

STATE OF  
COLORADO

Ebert - DNR, Jared &lt;jared.ebert@state.co.us&gt;

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## New Elk Coal Company

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**David A Rychalsky** <drychalsky@capstonepartners.com>  
To: "Ebert - DNR, Jared" <jared.ebert@state.co.us>

Mon, Aug 12, 2024 at 11:15 AM

Hi Jared- Apologies for the delay.

I resigned as CRO and Director of New Elk (and their affiliated Debtors) upon dismissal of the Bankruptcy Cases on July 25<sup>th</sup>. We were not able to close a deal prior to my resignation. As of now, my understanding is that the parties (secured lender and prospective buyer- John Buagues/Lightfoot- who you or your office may have spoken too) are still discussing a transaction, but I am not privy to the details or likelihood of a sale. I will ask John B to keep you apprised.

Best

David

**David A. Rychalsky**

Managing Director

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