

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MAINE

In re)	
)	
MONTREAL MAINE & ATLANTIC RAILWAY, LTD.)	CHAPTER 11
)	CASE NO. 13-10670-LHK
Debtor)	
)	

DECLARATION OF MITCHELL A. TOUPS, ESQ.

I, Mitchell A. Toups, Esq., hereby declare as follows:

1. I am a partner with the law firm of Mitchell A. Toups, Esq., Weller, Green, Toups & Terrell LLP (“WGT&T”), P.O. Box 350, Beaumont, Texas 77704, duly admitted to practice before the courts of the State of Texas.

2. WGT&T is counsel to the representatives of the estates of 11 people killed in the massive explosion in Lac-Mégantic, Quebec, from the derailment of a train (the “Derailment”) operated by the Debtor (the “Wrongful Death Claimants”).¹

3. All of the Wrongful Death Claimants have executed engagement agreements authorizing the WGT&T to take all necessary action to investigate and to prosecute any and all claims for personal injuries and/or death arising from the Derailment.

4. WGT&T is further authorized to retain additional counsel on behalf of the Wrongful Death Claimants at no cost to them to assist in the recovery of the claims held by them and to make decisions on their behalf regarding the strategy that would maximize recovery of their claims. Pursuant to such authority, WGT&T has engaged the law firms of Murtha Cullina

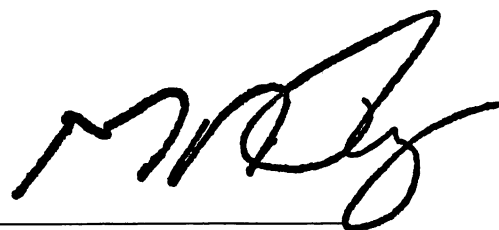
¹ Four Wrongful Death Claimants represented by WGT&T are also represented by Meyers & Flowers, LLC and The Webster Law Firm (in one instance, those firms represent the husband while WGT&T represents the wife), who independently represent thirty-six of the forty-seven victims’ estates.

LLP and Gross, Minsky & Mogul, P.A. to represent the Wrongful Death Claimants in all matters concerning the Debtor's chapter 11 case.

5. Upon being engaged by the Wrongful Death Claimants, I, along with my local counsel in Quebec, meet and communicate with the Wrongful Death Claimants on a regular basis to apprise them about the status and progress of recovery efforts.

I declare under the penalty of perjury that to the best of my knowledge, the foregoing is true and accurate.

DATED THIS 14th DAY OF MARCH, 2014.

A handwritten signature in black ink, appearing to read 'M. A. Toups', written over a horizontal line.

Mitchell A. Toups, Esq.

COVER SHEET TO AMENDED DECLARATION OF TED A. MEYERS, ESQ.

The attached Amended Declaration of Ted A. Meyers, Esq. reflects the following amendment to the Declaration of Ted A. Meyers, Esq. ("Former Meyers Declaration") filed in support of the Second Amended Verified Statement of Bankruptcy Counsel Concerning Representation of Wrongful Death Claimants as Required by Fed. R. Bank. P. 2019 filed on March 13, 2014 [Docket No. 754]:

- Footnote 1 of the Former Meyers Declaration is amended to state that four (not three, as previously stated) of the forty clients represented by the Law Firms are also represented by Attorney Mitchell A. Toups, who independently represents seven of the forty-seven victims' estates.

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MONTREAL MAINE & ATLANTIC)	CHAPTER 11
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)	
Debtor)	
_____)	

AMENDED DECLARATION OF TED A. MEYERS, ESQ.

I, Ted A. Meyers, Esq., hereby declare as follows:

1. I am a partner with the law firm of Meyers & Flowers, LLC, 3 North Second Street, Suite 300, St. Charles, Illinois, duly admitted to practice before the courts of the State of Illinois (“Meyers & Flowers”).

2. Meyers & Flowers and The Webster Law Firm (the “Law Firms”), 6200 Savoy, Suite 515, Houston, Texas 77036 are counsel to the representatives of the estates of 40 people killed in the massive explosion in Lac-Mégantic, Quebec, from the derailment of a train (the “Derailment”) operated by the Debtor (the “Wrongful Death Claimants”).¹

3. All of the Wrongful Death Claimants have executed engagement agreements authorizing the Law Firms to take all necessary action to investigate and to prosecute any and all claims for personal injuries and/or death arising from the Derailment.

4. The Law Firms are further authorized to retain additional counsel on behalf of the Wrongful Death Claimants at no cost to them to assist in the recovery of the claims held by them and to make decisions on their behalf regarding the strategy that would maximize recovery of

¹ Four of forty clients represented by the Law Firms are also represented by Attorney Mitchell A. Toups, who independently represents seven of the forty-seven victims’ estates.

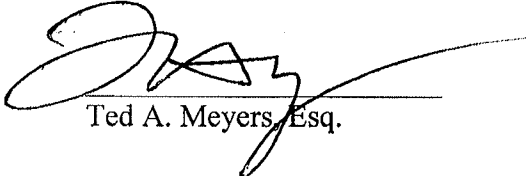
their claims. Pursuant to such authority, Meyers & Flowers engaged the Quebec law firm of Mercier Morin to serve as local Canadian counsel to communicate regularly with the Wrongful Death Claimants about the status and progress of the investigation and prosecution of their claims. The Law Firms also engaged the law firms of Murtha Cullina LLP and Gross, Minsky & Mogul, P.A. to represent the Wrongful Death Claimants in all matters concerning the Debtor's chapter 11 case.

5. Upon being engaged by the Wrongful Death Claimants, my partners, Peter Flowers, Craig Brown, Ryan Theriault and Brian Perkins along with Attorney Jason Webster of the Webster Law Firm, spent on a combined basis at least forty days in Lac-Megantic, meeting with each Wrongful Death Claimant. Attorneys from the Law Firms continue to communicate with the Wrongful Death Claimants and Canadian counsel on a regular basis to apprise them about the status and progress of recovery efforts.

6. In addition, Canadian counsel engaged by the Law Firms communicates with the Wrongful Death Victims, telephonically and in writing, on a near daily basis to respond to any inquiries and provide consistent, regular updates regarding, among other things, the status of the Debtor's chapter 11 case and actions against third parties.

I declare under the penalty of perjury that to the best of my knowledge, the foregoing is true and accurate.

DATED THIS 14 OF MARCH, 2014.


Ted A. Meyers, Esq.