

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MAINE

<hr/>)
In re:)
)
MONTREAL, MAINE &)
ATLANTIC RAILWAY LTD.,)
)
Debtor.)
<hr/>)

CHAPTER 11
Case No. 13-10670

MOTION OF TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA TO
EXPEDITE HEARING ON TRAVELERS’ MOTION FOR RELIEF FROM THE
AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362(d)(1)

NOW COMES Travelers Property Casualty Company of America (“Travelers”), by and through its attorneys Richardson, Whitman, Large & Badger PC, and hereby moves this Honorable Court to expedite the hearing on Travelers’ Motion for Relief From the Automatic Stay, filed of even date. In further support thereof, Travelers states as follows:

1. On August 27, 2013, Travelers filed its Motion for Relief From the Automatic Stay Pursuant to 11 U.S.C. § 362(d)(1) (the “Motion”).
2. Pursuant to D. Me. LBR 4001-1(c)(1) and D. Me. LBR 9013-1(d)(1), in addition to filing the Motion, Travelers is required to both obtain a date for a hearing on the Motion, and to provide notice of said hearing date to the debtor and other interested parties.
3. Under D. Me. LBR 9013-1(d)(5), the hearing on the Motion must be at least 21 days after the date the Motion is filed.
4. Per the Court’s ECF filing system, should Travelers schedule the hearing for any hearing date in excess of 30 days from the date of the filing of the Motion, a waiver of the protections of 11 U.S.C. § 362(e) is implied.

5. Although Travelers Motion is not an emergency, Travelers does not wish to waive any of its rights under 11 U.S.C. § 362(e).

6. On information and belief, the Court does not have any hearing dates available that are in excess of 21 days from the date of the filing of the Motion, but less than 30 days from the date of the filing of the Motion.

7. Consequently, Travelers is in the precarious position of not being able to comply with the 21 day notice requirements of D. Me. LBR 4001-1(c)(1) and D. Me. LBR 9013-1(d)(1) without potentially waiving its rights under 11 U.S.C. § 362(e).

8. On information and belief, the furthest available hearing date from the filing of the Motion that is still within 30 days falls on September 13, 2013, which is **18** days from the filing of the Motion.

9. Travelers respectfully requests permission to schedule the hearing on its Motion to Stay for September 13, 2013. If so allowed, Travelers would include a response deadline of September 10, 2013, which would provide any parties that wish to object 15 days to do so.

WHEREFORE, Travelers respectfully requests that this Honorable Court **GRANT** its Motion for an Expedited Hearing on its Motion For Relief From Stay, and permit said hearing to occur on September 13, 2013.

Dated at Bangor, Maine, this the 27th day of August, 2013.

TRAVELERS PROPERTY CASUALTY
COMPANY OF AMERICA,

By its attorneys,

/s/ Frederick J. Badger, Jr.

Frederick J. Badger, Jr., Esq. (#215)

fbadger@rwlb.com

Attorney for Travelers Property
Casualty Company of America

/s/ Joshua A. Randlett

Joshua A. Randlett, Esq. (#4681)

jrandlett@rwlb.com

Attorney for Travelers Property
Casualty Company of America

RICHARDSON, WHITMAN, LARGE & BADGER
One Merchants Plaza
P.O. Box 2429
Bangor, ME 04402-2429
(207) 945-5900

CERTIFICATE OF SERVICE

I hereby certify that on August 27, 2013, I electronically filed the foregoing Motion For Expedited Hearing with the Clerk of Court by using the CM/ECF system, which will send notification of such filing to each of the following:

Roger J. Clement, Jr., Esq.
Verrill Dana, LLP
One Portland Square
P.O. Box 586
Portland, ME 04112-0586
rclement@verrilldana.com
(Attorney for Debtor)

Nathan R. Hull, Esq.
Verrill Dana, LLP
P.O. Box 586
Portland, ME 04112-0586
nhull@verrilldana.com
(Attorney for Debtor)

Robert J. Keach, Esq.
Bernstein, Shur, Sawyer & Nelson
100 Middle Street, 6th Floor
P.O. Box 9729
Portland, ME 04104-5029
rkeach@bernsteinshur.com
(Trustee)

Stephen G. Morrell, Esq.
Office of the U.S. Trustee
537 Congress Street
Portland, ME 04101
stephen.g.morrell@usdoj.gov
(Office of U.S. Trustee)

Jennifer H. Pincus, Esq.
Office of the U.S. Trustee
537 Congress Street
Portland, ME 04101
jennifer.h.pincus@usdoj.gov
(Office of U.S. Trustee)

Richard P. Olson, Esq.
Perkins Olson, PA
32 Pleasant Street
P.O. Box 449
Portland, ME 04112
rolson@perkinolson.com
(Creditor Committee / Unofficial Committee of Victims)

I further certify that on August 27, 2013, pursuant to Fed. R. Bankr. P. 4001(a)(1) and D. Me. LBR 4001-1(a), I made due notice of this Motion for Expedited Hearing by mailing a confirmed copy thereof via United States Postal Service, postage prepaid, to the Debtor and the following creditors that were included in the list filed pursuant to Fed. R. Bankr. P. 1007(d):

Montreal, Maine & Atlantic Railway, Ltd.
c/o Norma Jean Griffiths, Registered Agent
15 Iron Road
Hermon, ME 04401

New Brunswick Southern Railway Co. Ltd.
P.O. Box 5777
Saint John, NB E2L 4M3
CANADA

Rail World, Inc.
c/o Edward A. Burkhardt, President & CEO
6400 Shafer Court, Suite 275
Des Plaines, IL 60018

Flex Leasing I, LLC
SDS 12-2315
P.O. Box 86
Minneapolis, MN 55486-0086

Canadian Pacific Railway Co.
c/o E. Hunter Harrison, CEO
Lock Box M101979
P.O. Box 2078, Station B
Montreal, PQ H3B 4H4
CANADA
Valero Marketing & Supply
c/o Bill Klesse, Chairman & CEO

One Valero Way
San Antonio, TX 78249-1616

Rail World Locomotive Leasing
c/o Edward A. Burkhardt, President & CEO
6400 Shafter Court, Suite 275
Des Plaines, IL 60018

Gowling Lafleur Henderson LLP
c/o Denise St-Onge
1400, 700 – 2nd Street S.W.
Calgary, AB T2P 4V5
CANADA

Cattron Theimeg
Box 200477
Pittsburgh, PA 15251-0477

Petro Sud-Ouest Inc.
619, Laurent
Granby, PQ J2G 8Y3
CANADA

Ville De Sherbrooke
145 Rue Wellington Nord
C.P. 610
Sherbrooke, QC J1H 5H9
CANADA

RWC, Inc.
248 Lockhouse Road
P.O. Box 876
Westfield, MA 01086-0876

St. Lawrence & Atlantic RR
M2118, Case Postale 11500
Succursale Centre-Ville
Montreal, PQ H3C 5N7
CANADA

Maine Northern Railway
P.O. Box 905, Station A

71 Alison Boulevard
Fredericton, NB E3B 5B4
CANADA

AC Electric Corp.
c/o Dan Parsons, President & CEO
120 Merrow Road
P.O. Box 1508
Auburn, ME 04211-1508

Debroussailleurs GSL, Inc.
5646 Chemin Saint-Remi
St-Adien-De-Ham, PQ J0A 1C0
CANADA

Helm Financial Corporation
Lock Box 13499
13499 Collections Center Drive
Chicago, IL 60693

State of Maine
Maine Revenue Service
c/o Stanley D. Campbell, Deputy Director
P.O. Box 9107
Augusta, ME 04332-9107

Canadian Pacific Railway
c/o E. Hunter Harrison, CEO
P.O. Box 2078
Station B
Montreal, QC H3B 4H4
CANADA

Gowling Lafleur Henderson LLP
c/o R. Scott Jolliffe, Chair & CEO
1400, 700 – 2nd Street S.W.
Calgary, AB T2P 4V5
CANADA

Progress Rail Services
c/o William P. Ainsworth, CEO

24601 Network Place
Chicago, IL 60673-1246

/s/ Joshua A. Randlett, Esq.
Attorney for Travelers Property
Casualty Company of America

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MAINE

_____)	
In re:)	
)	
MONTREAL, MAINE &)	CHAPTER 11
ATLANTIC RAILWAY LTD.,)	Case No. 13-10670
)	
Debtor.)	
_____)	

ORDER GRANTING THE MOTION OF TRAVELERS PROPERTY CASUALTY
COMPANY OF AMERICA TO EXPEDITE HEARING ON TRAVELERS' MOTION FOR
RELIEF FROM THE AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362(d)(1)

This matter comes before the Court as a result of Travelers Property Casualty Company of America's Motion to Expedite the Hearing on Travelers' Motion for Relief From Stay, filed on August 27, 2013. For good cause shown, the Court hereby **GRANTS** Travelers' Motion. Travelers may schedule the hearing on said Motion for September 13, 2013 at 10:00 a.m.

The Clerk is directed to incorporate this Order by reference upon the docket.

DATED: _____

Judge, U.S. Bankruptcy Court
District of Maine