

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MAINE

In re:

MONTREAL MAINE & ATLANTIC  
RAILWAY, LTD.

Debtor.

Bk. No. 13-10670

Chapter 11

**FOURTH ORDER RESOLVING 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 Court having entered three initial orders resolving certain of the issues raised in the Motion for Relief

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

[D.E. 2297, 2320, 2357] (together, the “Initial Resolving Orders”); and the parties having submitted a fourth revised form of order resolving the balance of the issues raised in the Motion for Relief to the Court; and after 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 **DECREEED** that:

1. Nothing in this Order alters any provision of the Initial Resolving Orders. Every “Continued Claim” included on Exhibit B to Initial Resolving Order 2357 is reflected on Exhibit A to this Order.

2. The Motion for Relief is granted with respect to the claims set forth on Exhibit A hereto; *provided*, however, that (a) the amount of Claim No. 554 shall be amended on the Debtor’s claims register to correspond to the amounts included on Exhibit A, and the Moving Creditor holding such Claim is hereby prohibited from seeking to assert additional amounts in connection with such claims; and (b) the amount of Claim No. 574 is not prescribed or set by this Order, but shall be determined in accordance with the Plan and the CCAA Plan via the claims resolution processes prescribed therein.

3. 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

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

**Exhibit A**  
**Permitted Late Claims (2)**

| <b>Claim No.</b> | <b>Claimant Name</b>             | <b>Additional<sup>1</sup> Claim Amount<sup>2</sup></b> |
|------------------|----------------------------------|--|
| 554              | Roy, Rejean                      | \$400,000  |
| 574              | Gagne, Lisandra Arencibia Tamayo | N/A  |

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<sup>1</sup> This note applies to all claims on Exhibit A. Certain (but not all) of the Claimants on Exhibit A 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.