

**THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

In re:	)	Case No. 16-42529-399
	)	CHAPTER 11
Peabody Energy Corporation, et al.,	)	
	)	(Jointly Administered)
Debtors.	)	
	)	
	)	
Environmental Law & Policy Center	)	
and Western Organization of Resource	)	
Councils,	)	
	)	
Movants,	)	
	)	
v.	)	
	)	
Peabody Energy Corporation, et al.,	)	
	)	Re. Doc. 488
Respondents.	)	

**ORDER GRANTING MOTION OF THE ENVIRONMENTAL LAW & POLICY  
CENTER AND THE WESTERN ORGANIZATION OF RESOURCE  
COUNCILS FOR RELIEF FROM THE AUTOMATIC STAY**

On July 20, 2016, the *Motion of the Environmental Law & Policy Center and the Western Organization of Resource Councils for Relief from the Automatic Stay* (Motion) came before me for hearing. The Environmental Law & Policy Center (ELPC) appeared through counsel, Brady C. Williamson. Western Organization of Resource Councils and Powder River Basin Resource Council (WORC, and together with ELPC, Movants) appeared through council, James T. Burgardt. The United States of America, on behalf of the U.S. Department of the Interior's Office of Surface Mining Reclamation and Enforcement appeared through counsel, Alan S. Tenenbaum. The Debtors appeared through counsel, Amy Edgy. Upon careful consideration and for the reasons set forth on the record on July 20, 2016, it is hereby

**ORDERED** that the Motion is **GRANTED** in that, to the extent the stay applies, the Movants may file their draft May 16, 2016 amended citizen complaint with the Office of Surface Mining Reclamation and Enforcement (Illinois and Indiana) and their undated amended citizen complaint with the Office of Surface Mining (Wyoming). It is further

**ORDERED** that the Movants may provide the Office of Surface Mining Reclamation and Enforcement information pertaining to the self bonding requirements of the Debtor and its affiliates under the Federal Surface Mining Control and Reclamation Act. It is further

**ORDERED** that the Movants may advocate their position regarding the Debtor's and its affiliates timely satisfying self bonding requirements of jurisdictions in Illinois, Indiana, and Wyoming. It is further

**ORDERED** that the Movants may not take any action contrary to 11 U.S.C. §362(a)(3) including but not limited to actions and litigation to interfere with the Debtors' mine permits, renewals of permits, or modifications of their permits or renewals. It is further

**ORDERED** that 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 this Order and is directed to file a certificate of service no later than 24 hours after such service.

DATED: July 20, 2016

St. Louis, Missouri



Barry S. Schermer  
United States Bankruptcy Judge