

CONSOLIDATED ACTIONS

IN THE CIRCUIT COURT OF MCDOWELL COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION

BLUESTONE COAL CORPORATION,
Plaintiff,

v.

Civil Action No. 14-C-45

CHESTNUT LAND HOLDINGS, LLC,
Defendant.

AND

IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION

CHESTNUT LAND HOLDINGS, LLC,
Plaintiff,

v.

Civil Action No. 14-C-268

BLUESTONE COAL CORPORATION,
a West Virginia Corporation, and
Mechel Bluestone, Inc.,
a Delaware Corporation,
Defendants.

DISMISSAL ORDER

On a prior date came Bluestone Resources, Inc., by corporate representative, James C. Justice, III, and came Chestnut Land Holdings, LLC, by counsel Kenneth Brent Marston and Catherine J. Huff, of Gentry Locke, and by counsel James M. Brown, advising the Court of the following, upon all of which the above-referenced matters are concluded and hereby dismissed:

Until recently, Bluestone Coal Corporation was a subsidiary of Mechel Bluestone, Inc. Mechel Bluestone, Inc., was controlled by Mechel OAO, a Russian entity. At all times relevant hereto, Chestnut Land Holdings was and is a subsidiary of the James C. Justice Companies, Inc.,

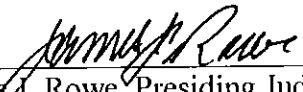
owned by James C. Justice, II. Mechel OAO and James C. Justice Companies, Inc. were involved in litigation pending in the Court of Chancery of the State of Delaware, C.A. No. 9218-VCL. The Delaware case recently resolved and, as part of the resolution, Mechel OAO and its subsidiaries, Bluestone Coal Corporation and Mechel Bluestone, Inc., were purchased by Bluestone Resources, Inc., an entity owned by James C. Justice, II. Accordingly, and the parties are now under common ownership, and have represented to the Court that they agree to a dismissal with prejudice of the above-referenced actions. A hearing on this matter is not required as a result of the clarity of the record before the Court.

Accordingly, it is hereby ORDERED that the above-referenced matters are each dismissed, with prejudice, as to all parties, with each party to bear its own attorneys' fees and costs.

Further, it is hereby ORDERED that the bond required of Bluestone Coal Corporation in consideration of the preliminary injunction previously granted by this Court, which was deposited with the Circuit Clerk of McDowell County on July 18, 2014, that being in the sum of \$560,000.00, be RELEASED, and that the bond previously required of Chestnut Land Holdings in consideration of the preliminary injunction granted in the Circuit Court of Raleigh County, which was deposited with the Clerk of that Court on March 27, 2014, that being in the sum of \$100,000.00, be RELEASED; along with any other bonds or securities previously required to be provided or paid by the parties in the above-captioned matters. This being a final order, the Court directs the Circuit Clerks of McDowell and Raleigh counties to retire the above-captioned matters from their respective dockets and place them among the causes ended. The Circuit Clerk of McDowell County is directed to forward a copy of this Order to all counsel of record and to any pro se parties; to the Honorable James H. Young, Jr., Resolution Judge, Wayne County

Courthouse, P.O. Box 38, 700 Hendricks Street, Wayne, West Virginia; and to the Business Court Division Central Office, Berkeley County Judicial Center, 380 W. South Street, Martinsburg, West Virginia 25401. The Circuit Clerk of Raleigh County is directed to forward a copy of this Order to all counsel of record and any pro se parties; to the Honorable James H. Young, Jr., Resolution Judge, Wayne County Courthouse, P.O. Box 38, 700 Hendricks Street, Wayne, West Virginia; and to the Business Court Division Central Office, Berkeley County Judicial Center, 380 W. South Street, Martinsburg, West Virginia 25401.

IT IS SO ORDERED this 17th day of March, 2015.


James J. Rowe, Presiding Judge
Business Court Division

A TRUE COPY TESTE
FRANCINE SPENCER CLERK
BY 