

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MAINE

In re:

MONTREAL MAINE & ATLANTIC  
RAILWAY, LTD.

Debtor.

Bk. No. 13-10670

Chapter 11

**ORDER RESOLVING IN PART CLAIMANT'S [SIC] MOTION FOR RELIEF FROM JUDGMENT AND RECONSIDERATION OF TRUSTEE'S THIRD OMNIBUS OBJECTION TO PROOFS OF CLAIM THAT WILL BE SATISFIED UNDER THE CCAA PLAN AND THAT WERE RELEASED UNDER THE PLAN, CERTAIN OF WHICH ADDITIONALLY (A) CONTAIN INSUFFICIENT DOCUMENTATION AND/OR (B) [WERE] LATE FILED**

This matter having come before the Court on the *Claimant's [Sic] Motion for Relief from Judgment and Reconsideration of Trustee's Third Omnibus Objection to Proofs of Claim That Will be Satisfied Under the CCAA Plan and that were Released Under the Plan, Certain of Which Additionally (A) Contain Insufficient Documentation and/or (B) [Were] Late Filed* [D.E. 2149] (the "Motion for Relief"), filed by the creditors listed on Schedule A to the Motion for Relief (collectively, the "Moving Creditors"), and the *Estate Representative's Objection to Claimant's [Sic] Motion for Relief from Judgment and Reconsideration of Trustee's Third Omnibus Objection to Proofs of Claim That Will be Satisfied Under the CCAA Plan and that were Released Under the Plan, Certain of Which Additionally (A) Contain Insufficient Documentation and/or (B) [Were] Late Filed* [D.E. 2164] (the "Objection")<sup>1</sup>; and after extended discussion and analysis by and between the Estate Representative, the Monitor in the CCAA Case of Montreal Maine & Atlantic Canada Co. (the "Monitor") and counsel to the Moving Creditors regarding resolution of the Motion for Relief and the Objection; and the parties having submitted a revised form of order on the Motion for Relief to the Court; and after

<sup>1</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Objection.

such notice and opportunity for hearing as was required by the Bankruptcy Code, the Bankruptcy Rules, and this Court's local rules, and after due deliberation and sufficient cause appearing therefore; it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The Motion for Relief and Objection are resolved in part, as set forth below.
2. Every claim included in the Motion for Relief is reflected on Exhibit A, B or C to this Order. No claim included in the Motion for Relief has been omitted from all three exhibits.
3. The Motion for Relief shall be denied with respect to the claims set forth on Exhibit A hereto (the "Denied Claims").
4. The Motion for Relief shall be granted with respect to the claims set forth on Exhibit B hereto (the "Permitted Late Claims"); *provided*, however, that the amounts of the Permitted Late Claims shall be amended on the Debtor's claims register to correspond to the amounts included on Exhibit B, and the Moving Creditors holding such Permitted Late Claims are prohibited from seeking to assert additional amounts in connection with such claims.
5. The Motion for Relief shall be continued to **March 8, 2017 at 9:00 a.m. (ET)** with respect to the claims set forth on Exhibit C hereto (the "Continued Claims"). The Moving Creditors shall notice a continued hearing on the Motion for Relief with respect only to the Continued Claims within three business days of entry of this Order. The Estate Representative reserves the right to prosecute the Objection with respect to the Continued Claims.
6. This Court shall retain jurisdiction to consider any matters arising from entry of this Order, including consideration of the Motion for Relief with respect to the Continued Claims.

Dated: \_\_\_\_\_, 2017

\_\_\_\_\_  
**Honorable Peter J. Cary**  
**Chief Judge, United States Bankruptcy Court**

**Exhibit A**  
**Denied Claims (13)**

<b>Claim No.</b>	<b>Claimant Name</b>	<b>Claim Amount (if applicable)</b>
510	Tafisa Canada Inc.	N/A
512	Blenkhorn, Gesner	N/A
513	Beaudry, Isabelle	N/A
514	Halle, Steven	N/A
515	Laprise, Jacques	N/A
526	Beaudoin, Gabriel	N/A
529	Bouchard, Michel	N/A
532	Champagne, Line	N/A
549	Nadeau, Sabrina	N/A
551	Roy, Gabryel	N/A
571	Rodrigue, Renald	N/A
578	Roy, Jacques	N/A
580	Campeau Duplessis, Amelie	N/A

**Exhibit B**  
**Permitted Late Claims (39)**

Claim No.	Claimant Name	Additional <sup>1</sup> Claim Amount <sup>2</sup>
302	Lacroix, Pascale	\$0.00
303	Guay, Nancy	\$0.00
437	Roy, Doris	\$0.00
525	Pierre Boulet on behalf of Bar Laitier	\$0.00
527	Bizier Lacroix, Roxanne	\$0.00
530	Boulet, Louise (Deceased)	\$2,591.00 <sup>3</sup>
531	Bourgeois, Helene	\$0.00
533	Charest, Denis	\$0.00
536	Emmanuel Baillargeon on behalf of Force Action Nutrition	\$3,500.00
537	Fortin, Jean-Yves	\$20,000.00
539	Daniel Gendron on behalf of Gravure Megantic	\$3,160.00
542	Lafontaine, Christian	\$0.00
544	Lapierre, Guillaume	\$1,000.00
545	Lapierre, Manon	\$0.00
546	Lavoie, Joyce	\$0.00
548	Martin, Andre	\$59,440.00 <sup>3</sup>
552	Roy, Ginette	\$0.00
553	Roy, Julie	\$2,591.00 <sup>3</sup>
555	Roy, Sandra	\$0.00
556	St. Hilaire, Bernard	\$59,440.00 <sup>3</sup>
557	Tanguay, Jean	\$0.00
558	The Heritage Building	\$91,964.00
559	Turcotte, Celine	\$0.00
560	Valiquette, André	\$2,000.00
561	Valiquette, Louise	\$2,000.00
563	Morin, Carolyne	\$0.00
564	Guillette, Sylvain	\$0.00
565	Lacroix, Arielle (Minor) to Josee Morin	\$0.00
566	Lacroix, Felix (Minor) to Josee Morin	\$0.00
567	Melissa Robert on behalf of ER, Minor	\$0.00
568	Melissa Robert on behalf of MR, Minor	\$16,803.00 <sup>3</sup>
569	Pascale Lacroix on behalf of Raphael Gallant	\$500.00
570	Pascale Lacroix on behalf of Gabriel Gallant	\$100.00

<sup>1</sup> This note applies to all claims on Exhibit B. Certain (but not all) of the Claimants on this Exhibit B have already received distributions under the Plan or the CCAA Plan, whether on the Claim reflected on this Exhibit or otherwise. The amounts in this column represent incremental recoveries to those individuals, if any.

<sup>2</sup> All amounts are in Canadian dollars.

<sup>3</sup> This claim amount is subject to change in accordance with the claims resolution procedures of the Monitor (as defined in the Plan), as the claims pool for Derailment Moral Damages and Personal Injury Claims (as defined in the Plan), which corresponds to the Bodily Injury and Moral Damages Claims under the CCAA Plan (as defined in the Plan), has not yet been finalized.

<b>Claim No.</b>	<b>Claimant Name</b>	<b>Additional<sup>1</sup> Claim Amount<sup>2</sup></b>
575	Bizier, Jocelyne	\$0.00
576	Michel Boulanger on behalf of minor Julien Boulanger	\$0.00
577	Michel Boulanger on behalf of Mathilde Boulanger	\$0.00
579	Dion, Francis	\$0.00
581	Steve Roy on behalf of Youry Roy, Minor	\$47,597.00 <sup>3</sup>
582	Dubois, Denise	\$5,000.00

**Exhibit C**  
**Continued Claims (11)**

<b>Claim No.</b>	<b>Claimant Name</b>	<b>Claim Amount (if applicable)</b>
436	Poirer, Melanie	N/A
524	Audet, Beland	N/A
534	Chouinard, Sonia	N/A
535	Favreau, Lea	N/A
547	Beland Audet on behalf of Logi-Bel	N/A
550	Pierre Boulet on behalf of Poulet Frit Ideal	N/A
554	Roy, Rejean	N/A
562	Valiquette, Philippe	N/A
572	Lisandra Arencibia Tamayo Gagne obo Gagne, Emerick, minor	N/A
573	Lisandra Arencibia Tamayo Gagne obo Gagne, Julianne Blain Minor	N/A
574	Gagne, Lisandra Arencibia Tamayo	N/A