

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

In re:

Peabody Energy Corporation, et al.,  
Debtors.

Case No. 16-42529-399  
CHAPTER 11

Jointly Administered

Re: Docket No. 585

**ORDER ESTABLISHING BAR DATES FOR FILING PROOFS  
OF CLAIM AND APPROVING FORM AND MANNER OF NOTICE THEREOF**

This matter coming before the Court on the Motion of the Debtors for an Order Establishing Bar Dates for Filing Proofs of Claim and Approving Form and Manner of Notice Thereof (the "Motion"),<sup>1</sup> filed by the above-captioned debtors and debtors in possession (collectively, the "Debtors", and each a "Debtor"); the Court having reviewed the Motion and having heard the statements of counsel with respect to the Motion at a hearing before the Court (the "Hearing"); the Court finding that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b), (c) venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409, (d) the relief requested is in the best interests of the Debtors, their estates and their creditors and (e) notice of the Motion and the Hearing was sufficient under the circumstances and no further notice is necessary; and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein;

<sup>1</sup> Capitalized terms not otherwise defined herein have the meanings given to them in the Motion.



ORDERED THAT, pursuant to sections 105, 501 and 503 of the Bankruptcy Code, Bankruptcy Rules 2002 and 3003(c) and Local Rules 3001 and 3003, the Motion is GRANTED in that:

1. As used herein, (a) the term "claim" has the meaning given to such term in section 101(5) of the Bankruptcy Code, (b) the term "entity" has the meaning given to such term in section 101(15) of the Bankruptcy Code and (c) the term "governmental unit" has the meaning given to such term in section 101(27) of the Bankruptcy Code.

2. The forms of the Bar Date Notice, the Proof of Claim Form and the Publication Notice attached hereto and to the Motion as Exhibit A, Exhibit B and Exhibit C, respectively, and the manner of providing notice of the Bar Dates proposed in the Motion are approved in all respects pursuant to Bankruptcy Rules 2002(a)(7) and 2002(1). The form and manner of notice of the Bar Dates approved herein are (a) reasonable and adequate and (b) fulfill the notice requirements of the Bankruptcy Code, the Bankruptcy Rules and the Local Bankruptcy Rules. As such, the Debtors are authorized to serve the Bar Date Notice Package in the manner described in paragraphs 9, 19 and 20 below and publish the Publication Notice as described in paragraph 18 below.

3. Except as otherwise provided in this Order, all entities (including, without limitation, individuals, partnerships, corporations, joint ventures, and trusts) that assert a claim against a Debtor that arose or is deemed to have arisen prior to the Petition Date must file a proof of claim in writing in accordance with the procedures described herein so that such proof of claim is actually received by KCC on or before 11:59 p.m., Central Time, on August 19, 2016 (the "General Bar Date").

4. Except as otherwise provided in this Order, the General Bar Date applies to all types of claims against the Debtors that arose prior to the Petition Date, including secured claims, unsecured priority claims, claims under section 503(b)(9) of the Bankruptcy Code, and unsecured nonpriority claims.

5. The filing of a proof of claim form is deemed to satisfy the procedural requirements for the assertion of administrative priority claims under section 503(b)(9) of the Bankruptcy Code; provided, however, that all other administrative claims under section 503(b) of the Bankruptcy Code, other than Rejection Damage Claims (as defined below), must be made by separate requests for payment in accordance with section 503(a) of the Bankruptcy Code and will not be deemed proper if made by a proof of claim.

6. Within five business days after the entry of this Order, the Debtors will serve, through their claims, noticing and balloting agent Kurtzman Carson Consultants, LLC ("KCC"), the Bar Date Notice and a Proof of Claim Form upon all creditors that have been identified as of the date of entry of this Order. KCC shall, using the Court's ECF System as instructed by the Clerk, electronically file with the Court all proofs of claim that KCC has received or will receive in these cases. Upon receipt of a proof of claim or a transfer of claim, KCC shall stamp the receipt date and time on the document before filing it with the Court. The Clerk need not physically transfer any claim that she receives electronically to KCC. The Clerk shall, by using KCC's overnight express account, transmit to KCC any paper proof of claim that she receives.

7. Subject to terms described in this order for holders of claims subject to the Governmental Bar Date, Rejection Bar Date, and the Amended Schedules Bar Date, the following entities must file a proof of claim on or before the General Bar Date:

(a) any entity (i) whose prepetition claim against a Debtor is not listed in the applicable Debtor's Schedules or is listed as disputed, contingent or unliquidated and (ii) that desires to participate in any of these chapter 11 cases or share in any distribution in any of them; and

(b) any entity that believes that its prepetition claim is improperly classified in the Schedules or is listed in an incorrect amount or against an incorrect Debtor and that desires to have its claim allowed in a classification or amount or against a Debtor other than that identified in the Schedules.

8. The following procedures for the filing of proofs of claim shall apply:

(a) proofs of claim must be on the Proof of Claim Form attached hereto as Exhibit B or otherwise conform substantially to Official Form B 410;

(b) proofs of claim must be sent either (a) by first-class mail, overnight courier, or hand-delivery to Peabody Energy Corp Claims Processing Center, c/o KCC, 2335 Alaska Avenue, El Segundo, CA 90245; (b) electronically using the interface available on KCC's website at <https://epoc.kccllc.net/peabody>; or (c) electronically using Court's website at <http://www.moeb.uscourts.gov/epoc>. **Proofs of claim may NOT be delivered by facsimile or electronic mail transmission;**

(c) proofs of claim will be deemed filed only when actually received by KCC or the Court per the instructions set forth in the foregoing subparagraph on or before the applicable Bar Date. If a creditor wishes to receive acknowledgement of KCC's receipt of a proof of claim, the creditor also must submit to KCC by the applicable Bar Date and concurrently with its original proof of claim (i) a copy of the original proof of claim and (ii) a self-addressed, postage prepaid return envelope. Received proofs of claim will also be posted on KCC's website, [www.kccllc.net/peabody](http://www.kccllc.net/peabody) as soon as is practicable after they are received;<sup>2</sup>

(d) proofs of claim must (i) be signed by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant (electronic signature is acceptable), (ii) include any documents upon which the claim is based (or, if such documents are voluminous, a summary) or an explanation as to why the documents are not available, (iii) be written in the English language and (iv) be denominated in United States currency; and

(e) All Claimants asserting a Claim against more than one Debtor must file a separate Proof of Claim with respect to each such Debtor and identify on each Proof of Claim the particular Debtor against which such Claim is asserted and the case number for that particular Debtor. If any Proof of Claim does not clearly specify the name of the Debtor against which the claim is asserted (including listing multiple

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<sup>2</sup> The Debtors cannot guarantee that Proofs of Claim submitted near the Bar Date will be posted prior to the Bar Date.

Debtors), that Proof of Claim shall be administered as though it was filed against Peabody Energy Corporation, unless a single different case number is clearly specified. Notwithstanding the foregoing, the failure of any entity to file its Proof of Claim against the correct Debtor shall not constitute cause to expunge the Proof of Claim. Rather, the Debtors may seek to reclassify the Proof of Claim so that the claim is asserted against the proper Debtor on notice to the affected claimant.

9. The following entities, whose claims otherwise would be subject to the General Bar Date, shall not be required to file proofs of claim in these chapter 11 cases:

(a) any entity that already has filed a signed proof of claim against the applicable Debtor(s) with KCC or the Clerk of the Bankruptcy Court for the Eastern District of Missouri in a form substantially similar to Official Form B 410;

(b) any entity whose claim is listed on the Schedules filed by the Debtors if (i) the claim is not scheduled as disputed, contingent or unliquidated and (ii) the entity agrees with the amount, nature and priority of the claim as set forth in the Schedules and (iii) the entity does not dispute that the claim is an obligation of the specific Debtor(s) in whose Schedules the claim is listed;

(c) any holder of a claim that heretofore has been allowed by a final order of this Court;

(d) any holder of a claim that has been paid in full by any of the Debtors (or any other party);

(e) any holder of a claim for which a specific deadline to file a proof of claim previously has been fixed by this Court;

(f) any Debtor or affiliate of a Debtor having a claim against a Debtor; provided, however, for the avoidance of doubt, that any non-Debtor affiliate having a claim against a Debtor in these above-captioned cases not listed on the Schedules must file a proof of claim;

(g) any current employee for regular prepetition wages and benefits that were allowed to be paid pursuant to the *Order Granting in Part Motion of the Debtors and Debtors in Possession and: (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* [D.I. 109]; provided, however, that if an employee believes that he or she has a claim against any of the Debtors for anything other than regular wages or benefits, then the employee must file a proof of claim by the General Bar Date;

(h) any person or entity that holds or asserts a claim that is limited exclusively to the repayment of principal, interest, and/or other applicable fees and charges (a "Debt Claim") owed under any bond or note issued by the Debtors pursuant to an indenture (an "Indenture"), to the extent that the relevant Indenture Trustee (as defined below) files a proof of claim authorized by clause (ii) below; provided, however, that: (i) the foregoing exclusion in this subparagraph shall not apply to the indenture trustee under the applicable indenture (the "Indenture Trustee"), (ii) each Indenture Trustee shall be authorized to file a single proof of claim against Debtor PEC, on or before the General Bar Date, and the filing of such proof of claim by an Indenture Trustee will be deemed to constitute the filing of a proof of claim against all Debtors against whom a claim may be asserted under the applicable Indenture, (iii) each Indenture Trustee will be permitted, in lieu of attaching voluminous documentation, to file with its proof of claim a summary of the applicable Indenture and other operative documents, on the condition that such

documents will be made available by the Indenture Trustee within ten (10) business days after receipt of a written request from a party in interest, and (iv) any holder of a Debt Claim wishing to assert a claim against any or all Debtors, other than a Debt Claim arising out of or relating to an Indenture, shall be required to file a proof of claim with respect to such claim on or before the General Bar Date, unless another exception in this paragraph applies;

(i) any holder of a claim allowable under sections 503(b) and 507(a)(2) of the Bankruptcy Code as an expense of administration (other than any claim allowable under section 503(b)(9) of the Bankruptcy Code or any portion of a Rejection Damages Claim asserting administrative priority under section 503(b) of the Bankruptcy Code); and

(j) any entity (other than a counterparty to a Swap Contract) whose claim is for repayment of principal, interest, fees, charges or any other obligations under or in connection with the Existing Credit Documents (any such claim a "Pre-Petition Credit Agreement Claim"); provided, that (i) the Pre-Petition Agent is authorized, but not directed, to file the Pre-Petition Credit Agreement Master Proof of Claim in the Debtors' lead chapter 11 case *In re Peabody Energy Corporation, et al.*, (Case No. 16-42529) on behalf of itself and each applicable First Lien Secured Party or Related Party thereto (each as defined in the Pre-Petition Credit Agreement (as defined in the Final DIP Order) and, collectively, the "Pre-Petition Credit Agreement Claim Parties"), other than counterparties to the Swap Contracts, on account of the applicable Pre-Petition Credit Agreement Claim Parties' respective Pre-Petition Credit Agreement Claims, and upon the filing of the Pre-Petition Credit Agreement Master Proof of Claim, such proof of claim

shall be deemed to have been filed by the Pre-Petition Agent and by each such Pre-Petition Credit Agreement Claim Party (and each of their respective successors and assigns) against all Debtor(s) liable under the applicable Existing Credit Documents, and the claim of each such Pre-Petition Credit Agreement Claim Party, and each of its respective successors and assigns, shall be treated as if such entity had filed a separate proof of claim in each of the applicable chapter 11 cases of the Debtors; provided, further, that this paragraph 9(i) is intended solely for the purpose of administrative convenience and nothing in this Order shall affect the right of any Pre-Petition Credit Agreement Claim Party (or any of their respective successors in interest or assigns) to vote separately on any plan proposed in these chapter 11 cases, and that the Pre-Petition Agent shall not be required to file with the Pre-Petition Credit Agreement Master Proof of Claim any instruments, agreements or other documents evidencing the obligations owing by each of the Debtors to any Pre-Petition Credit Agreement Claim Party, which instruments, agreements or other documents will be provided upon written request to counsel to the Pre-Petition Agent; for the avoidance of doubt, the filing of any proof of claim or amendment of any such proof of claim, including, without limitation, the Pre-Petition Credit Agreement Master Proof of Claim, against any Debtor in any Case by any of the First Lien Secured Parties, including, without limitation, the Pre-Petition Agent, shall not in any way prejudice or otherwise adversely affect the First Lien Secured Parties' rights, remedies, powers or privileges under the Existing Credit Documents, the Interim Order, or the Final DIP Order, including, without limitation, the right of any Pre-Petition Credit Agreement Claim Party to file a separate proof of claim in any of the Debtors' chapter 11 cases with respect to any Debtor.



10. Any entity holding an interest in any Debtor (an "Interest Holder"), which interest is based exclusively upon the ownership of common or preferred stock in a corporation, a membership interest in a limited liability corporation or partnership or warrants or rights to purchase, sell or subscribe to such a security or interest (any such security or interest, an "Interest"), need not file a proof of Interest on or before the General Bar Date; provided, however, that Interest Holders that wish to assert claims against any of the Debtors that arise out of or relate to the ownership or purchase of an Interest, including claims arising out of or relating to the sale, issuance or distribution of the Interest, must file proofs of claim on or before the General Bar Date, unless another exception contained in this Order applies. The Debtors retain the right to seek relief at a later date establishing a deadline for Interest Holders to file proofs of Interest.

11. Any governmental unit asserting a claim against the Debtors (whether secured, unsecured priority or unsecured nonpriority) that arose or is deemed to have arisen prior to the Petition Date must file a proof of claim in writing in accordance with the procedures described herein so that such proof of claim is actually received by KCC on or before 11:59 p.m., Central Time, on October 11, 2016 (the "Governmental Bar Date").

12. Any entity asserting claims arising from or relating to the rejection of executory contracts or unexpired leases pursuant to an order of this Court or by operation of section 365(d)(4) of the Bankruptcy Code in the applicable Debtor's chapter 11 case, or claims otherwise related to such rejected agreements, including (a) secured claims, unsecured priority claims and unsecured nonpriority claims that arose or are deemed to have arisen prior to the Petition Date and (b) administrative claims under section 503(b) of the Bankruptcy Code (collectively, "Rejection Damages Claims") are required to file proofs of claim by the later of:

(a) the General Bar Date or Governmental Bar Date (as applicable); and (b) 11:59 p.m., Central Time, on the date that is 30 days after the entry of the relevant order or the deemed rejection date is entered (the "Rejection Bar Date"). For the avoidance of doubt, all prepetition and postpetition claims of any kind or nature relating to the rejection of executory contracts or unexpired leases must be filed by the Rejection Bar Date. Orders approving the rejection of executory contracts or unexpired leases entered after the date of entry of this Order shall include a description of the Rejection Bar Date in the text thereof.

13. Each entity asserting a Rejection Damages Claim with an administrative claim component must file, along with its proof of claim, a detailed statement describing the nature and basis of any portion of the Rejection Damages Claim asserting an administrative priority under section 503(b) of the Bankruptcy Code (the "Administrative Claim Supplement"). The filing of a proof of claim form, along with an attached Administrative Claim Supplement, if applicable, shall be deemed to satisfy the procedural requirements for the assertion of a Rejection Damages Claim (including any administrative claim included therein).

14. All administrative claims under section 503(b) of the Bankruptcy Code other than (a) claims under section 503(b)(9) of the Bankruptcy Code and (b) any portion of a Rejection Damages Claim asserting administrative priority, must be made by separate requests for payment in accordance with section 503(a) of the Bankruptcy Code and shall not be deemed proper if made by proof of claim.

15. The Debtors shall retain the right, subject to the Final DIP Order, to:  
(a) dispute, or assert offsets or defenses against, any filed claim or any claim listed or reflected in the Schedules as to nature, amount, liability, priority, classification or otherwise;

(b) subsequently designate any scheduled claim as disputed, contingent or unliquidated; and (c) otherwise amend or supplement the Schedules.

16. If the Debtors amend or supplement their Schedules after the service of the Bar Date Notice Package, the Debtors shall give notice of any such amendment or supplement to the holders of claims affected thereby, including notice of the Amended Schedules Bar Date to file proofs of claim in response to the amendment or supplement to the Schedules. In particular, if a Debtor amends or supplements its Schedules to: (x) reduce the undisputed, noncontingent and liquidated amount of a claim; (y) change the nature or classification of a claim against the Debtor in a manner adverse to the scheduled creditor; or (z) add a new claim to the Schedules with respect to a party that was not previously served with notice of the Bar Dates, the affected claimant is required to file a proof of claim or amend any previously filed proof of claim in respect of the new or amended scheduled claim in accordance with the procedures described herein by the later of: (i) the General Bar Date; and (ii) 11:59 p.m., Central Time, on the date that is 30 days after the date that notice of the applicable amendment to the Schedules is served on the claimant (the "Amended Schedule Bar Date"). Notwithstanding the foregoing, nothing contained herein shall preclude the Debtors from objecting to any claim, whether scheduled or filed, on any grounds.

17. Pursuant to sections 105(a) and 503(a) of the Bankruptcy Code and Bankruptcy Rule 3003(c)(2), and except as otherwise provided in this Bar Date Order, any entity that is required to file a proof of claim in these cases pursuant to the Bankruptcy Code, the Bankruptcy Rules or this Order with respect to a particular claim against a Debtor, but that fails to properly do so by the applicable Bar Date, shall be forever barred, estopped and enjoined from: (a) asserting any such claim against the Debtors or their estates or property that (i) is in an

amount that exceeds the amount, if any, that is identified in the Schedules on behalf of such entity as undisputed, noncontingent and liquidated or (ii) is of a different nature or classification than any such claim identified in the Schedules on behalf of such entity (any such claim under subparagraph (a) of this paragraph being referred to herein as an "Unscheduled Claim"); (b) voting on, or receiving distributions under, any chapter 11 plan in these chapter 11 cases in respect of an Unscheduled Claim; or (c) with respect to any administrative priority claim component of any Rejection Damages Claim, asserting any such priority claim against the Debtors or their estates or property.

18. Pursuant to Bankruptcy Rule 2002(1), the Debtors shall publish notice of the Bar Dates in substantially the form of the Publication Notice attached hereto as Exhibit C, once in the *St. Louis Dispatch* and the national editions of *The Wall Street Journal* and *USA Today* on or about the Service Date, which publication is hereby approved and shall be deemed good, adequate and sufficient publication notice of the Bar Dates. The Debtors, in their sole discretion, may publish the Publication Notice in other, including regional, newspapers, trade journals or similar publications.

19. Within five business days after the entry of this Order, the Debtors, through KCC or otherwise, shall serve the Bar Date Notice Package, including a copy of the Bar Date Notice and the Proof of Claim Form substantially in the forms attached hereto as Exhibit A and Exhibit B, respectively, by first class mail, postage prepaid (or equivalent service), on:

- (a) all known potential claimants and their counsel (if known), including all entities listed in the Schedules as potentially holding claims;
- (b) the Office of the United States Trustee for the Eastern District of Missouri (the "U.S. Trustee");
- (c) Morrison and Foerster, as counsel to the Official Committee of Unsecured Creditors;

- (d) Davis Polk & Wardwell, LLP, as counsel to the Pre-Petition Agent;
- (e) all parties that have requested notice of the proceedings in these cases as of the date of the Bar Date Order;
- (f) all parties that have filed proofs of claim in these cases as of the date of the Bar Date Order;
- (g) all parties to executory contracts and unexpired leases with the Debtors that have been identified as of the date of the Bar Date Order, including all parties to rejected executory contracts and unexpired leases as of the date of the Bar Date Order;
- (h) all parties to pending litigation with the Debtors that have been identified as of the date of the Bar Date Order;
- (i) the Internal Revenue Service for this District and all other taxing authorities for the jurisdictions in which the Debtors conducted business as of the Petition Date;
- (j) all relevant state attorneys general;
- (k) the Securities and Exchange Commission;
- (l) the United Mine Workers of America;
- (m) all federal and state environmental protection agencies for the jurisdictions in which the Debtors held property or conducted business as of the Petition Date;
- (n) the Core Parties (as defined in the Case Management Order); and
- (o) such additional persons and entities as deemed appropriate by the Debtors.

20. As part of the bar date package, the Debtors shall mail one or more Proof of Claim Forms (as appropriate) to the parties receiving the Bar Date Notice. For holders of potential claims listed in the Schedules, the Proof of Claim Form mailed to such entities shall indicate how the Debtors have scheduled the creditor's claim in the Schedules, including (a) the identity of the Debtor against which the entity's claim is scheduled, (b) the amount of the claim, if any, (c) whether the claim is listed as disputed, contingent or unliquidated and

(d) whether the claim is listed as a secured claim, an unsecured priority claim or an unsecured nonpriority claim.

21. Except as otherwise provided in this Order, all entities asserting claims against more than one Debtor are required to file a separate proof of claim with respect to each such Debtor and identify on each proof of claim the particular Debtor against which their claim is asserted. If more than one Debtor is listed on the proof of claim form, then the Debtors will treat such claim as filed only against the first listed Debtor. Any claim filed under the joint administration case number (Peabody Energy Corporation, Case No. 16-42529-399 or otherwise without identifying a Debtor will be deemed as filed only against Debtor PEC.

22. Solely as an accommodation to the Pension Benefit Guaranty Corporation (the "PBGC"), the PBGC may file a single, consolidated proof of claim on account of each of its claims, which claim shall be deemed to be filed against all of the Debtors (the "PBGC Claim"); provided, however, that the PBGC Claim shall set forth in reasonable detail the basis and amount of the claims asserted against each Debtor, as required by the Bankruptcy Code, the Bankruptcy Rules, and any applicable order of the Court. If timely filed by the applicable Bar Date, the PBGC Claim shall be deemed a valid proof of claim against each Debtor described in the PBGC Claim and PBGC shall not be required to file a proof of claim in the separate case of each such Debtor. The authorization for PBGC to file a single, consolidated proof of claim is for procedural purposes only, intended for administrative convenience and shall not be interpreted or construed to substantively affect any right, objection, claim or defense of any party in interest to the PBGC Claim, including amount, extent, validity, priority, perfection, or enforceability of any claim or security interest asserted by the PBGC Claim. For the avoidance of doubt, the authorization granted hereby is without prejudice to the right of any party to object to the PBGC

Claim on the basis of insufficient information, or to seek to disallow, and/or expunge the proof of claim to the extent it is determined that all or any portion of the claims or security interests asserted in the PBGC Claim are not allowable against any individual Debtor's estate.

23. The entry of this Order is without prejudice to the rights of the Debtors to seek a further order of this Court fixing a date by which holders of claims or interests not subject to the Bar Dates established herein must file proofs of such claims or interests, or requests for payment of administrative claims, or be barred from doing so.

24. The following entities (each, an "Authorized Entity") are each authorized to file one master proof of claim (any such claim, a "Master Proof of Claim") on its own behalf and on behalf of all of its affiliates, if any, such that any such Master Proof of Claim shall have the same effect as if each of such Authorized Entity and its affiliates, if any, had individually filed a proof of claim against each Debtor on account of the claims asserted in such Master Proof of Claim notwithstanding paragraph 8(e) of this Order but subject to all of the other terms of this Order: (a) Federal Insurance Company (with respect to insurance policies and related agreements); (b) the Pension Benefit Guaranty Corporation; (c) any agency of the United States of America; (d) ACE American Insurance Company (the "ACE Companies");<sup>3</sup> (e) Liberty Surety Company, (f) Lexon Insurance Company (the "Lexon Companies");<sup>4</sup> (g) Zurich American Insurance Company (the "Zurich Companies");<sup>5</sup> (h) Federal Insurance Company (with respect to

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<sup>3</sup> The ACE Companies include, but are not limited to, ACE American Insurance Company, Illinois Union Insurance Company, Westchester Surplus Lines Insurance Company, Westchester Fire Insurance Company, Insurance Company of North America, Indemnity Insurance Company of North America, and Pacific Employers Insurance Company, and their respective affiliates and successors.

<sup>4</sup> The Lexon Companies include, but are not limited to, Lexon Insurance Company and Bond Safeguard Insurance Company, and their respective affiliates and successors.

<sup>5</sup> The Zurich Companies include, but are not limited to, the Fidelity and Deposit Company of Maryland, Colonial American Casualty and Surety Company, and American Guarantee and Liability Insurance Company.


surety bonds and related agreements); (i) ESIS, Inc.; (j) CNA Surety; and (k) Travelers Companies.<sup>6</sup> In addition, the Debtors may consent to the filing of a Master Proof of Claim by other entities. Notwithstanding any other provision of this Order to the contrary, upon receipt of the Debtors' written consent (which the Debtors may grant or withhold in their reasonable discretion), each such entity shall be authorized to file a Master Proof of Claim, subject to the terms of this Order (but notwithstanding paragraph 8(e)).

25. For administrative convenience, any Master Proof of Claim authorized herein shall be filed in the case of Debtor PEC (*In re Peabody Energy Corporation*, Case No. 16-42529-399) (the "Lead Case") with respect to all amounts asserted in such Master Proof of Claim, and such Master Proof of Claim shall be deemed to be filed and asserted by the applicable entity or entities against every Debtor that is potentially liable for the applicable claim so long as such authorized Master Proof of Claim sets forth in reasonable detail the basis for such claim and, to the extent reasonably possible, the amount asserted against each applicable Debtor. No authorized Master Proof of Claim shall be disallowed, reduced or expunged solely on the basis that it is filed only in the Lead Case and only against Debtor PEC. The requirements of Local Rules 3001 and 3003 are hereby deemed satisfied.

26. No later than two days after the date this Order is entered on the docket, KCC is directed to serve a copy of this Order and is directed to file a certificate of service no later than 24 hours after such service.

DATED: June 16, 2016  
St. Louis, Missouri

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Barry S. Schermer  
United States Bankruptcy Judge

<sup>6</sup> The Travelers Companies include, but are not limited to Aetna Casualty & Surety, Seaboard Surety, St. Paul Fire & Marine, and Travelers Casualty and Surety Company of America.



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**EXHIBIT A**

**(Form of Notice of Bar Date)**

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

In re:

Peabody Energy Corporation, et al.,  
Debtors.

Case No. 16-42529-399  
CHAPTER 11

Jointly Administered

**NOTICE OF DEADLINES FOR FILING OF PROOFS OF CLAIM**

**TO ALL PERSONS AND ENTITIES WITH CLAIMS AGAINST ANY OF THE  
ABOVE-CAPTIONED DEBTOR ENTITIES:**

On \_\_\_\_\_, 2016, the United States Bankruptcy Court for the Eastern District of Missouri (the "Court") entered an order (Docket No. \_\_) (the "Bar Date Order")<sup>1</sup> establishing certain deadlines for the filing of proofs of claim in the chapter 11 cases of the above-captioned debtors and debtors in possession (collectively, the "Debtors", and each a "Debtor"). A list of all of the Debtors, together with their respective case numbers, is attached hereto."

By the Bar Date Order, the Court established: (i) **August 19, 2016 at 11:59 p.m., Central Time** (the "General Bar Date"), as the general deadline for entities to file proofs of claim in the Debtors' cases for claims against the Debtors that arose or are deemed to have arisen prior to the date on which the Debtors filed their chapter 11 petitions, April 13, 2016 (the "Petition Date"); and (ii) **October 11, 2016 at 11:59 p.m., Central Time** (the "Governmental Bar Date"), as the general deadline for governmental units to file proofs of claim in the Debtors' cases for claims against the Debtors that arose or are deemed to have arisen prior to the Petition Date. As described below, the Bar Date Order also establishes different bar dates for certain categories of claims.

For your convenience, enclosed with this Notice is a customized proof of claim form (the "Proof of Claim Form"), which identifies on its face the amount, nature and classification of your claim(s), if any, listed in the Debtors' schedules of assets and liabilities and statements of financial affairs filed in these chapter 11 cases (collectively, the "Schedules").

As used in this Notice, the term "entity" has the meaning given to it in section 101(15) of title 11 of the United States Code (the "Bankruptcy Code"), and includes all persons, estates, trusts and the United States trustee. As used in this Notice, the terms "person" and "governmental unit" have the meanings given to them in sections 101(41) and 101(27) of the Bankruptcy Code, respectively.

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<sup>1</sup> All capitalized terms not otherwise defined herein shall have the meaning set forth in the Bar Date Order.

As used in this Notice, the term "claim" means, as to or against any of the Debtors and in accordance with section 101(5) of the Bankruptcy Code: (a) any right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured or unsecured; or (b) any right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured or unsecured.

Contact information for the Debtors' claims, noticing and balloting agent, Kurtzman Carson Consultants, LLC ("KCC"), which is available to provide you with additional information regarding these chapter 11 cases and the filing of a proof of claim, is provided in section 10 below.

## **1. THE BAR DATES**

The Bar Date Order establishes the following bar dates for filing proofs of claim or requests for payment of certain administrative expenses in these cases (collectively, the "Bar Dates"):

- (a) The General Bar Date. Pursuant to the Bar Date Order, except as described below, all entities holding claims (whether secured, unsecured, priority or unsecured priority, including section 503(b)(9) claims) against the Debtors that arose or are deemed to have arisen prior to the Petition Date are required to file proofs of claim by the General Bar Date (*i.e.*, by August 19, 2016 at 11:59 p.m., Central Time). *The General Bar Date applies to all types of claims against the Debtors that arose prior to the Petition Date, including secured claims, unsecured priority claims (including, without limitation, claims entitled to priority under section 503(b)(9) of the Bankruptcy Code) and unsecured nonpriority claims.*
- (b) The Governmental Bar Date. Pursuant to the Bar Date Order, except as described below, all governmental units holding claims against the Debtors that arose before the Petition Date are required to file proofs of claim by the Governmental Bar Date (*i.e.*, by October 11, 2016 at 11:59 p.m., Central Time).
- (c) The Rejection Bar Date. Pursuant to the Bar Date Order, any entity asserting claims against the Debtors arising from or relating to the rejection of executory contracts or unexpired leases, in accordance with section 365 of the Bankruptcy Code and pursuant to a court order or by operation of section 365(d)(4) of the Bankruptcy Code, or claims otherwise related to such rejected agreements, including: (i) secured claims, unsecured priority claims and unsecured nonpriority claims that arose or are deemed to have arisen prior to the Petition Date; and (ii) administrative claims under section 503(b) of the Bankruptcy Code, (collectively, "Rejection Damages Claims") are required to file proofs of claim by the later of: (i) the General Bar Date or the Governmental Bar Date (as applicable) and (ii) 11:59 p.m., Central Time, on the date that is 30 days after the entry of the relevant order or deemed rejection date. The later of these dates is referred to in this Notice as the "Rejection Bar Date." *For the avoidance of doubt, all*

*prepetition and postpetition claims of any kind or nature arising from or relating to rejected executory contracts or unexpired leases must be filed by the Rejection Bar Date.*

- (d) The Amended Schedule Bar Date. Pursuant to the Bar Date Order, if, subsequent to the date of this Notice, a Debtor amends or supplements its Schedules to:
- (i) reduce the undisputed, noncontingent and liquidated amount of a claim against the Debtor; (ii) change the nature or classification of a claim against the Debtor in a manner adverse to the scheduled creditor; or (iii) add a new claim to the Schedules with respect to a party that was not previously served with notice of the Bar Dates, the affected claimant is required to file a proof of claim or amend any previously filed proof of claim in respect of the new or amended scheduled claim on or before the later of: (i) the General Bar Date; and (ii) 11:59 p.m., Central Time, on the date that is 30 days after the date that notice of the applicable amendment or supplement to the Schedules is served on the claimant. The later of these dates is referred to in this Notice as the "Amended Schedule Bar Date."

## **2. WHO MUST FILE A PROOF OF CLAIM**

Unless one of the exceptions described in Section 5 below applies, if you have a claim that arose or is deemed to have arisen prior to the Petition Date, you **MUST** file a proof of claim to vote on a chapter 11 plan or to share in distributions from the Debtors' bankruptcy estates. Claims based on acts or omissions of the Debtors that occurred before the Petition Date must be filed on or prior to the applicable Bar Date, even if such claims are not now fixed, liquidated or certain or did not mature or become fixed, liquidated or certain before the Petition Date.

Except where the Governmental Bar Date, Rejection Bar Date or the Amended Schedule Bar Date apply to establish a different deadline or one of the exceptions described in Section 5 below applies, the following entities must file proofs of claim on or before the General Bar Date:

- (a) any entity (i) whose prepetition claim against a Debtor is not listed in the applicable Debtor's Schedules or is listed as "disputed," "contingent" or "unliquidated" and (ii) that desires to participate in any of these chapter 11 cases or share in any distribution in any of them; and
- (b) any entity that believes that its prepetition claim is improperly classified in the Schedules or is listed in an incorrect amount or against an incorrect Debtor and that desires to have its claim allowed in a classification or amount or against a Debtor other than that identified in the Schedules.

## **3. WHAT TO FILE**

The Debtors are enclosing a Proof of Claim Form for use in these cases, or you may use another proof of claim form that conforms substantially to the standard proof of claim form, Official Form B 410. If your claim is scheduled by the Debtors, the attached Proof of Claim Form also sets forth: (a) the amount of your scheduled claim (if any); (b) the identity of the Debtor against which your claim is scheduled; (c) whether your claim is scheduled as disputed, contingent or unliquidated; and (d) whether your claim is scheduled as a secured, unsecured

priority or unsecured nonpriority claim. You will receive a different Proof of Claim Form for each claim scheduled in your name by the Debtors. You may utilize the Proof of Claim Form(s) provided by the Debtors to file your claim. Additional proof of claim forms may be obtained, free of charge, at the following websites: <http://www.kccllc.net/peabody> or <http://www.uscourts.gov/bkforms>.

All proof of claim forms must be **signed** by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant (electronic signatures are acceptable). The proof of claim form must be written in English and be denominated in United States currency. You should attach to your completed proof of claim form any documents upon which the claim is based (or, if such documents are voluminous, attach a summary) or an explanation as to why the documents are not available.

Except as otherwise set forth in the Bar Date Order, all Claimants asserting a Claim against more than one Debtor must file a separate Proof of Claim with respect to each such Debtor and identify on each Proof of Claim the particular Debtor against which such Claim is asserted and the case number for that particular Debtor. If any Proof of Claim does not clearly specify the name of the Debtor against which the claim is asserted (including listing multiple Debtors), that Proof of Claim shall be administered as though it was filed against Peabody Energy Corporation, unless a single different case number is clearly specified. Notwithstanding the foregoing, the failure of any entity to file its Proof of Claim against the correct Debtor shall not constitute cause to expunge the Proof of Claim. Rather, the Debtors may seek to reclassify the Proof of Claim so that the claim is asserted against the proper Debtor on notice to the affected claimant.

The following entities (each, an "Authorized Entity") are each authorized to file one master proof of claim (any such claim, a "Master Proof of Claim") on its own behalf and on behalf of all of its affiliates, if any, such that any such Master Proof of Claim shall have the same effect as if each of such Authorized Entity and its affiliates, if any, had individually filed a proof of claim against each Debtor on account of the claims asserted in such Master Proof of Claim notwithstanding paragraph 8(e) of this Order but subject to all of the other terms of this Order: (a) Federal Insurance Company (with respect to insurance policies and related agreements); (b) the Pension Benefit Guaranty Corporation; (c) any agency of the United States of America; (d) ACE American Insurance Company (the "ACE Companies");<sup>2</sup> (e) Liberty Surety Company, (f) Lexon Insurance Company (the "Lexon Companies");<sup>3</sup> (g) Zurich American Insurance Company (the "Zurich Companies");<sup>4</sup> (h) Federal Insurance Company (with respect to surety

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<sup>2</sup> The ACE Companies include, but are not limited to, ACE American Insurance Company, Illinois Union Insurance Company, Westchester Surplus Lines Insurance Company, Westchester Fire Insurance Company, Insurance Company of North America, Indemnity Insurance Company of North America, and Pacific Employers Insurance Company, and their respective affiliates and successors.

<sup>3</sup> The Lexon Companies include, but are not limited to, Lexon Insurance Company and Bond Safeguard Insurance Company, and their respective affiliates and successors.

<sup>4</sup> The Zurich Companies include, but are not limited to, the Fidelity and Deposit Company of Maryland, Colonial American Casualty and Surety Company, and American Guarantee and Liability Insurance Company.

bonds and related agreements); (i) ESIS, Inc.; (j) CNA Surety; and (k) Travelers Companies.<sup>5</sup> In addition, the Debtors may consent to the filing of a Master Proof of Claim by other entities. Notwithstanding any other provision of the Bar Date Order to the contrary, upon receipt of the Debtors' written consent (which the Debtors may grant or withhold in their reasonable discretion), each such entity shall be authorized to file a Master Proof of Claim, subject to the terms of the Bar Date Order (but notwithstanding paragraph 8(e) thereof).

For administrative convenience, any Master Proof of Claim authorized herein shall be filed in the case of Debtor PEC (as defined in the Bar Date Order) (*In re Peabody Energy Corporation*, Case No. 16-42529-399) (the "Lead Case") with respect to all amounts asserted in such Master Proof of Claim, and such Master Proof of Claim shall be deemed to be filed and asserted by the applicable entity or entities against every Debtor that is potentially liable for the applicable claim so long as such authorized Master Proof of Claim sets forth in reasonable detail the basis for such claim and, to the extent reasonably possible, the amount asserted against each applicable Debtor. No authorized Master Proof of Claim shall be disallowed, reduced or expunged solely on the basis that it is filed only in the Lead Case and only against Debtor PEC.

The Pension Benefit Guaranty Corporation (the "PBGC"), may file a single, consolidated proof of claim on account of each of its claims, which claim shall be deemed to be filed against all of the Debtors (the "PBGC Claim"); provided, however, that the PBGC Claim shall set forth in reasonable detail the basis and amount of the claims asserted against each Debtor, as required by the Bankruptcy Code, the Bankruptcy Rules, and any applicable order of the Court. If timely filed by the applicable Bar Date, the PBGC Claim shall be deemed a valid proof of claim against each Debtor described in the PBGC Claim and PBGC shall not be required to file a proof of claim in the separate case of each such Debtor. The authorization for PBGC to file a single, consolidated proof of claim is for procedural purposes only, intended for administrative convenience and shall not be interpreted or construed to substantively affect any right, objection, claim or defense of any party in interest to the PBGC Claim, including amount, extent, validity, priority, perfection, or enforceability of any claim or security interest asserted by the PBGC Claim. For the avoidance of doubt, the authorization granted in the Bar Date Order is without prejudice to the right of any party to object to the PBGC Claim on the basis of insufficient information, or to seek to disallow, and/or expunge the proof of claim to the extent it is determined that all or any portion of the claims or security interests asserted in the PBGC Claim are not allowable against any individual Debtor's estate.

Any entity asserting a Rejection Damages Claim with an administrative claim component must file, along with its proof of claim, a detailed statement describing the nature and basis of any portion of the Rejection Damages Claim asserting an administrative priority under section 503(b) of the Bankruptcy Code (the "Administrative Claim Supplement").

Under the Bar Date Order, the filing of a proof of claim form, along with an attached Administrative Claim Supplement, if applicable, shall be deemed to satisfy the procedural requirements for the assertion of a Rejection Damages Claim (including any administrative claim

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<sup>5</sup> The Travelers Companies include, but are not limited to Aetna Casualty & Surety, Seaboard Surety, St. Paul Fire & Marine, and Travelers Casualty and Surety Company of America.



included therein). *All other administrative claims under section 503(b) of the Bankruptcy Code must be made by separate requests for payment in accordance with section 503(a) of the Bankruptcy Code and shall not be deemed proper if made by proof of claim.* No deadline has been established for the filing of administrative claims other than (a) claims under section 503(b)(9) of the Bankruptcy Code and (b) any portion of a Rejection Damages Claim seeking administrative priority, which claims must be filed by the General Bar Date and the Rejection Bar Date, respectively.

#### 4. WHEN AND WHERE TO FILE

All Proofs of Claim must be sent by either (i) first-class mail, overnight courier, or hand-delivery to **Peabody Energy Corp Claims Processing Center, c/o KCC, 2335 Alaska Avenue, El Segundo, CA 90245**; (ii) electronically using the interface available on KCC's website at <https://epoc.kccllc.net/peabody>; or (iii) electronically using Court's website at <http://www.moeb.uscourts.gov/epoc>. **Proofs of claim may NOT be delivered by facsimile or electronic mail transmission**. Proofs of claim must be actually received **on or before the applicable Bar Date**.

Claimants must submit proofs of claim to the PEC Claims Processing Center in person; electronically through KCC's or the Court's website; or by courier service, hand delivery or mail. Proofs of claim will be deemed filed only when **actually received** by the PEC Claims Processing Center or the Court on or before the applicable Bar Date. **Proofs of claim may NOT be delivered by facsimile or electronic mail transmission**. Any facsimile or electronic mail submission will not be accepted and will not be deemed filed until a proof of claim is submitted by one of the approved methods described above.

Proof of claim forms will be collected from the PEC Claims Processing Center, docketed and maintained by the Debtors' claims agent, KCC. If you wish to receive acknowledgement of KCC's receipt of a proof of claim, you must submit to KCC by the applicable Bar Date and concurrently with your original proof of claim: (a) a copy of the original proof of claim; and (b) a self-addressed, postage prepaid return envelope. Filed proofs of claim will be posted on KCC's website, [www.kccllc.net/peabody](http://www.kccllc.net/peabody), as soon as is practicable after receipt.

#### 5. WHO NEED NOT FILE A PROOF OF CLAIM

The Bar Date Order further provides that the following entities, whose claims otherwise would be subject to the General Bar Date or the Governmental Bar Date, need not file proofs of claim:

- (a) any entity that already has filed a signed proof of claim against the applicable Debtor(s) with KCC or the Clerk of the Bankruptcy Court for the Eastern District of Missouri in a form substantially similar to Official Form B 410;
- (b) any entity whose claim is listed on the Schedules filed by the Debtors if (i) the claim is not scheduled as disputed, contingent or unliquidated and (ii) the entity agrees with the amount, nature and priority of the claim as set forth in the Schedules and (iii) the entity does not dispute that the claim is an obligation of the specific Debtor(s) in whose Schedules the claim is listed;



- (c) any holder of a claim that heretofore has been allowed by a final order of this Court;
- (d) any holder of a claim that has been paid in full by any of the Debtors (or any other party);
- (e) any holder of a claim for which a specific deadline to file a proof of claim previously has been fixed by this Court;
- (f) any Debtor or affiliate of a Debtor having a claim against a Debtor; provided, however, for the avoidance of doubt, that any non-Debtor affiliate having a claim against a Debtor in these above-captioned cases not listed on the Schedules must file a proof of claim;
- (g) any current employee for regular prepetition wages and benefits that were allowed to be paid pursuant to the *Order Granting in Part Motion of the Debtors and Debtors in Possession and: (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* [D.I. 109]; provided, however, that if an employee believes that he or she has a claim against any of the Debtors for anything other than regular wages or benefits, then the employee must file a proof of claim by the General Bar Date;
- (h) any person or entity that holds or asserts a claim that is limited exclusively to the repayment of principal, interest, and/or other applicable fees and charges (a "Debt Claim") owed under any bond or note issued by the Debtors pursuant to an indenture (an "Indenture"), to the extent that the relevant Indenture Trustee (as defined below) files a proof of claim authorized by clause (ii) below; provided, however, that: (i) the foregoing exclusion in this subparagraph shall not apply to the indenture trustee under the applicable indenture (the "Indenture Trustee"), (ii) each Indenture Trustee shall be authorized to file a single proof of claim against Debtor PEC, on or before the General Bar Date, and the filing of such proof of claim by an Indenture Trustee will be deemed to constitute the filing of a proof of claim against all Debtors against whom a claim may be asserted under the applicable Indenture, (iii) each Indenture Trustee will be permitted, in lieu of attaching voluminous documentation, to file with its proof of claim a summary of the applicable Indenture and other operative documents, on the condition that such documents will be made available by the Indenture Trustee within ten (10) business days after receipt of a written request from a party in interest, and (iv) any holder of a Debt Claim wishing to assert a claim against any or all Debtors, other than a Debt Claim arising out of or relating to an Indenture, shall be required to file a proof of claim with respect to such claim on or before the General Bar Date, unless another exception in this paragraph applies;

- (i) any entity (other than a counterparty to a Swap Contract) whose claim is for repayment of principal, interest, fees, charges or any other obligations under or in connection with the Existing Credit Documents; provided, that (i) the Pre-Petition Agent is authorized, but not directed, to file the Pre-Petition Credit Agreement Master Proof of Claim in the Debtors' lead chapter 11 case *In re Peabody Energy Corporation, et al.*, (Case No. 16-42529) on behalf of itself and each applicable Pre-Petition Credit Agreement Claim Party (other than counterparties to the Swap Contracts) on account of the applicable Pre-Petition Credit Agreement Claim Parties' respective Pre-Petition Credit Agreement Claims, and upon the filing of the Pre-Petition Credit Agreement Master Proof of Claim, such proof of claim shall be deemed to have been filed by the Pre-Petition Agent and by each such Pre-Petition Credit Agreement Claim Party (and each of their respective successors and assigns) against all Debtor(s) liable under the applicable Existing Credit Documents, and the claim of each such Pre-Petition Credit Agreement Claim Party, and each of its respective successors and assigns, shall be treated as if such entity had filed a separate proof of claim in each of the applicable chapter 11 cases of the Debtors; provided, further, that nothing in the Bar Date Order shall affect the right of any Pre-Petition Credit Agreement Claim Party (or any of their respective successors in interest or assigns) to vote separately on any plan proposed in these chapter 11 cases, and that the Pre-Petition Agent shall not be required to file with the Pre-Petition Credit Agreement Master Proof of Claim any instruments, agreements or other documents evidencing the obligations owing by each of the Debtors to any Pre-Petition Credit Agreement Claim Party, which instruments, agreements or other documents will be provided upon written request to counsel to the Pre-Petition Agent; for the avoidance of doubt, the filing of any proof of claim or amendment of any such proof of claim, including, without limitation, the Pre-Petition Credit Agreement Master Proof of Claim, against any Debtor in any Case by any of the First Lien Secured Parties, including, without limitation, the Pre-Petition Agent, shall not in any way prejudice or otherwise adversely affect the First Lien Secured Parties' rights, remedies, powers or privileges under the Existing Credit Documents, the Interim Order, or the Final DIP Order, including, without limitation, the right of any Pre-Petition Credit Agreement Claim Party to file a separate proof of claim in any of the Debtors' chapter 11 cases with respect to any Debtor; and
- (j) any holder of a claim allowable under sections 503(b) and 507(a)(2) of the Bankruptcy Code as an expense of administration (other than any claim allowable under section 503(b)(9) of the Bankruptcy Code or any portion of a Rejection Damages Claim asserting administrative priority under section 503(b) of the Bankruptcy Code).

**No Bar Date for Proofs of Interest.** Any entity holding an interest in any Debtor (an "Interest Holder"), which interest is based exclusively upon the ownership of common or preferred stock in a corporation, a membership interest in a limited liability corporation or partnership or warrants or rights to purchase, sell or subscribe to such a security or interest (any such security or interest, an "Interest"), need not file a proof of Interest on or before the General Bar Date; provided, however, that Interest Holders who wish to assert claims against any

of the Debtors that arise out of or relate to the ownership or purchase of an Interest, including claims arising out of or relating to the sale, issuance or distribution of the Interest, must file proofs of claim on or before the General Bar Date, unless another exception identified in this Notice applies. The Debtors have reserved the right to establish at a later time a bar date requiring Interest Holders to file proofs of Interest. If such bar date is established, Interest Holders will be notified of the bar date for filing proofs of Interest at the appropriate time.

## **6. EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

As described in Section 1 above, any entity wishing to assert a Rejection Damages Claim must file, by the Rejection Bar Date, a proof of claim for any prepetition or postpetition damages caused by such rejection, or any other prepetition or postpetition claims of any kind or nature whatsoever relating to the rejected agreement. As further described in Section 3 above, any entity asserting a Rejection Damages Claim with an administrative claim component must file, along with its proof of claim, an Administrative Claim Supplement.

## **7. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE APPLICABLE BAR DATE**

EXCEPT AS OTHERWISE SET FORTH IN THE BAR DATE ORDER, ANY ENTITY THAT IS REQUIRED TO FILE A PROOF OF CLAIM WITH RESPECT TO A PARTICULAR CLAIM AGAINST A DEBTOR BUT THAT FAILS TO DO SO BY THE APPLICABLE BAR DATE DESCRIBED IN THIS NOTICE SHALL BE FOREVER BARRED, ESTOPPED AND ENJOINED FROM THE FOLLOWING: (A) ASSERTING ANY SUCH CLAIM AGAINST THE DEBTORS OR THEIR ESTATES OR PROPERTY THAT (I) IS IN AN AMOUNT THAT EXCEEDS THE AMOUNT, IF ANY, THAT IS IDENTIFIED IN THE SCHEDULES ON BEHALF OF SUCH ENTITY AS UNDISPUTED, NONCONTINGENT AND LIQUIDATED OR (II) IS OF A DIFFERENT NATURE OR CLASSIFICATION THAN ANY SUCH CLAIM IDENTIFIED IN THE SCHEDULES ON BEHALF OF SUCH ENTITY (ANY SUCH CLAIM IN THIS SUBPARAGRAPH (A) BEING REFERRED TO IN THIS NOTICE AS AN "UNSCHEDULED CLAIM"); (B) VOTING UPON, OR RECEIVING DISTRIBUTIONS UNDER, ANY CHAPTER 11 PLAN IN THESE CHAPTER 11 CASES IN RESPECT OF AN UNSCHEDULED CLAIM; OR (C) WITH RESPECT TO ANY ADMINISTRATIVE PRIORITY CLAIM COMPONENT OF ANY REJECTION DAMAGES CLAIM, ASSERTING ANY SUCH PRIORITY CLAIM AGAINST THE DEBTORS OR THEIR ESTATES OR PROPERTY.

## **8. THE DEBTORS' SCHEDULES AND ACCESS THERETO**

You may be listed as the holder of a claim against one or more of the Debtors in the Debtors' Schedules. To determine if and how you are listed on the Schedules, please refer to the descriptions set forth on the enclosed Proof of Claim Form(s) regarding the nature, amount and status of your claim(s). If you received postpetition payments from the Debtors (as authorized by the Court) on account of your claim, the information on the enclosed Proof of Claim Form may reflect the net remaining amount thereof. If the Debtors believe that you may hold claims against more than one Debtor, you will receive multiple Proof of Claim Forms, each of which will reflect the nature and amount of your claim against one Debtor, as listed in the Schedules.

If you rely on the Debtors' Schedules, it is your responsibility to determine that the claim is accurately listed in the Schedules. Otherwise, or if you decide to file a proof of claim, you must do so before the applicable Bar Date in accordance with the procedures set forth in this Notice.

## **9. RESERVATION OF RIGHTS**

The Debtors reserve the right, subject to the Final DIP Order, to: (a) dispute, or assert offsets or defenses against, any filed claim or any claim listed or reflected in the Schedules as to nature, amount, liability, priority, classification or otherwise; (b) subsequently designate any scheduled claim as disputed, contingent or unliquidated; and (c) otherwise amend or supplement the Schedules. Nothing contained in this Notice shall preclude the Debtors from objecting to any claim, whether scheduled or filed, on any grounds.

## **10. ADDITIONAL INFORMATION**

Copies of the Debtors' Schedules, the Bar Date Order, the Proof of Claim Form and other information and documents regarding the Debtors' chapter 11 cases are available for inspection and download free of charge on KCC's website at <http://www.kccllc.net/peabody>. Copies of the Schedules and other documents filed in these cases also may be examined between the hours of 8:30 a.m. and 4:30 p.m., Central Time, Monday through Friday, at the U.S. Bankruptcy Court Eastern District of Missouri, Office of the Clerk of Court, 111 South 10th Street, Fourth Floor, St. Louis, MO 63102.

If you require additional information regarding the filing of a proof of claim, you may contact KCC at (866) 967-1783 (toll free in the U.S. and Canada) or +1 (310) 751-2683 (international calls). You also may contact KCC by writing to:

Peabody Energy Corp Claims Processing Center  
c/o KCC  
2335 Alaska Avenue  
El Segundo, CA 90245

**A HOLDER OF A POSSIBLE CLAIM AGAINST THE DEBTORS SHOULD CONSULT AN ATTORNEY REGARDING ANY MATTERS NOT COVERED BY THIS NOTICE, SUCH AS WHETHER THE HOLDER SHOULD FILE A PROOF OF CLAIM.**

BY ORDER OF THE COURT

	<b>Debtor's Name</b>	<b>Debtor's Case No.</b>
1.	Peabody Energy Corporation	16-42529
2.	American Land Development, LLC	16-42535
3.	American Land Holdings of Colorado, LLC	16-42540
4.	American Land Holdings of Illinois, LLC	16-42600
5.	American Land Holdings of Indiana, LLC	16-42546
6.	American Land Holdings of Kentucky, LLC	16-42589
7.	American Land Holdings of New Mexico, LLC	16-42579
8.	American Land Holdings of West Virginia, LLC	16-42571
9.	Arid Operations, Inc.	16-42562
10.	Big Ridge, Inc.	16-42553
11.	Big Sky Coal Company	16-42530
12.	Black Hills Mining Company, LLC	16-42544
13.	BTU Western Resources, Inc.	16-42554
14.	Caballo Grande, LLC	16-42559
15.	Caseyville Dock Company, LLC	16-42537
16.	Central States Coal Reserves of Illinois, LLC	16-42688
17.	Central States Coal Reserves of Indiana, LLC	16-42551
18.	Century Mineral Resources, Inc.	16-42567
19.	Coal Reserve Holding Limited Liability Company No. 1	16-42543
20.	COALSALES II, LLC	16-42570
21.	Colorado Yampa Coal Company, LLC	16-42560
22.	Conservancy Resources, LLC	16-42564
23.	Cottonwood Land Company	16-42572
24.	Cyprus Creek Land Company	16-42534
25.	Cyprus Creek Land Resources LLC	16-42602
26.	Dyson Creek Coal Company, LLC	16-42612
27.	Dyson Creek Mining Company, LLC	16-42621
28.	El Segundo Coal Company, LLC	16-42691
29.	Empire Land Holdings, LLC	16-42692
30.	Falcon Coal Company, LLC	16-42547
31.	Four Star Holdings, LLC	16-42556
32.	Francisco Equipment Company, LLC	16-42568
33.	Francisco Land Holdings Company, LLC	16-42580
34.	Francisco Mining, LLC	16-42591
35.	Gallo Finance Company, LLC	16-42586
36.	Gold Fields Chile, LLC	16-42548
37.	Gold Fields Mining, LLC	16-42561
38.	Gold Fields Ortiz, LLC	16-42578
39.	Hayden Gulch Terminal, LLC	16-42583
40.	Highwall Mining Services Company	16-42588
41.	Hillside Recreational Lands, LLC	16-42594
42.	HMC Mining, LLC	16-42566
43.	Illinois Land Holdings, LLC	16-42599
44.	Independence Material Handling, LLC	16-42606
45.	James River Coal Terminal, LLC	16-42569
46.	Juniper Coal Company, LLC	16-42577
47.	Kayenta Mobile Home Park, Inc.	16-42607
48.	Kentucky Syngas, LLC	16-42618
49.	Kentucky United Coal, LLC	16-42573
50.	Lively Grove Energy, LLC	16-42595

	<b>Debtor's Name</b>	<b>Debtor's Case No.</b>
51.	Marigold Electricity, LLC	16-42628
52.	Midco Supply and Equipment Corporation	16-42585
53.	Midwest Coal Acquisition Corp.	16-42576
54.	Midwest Coal Reserves of Illinois, LLC	16-42597
55.	Midwest Coal Reserves of Indiana, LLC	16-42611
56.	Midwest Coal Reserves of Kentucky, LLC	16-42620
57.	Moffat County Mining, LLC	16-42636
58.	Mustang Energy Company, LLC	16-42657
59.	New Mexico Coal Resources, LLC	16-42647
60.	NM Equipment Company, LLC	16-42582
61.	Pacific Export Resources, LLC	16-42598
62.	Peabody America, LLC	16-42609
63.	Peabody Archveyor, L.L.C.	16-42623
64.	Peabody Arclar Mining, LLC	16-42545
65.	Peabody Asset Holdings, LLC	16-42555
66.	Peabody Bear Run Mining, LLC	16-42565
67.	Peabody Bear Run Services, LLC	16-42574
68.	Peabody Caballo Mining, LLC	16-42533
69.	Peabody Cardinal Gasification, LLC	16-42542
70.	Peabody China, LLC	16-42552
71.	Peabody Coalsales, LLC	16-42539
72.	Peabody COALTRADE International (CTI), LLC	16-42590
73.	Peabody COALTRADE, LLC	16-42575
74.	Peabody Colorado Operations, LLC	16-42563
75.	Peabody Colorado Services, LLC	16-42531
76.	Peabody Coulterville Mining, LLC	16-42550
77.	Peabody Development Company, LLC	16-42558
78.	Peabody Electricity, LLC	16-42532
79.	Peabody Employment Services, LLC	16-42538
80.	Peabody Energy Generation Holding Company	16-42656
81.	Peabody Energy Investments, Inc.	16-42642
82.	Peabody Energy Solutions, Inc.	16-42632
83.	Peabody Gateway North Mining, LLC	16-42624
84.	Peabody Gateway Services, LLC	16-42581
85.	Peabody Holding Company, LLC	16-42592
86.	Peabody Holdings (Gibraltar) Limited	16-42604
87.	Peabody IC Funding Corporation	16-42615
88.	Peabody IC Holdings, LLC	16-42601
89.	Peabody Illinois Services, LLC	16-42610
90.	Peabody Indiana Services, LLC	16-42619
91.	Peabody International Investments, Inc.	16-42536
92.	Peabody International Services, Inc.	16-42541
93.	Peabody Investments Corp.	16-42549
94.	Peabody Magnolia Grove Holdings, LLC	16-42587
95.	Peabody Midwest Management Services, LLC	16-42593
96.	Peabody Midwest Mining, LLC	16-42667
97.	Peabody Midwest Operations, LLC	16-42660
98.	Peabody Midwest Services, LLC	16-42608
99.	Peabody Mongolia, LLC	16-42617
100.	Peabody Natural Gas, LLC	16-42626



	<b>Debtor's Name</b>	<b>Debtor's Case No.</b>
101.	Peabody Natural Resources Company	16-42634
102.	Peabody New Mexico Services, LLC	16-42646
103.	Peabody Operations Holding, LLC	16-42678
104.	Peabody Powder River Mining, LLC	16-42666
105.	Peabody Powder River Operations, LLC	16-42676
106.	Peabody Powder River Services, LLC	16-42613
107.	Peabody PowerTree Investments, LLC	16-42596
108.	Peabody Recreational Lands, L.L.C.	16-42605
109.	Peabody Rocky Mountain Management Services, LLC	16-42603
110.	Peabody Rocky Mountain Services, LLC	16-42616
111.	Peabody Sage Creek Mining, LLC	16-42625
112.	Peabody School Creek Mining, LLC	16-42633
113.	Peabody Services Holdings, LLC	16-42645
114.	Peabody Southwest, LLC	16-42631
115.	Peabody Southwestern Coal Company, LLC	16-42641
116.	Peabody Terminal Holding Company, LLC	16-42650
117.	Peabody Terminals, LLC	16-42614
118.	Peabody Trout Creek Reservoir LLC	16-42622
119.	Peabody Twentymile Mining, LLC	16-42627
120.	Peabody Venezuela Coal Corp.	16-42651
121.	Peabody Venture Fund, LLC	16-42637
122.	Peabody-Waterside Development, L.L.C.	16-42662
123.	Peabody Western Coal Company	16-42644
124.	Peabody Wild Boar Mining, LLC	16-42672
125.	Peabody Wild Boar Services, LLC	16-42677
126.	Peabody Williams Fork Mining, LLC	16-42630
127.	Peabody Wyoming Gas, LLC	16-42640
128.	Peabody Wyoming Services, LLC	16-42653
129.	PEC Equipment Company, LLC	16-42673
130.	PG INVESTMENTS SIX, L.L.C.	16-42638
131.	Point Pleasant Dock Company, LLC	16-42655
132.	Pond River Land Company	16-42629
133.	Porcupine Production, LLC	16-42648
134.	Porcupine Transportation, LLC	16-42665
135.	Riverview Terminal Company	16-42664
136.	Sage Creek Holdings, LLC	16-42670
137.	Sage Creek Land & Reserves, LLC	16-42635
138.	School Creek Coal Resources, LLC	16-42643
139.	Seneca Coal Company, LLC	16-42652
140.	Seneca Property, LLC	16-42659
141.	Shoshone Coal Corporation	16-42668
142.	Southwest Coal Holdings, LLC	16-42674
143.	Star Lake Energy Company, L.L.C.	16-42639
144.	Sugar Camp Properties, LLC	16-42649
145.	Thoroughbred Generating Company, L.L.C.	16-42679
146.	Thoroughbred Mining Company LLC.	16-42680
147.	Twentymile Coal, LLC	16-42669
148.	Twentymile Equipment Company, LLC	16-42675
149.	Twentymile Holdings, LLC	16-42654
150.	United Minerals Company, LLC	16-42663

	<b>Debtor's Name</b>	<b>Debtor's Case No.</b>
151.	West Roundup Resources, LLC	16-42671
152.	Wild Boar Equipment Company, LLC	16-42658
153.	Wild Boar Land Holdings Company, LLC	16-42661



**EXHIBIT B**

**(Proof of Claim Form)**

**Fill in this information to identify the case:**

Indicate the Debtor against which you assert a claim by listing it below.  
 (You may only indicate one Debtor per claim form.)

Debtor \_\_\_\_\_

United States Bankruptcy Court for the Eastern District of Missouri

Case number \_\_\_\_\_

**Official Form 410  
 Proof of Claim**

04/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Other than a claim under 11 U.S.C. § 503(b)(9), this form should not be used to make a claim for an administrative expense arising after the commencement of the case.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

**Part 1: Identify the Claim**

1. **Who is the current creditor?** \_\_\_\_\_  
 Name of the current creditor (the person or entity to be paid for this claim)  
 Other names the creditor used with the debtor \_\_\_\_\_

2. **Has this claim been acquired from someone else?**  No  
 Yes. From whom? \_\_\_\_\_

<p>3. <b>Where should notices and payments to the creditor be sent?</b></p> <p>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)</p>	<p><b>Where should notices to the creditor be sent?</b></p> <p>Name _____</p> <p>Number _____ Street _____</p> <p>City _____ State _____ ZIP Code _____</p> <p>Country _____</p> <p>Contact phone _____</p> <p>Contact email _____</p>	<p><b>Where should payments to the creditor be sent? (if different)</b></p> <p>Name _____</p> <p>Number _____ Street _____</p> <p>City _____ State _____ ZIP Code _____</p> <p>Country _____</p> <p>Contact phone _____</p> <p>Contact email _____</p>
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Uniform claim identifier for electronic payments in chapter 13 (if you use one):  
 \_\_\_\_\_

4. **Does this claim amend one already filed?**  No  
 Yes. Claim number on court claims registry (if known) \_\_\_\_\_ Filed on \_\_\_\_\_  
 MM / DD / YYYY

5. **Do you know if anyone else has filed a proof of claim for this claim?**  No  
 Yes. Who made the earlier filing? \_\_\_\_\_

**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

6. Do you have any number you use to identify the debtor?  No  
 Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: \_\_\_ \_ \_ \_

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7. How much is the claim? \$ \_\_\_\_\_ Does this amount include interest or other charges?  
 No  
 Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

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8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.  
 Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).  
 Limit disclosing information that is entitled to privacy, such as health care information.  
 \_\_\_\_\_

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9. Is all or part of the claim secured?  No  
 Yes. The claim is secured by a lien on property.  
**Nature of property:**  
 Real estate: If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.  
 Motor vehicle  
 Other. Describe: \_\_\_\_\_  
**Basis for perfection:** \_\_\_\_\_  
 Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)  
**Value of property:** \$ \_\_\_\_\_  
**Amount of the claim that is secured:** \$ \_\_\_\_\_  
**Amount of the claim that is unsecured:** \$ \_\_\_\_\_ (The sum of the secured and unsecured amount should match the amount in line 7.)  
**Amount necessary to cure any default as of the date of the petition:** \$ \_\_\_\_\_  
**Annual Interest Rate** (when case was filed) \_\_\_\_\_ %  
 Fixed  
 Variable

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10. Is this claim based on a lease?  No  
 Yes. Amount necessary to cure any default as of the date of the petition. \$ \_\_\_\_\_

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11. Is this claim subject to a right of setoff?  No  
 Yes. Identify the property: \_\_\_\_\_

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

- No  
 Yes. Check all that apply:

Amount entitled to priority

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

- Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). \$ \_\_\_\_\_
- Up to \$2,850\* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7). \$ \_\_\_\_\_
- Wages, salaries, or commissions (up to \$12,850\*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). \$ \_\_\_\_\_
- Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). \$ \_\_\_\_\_
- Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). \$ \_\_\_\_\_
- Other. Specify subsection of 11 U.S.C. § 507(a)(\_\_) that applies. \$ \_\_\_\_\_

\* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim pursuant to 11 U.S.C. § 503(b)(9)?

- No  
 Yes. Indicate the amount of your claim arising from the value of any goods received by the debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.

\$ \_\_\_\_\_

**Part 3: Sign Below**

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- I am the creditor.
- I am the creditor's attorney or authorized agent.
- I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgement that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date \_\_\_\_\_  
 MM / DD / YYYY

\_\_\_\_\_  
 Signature

**Print the name of the person who is completing and signing this claim:**

Name \_\_\_\_\_  
 First name Middle name Last name

Title \_\_\_\_\_

Company \_\_\_\_\_  
 Identify the corporate servicer as the company if the authorized agent is a servicer.

Address \_\_\_\_\_  
 Number Street

City State ZIP Code Country

Contact phone \_\_\_\_\_ Email \_\_\_\_\_

## Official Form 410 Instructions for Proof of Claim

United States Bankruptcy Court

12/15

These instructions and definitions generally explain the law. In certain circumstances, such as bankruptcy cases that debtors do not file voluntarily, exceptions to these general rules may apply. You should consider obtaining the advice of an attorney, especially if you are unfamiliar with the bankruptcy process and privacy regulations.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.  
18 U.S.C. §§ 152, 157 and 3571

### PLEASE SEND COMPLETED PROOF(S) OF CLAIM TO:

Peabody Energy Corp Claims Processing Center  
c/o KCC  
2335 Alaska Avenue  
El Segundo, CA 90245

### How to fill out this form

■ Fill in all of the information about the claim as of the date the case was filed.

■ Fill in the caption at the top of the form

■ If the claim has been acquired from someone else, then state the identity of the last party who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.

■ Attach any supporting documents to this form. Attach redacted copies of any documents that show that the debt exists, a lien secures the debt, or both. (See the definition of *redaction* on the next page.)

Also attach redacted copies of any documents that show perfection of any security interest or any assignments or transfers of the debt. In addition to the documents, a summary may be added. Federal Rule of Bankruptcy Procedure (called "Bankruptcy Rule") 3001(c) and (d).

■ Do not attach original documents because attachments may be destroyed after scanning.

■ If the claim is based on delivery health care goods or services, do not disclose confidential health care information. Leave out or redact confidential information both in the claim and in the attached documents.

■ A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, individual's tax identification number, or financial account number, and only the year of any person's date of birth. See Bankruptcy Rule 9037.

■ For a minor child, fill in only the child's initials and the full name and address of the child's parent or guardian. For example, write *A.B., a minor child (John Doe, parent, 123 Main St., City, State)*. See Bankruptcy Rule 9037.

### Confirmation that the claim has been filed

To receive confirmation that the claim has been filed, either enclose a stamped self-addressed envelope and a copy of this form or you may view a list of filed claims in this case by visiting the Claims and Noticing and Agent's website at <http://www.kccllc.net/peabody>.

### Understand the terms used in this form

**Administrative expense:** Generally, an expense that arises after a bankruptcy case is filed in connection with operating, liquidating, or distributing that bankruptcy estate.  
11 U.S.C. § 503

**Claim:** A creditor's right to receive payment for a debt that the debtor owed on the date the debtor filed for bankruptcy. 11 U.S.C. § 101 (5). A claim may be secured or unsecured.

**Claim Pursuant to 11 U.S.C. §503(b)(9):** A claim arising from the value of any goods received by the Debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of the Debtor's business. Attach documentation supporting such claim.

**Creditor:** A person, corporation, or other entity to whom a debtor owes a debt that was incurred on or before the date the debtor filed for bankruptcy. 11 U.S.C. §101 (10).

**Debtor:** A person, corporation, or other entity to who is in bankruptcy. Use the debtor's name and case number as shown in the bankruptcy notice you received. 11 U.S.C. §101 (13).

**Evidence of perfection:** Evidence of perfection of a security interest may include documents showing that a security interest has been filed or recorded, such as a mortgage, lien, certificate of title, or financing statement.

**Information that is entitled to privacy:** A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, an individual's tax identification number, or a financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If a claim is based on delivering health care goods or services, limit the disclosure of the goods or services to avoid embarrassment or disclosure of confidential health care information. You may later be required to give more information if the trustee or someone else in interest objects to the claim.

**Priority claim:** A claim within a category of unsecured claims that is entitled to priority under 11 U.S.C. §507(a). These claims are paid from the available money or property in a bankruptcy case before other unsecured claims are paid. Common priority unsecured claims include alimony, child support, taxes, and certain unpaid wages.

**Proof of claim:** A form that shows the amount of debt the debtor owed to a creditor on the date of the bankruptcy filing. The form must be filed in the district where the case is pending.

**Redaction of information:** Masking, editing out, or deleting certain information to protect privacy. Filers must redact or leave out information entitled to **privacy** on the *Proof of Claim* form and any attached documents.

**Do not file these instructions with your form.**

**Secured claim under 11 U.S.C. §506(a):** A claim backed by a lien on particular property of the debtor. A claim is secured to the extent that a creditor has the right to be paid from the property before other creditors are paid. The amount of a secured claim usually cannot be more than the value of the particular property on which the creditor has a lien. Any amount owed to a creditor that is more than the value of the property normally may be an unsecured claim. But exceptions exist; for example, see 11 U.S.C. § 1322(b) and the final sentence of 1325(a).

Examples of liens on property include a mortgage on real estate a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In states, a court judgment may be a lien.

**Setoff:** Occurs when a creditor pays itself with money belonging to the debtor that it is holding, or by canceling a debt it owes to the debtor.

**Uniform claim identifier:** An optional 24-character identifier that some creditors use to facilitate electronic payment.

**Unsecured claim:** A claim that does not meet the requirements of a secured claim. A claim may be unsecured in part to the extent that the amount of the claim is more than the value of the property on which a creditor has a lien.

### Offers to purchase a claim

Certain entities purchase claims for an amount that is less than the face value of the claims. These entities may contact creditors offering to purchase their claims. Some written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court, the bankruptcy trustee, or the debtor. A creditor has no obligation to sell its claim. However, if a creditor decides to sell its claim, any transfer of that claim is subject to Bankruptcy Rule 3001(e), any provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.) that apply, and any orders of the bankruptcy court that apply.

**EXHIBIT C**

**(Form of Publication Notice)**

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

In re:

Peabody Energy Corporation, et al.,  
Debtors.

Case No. 16-42529-399  
CHAPTER 11

Jointly Administered

**NOTICE OF DEADLINES FOR FILING OF PROOFS OF CLAIM**

**PLEASE TAKE NOTICE OF THE FOLLOWING:**

On \_\_\_\_\_, 2016, the United States Bankruptcy Court for the Eastern District of Missouri (the "Court") entered an order (Docket No. \_\_) (the "Bar Date Order")<sup>1</sup> establishing certain deadlines for the filing of proofs of claim in the chapter 11 cases of Peabody Energy Corporation and certain of its direct and indirect subsidiaries (collectively, the "Debtors").

**A schedule identifying the Debtors and their respective case numbers can be obtained, free of charge, from the website maintained by the Debtors' claims, noticing and balloting agent, Kurtzman Carlson Consultants LLC ("KCC"), at <http://www.kccllc.net/peabody> (the "KCC Website").**

By the Bar Date Order, the Court established: (i) **August 19, 2016 at 11:59 p.m., Central Time** (the "General Bar Date"), as the general deadline for entities to file proofs of claim in the Debtors' cases for claims against the Debtors that arose or are deemed to have arisen prior to the date on which the Debtors filed their chapter 11 petitions, April 13, 2016 (the "Petition Date"); and (ii) **October 11, 2016 at 11:59 p.m., Central Time** (the "Governmental Bar Date"), as the general deadline for governmental units to file proofs of claim in the Debtors' cases for claims against the Debtors that arose or are deemed to have arisen prior to the Petition Date. As described below, the Bar Date Order also establishes different bar dates for certain categories of claims.

As used in this Notice, the terms "claim," "entity," "governmental unit," "person" have the meanings given to them under applicable sections of title 11 of the United States Code (the "Bankruptcy Code").

**1. THE BAR DATES**

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<sup>1</sup> All capitalized terms not otherwise defined herein shall have the meaning set forth in the Bar Date Order.



The Bar Date Order establishes the following bar dates for filing proofs of claim or requests for payment of certain administrative expenses in these cases (collectively, the "Bar Dates"):

- (a) The General Bar Date. Pursuant to the Bar Date Order, except as described below, all entities holding claims (whether secured, unsecured, priority or unsecured priority, including section 503(b)(9) claims) against the Debtors that arose or are deemed to have arisen prior to the commencement of these cases are required to file proofs of claim by the General Bar Date. *The General Bar Date applies to all types of claims against the Debtors that arose prior to the Petition Date.*
- (b) The Governmental Bar Date. Pursuant to the Bar Date Order, all governmental units holding claims against the Debtors that arose before the Petition Date are required to file proofs of claim by the Governmental Bar Date (*i.e.*, by October 11, 2016 at 11:59 p.m., Central Time).
- (c) The Rejection Bar Date. Pursuant to the Bar Date Order, any entity asserting any prepetition or postpetition claims against the Debtors (including administrative claims under section 503(b) of the Bankruptcy Code) arising from or relating to the rejection of executory contracts or unexpired leases pursuant to a court order or by operation of section 365(d)(4) of the Bankruptcy Code (collectively, "Rejection Damages Claims") are required to file proofs of claim by the later of:
  - (i) the General Bar Date or the Governmental Bar Date (as applicable); and
  - (ii) 11:59 p.m., Central Time, on the date that is 30 days after the entry of the relevant order or the deemed rejection date. The later of these dates is referred to in this Notice as the "Rejection Bar Date."
- (d) The Amended Schedule Bar Date. Pursuant to the Bar Date Order, if, subsequent to the date of this Notice, a Debtor amends or supplements its Schedules to:
  - (i) reduce the undisputed, noncontingent and liquidated amount of a claim against the Debtor; (ii) change the nature or classification of a claim against the Debtor in a manner adverse to the scheduled creditor; or (iii) add a new claim to the Schedules with respect to a party that was not previously served with notice of the Bar Dates, the affected claimant is required to file a proof of claim or amend any previously filed proof of claim in respect of the new or amended scheduled claim on or before the later of: (i) the General Bar Date; and (ii) 11:59 p.m., Central Time, on the date that is 30 days after the date that notice of the applicable amendment or supplement to the Schedules is served on the claimant. The later of these dates is referred to in this Notice as the "Amended Schedule Bar Date."

## **2. WHO MUST FILE A PROOF OF CLAIM**

Unless an exception applies, if you have a claim that arose or is deemed to have arisen prior to the Petition Date, you **MUST** file a proof of claim to vote on a chapter 11 plan or to share in distributions from the Debtors' bankruptcy estates. Claims based on acts or omissions of the Debtors that occurred before the Petition Date must be filed on or prior to the applicable Bar Date, even if such claims are not now fixed, liquidated or certain or did not mature or become

fixed, liquidated or certain before the Petition Date. The exceptions to the requirement to file a claim by the Bar Dates are described in the Bar Date Order, which is available on the KCC Website.

**No Bar Date for Proofs of Interest.** Any entity holding an interest in any Debtor (an "Interest Holder"), which interest is based exclusively upon the ownership of common or preferred stock in a corporation, a membership interest in a limited liability corporation or partnership or warrants or rights to purchase, sell or subscribe to such a security or interest (any such security or interest, an "Interest"), need not file a proof of Interest on or before the General Bar Date; provided, however, that Interest Holders who wish to assert claims against any of the Debtors that arise out of or relate to the ownership or purchase of an Interest, including claims arising out of or relating to the sale, issuance or distribution of the Interest, must file proofs of claim on or before the General Bar Date, unless another exception applies. The Debtors have reserved the right to establish at a later time a bar date requiring Interest Holders to file proofs of Interest. If such bar date is established, Interest Holders will be notified of the bar date for filing proofs of Interest at the appropriate time.

### **3. WHAT TO FILE**

Claims should be asserted on proof of claim forms that conform substantially to the standard proof of claim form, Official Form B 410. Proof of claim forms may be obtained, free of charge, at the KCC Website or <http://www.uscourts.gov/bkforms>.

All proof of claim forms must be **signed** by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant (electronic signatures are acceptable). The proof of claim form must be written in English and be denominated in United States currency. You should attach to your completed proof of claim form any documents upon which the claim is based (or, if such documents are voluminous, attach a summary) or an explanation as to why the documents are not available.

Except as otherwise set forth in the Bar Date Order, all Claimants asserting a Claim against more than one Debtor must file a separate Proof of Claim with respect to each such Debtor and identify on each Proof of Claim the particular Debtor against which such Claim is asserted and the case number for that particular Debtor. If any Proof of Claim does not clearly specify the name of the Debtor against which the claim is asserted (including listing multiple Debtors), that Proof of Claim shall be administered as though it was filed against Peabody Energy Corporation, unless a single different case number is clearly specified. Notwithstanding the foregoing, the failure of any entity to file its Proof of Claim against the correct Debtor shall not constitute cause to expunge the Proof of Claim. Rather, the Debtors may seek to reclassify the Proof of Claim so that the claim is asserted against the proper Debtor on notice to the affected claimant.

Any entity asserting a Rejection Damages Claim with an administrative claim component must file, along with its proof of claim, a detailed statement describing the nature and basis of any portion of the Rejection Damages Claim asserting an administrative priority under section 503(b) of the Bankruptcy Code (the "Administrative Claim Supplement").

Under the Bar Date Order, the filing of a proof of claim form, along with an attached Administrative Claim Supplement, if applicable, shall be deemed to satisfy the procedural requirements for the assertion of a Rejection Damages Claim (including any administrative claim included therein). *All other administrative claims under section 503(b) of the Bankruptcy Code must be made by separate requests for payment in accordance with section 503(a) of the Bankruptcy Code and shall not be deemed proper if made by proof of claim.* No deadline has been established for the filing of administrative claims other than (a) claims under section 503(b)(9) of the Bankruptcy Code and (b) any portion of a Rejection Damages Claim seeking administrative priority, which claims must be filed by the General Bar Date and the Rejection Bar Date, respectively.

#### 4. WHEN AND WHERE TO FILE

Proofs of claim must be sent either (a) by first-class mail, overnight courier, or hand-delivery to Peabody Energy Corp Claims Processing Center, c/o KCC, 2335 Alaska Avenue, El Segundo, CA 90245; (b) electronically using the interface available on KCC's website at <https://epoc.kccllc.net/peabody>; or (c) electronically using Court's website at <http://www.moeb.uscourts.gov/epoc>. **Proofs of claim may NOT be delivered by facsimile or electronic mail transmission;**

Claimants must submit proofs of claim to the PEC Claims Processing Center in person; electronically through KCC's or the Court's website; or by courier service, hand delivery or mail. Proofs of claim will be deemed filed only when **actually received** by the PEC Claims Processing Center on or before the applicable Bar Date. **Proofs of claim may NOT be delivered by facsimile or electronic mail transmission.** Any facsimile or electronic mail submission will not be accepted and will not be deemed filed until a proof of claim is submitted by one of the approved methods described above.

Proof of claim forms will be collected from the PEC Claims Processing Center, docketed and maintained by the Debtors' claims agent, KCC. If you wish to receive acknowledgement of KCC's receipt of a proof of claim, you must submit to KCC by the applicable Bar Date and concurrently with your original proof of claim: (a) a copy of the original proof of claim; and (b) a self-addressed, postage prepaid return envelope.

#### 5. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE APPLICABLE BAR DATE

EXCEPT AS OTHERWISE SET FORTH IN THE BAR DATE ORDER, ANY ENTITY THAT IS REQUIRED TO FILE A PROOF OF CLAIM WITH RESPECT TO A PARTICULAR CLAIM AGAINST A DEBTOR BUT THAT FAILS TO DO SO BY THE APPLICABLE BAR DATE DESCRIBED IN THIS NOTICE SHALL BE FOREVER BARRED, ESTOPPED AND ENJOINED FROM THE FOLLOWING: (A) ASSERTING ANY SUCH CLAIM AGAINST THE DEBTORS OR THEIR ESTATES OR PROPERTY THAT (I) IS IN AN AMOUNT THAT EXCEEDS THE AMOUNT, IF ANY, THAT IS IDENTIFIED IN THE SCHEDULES ON BEHALF OF SUCH ENTITY AS UNDISPUTED, NONCONTINGENT AND LIQUIDATED OR (II) IS OF A DIFFERENT NATURE OR CLASSIFICATION THAN ANY SUCH CLAIM IDENTIFIED IN THE SCHEDULES ON BEHALF OF SUCH ENTITY (ANY SUCH CLAIM IN THIS SUBPARAGRAPH (A) BEING REFERRED TO IN THIS NOTICE AS AN

"UNSCHEDULED CLAIM"); (B) VOTING UPON, OR RECEIVING DISTRIBUTIONS UNDER, ANY CHAPTER 11 PLAN OR PLANS IN THESE CHAPTER 11 CASES IN RESPECT OF AN UNSCHEDULED CLAIM; OR (C) WITH RESPECT TO ANY ADMINISTRATIVE PRIORITY CLAIM COMPONENT OF ANY REJECTION DAMAGES CLAIM, ASSERTING ANY SUCH PRIORITY CLAIM AGAINST THE DEBTORS OR THEIR ESTATES OR PROPERTY.

## **6. RESERVATION OF RIGHTS**

The Debtors reserve the right, subject to the Final DIP Order, to: (a) dispute, or assert offsets or defenses against, any filed claim or any claim listed or reflected in the Schedules as to nature, amount, liability, priority, classification or otherwise; (b) subsequently designate any scheduled claim as disputed, contingent or unliquidated; and (c) otherwise amend or supplement the Schedules. Nothing contained in this Notice shall preclude the Debtors from objecting to any claim, whether scheduled or filed, on any grounds.

## **7. THE DEBTORS' SCHEDULES AND ADDITIONAL INFORMATION**

You may be listed as the holder of a claim against one or more of the Debtors in the Debtors' Schedules. Copies of the Debtors' Schedules, a proof of claim form and other information and documents regarding the Debtors' chapter 11 cases (including the Bar Date Order) are available for inspection and download free of charge on the KCC Website.

If you rely on the Debtors' Schedules, it is your responsibility to determine that the claim is accurately listed in the Schedules. Otherwise, if you decide to file a proof of claim, you must do so before the applicable Bar Date in accordance with the procedures set forth in this Notice.

If you require additional information regarding the filing of a proof of claim, you may contact KCC at (866) 967-1783 (toll free in the U.S. and Canada) or +1 (310) 751-2683 (international calls). You also may contact KCC directly by writing to the PEC Claims Processing Center.

**A HOLDER OF A POSSIBLE CLAIM AGAINST THE DEBTORS SHOULD CONSULT AN ATTORNEY REGARDING ANY MATTERS NOT COVERED BY THIS NOTICE, SUCH AS WHETHER THE HOLDER SHOULD FILE A PROOF OF CLAIM. YOU ARE FURTHER ENCOURAGED TO CAREFULLY REVIEW THE BAR DATE ORDER AND RELATED MATERIALS ON THE KCC WEBSITE.**