

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

In re:

MONTREAL MAINE & ATLANTIC
RAILWAY, LTD.

Debtor.

Case No. 1:13-mc-00184-NT
1:14-cv-00071-NT
1:14-cv-00113-NT
through and including
1:14-cv-00130-NT

Chapter 11

**JOINT MOTION OF THE TRUSTEE, ANNICK ROY (o/b/o JEAN-GUY VEILLEUX),
MARIE-JOSEE GRIMARD (o/b/o HENRIETTE LATULIPPE), AND THE
OFFICIAL COMMITTEE OF VICTIMS FOR AGREED ORDER
EXTENDING CERTAIN DEADLINES**

Robert J. Keach, as trustee (the “Trustee”) of Montreal Maine & Atlantic Railway, Ltd. (the “Debtor”), and Annick Roy (o/b/o Jean-Guy Veilleux) and Marie-Josée Grimard (o/b/o Henriette Latulippe) (together, the “Plaintiffs”), and the Official Committee of Victims (the “Committee” and collectively with the Trustee and the Plaintiffs, the “Movants”), hereby move this Court to enter the agreed order extending certain deadlines in the form attached hereto as Exhibit A. In support of this joint motion, the Movants state as follows:

On November 13, 2014, the Plaintiffs and the Trustee filed the *Joint Motion of Annick Roy (o/b/o Jean-Guy Veilleux) and Marie-Josée Grimard (o/b/o Henriette Latulippe), and the Trustee for Agreed Order Amending and Restating Consent Order Staying Proceedings Pending Appeal in 1:13-mc-00184-NT* [D.E. 255] (the “Motion to Amend”). In response thereto, various objections were filed by (i) Dakota Plains Transloading LLC and Dakota Plains Marketing LLC [D.E. 256], (ii) Western Petroleum and Petroleum Transport Solutions [D.E. 257], and (iii) CIT Group Inc. [D.E. 258], while other parties joined in such objections [D.E. 259, 260, 261, 262, 264, 265].

On January 15, 2015, the Court conducted a telephonic conference to discuss the Motion to Amend (the “Conference”). As a result thereof, the Court continued the hearing on the Motion to Amend “to permit the parties the opportunity to explore further the resolution of the pending claims, and to discuss the scope of the requested amendment to the Consent Order Staying Proceedings Pending Appeal (ECF No. 253).” Report of Telephone Conference and Order, p. 2 [D.E. 269] (the “Report”).

The Report further provided that “[o]n or before February 20, 2015, Trustee Keach shall notify the Court of the result of the parties’ discussions regarding the possible resolution of the claims [the “Settlement Deadline].” Id. Additionally, the Report stated that “[i]n the event that Plaintiffs continue to maintain that an amendment to the Consent Order Staying Proceedings Pending Appeal is warranted, on or before February 20, 2015, Plaintiff shall file a written clarification of the scope of the requested amendment, and shall advise the Court whether any party objects to the amendment as clarified [the “Amendment Clarification Deadline”]” Id.

Following the Conference, the Trustee has continued to engage in settlement discussions with various parties who are defendants in these actions and with other parties not named as defendants. The Trustee has represented to the Plaintiffs that a number of settlements have been reached in principle; however, the Trustee requires additional time to finalize negotiations and prepare and execute the necessary agreements.

Accordingly, at the request of the Trustee, the Movants have agreed to extend the Settlement Deadline from February 20, 2015 to March 6, 2015. The Movants have also agreed to extend the Amendment Clarification Deadline from February 20, 2015 to March 6, 2015.

WHEREFORE, the Movants respectfully request that the Court enter an Order: (a) extending the Settlement Deadline to March 6, 2015; (b) extending the Amendment Clarification Deadline to March 6, 2015; and (c) granting such other and further relief as may be granted.

Dated: February 19, 2015

ROBERT J. KEACH,
CHAPTER 11 TRUSTEE OF MONTREAL
MAINE & ATLANTIC RAILWAY, LTD.

By his attorneys:

/s/ Timothy J. McKeon

Robert J. Keach, Esq.
Timothy J. McKeon, Esq.
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100 Middle Street
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-and-

ANNICK ROY (O/B/O JEAN-GUY
VEILLEUX) AND MARIE-JOSEE
GRIMARD (O/B/O HENRIETTE LATULIPPE)

By their attorneys:

/s/ Jeffrey Sternklar

Jeffrey Sternklar, Esq.
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225 Franklin Street, 26th Floor
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Telephone: (617) 207-7800

-and-

OFFICIAL COMMITTEE OF VICTIMS

By their attorneys:

/s/ Luc A. Despins

Luc A. Despins, Esq
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CERTIFICATE OF SERVICE

I, Timothy J. McKeon, Esq., of Bernstein, Shur, Sawyer & Nelson, P.A., hereby certify that on February 19, 2014, I electronically filed the *Joint Motion of the Trustee, Annick Roy (o/b/o Jean-Guy Veilleux), Marie-Josée Grimard (o/b/o Henriette Latulippe), and the Official Committee of Victims for Agreed Order Extending Certain Deadlines* using the CM/ECF system which will send notification of such filing to the attorneys/parties of record who have registered as CM/ECF participants.

I further certify that on February 19, 2014, I forwarded a copy of the *Joint Motion of the Trustee, Annick Roy (o/b/o Jean-Guy Veilleux), Marie-Josée Grimard (o/b/o Henriette Latulippe), and the Official Committee of Victims for Agreed Order Extending Certain Deadlines* to the parties listed on the attached Service List via U.S. First Class Mail.

Dated: February 19, 2015

/s/ Timothy J. McKeon
Timothy J. McKeon, Esq.
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100 Middle Street
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Portland, ME 04104
Telephone: (207) 774-1200
Facsimile: (207) 774-1127

SERVICE LIST

Service via U.S. First Class Mail:

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Murtha Cullina LLP
99 High Street
20th Floor
Boston, MA 02110

Robert C. Brown
Moore & Van Allen PLLC
100 North Tryon Steet
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Charlotte, NC 28202

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AGREED ORDER EXTENDING CERTAIN DEADLINES

This matter having come before the Court on the *Joint Motion of the Trustee, Annick Roy (o/b/o Jean-Guy Veilleux) and Marie-Josée Grimard (o/b/o Henriette Latulippe), and the Official Committee of Victims for Agreed Order Extending Certain Deadlines* (the “Joint Motion”), filed by the Movants in case 1:13-mc-00184-NT, seeking entry of an order extending certain deadlines as set forth in the *Report of Telephone Conference and Order* [D.E. 269]; and due and appropriate notice of the Joint Motion having been given; and the Court having reviewed the Joint Motion and having considered any objections and/or responses to the Joint Motion; and with the express consent of the Movants; the Court hereby **ORDERS**, **ADJUDGES**, and **DECREES** that:¹

1. The Joint Motion is granted in its entirety.
2. The Settlement Deadline is extended to March 6, 2015.
3. The Amendment Clarification Deadline is extended to March 6, 2015.

Dated:

Nancy Torresen
Chief Judge, United States District Court

¹ Unless otherwise indicated, all capitalized terms used but not defined herein have the same meaning as ascribed to such terms in the Joint Motion.

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Dated:

Nancy Torresen
Chief Judge, United States District Court

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