

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE**

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In re:)	
)	Chapter 11
Montreal Maine & Atlantic Railway Ltd.,)	Case No. 13-10670
)	
Debtor.)	
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**WHEELING & LAKE ERIE RAILWAY COMPANY'S REQUEST
FOR A TELEPHONIC STATUS CONFERENCE TO BE HELD ON JUNE 6, 2014,
AT 10:00 A.M. REGARDING A DISCOVERY DISPUTE RELATED TO ITS
MOTION TO ENFORCE CASH COLLATERAL ORDERS**

Wheeling and Lake Erie Railway Company ("Wheeling") hereby requests that the Court hold a status conference on June 6, 2014, at 10:00 a.m. (prevailing eastern time) with respect to a discovery dispute and related matters in the contested matter pending before this Court and initiated by Wheeling's Motion To Enforce Cash Collateral Orders (the "CC Motion").

Following the last hearing on Wheeling's CC Motion, the Court set the following procedures in place for further adjudication of the CC Motion:

Continued Hearing scheduled for 06/10/2014 at 09:00 AM at Bankruptcy Courtroom, Room 30600, Bangor. Parties shall exchange accountings and responses informally between now and then. To the extent that there is any dispute, an evidentiary hearing will be held to the fullest extent possible. With respect to matters that cannot be resolved beyond arithm[e]tic issues, a preliminary/pretrial will be held.

See Minute Entry [D.E. 861].

In order to comply with the procedures established by the Court, to resolve arithmetic issues (to the extent possible), and to gather additional facts necessary to present the full claim of Wheeling for an accounting, Wheeling requested a telephonic conference with an appropriate representative of the Montreal, Maine & Atlantic Railway, Ltd. (the "Debtor") and/or Robert J.

Keach, the chapter 11 trustee (the “Trustee”) for the Debtor, in order to obtain historical financial information without the expense of a deposition.

The Trustee declined this request, thereby prompting Wheeling to serve a notice of deposition and request for production of documents, a copy of which is attached hereto as **Exhibit A**.¹ In response, the Trustee indicated his intention to file a motion for protective order. Wheeling seeks to resolve this dispute through a discovery conference, in the manner akin to that set forth in Rule 26(b) of the Local Rules of the United States District Court for the District of Maine, in order to avoid the time and expense (for the Court and the parties) associated with motion practice.

Wheeling also seeks a status conference with respect to the next hearing scheduled on the CC Motion to determine whether it will be and evidentiary hearing.

Dated: June 4, 2014

/s/ George J. Marcus

George J. Marcus

David C. Johnson

Andrew C. Helman

Counsel for Wheeling & Lake Erie Railway
Company

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¹ While counsel for the Trustee indicated that the Trustee would provide documents informally, to date, Wheeling has received no response to its request for documents.

CERTIFICATE OF SERVICE

I, Holly C. Pelkey, hereby certify that I am over eighteen years old and that I caused a true and correct copy of the above document to be served upon the parties electronically at the addresses set forth on the Service List set forth below on 4th day of June, 2014.

/s/ Holly C. Pelkey

Holly C. Pelkey
Legal Assistant

Mailing Information for Case 13-10670

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