

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MAINE

In re:

MONTREAL, MAINE & ATLANTIC  
RAILWAY, LTD.,

Debtor.

Bk. No. 13-10670  
Chapter 11

**ORDER THE TRUSTEE'S MOTION FOR ENTRY OF AN ORDER (I) ENFORCING  
THE RELEASES AND INJUNCTIONS CONTAINED IN THE CONFIRMATION  
ORDER AND CONFIRMED PLAN OF LIQUIDATION AND  
(II) AWARDING COSTS AND ATTORNEY'S FEES**

Upon consideration of the *Trustee's Motion for Entry of an Order (I) Enforcing the Releases and Injunctions Contained in the Confirmation Order and Confirmed Plan of Liquidation and (II) Awarding Costs and Attorneys' Fees* (the "Motion"), filed by Robert J. Keach, as Trustee of Montreal Maine & Atlantic Railway, Ltd.; and it appearing that this Court has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334; and it appearing that venue of this chapter 11 case and the Motion in this district is proper pursuant to 28 U.S.C. § 1408 and 1409; and it appearing that this proceeding on the Motion is a core proceeding pursuant to 28 U.S.C. § 157(b); and sufficient notice of the Motion having been given; and it appearing that no other or further notice need be provided; and the Court having found that the Insurance Plaintiffs' actions violate, and are in contempt of, the Releases and Injunctions and that the relief requested in the Motion is necessary to enforce the Plan, Releases and Injunctions; and after due deliberation and sufficient cause appearing therefor; it is hereby **ORDERED**, **ADJUDGED**, and **DECREEED** that:<sup>1</sup>

1. The Motion is granted in its entirety.

<sup>1</sup> Capitalized terms used but not defined herein have the same meaning ascribed to such terms as in the Motion.

2. The Plaintiffs are hereby enjoined from the continued prosecution of the Action against Western Petroleum, and shall dismiss the Action, with prejudice, within five (5) days following the entry of this Order.

3. The Trustee and/or Western Petroleum are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order.

4. The Plaintiffs shall reimburse the Trustee for his attorneys' fees and costs related to bringing and prosecuting the Motion in the amount set forth in the Trustee's Affidavit of Costs and Expenses filed with the Court at the hearing on the Motion.

5. All objections to the Motion or the relief requested therein, if any, that have not been withdrawn, waived, or settled, and all reservations of rights included therein, are overruled on the merits.

6. This Court shall retain jurisdiction with respect to all matters arising or related to the enforcement of this Order.

Dated: November 18, 2015

/s/ Peter G. Cary  
The Honorable Peter J. Cary  
Chief Judge, United States Bankruptcy  
Court for the District of Maine

District/Off: 0100-1

User: kford

Date Created: 11/19/2015

Case: 13-10670

Form ID: pdf900

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intp Wrongful Death, Personal Injury, Business, Property and Environmental Clients as of 9/1/13  
cr Estate of Jefferson Troester  
cr DPTS Marketing, LLC  
cr Dakota Petroleum Transport Solutions, LLC

TOTAL: 4

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