

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MAINE**

In re:

MONTREAL, MAINE & ATLANTIC  
RAILWAY, LTD.,

Debtor.

Bk. No. 13-10670  
Chapter 11

**MOTION OF NEW BRUNSWICK SOUTHERN RAILWAY COMPANY  
LIMITED AND MAINE NORTHERN RAILWAY COMPANY FOR AN  
ORDER SCHEDULING A STATUS CONFERENCE**

New Brunswick Southern Railway Company Limited and Maine Northern Railway Company (together, the “Irving Railroads”) respectfully request that the Court conduct a telephonic status conference to address the scheduling of such further proceedings as may be appropriate in connection with the Estate Representative’s objections to the proofs of claim filed by the Irving Railroads’ in the within chapter 11 case.<sup>1</sup> The scheduling of a status conference is appropriate in light of the Opinion and Judgment entered by the United States Bankruptcy Appellate Panel for the First Circuit in *Keach v. New Brunswick Southern Railway Company Limited (In re Montreal, Maine & Atlantic Railway, Ltd.)*, BAP No. EB 16-015 (Oct. 21, 2016) affirming this Court’s Order of February 26, 2016 [D.E. 2034] overruling in part the Estate Representative’s objections to the Irving Railroads’ proofs of claim.

The Estate Representative has advised counsel for the Irving Railroads that he is not available on the next available regularly scheduled Tuesday hearing date (November 15, 2016),

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<sup>1</sup> Pursuant to the *Trustee’s Revised First Amended Plan of Liquidation Dated July 15, 2015* [D.E. 1534], Robert J. Keach, the former chapter 11 trustee of the Debtor is now the Estate Representative of the Post-Effective Date Estate (as defined in the Plan).

but is available the rest of that week. Accordingly, subject to the Court's availability, the Irving Railroads respectfully request that the Court schedule a telephonic status conference at a convenient time on either November 16, 17 or 18, or at such other date and time as the Court may select. A proposed Order is attached hereto.

Respectfully submitted,

Dated: November 9, 2016

*/s/ Keith J. Cunningham*

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**ORDER SCHEDULING STATUS CONFERENCE**

For cause shown, the Motion of New Brunswick Southern Railway Company Limited and Maine Northern Railway Company for an Order Scheduling a Status Conference is hereby granted and the Court shall conduct a telephonic status *conference* on \_\_\_\_\_, 2016, at \_\_\_\_\_ Eastern Standard Time, to address the scheduling of such further proceedings as may be appropriate in connection with the objections of the Estate Representative to the proofs of claim filed by New Brunswick Southern Railway Company Limited and Maine Northern Railway Company.

IT IS SO ORDERED.

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United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT  
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In re:

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**CERTIFICATE OF SERVICE**

I, Michelle S. Pottle, an employee of Pierce Atwood LLP, being over the age of 18, hereby certify that on the date set forth below I caused copies of (i) Motion of New Brunswick Southern Railway Company Limited and Maine Northern Railway Company for an Order Scheduling a Status Conference, and (ii) Proposed Order to be served upon the parties indicated on the service list attached hereto in the manner described on said service list.

Dated: Portland, Maine  
November 9, 2016

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