

Hearing Date: September 13, 2013  
Time: 10:00 a.m.  
Location: Bangor  
Objection Date: September 12, 2013

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MAINE

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In re:	§	
MONTREAL MAINE & ATLANTIC	§	CHAPTER 11
RAILWAY, LTD.	§	CASE NO. 13-10670

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**CUSTEAU CLAIMANTS' RESPONSE TO WRONGFUL DEATH CLAIMANTS'**  
**MOTION FOR FORMATION OF CREDITORS' COMMITTEE**

Simon Custeau, Representative of the Estate of Real Custeau, et al, as well as numerous other Estates and property owners and business owners that are victims of the tragedy which occurred in Lac-Megantic, Quebec, on July 6, 2013 (See Exhibit "A"), join in the Motion by the Wrongful Death Claimants for the formation of a Creditors' Committee that was filed by Attorney Peter Flowers. Counsel herein, who represents several of the Estates of Decedents, as well as personal injury claimants, and business and property owner claimants, in Lac-Megantic, Quebec, fully supports and agrees with this Motion to Appoint a Creditors' Committee. In addition, counsel Mitchell A. Toups would inform the Court that he has participated in other tort claimant committees in other bankruptcies over the years and would request that he be appointed to the Committee. Counsel would show that between Attorney Flowers, Attorney Webster and Attorney Toups, it appears that collectively, they represent more than 98% of the wrongful death claimants in Lac-Megantic, Quebec. Counsel would suggest to the Court that the committee have representatives for wrongful death and personal injury claimants and that the business

property and environmental claims have a separate committee for the claims unrelated to death and personal injury.

Dated: September 10, 2013

Respectfully submitted,

**EATON PEABODY**

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By: /s/Thomas M. Brown  
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By: /s/Mitchell A. Toups  
Mitchell A. Toups  
TEXAS BAR NO. 20151600

**ATTORNEYS FOR CLAIMANTS, SIMON  
CUSTEAU, ET AL**

**EXHIBIT "A"**

**WRONGFUL DEATH AND PERSONAL INJURY CLIENTS  
AS OF SEPTEMBER 1, 2013**

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1. Wrongful Death Claims of Real Custeau
2. Wrongful Death Claims of Joanie Turmel
3. Wrongful Death Claims of Frederic Boutin
4. Wrongful Death Claims of Sylvia Charron
5. Wrongful Death Claims of Jo-Annie LaPointe
6. Wrongful Death Claims of Kathy Clusiault
7. Michael Vallerand - Wrongful Death of Genevieve Breton and Bystander Claim for Witnessing Death of Genevieve Breton
8. Eric Lavalley – Personal Injury
9. Ann Julie-Blais – Personal Injury
10. Julie Hamel – Personal Injury
11. Frederic Fouquet – Personal Injury
12. Jacques Dube – Personal Injury
13. Ginette Dostie – Personal Injury
14. Serge Parent – Personal Injury
15. Therise Lachance – Personal Injury
16. Marie Pier Dube – Personal Injury