

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:

Peabody Energy Corporation, et al.,
Reorganized Debtors.

Case No. 16-42529-399
CHAPTER 11

Jointly Administered

**ORDER DENYING GOVERNMENTAL PLAINTIFFS’
MOTION FOR A STAY PENDING APPEAL**

This matter comes before the Court upon the *Governmental Plaintiffs’ Motion for a Stay Pending Appeal of the Order Granting Reorganized Debtors’ Motion for Entry of an Order Enforcing the Discharge and Injunction Set Forth in the Confirmation Order and Plan* [Docket No. 3586] (the “Motion”). The Court having considered the Motion; *Reorganized Peabody Energy Corporation’s Objection to Plaintiffs’ Motion to Stay Order Pending Appeal* [Docket No. 3608] (the “Objection”); the *Declaration of William M. Sloan in Support of Reorganized Peabody Energy Corporation’s Objection to Plaintiffs’ Motion to Stay Order Pending Appeal*, attached to the Objection, which was admitted for the purpose of the status and schedule of the California cases involving the PEC Causes of Action¹; and the statements of counsel with respect to the Motion and the Objection at a hearing before the Court on December 5, 2017 (the “Hearing”); and the Court having found that (i) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and Rule 81-9.01(B)(1) of the Local Rules of the United

¹ Capitalized terms used herein and not defined have the meanings given to them in the *Memorandum Opinion* [Docket No. 3514].




States District Court for the Eastern District of Missouri; (ii) venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and (iii) this is a core proceeding pursuant to 28 U.S.C. § 157(b);

IT IS HEREBY ORDERED THAT:

1. The Motion is DENIED for the reasons stated by the Court on the record at the Hearing.
2. No later than two days after the date this Order is entered on the docket, the Claims and Noticing Agent is directed to serve a copy of the Order and is directed to file a certificate of service no later than 24 hours after service.

DATED: December 8, 2017
St. Louis, Missouri

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Barry S. Schermer
United States Bankruptcy Judge

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