay Adversary Proceeding* (the “Motion”) [Adv. Docket No. 7]; and the Court having scheduled a hearing on the Motion on September 11, 2019 at 1:30 p.m. prevailing Eastern Time [Adv. Docket No. 12]; and the Stipulating Parties having been engaged in good faith negotiations to resolve the outstanding matters addressed in the Motion without Court intervention.

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that:

1. The Motion is withdrawn, without prejudice.
2. The Plaintiffs have agreed to extend the time by which the Blackjewel Defendants may move or otherwise plead in response to the Complaint until and including October 21, 2019.
3. The Stipulating Parties will promptly start negotiating a consensual resolution of the matters subject to the Complaint.
4. If no consensual resolution on the matters subject to the Complaint can be reached by October 1, 2019, the Stipulating Parties agree (i) to meet and confer between October 1, 2019 and October 15, 2019, and (ii) to commence mediation in person with Magistrate Judge Omar Aboulhosn, or another agreeable mediator, by no later than October 15, 2019.
5. In the event the Plaintiffs file a motion for class certification, the Blackjewel Defendants will have until October 21, 2019 to respond to such motion.
6. The 14-day stay of effectiveness is waived.

Submitted by:

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– and –

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*/s/ Stephen D. Lerner*

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