

**NITED STATES BANKRUPTCY COURT  
DISTRICT OF MAINE**

In re:

MONTREAL MAINE & ATLANTIC  
RAILWAY, LTD.

Debtor.

Bk. No. 13-10670  
Chapter 11

**AMENDED ORDER GRANTING AMENDED APPLICATION FOR ORDER, PURSUANT TO  
SECTIONS 327 AND 328 OF THE BANKRUPTCY CODE,  
AUTHORIZING THE EMPLOYMENT OF KUGLER KANDESTIN, LLP AS  
SPECIAL COUNSEL FOR THE TRUSTEE**

Upon consideration of Robert J. Keach's (the "Trustee") Amended Application for Order, Pursuant to Sections 327 and 328 of the Bankruptcy Code, Authorizing the Employment of Kugler Kandestin, LLP As Special Counsel for the Trustee (the "Amended Application"), and upon consideration of the Affidavit of Gerald F. Kandestin (the "Kandestin Affidavit") and it satisfactorily appearing that attorney Gerald F. Kandestin and the firm of Kugler Kandestin, LLP ("Kugler Kandestin") do not represent or hold any interest adverse to the Debtor or the estate in the matters upon which Kugler Kandestin is to be engaged, and it satisfactorily appearing that the employment of Kugler Kandestin will be in the best interest of the Trustee and the Debtor's estate, it is hereby **ORDERED**, **ADJUDGED** and **DECREED** as follows:

1. The Amended Application is granted.
2. The Trustee be and hereby is authorized to employ Kugler Kandestin as his special counsel in all matters which require the services of such counsel on the terms set forth in the Amended Application.
3. Service of the Amended Application, the Kandestin Affidavit and proposed order

was sufficient notice to parties under the circumstances of the Case.<sup>1</sup>

4. The legal services rendered or to be rendered by Kugler Kandestin may include legal services relating to (i) all matters of Canadian law and procedure pertaining to the Case, and (ii) all matters of interest to the Trustee under the Canadian Case.

5. Kugler Kandestin shall apply to the Court for compensation for professional services rendered and reimbursement of expenses incurred in connection with the Case in accordance with the applicable provisions of the Bankruptcy Code, the Fed. R. Bankr. P., the Local Rules, the United States Trustee Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed under 11 U.S.C. § 330, and any applicable orders of the Court.

6. In determining the amount of reasonable compensation to be awarded to Kugler Kandestin, the Court shall consider the nature, the extent, and the value of such services, taking into account all relevant factors including those enumerated in 11 U.S.C. § 330.

Dated: September 3, 2013



\_\_\_\_\_  
The Honorable Louis H. Kornreich  
U. S. Bankruptcy Judge, District of Maine

SEEN AND AGREED TO:

William K. Harrington, United States Trustee

By: /s/ Stephen G. Morrell  
Stephen G. Morrell, Assistant U.S. Trustee

Robert J. Keach, Trustee

By: /s/ Michael A. Fagone  
Michael A. Fagone, Attorney for the Chapter 11 Trustee, Robert Keach

<sup>1</sup> Capitalized terms not specifically defined herein shall have the meaning ascribed to such terms in the Amended Application.

**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-lhk  
 Chapter 11

**CERTIFICATE OF NOTICE**

District/off: 0100-1

User: kford  
 Form ID: pdf900

Page 1 of 3  
 Total Noticed: 24

Date Rcvd: Sep 03, 2013

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 05, 2013.

db +Montreal Maine & Atlantic Railway Ltd., 15 Iron Road, Hermon, ME 04401-1136  
 aty Bernstein, Shur, Sawyer & Nelson, 100 Middle Street 6th Floor, PO Box 9729,  
 Portland, ME 04104-5029  
 aty +Craig D. Brown, Meyers & Flowers, LLC, 3 North Second Street, Suite 300,  
 St. Charles, IL 60174-1870  
 aty +Daniel C. Cohn, Esq., Murtha Cullina LLP, 99 High Street, Boston, MA 02110-2327  
 aty +Eric M. Hocky, Clark Hill Thorp Reed, 2005 Market Street, Suite 1000,  
 Philadelphia, PA 19103-7031  
 aty +Luc A. Despina, Paul Hastings, LLP, 75 East 55th Street, New York, NY 10022-3404  
 aty +Michael S. Wolly, Esq., Zwerdling, Paul, Kahn & Wolly, PC, 1025 Connecticut Ave., N.W.,  
 Washington, DC 20036-5405  
 aty +Peter J. Flowers, Meyers & Flowers, LLC, 3 North Second Street, Suite 300,  
 St. Charles, IL 60174-1870  
 aty +Stephen Edward Goldman, Robinson & Cole LLP, 280 Trumbull Street, Hartford, CT 06103-3597  
 aty +Taruna Garg, Esq., Murtha Cullina LLP, 177 Broad Street, Stamford, CT 06901-2048  
 aty +Virginia Strasser, Surface Transportation Board, 395 E Street, S.W.,  
 Washington, DC 20423-0012  
 aty +Wystan M. Ackerman, Robinson & Cole LLP, 280 Trumbull Street, Hartford, CT 06103-3597  
 tr +Robert J. Keach, Bernstein Shur Sawyer & Nelson, 100 Middle Street, P.O. Box 9729,  
 Portland, ME 04104-5029  
 smg +State of Maine, Bureau of Revenue Services, Compliance Division Bankruptcy Unit,  
 P.O. Box 1060, Augusta, ME 04332-1060  
 cr +Eastern Maine Railway Company, c/o Alan Lepene, 3900 Key Center, 127 Public Square,  
 Cleveland, OH 44114-1217  
 cr +Estates of Marie Alliance, et al, c/o Murtha Cullina LLP, 99 High Street,  
 Boston, ME 02110-2320  
 cr +Estates of Stephanie Bolduc, c/o Meyers & Flowers, LLC, 3 North Second Street, Suite 300,  
 St. Charles, IL 60174-1870  
 cr +Maine Department of Transportation, c/o Victoria Morales, 16 State House Station,  
 Augusta, ME 04333-0016  
 cr +Maine Northern Railway Company, c/o Alan Lepene, 3900 Key Center, 127 Public Square,  
 Cleveland, OH 44114-1217  
 cr +New Brunswick Southern Railway Company, c/o Alan R. Lepene, 3900 Key Center,  
 127 Public Square, Cleveland, OH 44114-1217  
 intp +Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0012  
 cr +United States of America, c/o Department of Justice, Civil Divisio, 1100 L Street, N.W.,  
 Room 10052, Washington, DC 20005-4035  
 crcm +Unofficial Committee of Victims, Paul Hastings LLP, c/o Luc A. Despina, Esq.,  
 75 East 55th Street, New York, NY 10022-3404

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr E-mail/Text: bankruptcy@bangor.com Sep 03 2013 20:33:07 Bangor Savings Bank, P.O.Box 930,  
 Bangor, ME 04402-0930

TOTAL: 1

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

cr GATX Corporation

TOTALS: 1, \* 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

**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: Sep 05, 2013

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 September 3, 2013 at the address(es) listed below:

Alan R. Lepene, Esq. on behalf of Creditor Eastern Maine Railway Company  
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 Alan R. Lepene, Esq. on behalf of Creditor New Brunswick Southern Railway Company  
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Form ID: pdf900

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Total Noticed: 24

Date Rcvd: Sep 03, 2013

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

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Ryan, Joseph McGonigle, Donald M. Gardner, Jr., Cathy Aldana, Rail World, Inc, Rail World  
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Page 3 of 3  
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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

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TOTAL: 41