

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:

Peabody Energy Corporation, et al.,
Debtors.

Chapter 11

Case No. 16-42529-399

Jointly Administered

Hearing Date and Time:
May 17, 2016 at 10:00 a.m. Central

Response Date: May 12, 2016 at
5:00 p.m. Central

Hearing Location:
Thomas F. Eagleton US Courthouse
111 S. 10th Street
5th Floor, North Courtroom
St. Louis, MO 63102

NOTICE OF FINAL HEARING ON CERTAIN "FIRST-DAY" MOTIONS

PLEASE TAKE NOTICE: That the final hearing on the below listed motions (the "Motions") has been scheduled for May 17, 2016 at 10:00 a.m. (Central) at the United States Bankruptcy Court for the Eastern District of Missouri, Eastern Division, Thomas F. Eagleton US Courthouse, 111 S. Tenth Street, 5th Floor – North Courtroom, St. Louis, MO 63102:

1. **"Counsel"** — Application of the Debtors and Debtors in Possession, Pursuant to Sections 327(a) and 329(a) of the Bankruptcy Code, Bankruptcy Rules 2014(a) and 2016(b) and Local Bankruptcy Rules 2014(A) and 2016-1, for an Order Authorizing the Debtors and Debtors in Possession to Retain and Employ Jones Day as Counsel, Effective as of the Petition Date (Final Order) [Doc. No. 42];
2. **"Local Co-Counsel"** — Application of the Debtors and Debtors in Possession, Pursuant to Sections 327(a) and 329(a) of the Bankruptcy Code, Bankruptcy Rules 2014(a) and 2016(b) and Local Bankruptcy Rules 2014(A) and 2016-1, for an Order Authorizing the Debtors and Debtors in Possession to Retain and Employ Armstrong Teasdale LLP as Co-Counsel, Effective as of the Petition Date (Final Order) [Doc. No. 43];



3. **"Financial Advisor"** — Application of the Debtors and Debtors in Possession, Pursuant to Sections 327(a) and 1107(b) of the Bankruptcy Code, Bankruptcy Rule 2014(a) and Local Bankruptcy Rule 2014(A), for an Order Authorizing the Debtors and Debtors in Possession to Retain and Employ FTI Consulting, Inc. as Financial Advisors, Nunc Pro Tunc to the Petition Date (Final Order) [Doc. No. 54];
4. **"Investment Banker"** — Application of the Debtors and Debtors in Possession, Pursuant to Sections 327(a), 328(a) and 1107(b) of the Bankruptcy Code, Bankruptcy Rules 2014(a) and 2016 and Local Bankruptcy Rules 2014(A) and 2016-1, for an Order Authorizing the Debtors and Debtors in Possession to Retain and Employ Lazard Frères & Co. LLC and Lazard Pty Limited as Investment Banker, Nunc Pro Tunc to the Petition Date (Final Order) [Doc. No. 55];
5. **"Employee Wages and Benefits"** — Motion of Debtors and Debtors in Possession for an Order: (I) Authorizing Payment of Prepetition Employee Wages and Benefits (II) Authorizing Payment and Continuation of Certain Postpetition Employee Wages and Benefits; (III) Authorizing Payment of Costs and Expenses Incident to the Foregoing; (IV) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers; and (V) Granting Other Related Relief (Final Order) [Doc. Nos. 18, 109];
6. **"Trading Motion"** — Motion of the Debtors and Debtors in Possession, Pursuant to Sections 105(a), 362 and 541 of the Bankruptcy Code, for Entry of Interim and Final Orders: (I) Establishing Notice and Objection Procedures for Transfers of Equity Securities; (II) Establishing a Record Date for Notice and Sell-Down Procedures for Trading in Claims Against the Debtors' Estates; and (III) Granting Related Relief (Final Order) [Doc. Nos. 22, 135, 189];
7. **"Surety Bonds"** — Motion of the Debtors and Debtors in Possession, Pursuant to Sections 105(a), 363 and 364 of the Bankruptcy Code, for Interim and Final Orders (I) Authorizing the Debtors to Maintain, Continue and Renew their Surety Bond Program and (II) Granting Certain Related Relief (Final Order) [Doc. Nos. 23, 136];
8. **"Essential Suppliers"** — Motion of the Debtors and Debtors in Possession, Pursuant to Sections 105(a), 363 and 503(b)(9) of the Bankruptcy Code, for Interim and Final Orders Authorizing Them to Pay Prepetition Claims of Certain Essential Suppliers and Service Providers (Final Order) [Doc. Nos. 28, 123, 191];
9. **"ADM Motion"** — Motion of the Debtors and Debtors in Possession for Entry of Interim and Final Orders (I) Authorizing the Continuation and Assumption of the ADM Agreement and (II) Granting Related Relief (Final Order) [Doc. Nos. 32, 134];

10. **“Cash Management”** — Motion of the Debtors and Debtors in Possession, Pursuant to Sections 345, 363(c)(1), 364, 503(b)(1) and 553 of the Bankruptcy Code, for Interim and Final Orders: (I) Approving the Continued Use of the Debtors' Cash Management System, Bank Accounts and Business Forms; (II) Granting a Waiver of the Requirements of Section 345(b) and Certain of the U.S. Trustee's Operating Guidelines; (III) Permitting Continued Intercompany Transactions; (IV) Preserving and Permitting the Exercise of Intercompany Setoff Rights; and (V) Authorizing Banks to Honor Certain Transfers and Charge Certain Fees and Other Amounts (Final Order) [Doc. Nos. 34, 111];and
11. **“Workers' Compensation and Insurance”** — Motion of the Debtors and Debtors in Possession, Pursuant to Sections 105(a), 363 and 364 of the Bankruptcy Code, for Interim and Final Orders Authorizing Them to: (I) Maintain, Continue and Renew Their Property Casualty, Liability, Workers' Compensation and Other Insurance Programs, Policies and Agreements; and (II) Honor Certain Prepetition Obligations in Respect Thereof (Final Order) [Doc. Nos. 53, 152].

WARNING: Any response or objection to the Motions or the relief requested therein must be filed with the Court by May 12, 2016 at 5:00 p.m. (Central). A copy of such response or objection must be promptly served in accordance with the Court's Order Establishing Certain Notice, Case Management and Administrative Procedures dated April 15, 2016 (ECF No. 114). Failure to file a timely response may result in the Court granting the relief requested prior to the hearing date.

Dated: April 22, 2016
St. Louis, Missouri

Respectfully submitted,

/s/ Susan K. Ehlers

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