

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
KENTUCKY, OWENSBORO DIVISION**

Kathryn Knight v. Peabody Energy, et al.

Knight v. Peabody Energy, No. 4:26-cv-101-BJB (W.D. Ky. May 19, 2026) · No. 4:26-cv-101-BJB · Decided
May 19, 2026

SUMMARY

The United States District Court for the Western District of Kentucky adopted a magistrate judge's Report and Recommendation and entered the parties' agreed order concerning attorneys' fees and costs. The court ordered the defendants to pay \$5,285.00 to the plaintiff's attorneys and directed the plaintiff to file a stipulation of dismissal or status report by June 19, 2026.

OPINION

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF KENTUCKY OWENSBORO DIVISION KATHRYN KNIGHT PLAINTIFF v. No. 4:26-cv-101-BJB PEABODY ENERGY, ET AL. DEFENDANTS ORDER ADOPTING REPORT AND RECOMMENDATION AND ENTERING THE AGREED ORDER Kathryn Knight is the surviving spouse of a Kentucky coal miner who suffered from black lung disease. According to her Complaint, an administrative law judge awarded Knight damages under the Black Lung Act in 2021 and a review board affirmed the award in 2023.

Though the Defendants (Peabody Energy, Peabody Coal Company, Peabody Coal Company LLC, Heritage Coal Company, and Peabody Energy Corporation) appealed the review board's decision to the Sixth Circuit, the Defendants eventually moved to dismiss the appeal after reaching a settlement with the Director of the Office of Workers' Compensation Programs, who administers the Black Lung Benefits Act.

Complaint (DN 1) at 4–5. Knight alleges that the Director also issued a letter determining that the Defendants owed her \$14,120.88 in additional compensation. See Letter (DN 1-5). Knight's Complaint, filed in February 2026, alleges the Defendants have not paid this additional compensation. A little more than a month later, and before the Defendants filed any response to the Complaint, the parties filed a proposed agreed fee order.

Agreed Order (DN 7). The proposed order stipulated that Defendants would pay attorneys' fees and costs of \$5,285.00. The Court referred the proposed agreed order to Magistrate Judge Brennenstuhl, who issued a report recommending the Court sign the proposed order. R&R (DN 11); 28 U.S.C. § 636(b)(1)(B). No party objected to the Report and Recommendation. So the law allows this Court to adopt it without review.

See *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Nevertheless, the Court has reviewed and finds no error in Judge Brennenstuhl's conclusions. Accordingly, the Court adopts the Report and Recommendation (DN 11), incorporates it by reference as part of this order, adopts the parties' proposed agreed fee order (DN 7), and orders the Defendants to pay \$5,285.00 in attorneys' fees and cost reimbursements to the Plaintiff's attorneys.

The Defendants shall issue payment in that amount to Vowels Law PLC, P.O. Box 2082, Henderson, Kentucky 42419- 2082. Further, consistent with the Plaintiffs notice that she will voluntarily dismiss the case after the Court enters the agreed order (DN 9), the Court orders the Plaintiff to either file a stipulation of dismissal or an appropriate status report by June 19, 2026.