

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE

In re:

MONTREAL MAINE & ATLANTIC
RAILWAY, LTD.

Debtor.

Bk. No. 13-10670

Chapter 11

**ORDER ON OBJECTION TO PROOF OF CLAIM FILED BY
BANGOR SAVINGS BANK 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 Bangor Savings Bank on the Basis that Such Claim Is Unenforceable Against the Debtor* [D.E. 2041] (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. 51 filed by the Bangor Savings Bank (“BSB”) and the *Response of Bangor Savings Bank to Debtor’s Objection to Proof of Claim Filed by Bangor Savings Bank* [D.E. 2111]; and after discussion by and between the Estate Representative and BSB regarding resolution of the Objection, and the parties having submitted a revised form of order on the Objection to the Court; and after such notice and opportunity for hearing as was required by the Bankruptcy Code, the Bankruptcy Rules, 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 resolved, as set forth below.

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

2. Claim No. 51 shall be allowed as a general unsecured claim against the Debtor solely in the amount of \$1,567,917.21, which amount shall not be subject to offset or reduction for amounts received from LMS or any other third-party relating to the basis for Claim No. 51.

3. Upon BSB's receipt of (i) the remaining adequate protection payment in the amount of \$18,500 as authorized pursuant to the Order dated July 25, 2014 [D.E. 1048]; and (ii) the distribution under the Plan and Confirmation Order in regard to Claim No. 51, the Estate Representative and BSB shall be deemed to have mutually released one another from any and all other claims or causes of action relating to the Debtor's chapter 11 case, the Estate Representative's administration of the post-effective date estate, and Claim No. 51.

Dated: _____, 2016

Honorable Peter J. Cary
Chief Judge, United States Bankruptcy Court