

PEABODY ENERGY CORP  
Form 8-K  
December 15, 2016

**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**  
**WASHINGTON, D.C. 20549**

**Form 8-K**

**CURRENT REPORT**  
**PURSUANT TO SECTION 13 OR 15(d) OF**  
**THE SECURITIES EXCHANGE ACT OF 1934**

**Date of Report (Date of earliest event reported): December 15, 2016**

**PEABODY ENERGY CORPORATION**  
**(Exact name of registrant as specified in its charter)**

**Delaware**  
**(State or Other Jurisdiction**  
  
**of Incorporation)**

**701 Market Street, St. Louis, Missouri**

**1-16463**  
**(Commission**  
  
**File Number)**

**13-4004153**  
**(I.R.S. Employer**  
  
**Identification No.)**

**63101-1826**

(Address of Principal Executive Offices)

(ZIP Code)

Registrant's telephone number, including area code: (314) 342-3400

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)

Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)

Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))

Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

## **Item 1.02 Termination of a Material Definitive Agreement**

### ***Background***

As previously disclosed, on April 13, 2016 (the *Petition Date* ), Peabody Energy Corporation, a Delaware corporation (the *Company* ) and a majority of the *Company*'s wholly owned domestic subsidiaries, as well as one international subsidiary in Gibraltar (collectively with the *Company*, the *Debtors* ), filed voluntary petitions under Chapter 11 of Title 11 of the U.S. Code in the United States Bankruptcy Court for the Eastern District of Missouri (the *Bankruptcy Court* ). The *Debtors*' Chapter 11 cases (collectively, the *Chapter 11 Cases* ) are being jointly administered under the caption *In re Peabody Energy Corporation, et al.*, Case No. 16-42529.

In addition, as previously disclosed, on May 18, 2016, the *Bankruptcy Court* entered an order approving that certain Superpriority Secured Debtor-in-Possession Credit Agreement (as amended from time to time, the *DIP Credit Agreement* ), dated April 18, 2016, between the *Company*, as borrower, Citibank, N.A., as administrative agent and the lender parties thereto on a final basis. Also as previously disclosed, on December 2, 2016, the *Company* filed a motion with the *Bankruptcy Court* seeking, among other things, authority to pay in full all amounts outstanding under the *DIP Credit Agreement* (the *DIP Obligations* ) prior to the scheduled maturity date and confirmation of the *Company*'s continued use of cash collateral.

### ***Termination of DIP Credit Agreement***

On December 14, 2016, the *Bankruptcy Court* entered an order authorizing the early repayment of the *DIP Obligations*. On December 15, 2016, the *Company* repaid in full the *DIP Obligations*. Upon making this payment, the *Company*'s obligations under the *DIP Credit Agreement* were satisfied in full and the *DIP Credit Agreement* was terminated.

Descriptions of the terms and conditions of the *DIP Credit Agreement* are set forth in the *Company*'s Current Reports on Form 8-K filed with the Securities and Exchange Commission on April 22, 2016, May 25, 2016, October 14, 2016, November 23, 2016 and December 14, 2016 and are incorporated herein by reference.

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

**PEABODY ENERGY CORPORATION**

*December 15, 2016*

By: /s/ A. Verona Dorch  
Name: A. Verona Dorch  
Title: Chief Legal Officer