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To: [andrew.kuhlmann](#)
Cc: [Jeffrey S. Pope](#)
Subject: FW: Brook Mining/Big Horn Coal Co. - Order Denying Motion for Summary Judgment
Date: Friday, October 16, 2015 5:59:33 PM
Attachments: [2015-09-21 Order Denying Motion for Summary Judgment.pdf](#)
[image001.gif](#)

Exhibit 28

Hi Andrew!

As always, I enjoyed the time we spent together yesterday.

As promised, please find attached Judge Edleman's perplexing order. I will let you know what happens at the November 23 scheduling conference.

Jeff Pope and I are going to work on a memo to you on the legal question you posed involving Padlock Ranch being a qualified agricultural entity and will try and have it to you by the end of October.

Some good news, I discovered that the proposed Sheridan Industrial Park will not be built on Big Horn Coal surface. So that takes care of one more potential problem with BHC.

The proposed industrial park is supposed to be privately held information until the governor's office announces it in conjunction with RAMACO when the permit is issued. So mum's the word.

Let me know if you need anything else. Tom