

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE

In re:

MONTREAL MAINE & ATLANTIC
RAILWAY, LTD.

Debtor.

Bk. No. 13-10670
Chapter 11

**ORDER SUSTAINING OBJECTION TO PROOF OF CLAIM
FILED BY CITY OF SAINTE-HYACINTHE ON THE BASIS THAT SUCH CLAIM
IS UNENFORCEABLE AGAINST THE DEBTOR**

This matter having come before the Court on the *Objection to Proof of Claim Filed by City of Sainte-Hyacinthe on the Basis that Such Claim is Unenforceable Against the Debtor* (the “Objection”)¹ filed by Robert J. Keach, the estate representative (the “Estate Representative”) of the post-effective date estate of Montreal Maine & Atlantic Railway, Ltd. (the “Debtor”), in relation to Proof of Claim No. 74 (the “Claim”) filed by the City of Sainte Hyacinthe and after such notice and opportunity for hearing as was required by the United States Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and this Court’s local rules, and after due deliberation and sufficient cause appearing therefore; it is hereby **ORDERED**, **ADJUDGED**, and **DECREED** that:

1. The Objection is sustained.
2. Claim No. 74 shall be disallowed in its entirety and expunged from the Debtor’s claims register.

Dated: April 4, 2016

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

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Objection.

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 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

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Date Rcvd: Apr 04, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 06, 2016.

db #+Montreal Maine & Atlantic Railway Ltd., 15 Iron Road, Hermon, ME 04401-1179
 aty +Alan S. Gilbert, Dentons US LLP, 233 South Wacker Drive, Suite 7800,
 Chicago, IL 60606-6459
 aty #+Allison M. Brown, Weil, Gotshal & Manges LLP, 301 Carnegie Center, Suite 303,
 Princeton, NJ 08540-6589
 aty +Arvin Maskin, Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, NY 10153-0119
 aty Bernstein, Shur, Sawyer & Nelson, 100 Middle Street 6th Floor, PO Box 9729,
 Portland, ME 04104-5029
 aty +Bill Kroger, Baker Botts, 910 Louisiana Street, Houston, TX 77002-4995
 aty +Blaire Cahn, Weil, Gotshal & Manges, LLP, 767 Fifth Avenue, New York, NY 10153-0119
 aty +Christopher Fong, Esq., Paul Hastings LLP, 75 East 55th St., New York, NY 10022-3404
 aty +Christopher J. Panos, Partridge Snow & Hahn, 30 Federal Street, Boston, MA 02110-2508
 aty Covington & Burling LLP, One City Center, 850 Tenth Street, N.W.,
 Washington, DC 20001-4956
 aty +Craig D. Brown, Meyers & Flowers, LLC, 3 North Second Street, Suite 300,
 St. Charles, IL 60174-1870
 aty +Deborah L. Thorne, Esq., Barnes & Thornburg LLP, 1 North Wacker Drive, Suite 4400,
 Chicago, IL 60606-2841
 aty Dennis M. Ryan, Esq., Faegre Baker Daniels LLP, 90 South 7th St Ste 2200,
 Minneapolis, MN 55402-3901
 aty +Devon H. MacWilliam, Partridge Snow & Hahn, LLP, 30 Federal Street, Boston, MA 02110-2508
 aty #+Diane P. Sullivan, Weil, Gotshal & Manges LLP, 301 Carnegie Center, Suite 303,
 Princeton, NJ 08540-6589
 aty +Elizabeth S. Whyman, 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 +Isley Markman Gostin, WilmerHale, 1875 Pennsylvania Avenue, NW, Washington, DC 20006-3642
 aty +James K. Robertson, Jr., Esq., Carmody Torrance Sandak & Hennessey, 50 Leavenworth Street,
 Waterbury, CT 06702-2112
 aty +Jason R. Gagnon, Esq., Carmody Torrance Sandak & Hennessey, 50 Leavenworth Street,
 Waterbury, CT 06702-2112
 aty +Jeffrey C. Steen, Esq., Sidley Austin LLP, One South Dearborn, Chicago, IL 60603-2323
 aty +Ji Eun Kim, Paul Hastings, LLP, 75 East 55th Street, New York, NY 10022-3404
 aty +John L. Scott, Reed Smith LLP, 599 Lexington Avenue, New York, NY 10022-7684
 aty Joseph M Bethony, Gross, Minsky & Mogul, P.A., 23 Water Street, Suite 400, PO Box 917,
 Bangor, ME 04402-0917
 aty +Joseph P. Rovira, Andrews Kurth LP, 600 Travis St., Suite 4200, Houston, TX 77002-2929
 aty +Julie Alleen Hardin, Reed Smith LLP, 811 Main Street, Suite 1700, Houston, TX 77002-6110
 aty +Kyle J. Ortiz, Esq., Paul Hastings LLP, 75 East 55th Street, New York, NY 10022-3404
 aty +Luc A. Despins, Paul Hastings, LLP, 75 East 55th Street, New York, NY 10022-3404
 aty +Marcia L. Goldstein, Weil, Gotshal & Manges LLP, 767 Fifth Avenue,
 New York, NY 10153-0119
 aty +Mark F. Rosenberg, Sullivan & Cromwell LLP, 125 Broad Street, New York, NY 10004-2498
 aty +Mark W. Zimmerman, Clausen Miller PC, 10 South LaSalle Street, Chicago, IL 60603-1098
 aty +Maureen Daneby Cox, Esq., Carmody Torrance Sandak & Hennessey, 50 Leavenworth Street,
 Waterbury, CT 06702-2112
 aty +Michael R. Enright, Robinson & Cole, LLP, 280 Trumbull Street, Hartford, CT 06103-3597
 aty +Michael S. Wolly, Esq., Zwerdling, Paul, Kahn & Wolly, PC, 1025 Connecticut Ave., N.W.,
 Washington, DC 20036-5405
 aty +Michael Siedband, Bernstein, Shur, Sawyer & Nelson, PA, 100 Middle Street, P.O. Box 9729,
 Portland, ME 04104-5029
 aty +Omar J. Alaniz, Baker Botts, 2001 Ross Avenue, Dallas, TX 75201-2980
 aty +Paul Hastings LLP, 75 East 55th St., New York, NY 10022-3404
 aty +Randy L. Fairless, Johanson & Fairless, LLC, 1456 First Colony Blvd.,
 Sugar Land, TX 77479-4084
 aty +Robert Jackstadt, Tueth, Keeney, Cooper, Mohan & Jackstadt, 101 West Vandalia, Suite 210,
 Edwardsville, IL 62025-1949
 aty +Sarah R. Borders, King & Spalding LLP, 1180 Peachtree Street, NE, Atlanta, GA 30309-7525
 aty +Shaw Fishman Glantz & Towbin LLC, 321 N. Clark Street, Suite 800, Chicago, IL 60654-4766
 aty +Stefanie Wowchuck McDonald, 233 South Wacker Drive, Suite 7800, Chicago, IL 60606-6459
 aty +Stephen Edward Goldman, Robinson & Cole LLP, 280 Trumbull Street, Hartford, CT 06103-3597
 aty +Stephen Wald, Partridge Snow & Hahn, LLP, 30 Federal Street, Boston, MA 02110-2508
 aty +Steven J. Boyajian, Robinson & Cole LLP, One Financial Plaza, Suite 1430,
 Providence, RI 02903-2485
 aty +Terence M. Hynes, Esq., Sidley Austin LLP, 1501 K. Street N.W., Washington, DC 20005-1420
 aty +Thomas A. Labuda, Jr., Sidley Austin, LLP, One South Dearborn, Chicago, IL 60603-2323
 aty +Timothy A. Davidson, Andrews Kurth LP, 600 Travis St., Suite 4200, Houston, TX 77002-2929
 aty +Victoria Morales, Esq., Maine Department of Transportation, 16 State House Station,
 Augusta, ME 04333-0016
 aty +Victoria Vron, Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, NY 10153-0119
 aty +Virginia Strasser, Surface Transportation Board, 395 E Street, S.W.,
 Washington, DC 20423-0012
 aty William K. McKinley, Esq., Troubh Heisler, 511 Congress Street, PO Box 9711,
 Portland, ME 04104-5011

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aty +William R. Moorman, Partridge Snow & Hahn LLP, 30 Federal Street, Boston, MA 02110-2508
aty +Wystan M. Ackerman, Robinson & Cole LLP, 280 Trumbull Street, Hartford, CT 06103-3597
smg +State of Maine, Bureau of Revenue Services, Compliance Division Bankruptcy Unit,
P.O. Box 1060, Augusta, ME 04332-1060
cr +Clean Harbors, 42 Lonwater Dr., Norwell, MA 02061-1612
cr Daniel Aube, 308 St-Lambert Street, Sherbrooke, QU J1CON9, CANADA
fa +Development Specialists, Inc., Fred Caruso, Suite 2300, 70 West Madison Street,
Chicago, IL 60602-4250
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 +Fred's Plumbing & Heating, Inc., 328 Main Street, Derby, VT 05829-9743
cr Frederick J. Williams, 74 Bellevue Street, Compton, QU JOB 1LO, CANADA
cr +GNP Maine Holdings, LLC, 50 Main Street, East Millinocket, ME 04430-1158
cr +General Electric Railcar Services Corporation, c/o Pierce Atwood LLP,
Attn: Keith J. Cunningham, 254 Commercial Street, Portland, ME 04101-1110
intp +Irving Paper Limited, c/o Pierce Atwood LLP, Attn: Keith J. Cunningham,
254 Commercial Street, Portland, ME 04101-1110
intp +Irving Pulp & Paper, Limited, c/o Pierce Atwood LLP, Attn: Keith J. Cunningham,
254 Commercial Street, Portland, ME 04101-1110
intp +J.D. Irving, Limited, c/o Pierce Atwood LLP, 254 Commercial Street,
Portland, ME 04101-4664
cr +Jeffrey C. Durant, 1029 Main Rd., Brownville, ME 04414-3208
sp Kugler Kandestin LLP, c/o Gerald F. Kandestin, 1 Place Ville-Marie, Suite 2101,
Montreal, QB H3B 2C6, CANADA
cr +Lexington Insurance Company, c/o Marcus A. Helt, Esq., Gardere Wynne Sewell LLP,
1601 Elm St Ste 3000, Dallas, TX 75201-4761
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 +Oasis Petroleum, Inc., c/o Timothy H. Norton, Esq., P.O. Box 597, Portland, ME 04112-0597
op +Prime Clerk LLC, c/o Adam M. Adler, 830 Third Avenue, 9th Floor,
New York, NY 10022-6569
cr +Real Custeau Claimants et al, c/o Mitchell A. Toups, Esq., PO Box 350,
Beaumont, TX 77704-0350
cr +Robert D. Thomas, 49 Park Street, Dexter, ME 04930-1439
ea +Robert J. Keach, Bernstein Shur Sawyer & Nelson, 100 Middle Street, P.O. Box 9729,
Portland, ME 04104-5029
cr +Shell Oil Company, c/o Jessica Lewis, Mollleur Law Office, 95 Main Street,
Auburn, ME 04210-5854
cr +Sierra Liquidity Fund, LLC, 19772 MacArthur Blvd. # 200, Irvine, CA 92612-2405
cr +Stephen C. Currie, 17 Dodlin Road, Enfield, ME 04493-4204
intp +Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0012
cr Trinity Industries Leasing, Inc., c/o One City Center, Portland, ME 04101
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
cr Union Tank Car Company, c/o Regan M. Haines, PO Box 7320, Portland, ME 04112-7320
cr +United States of America, c/o Department of Justice, Civil Divisio, 1100 L Street, N.W.,
Room 10052, Washington, DC 20005-4035
intp +William R. Moorman, Jr., Partridge Snow & Hahn, LLP, 30 Federal Street,
Boston, MA 02110-2508
1942885 City of Sainte-Hyacinthe, c/o Isabelle Leroux, 700 Ave de l'Hotel-de-ville,
Sainte-Hyacinthe, Quebec, Canada J25 5B2

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

aty E-mail/Text: mhenderson@verrilldana.com Apr 04 2016 20:36:12 Verrill & Dana, LLP,
One Portland Square, P.O. Box 586, Portland, ME 04112-0586
aty E-mail/Text: mhenderson@verrilldana.com Apr 04 2016 20:36:12 Verrill Dana LLP,
One Portland Square, P.O. Box 586, Portland, ME 04112-0586
acc +E-mail/Text: dbanks@bnn CPA.com Apr 04 2016 20:36:14 Baker Newman & Noyes, LLC,
c/o Gregory Sanborn, 280 Fore Street, Portland, ME 04101-4177
cr E-mail/Text: bankruptcy@bangor.com Apr 04 2016 20:36:17 Bangor Savings Bank, P.O.Box 930,
Bangor, ME 04402-0930
cr +E-mail/Text: ckimball@rudmanwinchell.com Apr 04 2016 20:36:25
Center Beam Flat Car Company, Inc., c/o Curtis Kimball, Esq., P.O. Box 1401,
Bangor, ME 04402-1401
cr +E-mail/Text: ckimball@rudmanwinchell.com Apr 04 2016 20:36:25 First Union Rail,
c/o Curtis Kimball, Esq., P.O. Box 1401, Bangor, ME 04402-1401

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cr DPTS Marketing, LLC
cr Dakota Petroleum Transport Solutions, LLC
cr Estate of Jefferson Troester
intp Wrongful Death, Personal Injury, Business, Propert
aty* +Shaw Fishman Glantz & Towbin LLC, 321 N, Clark Street, Suite 800, Chicago, IL 60654-4766
TOTALS: 4, * 1, ## 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.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

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: Apr 06, 2016

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 April 4, 2016 at the address(es) listed below:

Aaron P. Burns on behalf of Defendant Canadian Pacific Railway Corporation
aburns@pearcedow.com, rpearce@pearcedow.com;katwood@pearcedow.com
Aaron P. Burns on behalf of Interested Party New England Independent Transmission Company,
LLC aburns@pearcedow.com, rpearce@pearcedow.com;katwood@pearcedow.com
Aaron P. Burns on behalf of Respondent Canadian Pacific Railway Company aburns@pearcedow.com,
rpearce@pearcedow.com;katwood@pearcedow.com
Aaron P. Burns on behalf of Creditor Canadian Pacific Railway Co. aburns@pearcedow.com,
rpearce@pearcedow.com;katwood@pearcedow.com
Adam Paul, Esq. on behalf of Creditor Western Petroleum Corporation adam.paul@kirkland.com
Adam J. Shub, Esq. on behalf of Creditor Lexington Insurance Company ashub@preti.com,
lcpeland@preti.com;amanhart@preti.com
Alan R. Lepene, Esq. on behalf of Interested Party Irving Pulp & Paper, Limited
Alan.Lepene@ThompsonHine.com
Alan R. Lepene, Esq. on behalf of Creditor Eastern Maine Railway Company
Alan.Lepene@ThompsonHine.com
Alan R. Lepene, Esq. on behalf of Interested Party J.D. Irving, Limited
Alan.Lepene@ThompsonHine.com
Alan R. Lepene, Esq. on behalf of Creditor Maine Northern Railway Company
Alan.Lepene@ThompsonHine.com
Alan R. Lepene, Esq. on behalf of Creditor New Brunswick Southern Railway Company
Alan.Lepene@ThompsonHine.com
Alan R. Lepene, Esq. on behalf of Interested Party Irving Paper Limited
Alan.Lepene@ThompsonHine.com
Allison A. Economy, Esq. on behalf of Defendant N.H. Bragg & Sons aeconomy@rudmanwinchell.com,
jphair@rudmanwinchell.com;cderrah@rudmanwinchell.com
Andrew Helman, Esq. on behalf of Defendant Jerry R. Davis ahelman@mcm-law.com,
bankruptcy@mcm-law.com
Andrew Helman, Esq. on behalf of Creditor Wheeling & Lake Erie Railway Company
ahelman@mcm-law.com, bankruptcy@mcm-law.com
Andrew Helman, Esq. on behalf of Plaintiff Wheeling & Lake Erie Railway Company
ahelman@mcm-law.com, bankruptcy@mcm-law.com
Andrew Helman, Esq. on behalf of Intervenor-Plaintiff Wheeling & Lake Erie Railway Company
ahelman@mcm-law.com, bankruptcy@mcm-law.com
Andrew R. Sarapas, Esq. on behalf of Plaintiff Robert J. Keach andy@molleurlaw.com,
jim@molleurlaw.com;cheryl@molleurlaw.com;jen@molleurlaw.com;barry@molleurlaw.com;martine@molleurlaw.com;
aw.com;jen@molleurlaw.com;all@molleurlaw.com;molleurlaw419@gmail.com;Carissa@molleurlaw.com
Anthony J. Manhart on behalf of Creditor Trinity Rail Leasing 2012 LLC amanhart@preti.com,
dshigo@preti.com;ashub@preti.com;rgreen@preti.com;bcowell@preti.com
Anthony J. Manhart on behalf of Creditor Trinity Industries, Inc. amanhart@preti.com,
dshigo@preti.com;ashub@preti.com;rgreen@preti.com;bcowell@preti.com
Anthony J. Manhart on behalf of Creditor Trinity Tank Car, Inc. amanhart@preti.com,
dshigo@preti.com;ashub@preti.com;rgreen@preti.com;bcowell@preti.com
Anthony J. Manhart on behalf of Creditor Trinity Industries Leasing, Inc. amanhart@preti.com,
dshigo@preti.com;ashub@preti.com;rgreen@preti.com;bcowell@preti.com

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

Anthony J. Manhart on behalf of Defendant JPMorgan Chase Bank, N.A. amanhart@preti.com, dshigo@preti.com; ashub@preti.com; rgreen@preti.com; bcolwell@preti.com
Benjamin E. Marcus, Esq. on behalf of Interested Party XL Insurance Company, Ltd. bmarcus@dwmlaw.com, hwhite@dwmlaw.com; dsoucy@dwmlaw.com
Benjamin E. Marcus, Esq. on behalf of Interested Party Railroad Acquisition Holdings LLC bmarcus@dwmlaw.com, hwhite@dwmlaw.com; dsoucy@dwmlaw.com
Brian T. Henebry, Esq. on behalf of Creditor Union Tank Car Company bhenebry@carmodylaw.com
Bruce B. Hochman, Esq. on behalf of Creditor Bangor Savings Bank bhochman@eatonpeabody.com, dgerry@eatonpeabody.com; dcroizier@eatonpeabody.com
Craig Goldblatt on behalf of Interested Party XL Insurance Company, Ltd. craig.goldblatt@wilmerhale.com
Curtis E. Kimball, Esq. on behalf of Creditor Center Beam Flat Car Company, Inc. ckimball@rudman-winchell.com, jphair@rudman-winchell.com; cderrah@rudmanwinchell.com
Curtis E. Kimball, Esq. on behalf of Creditor J. M. Huber Corporation ckimball@rudman-winchell.com, jphair@rudman-winchell.com; cderrah@rudmanwinchell.com
Curtis E. Kimball, Esq. on behalf of Creditor First Union Rail ckimball@rudman-winchell.com, jphair@rudman-winchell.com; cderrah@rudmanwinchell.com
D. Sam Anderson, Esq. on behalf of Plaintiff Robert J. Keach sanderson@bernsteinshur.com, acummings@bernsteinshur.com; astewart@bernsteinshur.com; kquirk@bernsteinshur.com; kbigelow@bernsteinshur.com
D. Sam Anderson, Esq. on behalf of Attorney Bernstein, Shur, Sawyer & Nelson sanderson@bernsteinshur.com, acummings@bernsteinshur.com; astewart@bernsteinshur.com; kquirk@bernsteinshur.com; kbigelow@bernsteinshur.com
D. Sam Anderson, Esq. on behalf of Defendant Robert J. Keach, in his capacity as Chapter 11 Trustee of Maine Montreal and Atlantic Railway, Ltd. sanderson@bernsteinshur.com, acummings@bernsteinshur.com; astewart@bernsteinshur.com; kquirk@bernsteinshur.com; kbigelow@bernsteinshur.com
D. Sam Anderson, Esq. on behalf of Estate Administrator Robert J. Keach sanderson@bernsteinshur.com, acummings@bernsteinshur.com; astewart@bernsteinshur.com; kquirk@bernsteinshur.com; kbigelow@bernsteinshur.com
D. Sam Anderson, Esq. on behalf of Plaintiff Robert J. Keach, in his capacity as Chapter 11 Trustee of Maine Montreal and Atlantic Railway, Ltd. sanderson@bernsteinshur.com, acummings@bernsteinshur.com; astewart@bernsteinshur.com; kquirk@bernsteinshur.com; kbigelow@bernsteinshur.com
Daniel C. Cohn, Esq. on behalf of Creditor Estates of Marie Alliance, et al dcohn@murthalaw.com
Daniel R. Felkel, Esq. on behalf of Creditor Dakota Plains Transloading, LLC, Dakota Petroleum Transport Solutions LLC, Dakota Plains Marketing LLC dfelkel@troubhheisler.com
Darcie P.L. Beaudin, Esq. on behalf of Interested Party Enserco Energy LLC dbeaudin@sta-law.com, jlhommedieu@sta-law.com; mleblond@sta-law.com
Darcie P.L. Beaudin, Esq. on behalf of Interested Party ConocoPhillips dbeaudin@sta-law.com, jlhommedieu@sta-law.com; mleblond@sta-law.com
David C. Johnson on behalf of Plaintiff Wheeling & Lake Erie Railway Company bankruptcy@mcm-law.com, djohnson@mcm-law.com
David C. Johnson on behalf of Creditor Wheeling & Lake Erie Railway Company bankruptcy@mcm-law.com, djohnson@mcm-law.com
David C. Johnson on behalf of Defendant Wheeling & Lake Erie Railway Company bankruptcy@mcm-law.com, djohnson@mcm-law.com
Debra A. Dandeneau on behalf of Creditor CIT Group, Inc. debra.dandeneau@weil.com, elizabeth.hendee@weil.com; jessica.diab@weil.com; Blaire.Cahn@weil.com
Dennis L. Morgan on behalf of Defendant Fred's Plumbing & Heating, Inc. dmorgan@coopercargillchant.com, hplourde@coopercargillchant.com
Edward MacColl, Esq. on behalf of Creditor CIT Group, Inc. emaccoll@thomport.com, bbowman@thomport.com; eakers@thomport.com
Elizabeth J. Wyman, Esq. on behalf of Creditor Maine Department of Transportation liz.wyman@maine.gov, eve.fitzgerald@maine.gov
Elizabeth L. Slaby on behalf of Creditor Maine Department of Transportation bslaby@clarkhill.com, aporter@clarkhill.com
F. Bruce Sleeper, Esq. on behalf of Creditor Serge Jacques bankruptcy@jbgh.com
F. Bruce Sleeper, Esq. on behalf of Creditor Louis-Serges Parent bankruptcy@jbgh.com
F. Bruce Sleeper, Esq. on behalf of Creditor Yannick Gagne bankruptcy@jbgh.com
F. Bruce Sleeper, Esq. on behalf of Creditor Guy Ouellet bankruptcy@jbgh.com
Frank J. Guadagnino on behalf of Creditor Maine Department of Transportation fguadagnino@clarkhillthorpreed.com, aporter@clarkhill.com
Fred W. Bopp III, Esq. on behalf of Interested Party P. J. Perrino, Esq., Chapter 7 Trustee fbopp@perkinsthompson.com, sdoil@perkinsthompson.com; mnelson@perkinsthompson.com
Frederick C. Moore, Esq. on behalf of Creditor SMBC Rail Services, LLC f/k/a Flagship Rail Services frederick.moore@libertymutual.com, tammy.chianese@libertymutual.com
Frederick C. Moore, Esq. on behalf of Creditor TLP Rail Trust 1 frederick.moore@libertymutual.com, tammy.chianese@libertymutual.com
George J. Marcus, Esq. on behalf of Creditor Wheeling & Lake Erie Railway Company bankruptcy@mcm-law.com, G30914@notify.cincompass.com
George J. Marcus, Esq. on behalf of Intervenor-Plaintiff Wheeling & Lake Erie Railway Company bankruptcy@mcm-law.com, G30914@notify.cincompass.com
George J. Marcus, Esq. on behalf of Plaintiff Wheeling & Lake Erie Railway Company bankruptcy@mcm-law.com, G30914@notify.cincompass.com

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

George W. Kurr, Jr. on behalf of Creditor Estates of Stephanie Bolduc gwkurr@grossminsky.com, tmseymour@grossminsky.com;kclove@grossminsky.com
George W. Kurr, Jr. on behalf of Creditor Estates of Marie Alliance, et al gwkurr@grossminsky.com, tmseymour@grossminsky.com;kclove@grossminsky.com
George W. Kurr, Jr. on behalf of Creditor Estates of David Lacroix Beaudoin gwkurr@grossminsky.com, tmseymour@grossminsky.com;kclove@grossminsky.com
George W. Kurr, Jr. on behalf of Creditor Real Custeau Claimants et al gwkurr@grossminsky.com, tmseymour@grossminsky.com;kclove@grossminsky.com
Isaiah A. Fishman on behalf of Creditor C. K. Industries, Inc. ifishman@krasnowsaunders.com
James F. Molleur, Esq. on behalf of Debtor Montreal Maine & Atlantic Railway Ltd. jim@molleurlaw.com, all@molleurlaw.com;cheryl@molleurlaw.com;jen@molleurlaw.com;barry@molleurlaw.com;martine@molleurlaw.com;andy@molleurlaw.com;molleurlaw419@gmail.com;Carissa@molleurlaw.com
James F. Molleur, Esq. on behalf of Creditor Brotherhood of Locomotive Engineers and Trainmen jim@molleurlaw.com, all@molleurlaw.com;cheryl@molleurlaw.com;jen@molleurlaw.com;barry@molleurlaw.com;martine@molleurlaw.com;andy@molleurlaw.com;molleurlaw419@gmail.com;Carissa@molleurlaw.com
James F. Molleur, Esq. on behalf of Estate Administrator Robert J. Keach jim@molleurlaw.com, all@molleurlaw.com;cheryl@molleurlaw.com;jen@molleurlaw.com;barry@molleurlaw.com;martine@molleurlaw.com;andy@molleurlaw.com;molleurlaw419@gmail.com;Carissa@molleurlaw.com
James F. Molleur, Esq. on behalf of Plaintiff Robert J. Keach jim@molleurlaw.com, all@molleurlaw.com;cheryl@molleurlaw.com;jen@molleurlaw.com;barry@molleurlaw.com;martine@molleurlaw.com;andy@molleurlaw.com;molleurlaw419@gmail.com;Carissa@molleurlaw.com
James F. Molleur, Esq. on behalf of Creditor Shell Oil Company jim@molleurlaw.com, all@molleurlaw.com;cheryl@molleurlaw.com;jen@molleurlaw.com;barry@molleurlaw.com;martine@molleurlaw.com;andy@molleurlaw.com;molleurlaw419@gmail.com;Carissa@molleurlaw.com
Jason C. Webster, Esq. on behalf of Creditor Estates of Marie Alliance, et al jwebster@thewebsterlawfirm.com, hvicknair@thewebsterlawfirm.com
Jason C. Webster, Esq. on behalf of Creditor Estates of David Lacroix Beaudoin jwebster@thewebsterlawfirm.com, hvicknair@thewebsterlawfirm.com
Jay S. Geller on behalf of Creditor World Fuel Services Corporation jgeller@jaysgellerlaw.com
Jay S. Geller on behalf of Creditor Western Petroleum Company jgeller@jaysgellerlaw.com
Jay S. Geller on behalf of Creditor World Fuel Services, Inc. jgeller@jaysgellerlaw.com
Jay S. Geller on behalf of Defendant Caisse De Depot et Placement Du Quebec jgeller@jaysgellerlaw.com
Jay S. Geller on behalf of Creditor Western Petroleum Corporation jgeller@jaysgellerlaw.com
Jay S. Geller on behalf of Creditor Petroleum Transport Solutions, LLC jgeller@jaysgellerlaw.com
Jay S. Geller on behalf of Creditor World Fuel Services Canada, Inc. jgeller@jaysgellerlaw.com
Jeffrey D. Sternklar, Esq. on behalf of Creditor Estates of David Lacroix Beaudoin jeffrey@sternklarlaw.com, jdsternklar@yahoo.com
Jeffrey D. Sternklar, Esq. on behalf of Creditor Real Custeau Claimants et al jeffrey@sternklarlaw.com, jdsternklar@yahoo.com
Jeffrey D. Sternklar, Esq. on behalf of Creditor Estates of Marie Alliance, et al jeffrey@sternklarlaw.com, jdsternklar@yahoo.com
Jeffrey D. Sternklar, Esq. on behalf of Creditor Estates of Stephanie Bolduc jeffrey@sternklarlaw.com, jdsternklar@yahoo.com
Jeffrey T. Piampiano, Esq. on behalf of Interested Party XL Insurance Company, Ltd. jpiampiano@dwmlaw.com, hwhite@dwmlaw.com;DMcKenney@dwmlaw.com;RVanPelt@dwmlaw.com
Jennifer H. Pincus, Esq. on behalf of U.S. Trustee Office of U.S. Trustee Jennifer.H.Pincus@usdoj.gov
Jeremy R. Fischer on behalf of Interested Party Railroad Acquisition Holdings LLC jfischer@dwmlaw.com, hwhite@dwmlaw.com;DMcKenney@dwmlaw.com;RVanPelt@dwmlaw.com
Jeremy R. Fischer on behalf of Creditor InCorr Energy Group, LLC jfischer@dwmlaw.com, hwhite@dwmlaw.com;DMcKenney@dwmlaw.com;RVanPelt@dwmlaw.com
Jeremy R. Fischer on behalf of Creditor QEP Resources, Inc. jfischer@dwmlaw.com, hwhite@dwmlaw.com;DMcKenney@dwmlaw.com;RVanPelt@dwmlaw.com
Jeremy R. Fischer on behalf of Creditor Marathon Oil Company jfischer@dwmlaw.com, hwhite@dwmlaw.com;DMcKenney@dwmlaw.com;RVanPelt@dwmlaw.com
Jeremy R. Fischer on behalf of Interested Party Indian Harbor Insurance Company jfischer@dwmlaw.com, hwhite@dwmlaw.com;DMcKenney@dwmlaw.com;RVanPelt@dwmlaw.com
Jeremy R. Fischer on behalf of Interested Party XL Insurance Company, Ltd. jfischer@dwmlaw.com, hwhite@dwmlaw.com;DMcKenney@dwmlaw.com;RVanPelt@dwmlaw.com
John Eggum on behalf of Creditor TLP Rail Trust 1 jeggum@fgppr.com, rramirez@fgppr.com
John Eggum on behalf of Creditor SMBC Rail Services, LLC f/k/a Flagship Rail Services jeggum@fgppr.com, rramirez@fgppr.com
John R McDonald, Esq. on behalf of Creditor Canadian Pacific Railway Co. jmcdonald@briggs.com, mjacobson@briggs.com
John R McDonald, Esq. on behalf of Defendant Canadian Pacific Railway Corporation jmcdonald@briggs.com, mjacobson@briggs.com
Jordan M. Kaplan, Esq. on behalf of Creditor Brotherhood of Locomotive Engineers and Trainmen jkaplan@zwerdling.com, mwolly@zwerdling.com
Joshua R. Dow, Esq. on behalf of Creditor Canadian Pacific Railway jdow@pearcedow.com, rpearce@pearcedow.com;katwood@pearcedow.com
Joshua R. Dow, Esq. on behalf of Defendant Canadian Pacific Railway Corporation jdow@pearcedow.com, rpearce@pearcedow.com;katwood@pearcedow.com
Joshua R. Dow, Esq. on behalf of Creditor Canadian Pacific Railway Co. jdow@pearcedow.com, rpearce@pearcedow.com;katwood@pearcedow.com

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

Kameron W. Murphy, Esq. on behalf of Creditor Midwest Railcar Corporation
kmurphy@tuethkeaney.com, gcasey@tuethkeaney.com
Keith J. Cunningham, Esq. on behalf of Creditor General Electric Railcar Services Corporation
kcunningham@pierceatwood.com, mpottle@pierceatwood.com;rkelly@pierceatwood.com
Keith J. Cunningham, Esq. on behalf of Defendant Dead River Company
kcunningham@pierceatwood.com, mpottle@pierceatwood.com;rkelly@pierceatwood.com
Keith J. Cunningham, Esq. on behalf of Creditor Maine Northern Railway Company
kcunningham@pierceatwood.com, mpottle@pierceatwood.com;rkelly@pierceatwood.com
Keith J. Cunningham, Esq. on behalf of Creditor New Brunswick Southern Railway Company
kcunningham@pierceatwood.com, mpottle@pierceatwood.com;rkelly@pierceatwood.com
Keith J. Cunningham, Esq. on behalf of Defendant New Brunswick Southern Railway Company
Limited kcunningham@pierceatwood.com, mpottle@pierceatwood.com;rkelly@pierceatwood.com
Keith J. Cunningham, Esq. on behalf of Defendant Maine Northern Railway Company
kcunningham@pierceatwood.com, mpottle@pierceatwood.com;rkelly@pierceatwood.com
Keith J. Cunningham, Esq. on behalf of Creditor Eastern Maine Railway Company
kcunningham@pierceatwood.com, mpottle@pierceatwood.com;rkelly@pierceatwood.com
Kelley J. Friedman on behalf of Interested Party Oasis Petroleum, Inc. kfriedman@jandflaw.com,
ppope@jandflaw.com
Kevin J. Crosman, Esq. on behalf of Creditor Maine Revenue Services kevin.crosman@maine.gov
Kevin J. Crosman, Esq. on behalf of Creditor Maine Department of Environmental Protection
kevin.crosman@maine.gov
Lindsay K. Zahradka on behalf of Estate Administrator Robert J. Keach
lzahradka@bernsteinshur.com,
acummings@bernsteinshur.com;astewart@bernsteinshur.com;kquirk@bernsteinshur.com
Lindsay K. Zahradka on behalf of Plaintiff Robert J. Keach, in his capacity as Chapter 11
Trustee of Maine Montreal and Atlantic Railway, Ltd. lzahradka@bernsteinshur.com,
acummings@bernsteinshur.com;astewart@bernsteinshur.com;kquirk@bernsteinshur.com
Maire Bridin Corcoran Ragozzine, Esq. on behalf of Estate Administrator Robert J. Keach
acummings@bernsteinshur.com
Maire Bridin Corcoran Ragozzine, Esq. on behalf of Defendant Robert J. Keach, in his capacity
as Chapter 11 Trustee of Maine Montreal and Atlantic Railway, Ltd. acummings@bernsteinshur.com
Marcus A. Helt on behalf of Creditor Lexington Insurance Company mhelt@gardere.com
Matthew E. Linder, Esq. on behalf of Interested Party Railroad Acquisition Holdings LLC
mlinder@sidley.com,
efilingnotice@sidley.com;jsteen@sidley.com;roberto-vidal-sidley-austin-4974@ecf.pacerpro.com
Matthew Jordan Troy on behalf of Creditor United States of America matthew.troy@usdoj.gov
Michael K. Martin, Esq. on behalf of Respondent Arrow Midstream Holdings, LLC
mmartin@pmhlegal.com, bkeith@pmhlegal.com,kwatson@pmhlegal.com
Mitchell A. Toups on behalf of Creditor Gessner Blenkhorn matoups@wgttlaw.com,
jgordon@wgttlaw.com
Mitchell A. Toups on behalf of Creditor Isabelle Beaudry matoups@wgttlaw.com,
jgordon@wgttlaw.com
Mitchell A. Toups on behalf of Creditor Toups Claimants matoups@wgttlaw.com,
jgordon@wgttlaw.com
Mitchell A. Toups on behalf of Creditor Steven Halle matoups@wgttlaw.com, jgordon@wgttlaw.com
Mitchell A. Toups on behalf of Creditor Suzanne Chauvin matoups@wgttlaw.com,
jgordon@wgttlaw.com
Mitchell A. Toups on behalf of Creditor Jacques Laprise matoups@wgttlaw.com,
jgordon@wgttlaw.com
Mitchell A. Toups on behalf of Creditor Tafisa Canada Inc. matoups@wgttlaw.com,
jgordon@wgttlaw.com
Mitchell A. Toups on behalf of Creditor Estate of Jean Sebastien Jacques matoups@wgttlaw.com,
jgordon@wgttlaw.com
Mitchell A. Toups on behalf of Interested Party Wrongful Death, Personal Injury, Business,
Property and Environmental Clients as of September 1, 2013 matoups@wgttlaw.com,
jgordon@wgttlaw.com
Mitchell A. Toups on behalf of Creditor Estate of Yvon Ricard matoups@wgttlaw.com,
jgordon@wgttlaw.com
Nathaniel R. Hull, Esq. on behalf of Debtor Montreal Maine & Atlantic Railway Ltd.
nhull@verrilldana.com, bankr@verrilldana.com
Office of U.S. Trustee ustpregion01.po.ecf@usdoj.gov
Patrick C. Maxcy, Esq. on behalf of Defendant Montreal Maine & Atlantic Corporation
patrick.maxcy@dentons.com, alan.gilbert@dentons.com,ndil_ecf@dentons.com
Patrick C. Maxcy, Esq. on behalf of Other Prof. Edward A. Burkhardt, Robert Grindrod, Gaynor
Ryan, Joseph McGonigle, Donald M. Gardner, Jr., Cathy Aldana, Rail World, Inc, Rail World
Holdings, LLC, Rail World Locomotive Leasing, LLC and Earlston As patrick.maxcy@dentons.com,
alan.gilbert@dentons.com,ndil_ecf@dentons.com
Patrick C. Maxcy, Esq. on behalf of Creditor Director and Officer Administrative Claimants
patrick.maxcy@dentons.com, alan.gilbert@dentons.com,ndil_ecf@dentons.com
Patrick C. Maxcy, Esq. on behalf of Creditor Rail World Locomotive Leasing, LLC
patrick.maxcy@dentons.com, alan.gilbert@dentons.com,ndil_ecf@dentons.com
Patrick C. Maxcy, Esq. on behalf of Creditor Rail World, Inc. patrick.maxcy@dentons.com,
alan.gilbert@dentons.com,ndil_ecf@dentons.com
Patrick C. Maxcy, Esq. on behalf of Defendant Frank K. Turner patrick.maxcy@dentons.com,
alan.gilbert@dentons.com,ndil_ecf@dentons.com
Patrick C. Maxcy, Esq. on behalf of Defendant Earlston Associates, LP
patrick.maxcy@dentons.com, alan.gilbert@dentons.com,ndil_ecf@dentons.com

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

Patrick C. Maxcy, Esq. on behalf of Defendant Eureka I, LP patrick.maxcy@dentons.com,
alan.gilbert@dentons.com,ndil_ecf@dentons.com
Patrick C. Maxcy, Esq. on behalf of Defendant LMS Acquisition Corp. patrick.maxcy@dentons.com,
alan.gilbert@dentons.com,ndil_ecf@dentons.com
Patrick C. Maxcy, Esq. on behalf of Defendant MP Global Enterprises & Associates, LLC
patrick.maxcy@dentons.com, alan.gilbert@dentons.com,ndil_ecf@dentons.com
Patrick C. Maxcy, Esq. on behalf of Creditor LMS Acquisition Corp. patrick.maxcy@dentons.com,
alan.gilbert@dentons.com,ndil_ecf@dentons.com
Patrick C. Maxcy, Esq. on behalf of Defendant Athena Family Partners
patrick.maxcy@dentons.com, alan.gilbert@dentons.com,ndil_ecf@dentons.com
Paul McDonald on behalf of Plaintiff Robert J. Keach pmcdonald@bernsteinshur.com,
jsmith@bernsteinshur.com;astewart@bernsteinshur.com
Paul Joseph Hemming on behalf of Defendant Canadian Pacific Railway Corporation
phemming@briggs.com, pkringen@briggs.com
Paul Joseph Hemming on behalf of Creditor Canadian Pacific Railway Co. phemming@briggs.com,
pkringen@briggs.com
Peter J. Flowers on behalf of Creditor Estates of Stephanie Bolduc pjf@meyers-flowers.com
Regan M. Haines, Esq. on behalf of Creditor Union Tank Car Company rhaines@curtisthaxter.com,
jwashburn@curtisthaxter.com
Renee D. Smith on behalf of Creditor Western Petroleum Corporation renee.smith@kirkland.com,
bofosu@kirkland.com;garrett.fox@kirkland.com;dan.varn@kirkland.com;kcawley@kirkland.com;Jeffrey.m
cmurray@kirkland.com
Richard Silver, Esq. on behalf of Interested Party William R. Moorman, Jr.
rsilver@lanhamblackwell.com,
tleclair@lanhamblackwell.com;gronco@lanhamblackwell.com;richard.silver.53@gmail.com
Richard Silver, Esq. on behalf of Interested Party Minister of Justice and Attorney General
of Canada rsilver@lanhamblackwell.com,
tleclair@lanhamblackwell.com;gronco@lanhamblackwell.com;richard.silver.53@gmail.com
Richard P. Olson, Esq. on behalf of Creditor Informal Committee of Quebec Claimants
rolson@perkinsolson.com, jmoran@perkinsolson.com;lkubiak@perkinsolson.com
Richard P. Olson, Esq. on behalf of Creditor Official Committee of Victims
rolson@perkinsolson.com, jmoran@perkinsolson.com;lkubiak@perkinsolson.com
Richard P. Olson, Esq. on behalf of Creditor Province of Quebec rolson@perkinsolson.com,
jmoran@perkinsolson.com;lkubiak@perkinsolson.com
Richard Paul Campbell on behalf of Creditor Progress Rail Services Corporation
rpcampbell@campbell-trial-lawyers.com, mmichitson@campbell-trial-lawyers.com
Robert J. Keach, Esq. on behalf of Plaintiff Robert J. Keach rkeach@bernsteinshur.com,
acummings@bernsteinshur.com;astewart@bernsteinshur.com;kquirk@bernsteinshur.com
Robert J. Keach, Esq. on behalf of Defendant Robert J. Keach, in his capacity as Chapter 11
Trustee of Maine Montreal and Atlantic Railway, Ltd. rkeach@bernsteinshur.com,
acummings@bernsteinshur.com;astewart@bernsteinshur.com;kquirk@bernsteinshur.com
Robert J. Keach, Esq. on behalf of Plaintiff Robert J. Keach, in his capacity as Chapter 11
Trustee of Maine Montreal and Atlantic Railway, Ltd. rkeach@bernsteinshur.com,
acummings@bernsteinshur.com;astewart@bernsteinshur.com;kquirk@bernsteinshur.com
Robert J. Keach, Esq. on behalf of Estate Administrator Robert J. Keach
rkeach@bernsteinshur.com,
acummings@bernsteinshur.com;astewart@bernsteinshur.com;kquirk@bernsteinshur.com
Roger A. Clement, Jr., Esq. on behalf of Estate Administrator Robert J. Keach
rclement@verrilldana.com, nhull@verrilldana.com;bankr@verrilldana.com
Roger A. Clement, Jr., Esq. on behalf of Debtor Montreal Maine & Atlantic Railway Ltd.
rclement@verrilldana.com, nhull@verrilldana.com;bankr@verrilldana.com
Roger A. Clement, Jr., Esq. on behalf of Attorney Verrill Dana LLP rclement@verrilldana.com,
nhull@verrilldana.com;bankr@verrilldana.com
Roma N. Desai, Esq. on behalf of Estate Administrator Robert J. Keach rdesai@bernsteinshur.com,
acummings@bernsteinshur.com;kquirk@bernsteinshur.com;astewart@bernsteinshur.com
Roma N. Desai, Esq. on behalf of Plaintiff Robert J. Keach, in his capacity as Chapter 11
Trustee of Maine Montreal and Atlantic Railway, Ltd. rdesai@bernsteinshur.com,
acummings@bernsteinshur.com;kquirk@bernsteinshur.com;astewart@bernsteinshur.com
Ronald Stephen Louis Molteni, Esq. on behalf of Interested Party Surface Transportation Board
moltenir@stb.dot.gov
Seth S. Holbrook on behalf of Creditor Atlantic Specialty Insurance Company
holbrook_murphy@msn.com
Stephen G. Morrell, Esq. on behalf of U.S. Trustee Office of U.S. Trustee
stephen.g.morrell@usdoj.gov
Steven E. Cope, Esq. on behalf of Interested Party Devlar Energy Marketing LLC
scope@copelegal.com,
copefilings@copelegal.com;copefilings@gmail.com;copefilings@ecf.inforuptcy.com
Steven E. Cope, Esq. on behalf of Interested Party Slawson Exploration Company, Inc.
scope@copelegal.com,
copefilings@copelegal.com;copefilings@gmail.com;copefilings@ecf.inforuptcy.com
Susan N.K. Gummow, Esq. on behalf of Creditor TLP Rail Trust 1 sgummow@fgppr.com,
rmurphy@fgppr.com
Taruna Garg, Esq. on behalf of Creditor Estates of Marie Alliance, et al
tgarg@murthalaw.com, kpatten@murthalaw.com
Timothy H. Norton, Esq. on behalf of Interested Party Oasis Petroleum, Inc. tnorton@krz.com,
mhansen@krz.com
Timothy J. McKeon, Esq. on behalf of Plaintiff Robert J. Keach tmckeon@bernsteinshur.com,
kquirk@bernsteinshur.com;astewart@bernsteinshur.com;kbigelow@bernsteinshur.com

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

Timothy J. McKeon, Esq. on behalf of Plaintiff Robert J. Keach, in his capacity as Chapter 11 Trustee of Maine Montreal and Atlantic Railway, Ltd. tmckeon@bernsteinshur.com, kquirk@bernsteinshur.com;astewart@bernsteinshur.com;kbigelow@bernsteinshur.com
Timothy J. McKeon, Esq. on behalf of Estate Administrator Robert J. Keach tmckeon@bernsteinshur.com, kquirk@bernsteinshur.com;astewart@bernsteinshur.com;kbigelow@bernsteinshur.com
Timothy J. McKeon, Esq. on behalf of Defendant Robert J. Keach, in his capacity as Chapter 11 Trustee of Maine Montreal and Atlantic Railway, Ltd. tmckeon@bernsteinshur.com, kquirk@bernsteinshur.com;astewart@bernsteinshur.com;kbigelow@bernsteinshur.com
Timothy R. Thornton on behalf of Defendant Canadian Pacific Railway Corporation pvolk@briggs.com
Timothy R. Thornton on behalf of Creditor Canadian Pacific Railway Co. pvolk@briggs.com
Timothy R. Thornton on behalf of Respondent Canadian Pacific Railway Company pvolk@briggs.com
Tracie J. Renfro, Esq. on behalf of Creditor Marathon Oil Company trenfro@kslaw.com
William C. Price on behalf of Creditor Maine Department of Transportation wprice@clarkhill.com, aporter@clarkhill.com
William H. Welte, Esq. on behalf of Creditor Atlantic Specialty Insurance Company wwelte@weltelaw.com

TOTAL: 180