

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MAINE**

In re:)
)
MONTREAL, MAINE & ATLANTIC) Case No.: 13-10670
RAILWAY, LTD.,) Chapter 11
)
Debtor.)

**ORDER PARTIALLY GRANTING MOTION OF FAMILY MEMBERS FOR ORDER:
(I) ENFORCING CONFIRMED CHAPTER 11 PLAN, (II) HOLDING CONTEMNORS
IN CIVIL CONTEMPT, AND (III) IMPOSING SANCTIONS**

Upon further consideration of the motion of Family Members¹ for an order: (1) Enforcing Confirmed Chapter 11 Plan (the “Plan”), (II) Holding Contemnors in Civil Contempt, and (III) Imposing Sanctions (Docket Entry (“DE”) 2180) (the “Motion”), and after expedited hearings held on July 7, 2016 and July 12, 2016, I hereby **ORDER** as follows:

1. The Motion is granted in part, as set forth below.
2. Within 7 days of the date of this order, Ms. Nadeau and her Canadian counsel shall take all action necessary to withdraw her May 19, 2016 motion which was filed in the Superior Court for the Province of Quebec, District of Saint-Francis (the “Canadian Court”), a copy of which is attached as Exhibit A to the Motion.
3. The WD Trustee² shall set a schedule for further submissions and replies related to the Ms. Nadeau’s entitlement to distributions from the WD Trust related to the death of Eric Pepin Lajeunesse (the “Dispute”), and, if agreed by the parties, for an in-person meeting between the designee(s) of the WD Trustee, Ms. Nadeau, the Family Members, and their respective counsel to attempt to resolve the Dispute.
4. If the parties cannot resolve the Dispute following the any in-person meeting, or if no in-person meeting is scheduled by agreement of the parties within 45 days from the date of this Order, the WD Trustee shall hear and determine the Dispute in accordance with §5.10 of the

¹ The “Family Members” are Josee Lajeunesse (the special representative of the estate of Eric Pepin Lajeunesse who was one of the forty-seven individuals who died as a result of the July 6, 2013 Montreal, Maine & Atlantic Canada Co. (“MMA Canada”) train derailment in Lac Megantic, Quebec (the “Derailment”), Clermont Pepin (Mr. Lajeunesse’s father), Josee Lajeunesse (Mr. Lajeunesse’s mother), and Yannick Pepin (Mr. Lajeunesse’s brother).

² All capitalized terms not otherwise defined in this Order shall have the meaning ascribed to them in the Motion or the Plan.

Plan.

5. If any party disagrees with the WD Trustee's determination, they may seek *de novo* review exclusively in this Court in accordance with §5.10 of the Plan.

6. The parties shall contact the Courtroom Deputy to schedule further proceedings on the entitlement of the Family Members to, and, if so entitled, the amount of, any award of costs, fees, or other damages in this proceeding, and any related matters.

DATED: July 14, 2016

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

District/Off: 0100-1
Case: 13-10670

User: mwithe
Form ID: pdf900

Date Created: 7/14/2016
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