

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE

In re:

MONTREAL MAINE & ATLANTIC
RAILWAY, LTD.

Debtor.

Bk. No. 13-10670
Chapter 11

**CONSENT MOTION TO EXTEND THE DEADLINE FOR ROBERT J. KEACH
TO OBJECT TO CLAIM FILED BY BANGOR SAVINGS BANK**

Robert J. Keach, the estate representative (the “Estate Representative”) of the post-effective date estate of Montreal Maine & Atlantic Railway, Ltd. (“MMA” or the “Debtor”),¹ hereby files this motion (the “Consent Motion”), with the consent of Bangor Savings Bank (“BSB”), to extend the deadline for the Estate Representative to object to Proof of Claim No. 86 filed by BSB (the “BSB Claim”). In support of the Consent Motion, the Estate Representative states as follows:

1. On August 7, 2013 (the “Petition Date”), Montreal Maine & Atlantic Railway, Ltd., the above-captioned debtor (the “Debtor”), filed a petition for relief under chapter 11 of the Bankruptcy Code. On August 21, 2013, the United States Trustee appointed Robert J. Keach to serve as chapter 11 trustee in the Debtor’s chapter 11 case pursuant to 11 U.S.C. § 1163.

2. On October 9, 2015, this Court entered an order [D.E. 1801] (the “Confirmation Order”) confirming the Plan.² The Confirmation Order became a Final Order on October 24,

¹ In accordance with the *Trustee’s Chapter 11 Plan of Liquidation, dated July 15, 2015 (As Amended on October 8, 2015)* [D.E. 1822] (the “Plan”), upon the Effective Date of the Plan (which occurred on December 22, 2015, *see* D.E. 1927), Robert J. Keach is no longer the chapter 11 trustee of the Debtor’s estate, but is the Estate Representative of the Post-Effective Date Estate (as defined in the Plan). *See* Plan § 6.1(a).

² Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Plan.

2015. As the Plan defines the “Confirmation Date” as the date on which the Confirmation Order becomes a final order, the “Confirmation Date” is thus October 24, 2015.

3. Pursuant to Section 1.38 of the Plan:

Claims Objection Date means the date that is one-hundred twenty (120) days from the last to occur of: (a) the Bar Date; (b) with respect to a specified Claim for which a creditor is allowed to file a Proof of Claim after the Bar Date, twenty (20) days after the date on which such Proof of Claim is to be filed; or (c) the Confirmation Date.

The Claims Objection Date is thus 120 days after the Confirmation Date, or February 22, 2016.³

4. As the Estate Representative and BSB are in discussions regarding the BSB Claim, the Estate Representative requests an extension of his deadline to object to the BSB Claim. Thus, by this Consent Motion, the Estate Representative—with the consent of BSB—requests that the Court extend his deadline to object to the BSB Claim to **March 1, 2016**.

WHEREFORE, the Estate Representative respectfully requests that this Court enter an Order: (a) granting the Consent Motion; (b) extending the Estate Representative’s deadline to object to the BSB Claim to **March 1, 2016**; and (c) granting such other and further relief as the Court deems just and equitable under the circumstances.

Dated: February 22, 2016

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

By his attorneys:

/s/ Sam Anderson

D. Sam Anderson, Esq.

Lindsay K. Zahradka, Esq. (admitted *pro hac vice*)

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³ 120 days after October 24, 2015 is actually February 21, 2016. But Bankruptcy Rule 9006(a)(1)(C) provides that “if the last day [of a period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday.”

UNITED STATES BANKRUPTCY COURT
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In re:

MONTREAL MAINE & ATLANTIC
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Debtor.

Bk. No. 13-10670

Chapter 11

**ORDER GRANTING CONSENT MOTION TO EXTEND THE DEADLINE FOR
ROBERT J. KEACH TO OBJECT TO CLAIM FILED BY BANGOR SAVINGS BANK**

This matter having come before the Court on the *Consent Motion to Extend the Deadline for Robert J. Keach to Object to Claim Filed by Bangor Savings Bank* (the “Consent Motion”)¹ filed by Robert J. Keach, the estate representative (the “Estate Representative”) of the post-effective date estate of Montreal Maine & Atlantic Railway, Ltd. (“MMA” or the “Debtor”), and with the consent of BSB, and after due deliberation and sufficient cause appearing therefore; it is hereby **ORDERED**, **ADJUDGED**, and **DECREED** as follows:

1. The Consent Motion is granted.
2. The deadline for the Estate Representative to object to the BSB Claim shall be extended to **March 1, 2016**.
3. 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: _____, 2016

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

¹ Capitalized terms used but not defined in this Order shall have the meanings ascribed to such terms in the Consent Motion.