

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE**

In re:

MONTREAL MAINE & ATLANTIC
RAILWAY, LTD.,

Debtor.

Wheeling & Lake Erie Railway Co.,

Plaintiff,

v.

Robert J. Keach, in his capacity as Chapter 11
Trustee of Montreal Maine & Atlantic
Railway Ltd.; Montreal Maine & Atlantic
Railway Ltd.; LMS Acquisition Corp.;
Montreal Maine & Atlantic Corp.; Travelers
Property Casualty Company of America,

Defendants.

Chapter 11
Case No. 13-10670

Adv. No. 13-01033

**ANSWER OF DEFENDANT TRAVELERS
PROPERTY CASUALTY COMPANY OF AMERICA**

Defendant Travelers Property Casualty Company of America (“Travelers”) hereby answers the Complaint in this adversary proceeding as follows:

1. Travelers lacks knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 1.
2. Travelers admits that Robert J. Keach is an individual who is serving as the chapter 11 trustee in the Debtor’s bankruptcy case. Travelers lacks sufficient knowledge to form a belief as to the truth of the remaining allegations in Paragraph 2.
3. Admitted on information and belief.

4. Admitted on information and belief.

5. The first sentence of Paragraph 5 is admitted on information and belief. Travelers lacks sufficient knowledge to form a belief as to the truth of the remaining allegations in Paragraph 5.

6. Travelers admits that it is an insurance company organized under the laws of the State of Connecticut and has its principal place of business at One Tower Square, Hartford, Connecticut. Travelers denies that it is also known as “Traveler’s Insurance Company.”

7. Admitted.

8. Admitted.

9. Admitted.

10. Admitted.

11. Admitted.

12. Travelers lacks knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 12.

13. Travelers lacks knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 13.

14. Travelers lacks knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 14.

15. Travelers lacks knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 15.

16. Travelers lacks knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 16.

17. Travelers lacks knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 17.

18. Travelers lacks knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 18.

19. Travelers denies the allegations in Paragraph 19, and avers that the UCC provision quoted therein speaks for itself.

20. Travelers denies the allegations in Paragraph 20, and avers that the UCC provision quoted therein speaks for itself.

21. Travelers denies the allegations in Paragraph 21, and avers that the UCC provision quoted therein speaks for itself..

22. Travelers lacks knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 18.

23. Travelers admits that, on or about July 6, 2013, a train operated by the Debtor partially derailed in Lac Megantic, Quebec. Travelers lacks knowledge sufficient to form a belief as to the truth of the remaining allegations in Paragraph 23.

24. Admitted that the Debtor filed a voluntary petition for relief under Chapter 11 on August 7, 2013. Travelers lacks knowledge sufficient to form a belief as to the truth of the remaining allegations in Paragraph 24.

25. Admitted.

26. Travelers lacks knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 26.

27. Admitted.

28. Admitted.

29. Travelers lacks knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 29.

30. Admitted.

31. Travelers lacks knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 31.

32. Travelers denies the allegations in the first sentence of Paragraph 32, and avers that the schedules referenced therein speak for themselves. Travelers avers that the remaining allegations in Paragraph 32 consist of legal conclusions to which no response is required. To the extent a response is deemed to be required, Travelers lacks knowledge sufficient to form a belief as to the truth of the allegations.

33. Travelers lacks knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 33.

34. Travelers lacks knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 34.

Travelers avers that no response is required to the prayer for relief that follows Paragraph 34 of the Complaint. To the extent a response is deemed to be required, Travelers denies any factual allegations contained in the prayer for relief, and lacks knowledge sufficient to form a belief as to whether Plaintiff is entitled to any of the relief sought. Travelers denies that Plaintiff is entitled to any relief from Travelers.

Dated at Bangor, Maine, this the 5th day of November, 2013.

[SIGNATURES ON NEXT PAGE]

TRAVELERS PROPERTY CASUALTY
COMPANY OF AMERICA,

By its attorneys,

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