

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE

In re:

MONTREAL MAINE & ATLANTIC
RAILWAY, LTD.

Debtor.

Bk. No. 13-10670

Chapter 11

THIRD ORDER RESOLVING IN PART CLAIMANT'S [SIC] MOTION FOR RELIEF FROM JUDGMENT AND RECONSIDERATION OF TRUSTEE'S THIRD OMNIBUS OBJECTION TO PROOFS OF CLAIM THAT WILL BE SATISFIED UNDER THE CCAA PLAN AND THAT WERE RELEASED UNDER THE PLAN, CERTAIN OF WHICH ADDITIONALLY (A) CONTAIN INSUFFICIENT DOCUMENTATION AND/OR (B) [WERE] LATE FILED

This matter having come before the Court on the *Claimant's [Sic] Motion for Relief from Judgment and Reconsideration of Trustee's Third Omnibus Objection to Proofs of Claim That Will be Satisfied Under the CCAA Plan and that were Released Under the Plan, Certain of Which Additionally (A) Contain Insufficient Documentation and/or (B) [Were] Late Filed* [D.E. 2149] (the "Motion for Relief"), filed by the creditors listed on Schedule A to the Motion for Relief (collectively, the "Moving Creditors"), and the *Estate Representative's Objection to Claimant's [Sic] Motion for Relief from Judgment and Reconsideration of Trustee's Third Omnibus Objection to Proofs of Claim That Will be Satisfied Under the CCAA Plan and that were Released Under the Plan, Certain of Which Additionally (A) Contain Insufficient Documentation and/or (B) [Were] Late Filed* [D.E. 2164] (the "Objection")¹; and after extended discussion and analysis by and between the Estate Representative, the Monitor in the CCAA Case of Montreal Maine & Atlantic Canada Co. (the "Monitor") and counsel to the Moving Creditors regarding resolution of the Motion for Relief and the Objection; and Court having entered two initial orders resolving certain of the issues raised in the Motion for Relief

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

[D.E. 2297, 2320] (together, the “Initial Resolving Orders”); and the parties having submitted a third revised form of order resolving certain of the issues raised in the Motion for Relief 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. Nothing in this Order alters any provision of the Initial Resolving Orders. Every “Continued Claim” included on Exhibit B to Initial Resolving Order 2320 is reflected on Exhibit A to this Order.

2. The Motion for Relief is granted with respect to the claims set forth on Exhibit A hereto (the “Permitted Late Claims”); *provided*, however, that the amounts of the Permitted Late Claims shall be amended on the Debtor’s claims register to correspond to the amounts included on Exhibit A, and the Moving Creditors holding such Permitted Late Claims are prohibited from seeking to assert additional amounts in connection with such claims.

3. The Motion for Relief is continued to **July 11, 2017 at 9:00 a.m. (ET)** with respect to the claims set forth on Exhibit B hereto (the “Continued Claims”). The Estate Representative reserves the right to prosecute the Objection with respect to the Continued Claims.

4. This Court shall retain jurisdiction to consider any matters arising from entry of this Order, including consideration of the Motion for Relief with respect to the Continued Claims.

Dated: May 22, 2017

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

Exhibit A
Permitted Late Claims (2)

| Claim No. | Claimant Name | Additional¹ Claim Amount² |
|------------------|------------------------------------|--|
| 524 | Audet, Beland | \$2,590.87 |
| 547 | Beland Audet on behalf of Logi-Bel | \$50,000.00 |

Exhibit B
Continued Claims (2)

| Claim No. | Claimant Name | Additional Claim Amount |
|------------------|----------------------------------|--------------------------------|
| 554 | Roy, Rejean | N/A |
| 574 | Gagne, Lisandra Arencibia Tamayo | N/A |

¹ This note applies to all claims on Exhibit A. Certain (but not all) of the Claimants on Exhibit A have already received distributions under the Plan or the CCAA Plan, whether on the Claim reflected on this Exhibit or otherwise. The amounts in this column represent incremental recoveries to those individuals, if any.

² All amounts are in Canadian dollars.

District/Off: 0100-1

User: kford

Date Created: 5/22/2017

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