

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MAINE**

In re:

MONTREAL MAINE & ATLANTIC  
RAILWAY, LTD.,

Debtor.

Chapter 11  
Case No. 13-10670

**ORDER AUTHORIZING THE CONTINUED  
USE OF PRE-PETITION BANK ACCOUNTS AND BUSINESS FORMS**


Upon consideration of the Motion for Authorization to Use Pre-Petition Bank Accounts and Business Forms [D.E. 7] (the “Cash Management Motion”), Montreal Maine & Atlantic Railway Ltd., the debtor in the above-captioned case (the “Debtor” or “MMA”), the United States Trustee having appointed Robert J. Keach as the chapter 11 trustee (the “Trustee”) in the above-captioned chapter 11 case of the Debtor, and it appearing that due and proper notice of the Cash Management Motion has been given, and that no other further notice need be given; the Court having conducted an initial hearing on the Cash Management Motion on August 8, 2013 and having entered an order granting the Cash Management Motion on an interim basis [D.E. 42], the Court having conducted a further hearing on the Cash Management Motion on August 22, 2013 and having entered a second order granting the Cash Management Motion on an interim basis [D.E. 97], the Court having held a further hearing on the Cash Management Motion on September 4, 2013 and the Trustee having adopted the request for relief set forth in the Cash Management Motion; and the Court finding sufficient cause for the relief sought by the Cash Management Motion; it is hereby **ORDERED, ADJUDGED, and DECREED** as follows:

1. The Cash Management Motion is granted on the terms set forth herein;
2. The Trustee is authorized, but not directed, in the reasonable exercise of his business judgment, to: (a) designate, maintain and continue to use, with the same account numbers, the bank accounts in existence at TD Bank, Bank of America, Bangor Savings Bank, and the Canadian Imperial Bank of Commerce (“CIBC”) on the date of the filing of the Debtor’s chapter 11 petition (collectively, the “Bank Accounts”). No officer, director, employee, or agent of the Debtor may cause any disbursement from the Bank Accounts (or any of them) without consent of the Trustee or his designee;
3. For cause shown, the Trustee is excepted from compliance with 11 U.S.C. § 345(b) and allowed to use the accounts at CIBC consistent with the pre-petition practices of the Debtor but subject to the internal controls described in the Trustee’s Supplemental Response to the Cash Management Motion;
4. The Trustee is authorized to continue use of the Debtor’s existing checks and business forms provided that he affixes a stamp designating the Trustee’s status as “Chapter 11 Trustee for MMA, as the Debtor, Chapter 11 Case No. 13-10670 (D. Me.)” on such checks and business forms;
5. TD Bank, Bank of America, Bangor Savings Bank, and the CIBC are hereby authorized to continue to service and administer all such accounts as accounts, without interruption and in the usual and ordinary course, and to receive, process, honor and pay any and all checks and drafts drawn on, or electronic transfer requests made on, said account by the holders or makers thereof, as the case may be;

6. Nothing contained herein shall prevent the Trustee from opening any new bank accounts or closing and of the Bank Accounts as he may deem necessary and appropriate; *provided, however*, that (i) any new account shall be with a bank that is on the U.S. Trustee's Authorized Depository list for the District of Maine; (ii) any new account will be opened and maintained in accordance with the U.S. Trustee's guidelines; and (iii) the Trustee shall disclose any new accounts to the U.S. Trustee in writing within forty-eight (48) hours of opening any new account; and

7. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

Dated: September 4, 2013

A handwritten signature in cursive script that reads "Louis H. Kornreich". The signature is written in black ink and is positioned above a horizontal line.

The Honorable Louis H. Kornreich  
U. S. Bankruptcy Judge for the District of Maine

District/Off: 0100-1

User: kford

Date Created: 9/4/2013

Case: 13-10670

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