

RELIEF REQUESTED WITHOUT A HEARING

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

In re:

MONTREAL, MAINE & ATLANTIC
RAILWAY, LTD.,

Debtor.

Bk. No. 13-10670
Chapter 11

**SIXTH CONSENT MOTION TO EXTEND THE OBJECTION DEADLINE AND
CONTINUE THE HEARING ON THE TRUSTEE'S MOTIONS
FOR RULE 2004 EXAMINATIONS**

Robert J. Keach, as trustee (the "Trustee") of Montreal Maine & Atlantic Railway, Ltd. (the "Debtor"), hereby requests that this Court enter an Order continuing the hearing (the "Hearing") and extending the deadline to file a response or objection (the "Objection Deadline") with respect to the following motions (together, the "Rule 2004 Motions"):

- *Motion for Order Compelling Trinity Industries, Inc. to Appear for Rule 2004 Examination and to Produce Documents in Connection Therewith* [D.E. 1145];
- *Motion for Order Compelling Trinity Rail Group, LLC to Appear for Rule 2004 Examination and to Produce Documents in Connection Therewith* [D.E. 1146];
- *Motion for Order Compelling Trinity Rail Leasing 2012 LLC to Appear for Rule 2004 Examination and to Produce Documents in Connection Therewith* [D.E. 1147];
- *Motion for Order Compelling General Electric Railcar Services Corporation to Appear for Rule 2004 Examination and to Produce Documents in Connection Therewith* [D.E. 1148];
- *Motion for Order Compelling Union Tank Car Company to Appear for Rule 2004 Examination and to Produce Documents in Connection Therewith* [D.E. 1149]; and
- *Motion for Order Compelling First Union Rail to Appear for Rule 2004 Examination and to Produce Documents in Connection Therewith* [D.E. 1151].

In further support of this consented-to motion, the Trustee states as follows:

1. On November 4, 2014, the Trustee filed the *Consent Motion to Extend the Deadline to Respond to the Trustee's Motions for Rule 2004 Examinations* [D.E. 1186] (the "Consent Motion"), which proposed to extend the Objection Deadline from November 4, 2014 to November 12, 2014. On November 6, 2014, the Court entered an order granting the Consent Motion [D.E. 1200].

2. On November 12, 2014, the Trustee filed the *Second Consent Motion to Extend the Deadline to Respond to the Trustee's Motions for Rule 2004 Examinations* [D.E. 1210] (the "Second Consent Motion"), which proposed to extend the Objection Deadline from November 12, 2014 to November 17, 2014. On November 13, the Court entered an order granting the Second Consent Motion [D.E. 1215].

3. On November 17, 2014, the Trustee filed the *Consent Motion to Extend the Objection Deadline and Continue the Hearing on the Trustee's Motions for Rule 2004 Examinations* [D.E. 1224] (the "Third Consent Motion"), which proposed to extend the Objection Deadline from November 17, 2014 to January 6, 2015 and to reschedule the Hearing for January 13, 2015. On November 18, 2014, the Court entered an order granting the Third Consent Motion [D.E. 1227].

4. On January 5, 2015, the Trustee filed the *Fourth Consent Motion to Extend the Objection Deadline and Continue the Hearing on the Trustee's Motions for Rule 2004 Examination* [D.E. 1330] (the "Fourth Consent Motion"), which proposed to extend the Objection Deadline from January 6, 2015 to February 3, 2015 and to reschedule the Hearing for February 10, 2015. On January 6, 2015, the Court entered an order granting the Fourth Consent Motion [D.E. 1332].

5. On February 2, 2015, the Trustee filed the *Fifth Consent Motion to Extend the Objection Deadline and Continue the Hearing on the Trustee's Motions for Rule 2004*

Examinations [D.E. 1351] (the “Fifth Consent Motion”), which proposed to extend the Objection Deadline from February 3, 2015 to March 3, 2015 and to reschedule the Hearing for March 10, 2015. On February 3, 2015, the Court entered an order granting the Fifth Consent Motion [D.E. 1354].

6. Counsel for (i) Trinity Industries, Inc., (ii) Trinity Rail Group, LLC, (iii) Trinity Rail Leasing 2012 LLC, (iv) General Electric Railcar Services Corporation, (v) Union Tank Car Company, and (vi) First Union Rail (together, the “Requesting Parties”) have requested that the Hearing be continued from March 10, 2015 to April 28, 2015. The Requesting Parties have also requested a further extension of the Objection Deadline to April 21, 2015. The Trustee consents to such request.

WHEREFORE, the Trustee respectfully requests that the Court enter an Order: (a) continuing the Hearing to April 28, 2015 at 10:00 a.m.; (b) extending the Objection Deadline with respect to the Requesting Parties to April 21, 2015; and (c) granting such other and further relief as may be granted.

Dated: March 2, 2015

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

By his attorneys:

/s/ Timothy J. McKeon
Timothy J. McKeon
BERNSTEIN, SHUR, SAWYER & NELSON, P.A.
100 Middle Street
P.O. Box 9729
Portland, ME 04104-5029
Tel: (207) 774-1200
Fax: (207) 774-1127
tmckeon@bernsteinshur.com

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

In re:

MONTREAL, MAINE & ATLANTIC
RAILWAY, LTD.,

Debtor.

Bk. No. 13-10670
Chapter 11

**ORDER GRANTING SIXTH CONSENT MOTION TO EXTEND THE OBJECTION
DEADLINE AND CONTINUE THE HEARING ON THE TRUSTEE'S
MOTIONS FOR RULE 2004 EXAMINATIONS**

Upon consideration of the *Sixth Consent Motion to Extend Objection Deadline and Continue the Hearing on the Trustee's Motions for Rule 2004 Examinations* (the "Sixth Consent Motion") filed by Robert J. Keach, as trustee (the "Trustee") of Montreal Maine & Atlantic Railway, Ltd. (the "Debtor"), and the Trustee and the Requesting Parties consenting to the relief sought in the Sixth Consent Motion, and without hearing pursuant to D. Me. LBR 9013-1(d)(1) and Fed. R. Bankr. P. 9006(b)(1), it is hereby **ORDERED**, **ADJUDGED** and **DECREED** as follows:¹

1. The Sixth Consent Motion is granted.
2. The Hearing shall take place on **April 28, 2015** at **10:00 a.m. E.S.T.**
3. The Objection Deadline is extended, as it relates only to the Requesting Parties, up to and including **April 21, 2015**.

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

4. This Order shall become final in fourteen (14) days unless a party in interest sooner objects, in which case the matter shall be set for hearing and considered by the Court as if this Order had not been entered.

Dated:

The Honorable Louis H. Kornreich
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE**

In re:

MONTREAL MAINE & ATLANTIC
RAILWAY, LTD.
Debtor.

Bk. No. 13-10670
Chapter 11

CERTIFICATE OF SERVICE

I, Angela L. Stewart, being over the age of eighteen and an employee of Bernstein, Shur, Sawyer & Nelson, P.A. in Portland, Maine, hereby certify that on March 2, 2015, I filed the following document via the Court's CM/ECF electronic filing system:

- Sixth Consent Motion to Extend the Objection Deadline and Continue the Hearing on the Trustee's Motions for Rule 2004 Examinations with a proposed form of Order (the "Sixth Consent Motion").

I further certify that on March 2, 2015, a notification of filing relating to the Sixth Consent Motion was sent to all parties receiving notice through the Court's CM/ECF system. In addition, on March 2, 2015, the Sixth Consent Motion was served via electronic mail upon the parties appearing on the attached Service List.

Dated: March 2, 2015

/s/ Angela L. Stewart
Angela L. Stewart, Paralegal

BERNSTEIN, SHUR, SAWYER & NELSON
100 Middle Street
P.O. Box 9729
Portland, ME 04104-5029
(207) 774-1200

SERVICE LIST

Service via Electronic Mail:

Trinity Industries, Inc.	AManhart@preti.com;
Trinity Rail Group, LLC	jkenedy@lockelord.com;
Trinity Rail Leasing 2012 LLC	fmcniel@velaw.com;
General Electric Railcar Services Corporation	jsteen@sidley.com
Union Tank Car Company	jrobertson@carmodylaw.com; MCox@carmodylaw.com
First Union Rail	bobbybowers@mvalaw.com
Allison M. Brown	allison.brown@weil.com
Andrew Adessky, CPA	aadessky@richter.ca
Arvin Maskin	arvin.maskin@weil.com
Bogdan-Alexandru Dobrota	adobrota@woods.qc.ca
Casey Symington	Casey.Symington@dot.gov
Christopher Branson	cbranson@mpmlaw.com
Craig D. Brown	cdb@meyers-flowers.com
Craig T. Goldblatt, Esq.	craig.goldblatt@wilmerhale.com
Dan Parsons, President of AC Electric Corp	dparsons@acelec.com
Daniel A. Edelman, Esq.	dedelman@edcombs.com
Daniel E. Larochele	daniellarochelle@axion.ca
Deborah L. Thorne	deborah.thorne@btlaw.com
Debra A. Dandeneau	debra.dandeneau@weil.com
Denis St-Onge	denis.st-onge@gowlings.com
Dennis M. Ryan	Dennis.Ryan@FaegreBD.com
Derek Tay	Derrick.Tay@gowlings.com

Diane P. Sullivan	diane.sullivan@weil.com
Edward Burkhardt, President	eaburkhardt@railworld-inc.com
Emmanuelle Gervaise-Cadrin	Emmanuelle.gervais-cadrin@mddefp.gouv.qc.ca
Eric M. Hocky	ehocky@clarkhill.com
James E. Howard	jim@jehowardlaw.com
Jeff Orenstein	jorenstein@clg.org
Jeffrey C. Steen	jsteen@sidley.com
Jonathan P. Welch	Jonathan.Welch@USDOJ.gov
Louise Lalonde	Louise.lalonde@gowlings.com
Luc A. Despins	lucdespins@paulhastings.com
M. Donald Gardner, Jr., CFO VP	mdgardner@mmarail.com
M. Gilles Robillard	grobillard@richter.ca
Marcia L. Goldstein	marcia.goldstein@weil.com
Matthew E. Linder, Esq.	mlinder@sidley.com
Matthew J. Troy, Esq.	Matthew.Troy@usdoj.gov
Max Starnino	Max.Starnino@paliareroland.com
Michael Barron, Esq.	mbarron@fletcher-sippel.com
Michael R. Enright	menright@rc.com
Michael S. Wolly, Esq.	mwolly@zwerdning.com
Neil A. Peden	npeden@woods.qc.ca
Patrice Benoit	Patrice.benoit@gowlings.com
Patrick C. Maxcy	patrick.maxcy@dentons.com
Peter J. Flowers, Esq.	pjf@meyers-flowers.com
Peter R. Jervis	pjervis@rochongenova.com

Phillip Seligman, Esq.	Phillip.Seligman@usdoj.gov
Pierre Legault	Pierre.legault@gowlings.com
R. Scott Jolliffe	scott.jolliffe@gowlings.com
Richard M. Jurewicz	rjurewicz@galfandberger.com
Robert C. Grindrod, President	rcgrindrod@mmarail.com
Robert Jackstadt	rjackstadt@tuethkeeney.com
Ronald Molteni	ronald.molteni@stb.dot.gov
RWC Inc.	bchateauvert@rwcinc.biz
Stefanie Wowchuck McDonald	stefanie.mcdonald@dentons.com
Stephen Edward Goldman	sgoldman@rc.com
Steven J. Boyajian	sboyajian@rc.com
Sylvain Vauclair	svauclair@woods.qc.ca
Ted Toonders	Ted.toonders@tc.gc.ca
Terence M. Hynes	thynes@sidley.com
Thomas A. Labuda, Jr.	tlabuda@sidley.com
Victoria Vron	victoria.vron@weil.com
Wystan M. Ackerman	wackerman@rc.com
Town of Brownville, ME (Matthew S. Pineo)	mpineotwnmgr@brownville.org
Town of Houlton, ME (Lauren T. Asselin)	Tax.collector@houlton-maine.com
Town of Millinocket, ME (Lorene Cyr)	taxcollector@millinocket.org
Town of Milo, ME (Robin Larson)	robin@townofmilo.net
Village of North Troy, VT (Susan Hansen)	Villagenorthtroy1@comcast.net
City of Presque Isle, ME (Deborah Ouellette)	douellette@presqueisleme.us
Town of Richford, VT (Alan Fletcher)	townclerk@richfordvt.org

Clean Harbors	Fletcher.sandra@cleanharbors.com
Valero Marketing, c/o Michael Smith, Esq.	mike@mikesmithlaw.net
Daniel Aube	daube@cgocable.ca
Robert Thomas	Ironguy65@hotmail.com; Bobandter07@roadrunner.com
Petro Sud-Ouest Inc.	Carole.boivin@petromontestrie.ca
Ville De Sherbrooke	revenue@ville.sherbrooke.qc.ca; denis.gaudreau@ville.sherbrooke.qc.ca
Joseph Bethony, Esq.	jmbethony@grossminsky.com
Brian L. Shaw, Esq.	bshaw@shawfishman.com
Louis Coallier	lcoallier@dufresnehebert.ca
Paul Wayland	pwayland@dufresnehebert.ca
Jean-Francois Girard	jfgirard@dufresnehebert.ca
Maureen Danehy Cox	mcox@carmodylaw.com
Joseph Bethany	jmbethony@grossminsky.com; kclove@grossminsky.com
Jeffrey D. Sternklar	JDSternklar@duanemorris.com
Jason R. Gagnon	jgagnon@carmodylaw.com
Carol O'Donnell	codonnell@richter.ca
Soazig Bourgine	sbourgine@richter.ca
Shawn Travitsky	Stravitsky@richter.ca
Julie Alleen Hardin	jhardin@reedsmith.com
Bill Kroger	Bill.kroger@bakerbotts.com

Omar J. Alaniz	Omar.alaniz@bakerbotts.com
Maureen Danehy Cox	mcox@carmodylaw.com
Timothy A. Davidson	taddavidson@andrewskurth.com
Randy Fairless	rfairless@jandflaw.com
Kelley J. Friedman	kfriedman@jandflaw.com
Tracie J. Renfroe	trenfroe@kslaw.com
James K. Robertson	jrobertson@carmodylaw.com
Joseph Rovira	josephrovira@andrewskurth.com
John L. Scott	jlscott@reedsmith.com