

Relief Requested Without Hearing

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE

In re:

MONTREAL MAINE & ATLANTIC
RAILWAY, LTD.

Debtor.

Chapter 11
Case No. 13-10670

CONSENT MOTION TO CONTINUE HEARING WITH RESPECT 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

The claimants listed on Schedule A (collectively, the "Claimants") to 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"), by and through their undersigned counsel, hereby file this motion seeking an order continuing the hearing on the Motion for Relief to December 6, 2016. Robert J. Keach, the estate representative (the "Estate Representative") for the post-effective date estate of Montreal Maine & Atlantic Railway, Ltd. (the "Debtor"), consents to the relief requested herein. By way of further support the Claimants state as follows:

1. On April 19, 2016, the Claimants filed the Motion. A hearing is scheduled to take place on the Motion for Relief on October 4, 2016.
2. On May 3, 2016, the Estate Representative filed his objection to the Motion for Relief [D.E. 2164] (the "Objection").

3. The parties are discussing a possible resolution with respect to the Motion for Relief but require additional time to continue discussions regarding the contours of a resolution. Accordingly, the parties seek to continue the hearing on the Motion for Relief to December 6, 2016 to accommodate further discussions.

WHEREFORE, the Claimants respectfully requests that this Court enter an order (1) continuing the hearing on the Motion for Relief until December 6, 2016 at 9:00 a.m. and (2) granting such further relief as this Court deems necessary and appropriate.

Dated: September 30, 2016

By their attorneys:

/s/ George W. Kurr, Jr., Esq.
George W. Kurr, Jr., Esq.
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CERTIFICATE OF SERVICE

I, George W. Kurr, Jr., Esquire, of the firm Gross, Minsky & Mogul, P.A., hereby certify that on September 30, 2016, I electronically filed **CONSENT MOTION TO CONTINUE HEARING WITH RESPECT TO CLAIMANT'S MOTION FOR RELIEF FROM JUDGMENT AND RECONSIDERATION OF CLAIM 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) LATE FILED** with the Court via the CM/ECF electronic filing system which will send notification of such filing to the attorneys/parties of record who have registered as CM/ECF participants.

/s/ George W., Kurr, Jr., Esq.
George W. Kurr, Jr., Esq.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE**

In re:

MONTREAL MAINE & ATLANTIC
RAILWAY, LTD.

Debtor.

Chapter 11
Case No. 13-10670

**ORDER GRANTING CONSENT MOTION TO CONTINUE HEARING
WITH RESPECT 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)**

Upon the motion of those claimants listed on Schedule A (collectively, the "Claimants") to 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") for an order continue the hearing on the Motion for Relief to December 6, 2016 (the "Motion to Continue"),¹ and the Estate Representative having consented to the relief sought in the Motion to Continue; and after due deliberation thereon; and good and sufficient cause appearing therefor, it is hereby

ORDERED, ADJUDGED and DECREEED that:

1. The Motion to Continue is granted.
2. The hearing on the Motion for Relief is continued to December 6, 2016 at 9:00

a.m.

¹ Capitalized terms used but not defined herein shall have the meanings ascribed in the Motion to Continue.

3. 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: _____, 2016

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

UNITED STATE BANKRUPTCY COURT
DISTRICT OF MAINE

In Re:

Montreal Maine & Atlantic
Railway, LTD.,
Debtor.

Bk. No. 13-10670
Chapter 11

**Schedule A to Claimant's Motion for Relief from Judgment and Reconsideration of Claim 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) Late Filed**

Schedule "A"

303 Guay, Nancy
302 Lacroix, Pascale
436 Poirier, Melanie
437 Roy, Doris
524 Audet, Beland
526 Beaudoin, Gabriel
547 Beland Audet on behalf of Logi-Bel
575 Bizier, Jocelyne
529 Bouchard, Michel
530 Boulet, Louise
531 Bourgeois, Helene
532 Champagne, Line
533 Charest, Denis
534 Chouinard, Sonia
539 Daniel Gendron on behalf of Gravure Megantic
579 Dion, Francois
558 Doris Roy on behalf of The Heritage Building
582 Dubois, Denise

580 Duplessis, Amelie Campeau
536 Emanuel Baillargeon obo Force Action Nutrition
535 Favreau, Lea
537 Fortin, Jean-Yves
574 Gagne, Lisandra Arencibia Tamayo
565 Josee Morin on behalf of A.L, a minor
566 Josee Morin on behalf of F.L., a minor
527 Lacroix, Roxanne Bizier
542 Lafontaine, Christian
544 Lapierre, Guillaume
545 Lapierre, Manon
546 Lavoie, Joyce
572 Lisandra Arencibia Tamayo Gagne obo E.G., minor
573 Lisandra Arencibia Tamayo Gagne obo J.B.G., minor
548 Martin, Andre
567 Melissa Robert on behalf of E.R., a minor
568 Melissa Robert on behalf of M.R., a minor
576 Michel Boulanger on behalf of J.B., a minor
577 Michel Boulanger on behalf of M.B., a minor
563 Morin, Carolyne
549 Nadeau, Sabrina
570 Pascale Lacroix on behalf of G.G., a minor
569 Pascale Lacroix on behalf of R.G., a minor
525 Pierre Boulet on behalf of Bar Laitier
550 Pierre Boulet on behalf of Poulet Frit Ideal
571 Rodrigue, Renald
551 Roy, Gabryel
552 Roy, Ginette
578 Roy, Jacques
553 Roy, Julie

554 Roy, Rejean
555 Roy, Sandra
556 St.-Hilaire, Bernard
581 Steve Roy on behalf of Y.R., a minor
557 Tanguay, Jean
559 Turcotte, Celine
560 Valiquette, Andre
561 Valiquette, Louise
562 Valiquette, Philippe