

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE

In re:

MONTREAL MAINE & ATLANTIC
RAILWAY, LTD.

Debtor.

Bk. No. 13-10670
Chapter 11

**NOTICE OF FILING FORM OF SECOND ORDER WITH REGARD TO
TRUSTEE'S THIRD OMNIBUS OBJECTION**

PLEASE TAKE NOTICE that Robert J. Keach, the estate representative (the "Estate Representative") of the post-effective date estate of Montreal Maine & Atlantic Railway, Ltd. ("MMA" or the "Debtor"),¹ hereby files this form of second order in regard to his *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. 1980] (the "Third Omnibus Objection").

PLEASE TAKE FURTHER NOTICE that on March 15, 2016, the Estate Representative filed the *Amended Notice of Hearing on Trustee's Third Omnibus Objection Only as to Telus Communications Company* [D.E. 2054], which extended the response deadline for Telus Communications Company ("Telus") to the Third Omnibus Objection to April 5, 2016 (the "Extended Telus Deadline").

PLEASE TAKE FURTHER NOTICE that the Extended Telus Deadline has passed, and counsel to Telus has informed the Estate Representative that Telus does not intend to respond to the Third Omnibus Objection. The Estate Representative thus hereby submits a

¹ In accordance with the *Trustee's Chapter 11 Plan of Liquidation, dated July 15, 2015 (As Amended on October 8, 2015)* [D.E. 1822] (the "Plan"), upon the Effective Date of the Plan (which occurred on December 22, 2015, *see* D.E. 1927), Robert J. Keach is no longer the chapter 11 trustee of the Debtor's estate, but is the Estate Representative of the Post-Effective Date Estate (as defined in the Plan). *See* Plan § 6.1(a).

Second Order Sustaining 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 "Second Order"), attached hereto, which addresses only Telus's claim.

This notice will be served on counsel to Telus (the only creditor affected by this Second Order).

Dated: April 6, 2016

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

By his attorneys:

/s/ Sam Anderson

D. Sam Anderson, Esq.

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE

In re:

MONTREAL MAINE & ATLANTIC
RAILWAY, LTD.

Debtor.

Bk. No. 13-10670
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**SECOND ORDER SUSTAINING 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**

This matter having come before the Court on the *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 "Third Omnibus Objection") filed by Robert J. Keach, the estate representative (the "Estate Representative") of the post-effective date estate of Montreal Maine & Atlantic Railway, Ltd. ("MMA" or the "Debtor"),¹ and upon review of the *Notice of Filing Form of Second Order with Regard to Trustee's Third Omnibus Objection* (the "Notice"),² and after proper notice to all creditors and other parties-in-interest, and the Court having independently reviewed the Third Omnibus Objection, it is hereby **ORDERED, ADJUDGED, and DECREED** as follows:

1. The Third Omnibus Objection is sustained is sustained as to Telus.

¹ In accordance with the *Trustee's Chapter 11 Plan of Liquidation, dated July 15, 2015 (As Amended on October 8, 2015)* [D.E. 1822] (the "Plan"), upon the Effective Date of the Plan (which occurred on December 22, 2015, *see* D.E. 1927), Robert J. Keach is no longer the chapter 11 trustee of the Debtor's estate, but is the Estate Representative of the Post-Effective Date Estate (as defined in the Plan). *See* Plan § 6.1(a).

² Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Notice.

2. Claim 117 is disallowed in its entirety and shall be expunged from the Debtor's claims register.

3. The terms and conditions of this Order shall be immediately effective and enforceable upon entry of the Order.

Dated: _____, 2016

The Honorable Peter G. Cary
Chief Judge, United States Bankruptcy Court