

RELIEF REQUESTED WITHOUT A HEARING

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MAINE**

In re:

MONTREAL MAINE & ATLANTIC
RAILWAY, LTD.,

Debtor.

Bk. No. 13-10670
Chapter 11

**THIRD CONSENT MOTION TO CONTINUE THE HEARING ON LEXINGTON
INSURANCE COMPANY'S APPLICATION FOR ALLOWANCE AND
PAYMENT OF ADMINISTRATIVE CLAIM AND TO EXTEND
RELATED DEADLINES**

Robert J. Keach, as trustee (the "Trustee") of Montreal Maine & Atlantic Railway, Ltd. (the "Debtor"), with the consent of Lexington Insurance Company ("Lexington Insurance"), hereby requests that this Court enter an Order extending certain deadlines and continuing the hearing with respect to Lexington Insurance's Application for Allowance and Payment of Administrative Claim [D.E. 1296] (the "Application"). In support of this consented-to motion, the Trustee states as follows:

1. On October 3, 2014, the Trustee filed the Trustee's Motion, Pursuant to 11 U.S.C. §§ 105(a) and 503, for an Order Establishing the Deadline for Filing Administrative Claims and Approving the Form and Manner of Notice Thereof [D.E. 1134] (the "Admin Bar Date Motion"). On October 22, 2014, the Court entered an Order granting the Admin Bar Date Motion [D.E. 1164]. Thereafter, on December 1, 2014, Lexington Insurance submitted the Application.

2. On December 19, 2014, the Trustee filed the Consent Motion to Continue the Hearing on Lexington Insurance Company's Application for Allowance and Payment of Administrative Claim and to Extend Related Deadlines [D.E. 1320] (the "First Consent Motion"), which proposed to continue the hearing on the Application from January 13, 2015 to March 10, 2015 (the "Hearing"). The First Consent Motion also proposed to extend the deadline for the Trustee to file a response or objection to the Application from December 22, 2014 to February 24, 2015 (the "Objection Deadline"), and proposed a deadline for Lexington Insurance to file a reply to any response or objection to the Application of March 3, 2015 (the "Reply Deadline"). On December 22, 2014, the Court entered an order granting the First Consent Motion [D.E. 1324].

3. On February 17, 2015, the Trustee filed the Second Consent Motion to Continue the Hearing on Lexington Insurance Company's Application for Allowance and Payment of Administrative Claim and to Extend Related Deadlines [D.E. 1358] (the "Second Consent Motion"), which proposed to continue the Hearing from March 10, 2015 to May 19, 2015. The Second Consent Motion also proposed to extend the Objection Deadline from February 24, 2015 to April 21, 2015, and the Reply Deadline from March 3, 2015 to May 12, 2015. On February 18, 2015, the Court entered an order granting the Second Consent Motion [D.E. 1361].

4. Since the submission of the Second Consent Motion, and the Court's entry of the Order granting the relief therein, counsel for the Trustee and Lexington Insurance have been engaged in settlement discussions in an attempt to resolve the claims set forth in the Application.

5. In light of such settlement discussions, and pursuant to Fed. R. Bankr. P. 9006(b) and D. Me. LBR 9006-1(a), counsel for the Trustee and Lexington Insurance have agreed to continue the Hearing from May 19, 2015 to September 22, 2015. The parties have also agreed to

extend the Objection Deadline from April 21, 2015 to August 25, 2015, and the Reply Deadline from May 12, 2015 to September 15, 2015.

6. The Trustee and Lexington Insurance request that the Court grant this consented-to motion without a hearing pursuant to D. Me. LBR 9013-1.

WHEREFORE, the Trustee, with Lexington Insurance's consent, respectfully requests that the Court enter an Order: (a) continuing the Hearing to September 22, 2015 at 10:30 a.m. E.S.T.; (b) extending the Objection Deadline to August 25, 2015; (c) extending the Reply Deadline to September 15, 2015; and (b) granting such other and further relief as may be granted.

Dated: April 21, 2015

ROBERT J. KEACH
CHAPTER 11 TRUSTEE OF MONTREAL
MAINE & ATLANTIC RAILWAY, LTD.

By his attorneys:

/s/ Timothy J. McKeon

Timothy J. McKeon
BERNSTEIN, SHUR, SAWYER & NELSON, P.A.
100 Middle Street
P.O. Box 9729
Portland, ME 04104-5029
Tel: (207) 774-1200
Fax: (207) 774-1127

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MAINE**

In re:

MONTREAL MAINE & ATLANTIC
RAILWAY, LTD.,

Debtor.

Bk. No. 13-10670
Chapter 11

**ORDER GRANTING THE THIRD CONSENT MOTION TO CONTINUE THE
HEARING ON LEXINGTON INSURANCE COMPANY'S APPLICATION
FOR ALLOWANCE AND PAYMENT OF ADMINISTRATIVE
CLAIM AND TO EXTEND RELATED DEADLINES**

Upon consideration of the Third Consent Motion to Continue the Hearing on Lexington Insurance Company's Application for Allowance and Payment of Administrative Claim and to Extend Related Deadlines (the "Third Consent Motion") filed by Robert J. Keach, as trustee of Montreal Maine & Atlantic Railway, Ltd., and Lexington Insurance consenting to the relief sought in the Third Consent Motion, and without a hearing pursuant to D. Me. LBR 9013-1(d)(1) and Fed. R. Bankr. P. 9006(b)(1), it is hereby **ORDERED**, **ADJUDGED** and **DECREED** as follows:¹

1. The Third Consent Motion is granted.
2. The Hearing shall take place on **September 22, 2015** at **10:30 a.m. E.S.T.**
3. The Objection Deadline is extended up to and including **August 25, 2015**.
4. The Reply Deadline is extended up to and including **September 15, 2015**.

¹ Unless otherwise indicated, all capitalized terms used but not defined herein have the same meaning as ascribed to such terms in the Third Consent Motion.

5. This Order shall become final in fourteen (14) days unless a party in interest sooner objects, in which case the matter shall be set for hearing and considered by the Court as if this Order had not been entered.

Dated: _____, 2015

The Honorable Peter G. Cary
United States Bankruptcy Judge for the
District of Maine