

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

In re:

MONTREAL, MAINE & ATLANTIC  
RAILWAY, LTD.,

Debtor.

Bk. No. 13-10670  
Chapter 11

**CONSENT MOTION TO EXTEND REPLY DEADLINE**

Robert J. Keach, the estate representative (the “Estate Representative”) for the post-effective date estate of Montreal Maine & Atlantic Railway, Ltd. (the “MMA”), hereby requests, with the consent of New Brunswick Southern Railway Company Limited (“NBSR”) and Maine Northern Railway Company (“MNR,” and together with NBSR, the “Irving Railroads”), that this Court enter an Order extending certain deadlines with respect to the *Amended Joint Pretrial Statement and Order Between the Estate Representative and New Brunswick Southern Railway Company Limited and Maine Northern Railway Company* [D.E. 2311] (the “JPO”).<sup>1</sup> In support of this consented-to motion (the “Motion”), the Estate Representative states as follows:

1. On February 22, 2017, the Court entered the JPO, which set forth deadlines with respect to the Objection.

2. In accordance with the JPO, on February 28, 2017, the Estate Representative filed his *Amended Objection of Estate Representative to Proofs of Claim Filed by New Brunswick Southern Railway Company Limited and Maine Northern Railway Company on the Basis That Certain of Such Claims Are Duplicative of Others, and Such Others Are Improperly Asserted as Administrative and/or Priority Claims, in an Inaccurate Amount, and Subject to Disallowance Under Bankruptcy Code Section 502(d)* [D.E. 2313] (the “Amended Objection”).

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<sup>1</sup> Capitalized terms used but not defined herein shall have the meaning ascribed in the JPO.

3. Also in accordance with the JPO, Irving Railroads filed their response to the Amended Objection on March 16, 2017 [D.E. 2323].<sup>2</sup>

4. On March 21, 2017, Wheeling and Lake Erie Railway Company (“Wheeling”) filed its response and reservation of rights with respect to the Amended Objection [D.E. 2324].

5. Currently, the deadline for the Estate Representative and the Irving Railroads (together, the “Parties”) to file replies to the responsive pleadings is March 28, 2017 (the “Reply Deadline”).

6. The Parties have agreed to extend the Reply Deadline pending a joint motion extending further deadlines in the JPO, which the Parties expect to file later this week.

**WHEREFORE**, the Estate Representative respectfully requests that this Court enter an order (a) extending the discovery deadline to a date to be prescribed in a further motion and (b) granting such further relief as this Court deems necessary and appropriate.

Dated: March 28, 2017

**ROBERT J. KEACH**  
**ESTATE REPRESENTATIVE OF THE POST-EFFECTIVE DATE ESTATE OF MONTREAL, MAINE & ATLANTIC RAILWAY, LTD.,**

By his attorneys:

/s/ Robert J. Keach, Esq.

Robert J. Keach, Esq.

Lindsay K. Zahradka, Esq. (admitted *pro hac vice*)

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<sup>2</sup> The Irving Railroads had served their response on March 14, 2017 but due to inclement weather did not file the response until March 16, 2017.

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**ORDER GRANTING CONSENT MOTION TO EXTEND REPLY DEADLINE**

Upon the Estate Representative's consent motion (the "Motion")<sup>1</sup> for an order extending reply deadline with respect to the Amended Objection; and due and sufficient notice of the Motion having been given under the particular circumstances; and it appearing that no other or further notice need be provided; and the Irving Railroads having consented to the relief sought in the Motion; and it appearing that the relief requested by the Motion is in the best interest of estate, its creditors, its stakeholders and other parties in interest; and after due deliberation thereon; and good and sufficient cause appearing therefor, it is hereby **ORDERED**, **ADJUDGED** and **DECREED** that:

1. The Motion is granted.
2. The Reply Deadline is hereby extended pending the filing of a joint motion by the Parties with respect to certain other deadlines contained in the JPO.
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: \_\_\_\_\_, 2017

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**The Honorable Peter G. Cary**  
**United States Bankruptcy Judge**

<sup>1</sup> Capitalized terms not herein defined shall have the meaning ascribed to such terms in the Motion.