

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

In re: Montreal Maine & Atlantic)
Railway, Ltd.,)
) Docket No. 1:15-mc-329-NT
Debtor.)

**ORDER ADOPTING BANKRUPTCY COURT ORDER CONFIRMING
TRUSTEE'S REVISED FIRST AMENDED PLAN OF LIQUIDATION DATED
JULY 15, 2015 AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS
IN CONNECTION THEREWITH**

Out of an abundance of caution, the parties seek to have me adopt the Order Confirming Trustee's Revised First Amended Plan of Liquidation dated July 15, 2015 and Authorizing and Directing Certain Actions in Connection Therewith (the "**Order**") (ECF No. 1). The parties convinced the bankruptcy judge to submit the Order to the District Court as a recommended decision, and they have followed the procedure set forth in Bankruptcy Rule 9033 for review of non-core proceedings by an Article III judge.

All of the parties consented to the entry of the Order as a Final Order in accordance with *Wellness Intern. Network, Ltd. v. Sharif*, 135 S. Ct. 1932 (2015). See Order 8. But the Order resolves matters that are potentially non-core. Fearing that a non-consenting party may somehow collaterally attack the Order based on the Constitutional limits on a bankruptcy judge, and unsure about the state of the law post-*Stern v. Marshall*, 131 S. Ct. 2594 (2011), the parties ask me to adopt the Order.

Under Bankruptcy Rule 9033(b), a party has 14 days after being served with a copy of the proposed findings of fact and conclusions of law to file written objections. That 14-day period has now expired and no objections have been filed. I therefore **ADOPT** the Order Confirming Trustee's Revised First Amended Plan of Liquidation dated July 15, 2015 and Authorizing and Directing Certain Actions in Connection Therewith (ECF No. 1).

SO ORDERED.

/s/ Nancy Torresen
United States Chief District Judge

Dated this 30th day of October, 2015.

Certificate of Notice Page 3 of 5
 United States Bankruptcy Court
 District of Maine

In re:
 Montreal Maine & Atlantic Railway Ltd.
 Debtor

Case No. 13-10670-PGC
 Chapter 11

CERTIFICATE OF NOTICE

District/off: 0100-1

User: kford
 Form ID: pdf900

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 Total Noticed: 93

Date Rcvd: Oct 30, 2015

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 01, 2015.

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cr Trinity Industries, Inc., c/o One City Center, Portland, ME 04101
cr Trinity Rail Leasing 2012 LLC, c/o One City Center, Portland, ME 04101
cr Trinity Tank Car, Inc., c/o One City Center, Portland, ME 04101
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Center Beam Flat Car Company, Inc., c/o Curtis Kimball, Esq., P.O. Box 1401,
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TOTAL: 5

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr DPTS Marketing, LLC
cr Dakota Petroleum Transport Solutions, LLC
cr Estate of Jefferson Troester
intp Wrongful Death, Personal Injury, Business, Propert

TOTALS: 4, * 0, ## 0

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I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 01, 2015

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 30, 2015 at the address(es) listed below:
NONE.

TOTAL: 0