

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MAINE

In re:

MONTREAL MAINE & ATLANTIC  
RAILWAY, LTD.

Debtor.

Bk. No. 13-10670

Chapter 11

**FIFTH INTERIM APPLICATION FOR COMPENSATION AND REIMBURSEMENT  
OF EXPENSES FOR BERNSTEIN, SHUR, SAWYER & NELSON, P.A., AS COUNSEL  
TO ROBERT J. KEACH, ESTATE REPRESENTATIVE, FOR THE PERIOD  
MARCH 1, 2018 THROUGH AND INCLUDING SEPTEMBER 30, 2018**

Name of Applicant:	Bernstein, Shur, Sawyer & Nelson, P.A.
Authorized to Provide Professional Services as:	Counsel to Robert J. Keach, estate representative of Debtor's post-effective date estate
Petition Date:	August 7, 2013
Date of Retention:	August 28, 2013 <u>nunc pro tunc</u> to August 21, 2013*
Period for Which Compensation and Reimbursement is Sought:	March 1, 2018 <sup>†</sup> through and including September 30, 2018
Total Amount of Compensation sought as actual, reasonable and necessary:	\$429,512.00 <sup>‡</sup>
Total Amount of Expenses sought as actual, reasonable and necessary:	\$1,379.12
Total Fees and Expenses Requested During Compensation Period:	\$430,891.12

This is an Interim Application.

\* Bernstein, Shur, Sawyer & Nelson, P.A. ("BSSN") was retained on this date as counsel to Robert J. Keach in his capacity as chapter 11 trustee for the Debtor's estate. In his capacity of estate representative of the post-effective date estate of the Debtor (the "Estate Representative"), pursuant to the terms of the *Trustee's Revised First Amended Chapter 11 Plan of Liquidation, Dated July 15, 2015 (As Amended on October 8, 2015)* [D.E. 1822] (the "Plan"), Mr. Keach selected BSSN as counsel on the Effective Date (as defined in the Plan).

<sup>†</sup> The title and cover page of BSSN's fourth interim fee application [D.E. 2449] (the "Fourth Interim Application") inadvertently indicated that the application covered the period October 1, 2017 through March 30, 2018, but no March 2018 time was included.

<sup>‡</sup> This amount reflects a courtesy discount of \$5,780.00 shown as "No Charge" on Exhibit A.

**COMPENSATION BY PROFESSIONAL DURING COMPENSATION PERIOD**

	<b>Department and Year Admitted</b>	<b>Hourly Billing Rate</b>	<b>Total Billed Hours</b>	<b>Value</b>
<b>Shareholders</b>				
Robert J. Keach	BRI-1980	\$565.00	180.7	\$102,095.50
Paul McDonald	LPG – 1987	\$430.00	28.5	\$12,255.00
Nelson A. Toner	BPG - 1987	\$410.00	1.2	\$492.00
Lindsay Zahradka Milne	BRI - 2011	\$350.00	85.4	\$29,890.00
<b>Of Counsel</b>				
Roma Desai	BRI – 2009	\$260.00	397.1	\$103,246.00
<b>Associates</b>				
Daniel Keenan	BRI – 2016	\$225.00	8.0	\$1,800.00
Adam R. Prescott	BRI - 2017	\$260.00	288.2	\$74,932.00
John A. Woodcock III	LPG – 2006	\$260.00	56.6	\$14,716.00
<b>Paralegals</b>				
Karla Quirk	BRI	\$190.00	73.2	\$13,908.00
Angela Stewart	BRI	\$225.00	323.5	\$72,787.50
Michelle A. Thomas	LPG	\$200.00	15.8	\$3,160.00
<b>Library</b>				
Christine B. Bertsch	Library	\$115.00	2	\$230.00
<b>Summer Associates</b>				
Lauren M. Pritchard	Summer Assoc.	\$200.00	27.4	\$0.00 <sup>§</sup>
Daniel K. McCue	Summer Assoc.	\$200.00	1.5	\$0.00 <sup>§</sup>
<b>Total</b>			<b>1,460.2<sup>**</sup></b>	<b>\$429,512.00<sup>‡</sup></b>

**Blended hourly rate (excluding paraprofessional time): \$324.59<sup>††</sup>**

**Blended hourly rate for paraprofessionals only: \$217.34**

<sup>§</sup> This amount was written off and is shown as “No Charge” on Exhibit A.

<sup>\*\*</sup> This Hours Total *does not* reflect the Summer Associate time (for the charge has been written off).

<sup>††</sup> This figure *does not* include Summer Associate hours or the value of their time.

**COMPENSATION BY PROJECT CATEGORY DURING COMPENSATION PERIOD**

<b>PROJECT CODE</b>	<b>PROJECT DESCRIPTION</b>	<b>HOURS**</b>	<b>AMOUNT†</b>
1	Asset Analysis and Recovery	10.00	\$2,288.00
2	Asset Disposition	0.90	\$171.00
3	Business Operations	0.40	\$90.00
4	Case Administration	13.50	\$3,489.50
5	Claims Administration and Objections	28.60	\$10,617.00
7	Fee Employment / Applications	38.80	\$9,191.00
10	Litigation	535.20	\$181,882.00
10A	Litigation: CP Discovery	830.50	\$221,486.00
14	Other	2.00	\$230.00
21	Tax Issues	0.30	\$67.50
<b>TOTAL</b>		<b>1,460.20</b>	<b>\$429,512.00</b>

**EXPENSE SUMMARY FOR COMPENSATION PERIOD**

<b>EXPENSE CATEGORY</b>	<b>AMOUNT</b>
Filing Fees	\$110.80
Federal Express	\$203.68
Travel Expense	\$168.65
Miscellaneous Administration Expenses	\$642.89
Transcripts	\$253.10
<b>Total Charges &amp; Disbursements</b>	<b>\$1,379.12</b>

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**FIFTH INTERIM APPLICATION FOR COMPENSATION AND REIMBURSEMENT  
OF EXPENSES FOR BERNSTEIN, SHUR, SAWYER & NELSON, P.A., AS COUNSEL  
TO ROBERT J. KEACH, ESTATE REPRESENTATIVE, FOR THE PERIOD  
MARCH 1, 2018 THROUGH AND INCLUDING SEPTEMBER 30, 2018**

Bernstein, Shur, Sawyer & Nelson, P.A. (“BSSN”), counsel to 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”),<sup>1</sup> submits this fourth application (the “Fee Application”) seeking compensation for professional services and reimbursement of expenses on an interim basis for the period from March 1, 2018 through and including September 30, 2018 (the “Compensation Period”).<sup>2</sup> In support of the Fee Application, BSSN states as follows:

**JURISDICTION AND VENUE**

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding pursuant to 28 U.S.C. §157(b)(2). The statutory predicates for the relief sought herein are sections 327(a) and 330 of the Bankruptcy Code, Federal Rule of Bankruptcy Procedure 2016(a), and Rule 2016-1 of the local rules of this Court (the “Local Rules”).

<sup>1</sup> In accordance with the Trustee’s confirmed chapter 11 plan (the “Plan”), Robert J. Keach became the Estate Representative of the post-effective date estate of MMA on the effective date of the Plan, December 23, 2015. *See* Plan, § 6.1(a).

<sup>2</sup> The title and cover page of the Fourth Interim Application (as defined below) inadvertently indicated that the application covered the period October 1, 2017 through March 30, 2018, but no March 2018 time was included.

## **BACKGROUND**

2. On August 7, 2013 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 11 of 11 U.S.C. § 101 *et seq.* (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Maine (the “Bankruptcy Court”). On August 21, 2013, the United States Trustee (the “U.S. Trustee”) appointed Robert J. Keach as chapter 11 trustee (the “Trustee”) to serve in the Debtor’s chapter 11 case (the “Case”) pursuant to 11 U.S.C. § 1163.

3. On August 21, 2013, the Trustee filed his *Application for Order, Pursuant to Sections 327 and 328 of the Bankruptcy Code, Authorizing the Employment of Bernstein, Shur, Sawyer & Nelson, P.A., as Attorneys for the Trustee* [D.E. 74] (the “Retention Application”). Thereafter, on August 28, 2013, the Court entered an order authorizing the employment of BSSN as counsel to the Trustee pursuant to sections 327 and 328 of the Bankruptcy Code [D.E. 107] (the “Retention Order”).

4. As set forth in the Retention Order, BSSN was authorized to, *inter alia*, “[advise] the Trustee with respect to his powers and duties in the Trustee’s continued management and operation of the Debtor’s business and property,” “[take] all necessary action to protect and preserve the Debtor’s estate,” and “[perform] all other necessary legal services and providing all other necessary legal advice to the Trustee in connection with the Case.” *See Retention Order*, at 2–3. The Retention Order further provides that BSSN shall receive compensation on an hourly basis and in accordance with the applicable provisions of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Rules, the United States Trustee Guidelines for Reviewing Applications for Compensation & Reimbursement of Expenses filed under 11 U.S.C. § 330 (the “UST Guidelines”), and any applicable orders of the Court. *See Retention Order*, at 1; *see also Retention Application*, ¶¶ 13–14.

5. On October 9, 2015, this Court entered the *Order Confirming Trustee's Revised First Amended Plan of Liquidation Dated July 15, 2015 and Authorizing and Directing Certain Actions in Connection Therewith* [D.E. 1801] (the "Confirmation Order"), which, among other things, confirmed the *Trustee's Revised First Amended Plan of Liquidation Dated July 15, 2015 (As Amended on October 8, 2015)* [D.E. 1822] (the "Plan").

6. The effective date of the Plan occurred on December 22, 2015 (the "Effective Date").

7. Pursuant to the Plan, *inter alia*: (a) Robert J. Keach became the Estate Representative of the post-effective date estate of MMA (the "Post-Effective Date Estate"); (b) the Estate Representative was entitled to retain professionals in the ordinary course of business and without further order of the Court, including any professionals previously retained by the Trustee; and (c) the Estate Representative's professionals must file fee applications for approval by the Court. *See* Plan at § 6.2(d).

8. On the Effective Date, the Estate Representative retained BSSN.

9. Since the Effective Date and throughout the Compensation Period, BSSN has worked with the Estate Representative to meet the challenges presented by this Case in a manner beneficial to the Post-Effective Date Estate and the creditors of the Debtor's estate. The following discussion and materials annexed hereto cover the major categories of services for which allowance of compensation is sought.

10. On August 1, 2016, BSSN filed the *First Interim Application for Compensation and Reimbursement of Expenses for Bernstein, Shur, Sawyer & Nelson, P.A., as Counsel to Robert J. Keach, Estate Representative, for the Period December 23, 2015 Through and Including June 30, 2016* [D.E. 2215] (the "First Interim Fee Application"). The First Interim Fee

Application sought allowance of compensation for professional services in the amount of \$287,871.50 and reimbursement of expenses incurred in connection with rendering such services in the amount of \$2,767.21. By order of this Court entered on August 29, 2016 [D.E. 2234], the Court awarded BSSN \$287,871.50 in fees and \$2,767.21 in expenses in relation to the First Interim Fee Application.<sup>3</sup>

11. On April 25, 2017, BSSN filed the *Second Interim Application for Compensation and Reimbursement of Expenses for Bernstein, Shur, Sawyer & Nelson, P.A., as Counsel to Robert J. Keach, Estate Representative, for the Period July 1, 2016 Through and Including March 31, 2017* [D.E. 2342] (the “Second Interim Fee Application”). The Second Interim Fee Application sought allowance of compensation for professional services in the amount of \$415,125.50 and reimbursement of expenses incurred in connection with rendering such services in the amount of \$4,900.43. By order of this Court entered on May 22, 2017 [D.E. 2356], the Court awarded BSSN \$415,125.50 in fees and \$4,900.43 in expenses in relation to the Second Interim Fee Application.<sup>4</sup>

12. On November 1, 2017, BSSN filed the *Third Interim Application for Compensation and Reimbursement of Expenses for Bernstein, Shur, Sawyer & Nelson, P.A., as Counsel to Robert J. Keach, Estate Representative, for the Period December 23, 2015 Through and Including September 30, 2017* [D.E. 2401] (the “Third Interim Fee Application”). The Third Interim Fee Application sought allowance of compensation for professional services in the amount of \$509,320.00 and reimbursement of expenses incurred in connection with rendering such services in the amount of \$1,934.00. By order of this Court entered on November 27, 2017

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<sup>3</sup> The First Interim Fee Application did not include any time for Robert J. Keach as counsel to himself as Estate Representative. Those fees are included in this Fee Application (thus the overlap in the period covered by the First Fee Application and this Fee Application).

<sup>4</sup> The Second Interim Fee Application did not include any time for Robert J. Keach as counsel to himself as Estate Representative. Those fees are included in this Fee Application.

[D.E. 2421], the Court awarded BSSN \$509,320.00 in fees and \$1,934.00 in expenses in relation to the Third Interim Fee Application.

13. On April 24, 2018, BSSN filed the *Fourth Interim Application for Compensation and Reimbursement of Expenses for Bernstein, Shur, Sawyer & Nelson, P.A., as Counsel to Robert J. Keach, Estate Representative, for the Period October 1, 2017 Through and Including March 30, 2018* [D.E. 2449] (the “Fourth Interim Fee Application”).<sup>5</sup> The Fourth Interim Fee Application sought allowance of compensation for professional services in the amount of \$261,181.50 and reimbursement of expenses incurred in connection with rendering such services in the amount of \$1,777.85. By order of this Court entered on May 22, 2018 [D.E. 2460], the Court awarded BSSN \$261,181.50 in fees and \$1,777.85 in expenses in relation to the Fourth Interim Fee Application.

#### **COMPENSATION AND REIMBURSEMENT REQUEST**

14. BSSN seeks allowance of compensation for professional services in the amount of \$429,512.00<sup>6</sup> and reimbursement of expenses incurred in rendering such services in the amount of \$1,379.12. Pursuant to Rule 2016(a) of the Federal Rules of Bankruptcy Procedure and Local Rule 2016-1(a)(3)(i), a detailed statement of professional services provided by BSSN to the Estate Representative during the Compensation Period (the “Billing Statement”) is set forth on **Exhibit A**, annexed hereto and incorporated herein by reference. BSSN has carefully reviewed the Billing Statement on a line-by-line basis to ensure that services have been billed under the correct fee category.<sup>7</sup>

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<sup>5</sup> See *supra* note 2.

<sup>6</sup> This amount reflects a courtesy discount of \$5,780.00 for Summer Associate time shown as “No Charge” on **Exhibit A**.

<sup>7</sup> BSSN implements twenty-three (23) task codes for specific categories of work to permit a more detailed analysis of the fees incurred; ten (10) of those task codes were implemented for the work detailed in the Fee Application.



15. Pursuant to Local Rule 2016-1(a)(3)(iv), a detailed statement setting forth billing rates, total hours billed, and total amounts billed for each professional and paraprofessional at BSSN during the Compensation Period, and associated expenses incurred, is contained in the tables located at the beginning of this Fee Application.

16. Other than an agreement between BSSN and the Estate Representative for the sharing of compensation with the Estate Representative as a shareholder of BSSN, no agreement or understanding exists between BSSN and any other entity for the sharing of compensation sought by this Fee Application. In addition, no payments have been made or promised to BSSN for services rendered or to be rendered in connection with the Case, except as set forth in the Retention Application and detailed in this Fee Application.

17. BSSN has substantial expertise in such areas as business restructuring and bankruptcy, energy and environmental law, and litigation and dispute resolution. Pursuant to Local Rule 2016-1(a)(3)(v), a brief biography of each BSSN professional and paraprofessional who has rendered services in connection with the fees and expenses described herein is set forth on **Exhibit B**, annexed hereto and incorporated herein by reference.

18. This Fee Application is BSSN's fifth application to this Court in this Case as counsel to the Estate Representative for compensation for professional services and reimbursement of expenses pursuant to sections 328 and 331 of the Bankruptcy Code, Rule 2016 of the Federal Rules of Bankruptcy Procedure, and Rule 2016-1 of the Local Rules. As required by paragraph (b)(v) of the UST Guidelines, the Estate Representative has been given the opportunity to review this Fee Application and has approved the requested amount.

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Given the multitude of attorneys and professionals involved and the number of task codes, inconsistencies are inevitable despite BSSN's best efforts to ensure that work on a specific topic is billed to a single task code.

### **SUMMARY OF SERVICES**

19. BSSN serves as legal counsel to the Estate Representative with respect to all bankruptcy matters that arise in or relate to the administration of the Post-Effective Date Estate. In rendering professional services to the Estate Representative, BSSN's legal team includes professionals with extensive experience in bankruptcy, real estate, and litigation practices, among others. BSSN professionals have worked closely with the Estate Representative and his other professionals to coordinate assignments in order to maximize efficiency and avoid any duplication of effort.

20. All of the services for which BSSN requests compensation herein were rendered on behalf of the Estate Representative in connection with this Case, and all the time described on the attached exhibits represents the actual amount of time spent by BSSN professionals who rendered the described services.

21. BSSN does not wish to burden the Court with an overly detailed recitation of each and every matter with respect to which it has rendered services during the Compensation Period. Accordingly, this Fee Application is intended to serve as a summary description of the more significant services rendered by BSSN, and to highlight the benefits which have been conferred upon the creditors of the Post-Effective Date Estate as a result of BSSN's efforts. The following section provides an overview of certain of the significant services rendered by BSSN during the Compensation Period, organized by project category.<sup>8</sup>

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<sup>8</sup> Only those task codes with greater than \$5,000 in accrued fees are summarized in this section, and the examples given under each such task code are not all-inclusive. **Exhibit A** contains comprehensive details for each code and category.

**A. Claims Administration and Objections – Task Code 5**

22. This project category includes services related to claims administration and objections. During the Compensation Period, services rendered by BSSN professionals under this project category included tasks related to appellate work in connection with the claim objection trial against New Brunswick Southern Railway and Maine Northern Railway. BSSN spent 28.60 hours on this project category resulting in \$10,617.00 in associated fees.

**B. Fee/Employment Applications – Task Code 7**

23. This project category includes services related to the preparation and prosecution of fee applications for the Estate Representative's professionals. During the Compensation Period, BSSN prepared and prosecuted BSSN's Fourth Interim Fee Application and began preparation of this Fee Application. BSSN spent 38.80 hours on this project category resulting in \$9,191.00 in associated fees.

**C. Litigation – Task Code 10**

24. This project category relates to time spent conducting legal research, drafting and filing various motions and pleadings, and the initiation of, as well as defense against, certain adversary proceedings, and time for related court appearances.<sup>9</sup> During the Compensation Period, services rendered by BSSN under this project category include the following pertaining to the adversary proceeding stylized as *Wheeling & Lake Erie Railway Co. v. Robert Keach* (Adv. No. 13-01033):

- (a) research for and preparation of pre-trial brief;
- (b) Prepare for and attend trial;
- (c) research for and preparation of post-trial brief;

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<sup>9</sup> Neither this project category nor this Fee Application at large includes time incurred in connection with that certain litigation stylized as *Joe R. Whatley, Jr. v. Canadian Pacific Railway Limited et al.*, No. 16-cv-00074 (D.N.D. Apr. 12, 2016) (the "Carmack Litigation"), with respect to which the plaintiff, the WD Trustee (as defined in the Plan), has retained BSSN on a contingency basis.

- (d) opposition to motion for stay pending appeal of Wheeling & Lake Erie Railway Co. (“Wheeling”) filed with the Bankruptcy Court;
- (e) opposition to Wheeling’s motion for stay pending appeal filed with the District Court, as well as preparation for and attendance at oral argument on motion;
- (f) research for and preparation of motion to dismiss appeal of Bankruptcy Court decision with District Court, as well as preparation for and attendance at oral argument on motion.

BSSN spent 535.20 hours on this project category resulting in \$181,882.00 in associated fees.

**D. Canadian Pacific Litigation Discovery – Task Code 10A**

25. This project category relates to time spent on extensive document review, negotiation of additional search terms for CP’s document production to the Estate Representative, status conferences on discovery issues, and other discovery-related issues in connection with that certain adversary proceeding stylized as *Robert Keach v. Canadian Pacific Railway Corp. et al* (Adv. No. 14-01001). BSSN spent 830.50 hours on this project category resulting in \$221,486.00 in associated fees.

**ACTUAL AND NECESSARY DISBURSEMENTS**

26. As set forth on Exhibit A attached hereto, BSSN has disbursed \$1,379.12 as expenses incurred in providing professional services during the Compensation Period. The expenses incurred arise from, *inter alia*, filing fees, Federal Express charges, travel expenses, and transcripts. These expenses represent the out-of-pocket disbursements incurred during the regular course of the provision of legal services.

**THE REQUESTED COMPENSATION AND REIMBURSEMENT OF EXPENSES SHOULD BE ALLOWED ON AN INTERIM BASIS**

27. Pursuant to section 330 of the Bankruptcy Code, the Court may award professionals “reasonable compensation for actual, necessary services.” 11 U.S.C.

§ 330(a)(1)(A). In evaluating the amount of reasonable compensation to be awarded, the Court should consider:

the nature, the extent, and the value of such services, taking into account all relevant factors including:

- (A) the time spent on such services;
- (B) the rates charged for such services;
- (C) whether the services were necessary to the administration of, or beneficial at the time at which the service was rendered toward the completion of, a case under this title;
- (D) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed;
- (E) with respect to a professional person, whether the person is board certified or otherwise has demonstrated skill and experience in the bankruptcy field; and
- (F) whether the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than cases under this title.

11 U.S.C. §§ 330(a)(3)(A–F).

28. BSSN submits that the services for which it seeks compensation in this Fee Application were necessary for and beneficial to the Post-Effective Date Estate. The services rendered by BSSN were performed economically, effectively, and efficiently. Accordingly, the compensation requested herein is reasonable in light of the nature, extent, and value of such services to the Post-Effective Date Estate.

29. The work conducted was carefully assigned to appropriate professionals or paraprofessionals according to the experience and level of expertise required for each particular task. Whenever possible and where appropriate, BSSN sought to minimize the costs of its services by utilizing associates and paraprofessionals.

30. In sum, the services rendered by BSSN were necessary and beneficial to the Post-Effective Date Estate and such services were consistently performed in a timely manner,

commensurate with the complexity and nature of the issues involved. Accordingly, approval of compensation sought herein is warranted.

**CONCLUSION**

**WHEREFORE**, BSSN respectfully requests that the Court enter an order: (a) approving on an interim basis, pursuant to 11 U.S.C. § 330, \$430,891.12 in fees and expenses for BSSN in its capacity as counsel to the Estate Representative during the Compensation Period, consisting of (i) compensation for services rendered in the amount of \$429,512.00 and (ii) reimbursement of expenses in the amount of \$1,379.12 and (b) granting such other and further relief as the Court deems just and proper.

DATED: October 23, 2018

**BERNSTEIN, SHUR, SAWYER &  
NELSON, P.A.**

*/s/ Robert J. Keach, Esq.* \_\_\_\_\_

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*Counsel for Robert J. Keach, Estate Representative  
of the Post-Effective Date Estate of Montreal Maine  
& Atlantic Railway, Ltd.*



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Montreal Maine & Atlantic Railway

October 23, 2018  
Invoice #: 3575971  
Matter #: 047375-00001  
Federal Tax ID: 01-0378211

RE: Chapter 11

For professional services rendered through September 30, 2018 in connection with the above mentioned matter:

**FEES**

**SUMMARY**

<u>Name</u>	<u>Rate</u>	<u>Hours</u>		<u>Amount</u>
PAUL MCDONALD	430.00	28.50	\$	12,255.00
ROBERT J. KEACH	565.00	180.70	\$	102,095.50
NELSON A TONER	410.00	1.20	\$	492.00
LINDSAY ZAHRADKA MILNE	350.00	85.40	\$	29,890.00
ADAM R. PRESCOTT	260.00	288.20	\$	74,932.00
JOHN A. WOODCOCK III	260.00	56.60	\$	14,716.00
ROMA DESAI	260.00	397.10	\$	103,246.00
ANGELA STEWART	225.00	323.50	\$	72,787.50
KARLA QUIRK	190.00	73.20	\$	13,908.00
MICHELLE A. THOMAS	200.00	15.80	\$	3,160.00
CHRISTINE B. BERTSCH	115.00	2.00	\$	230.00
DANIEL KEENAN	225.00	8.00	\$	1,800.00
LAUREN M. PRITCHARD	200.00	27.40	\$	5,480.00
DANIEL K. MCCUE	200.00	1.50	\$	300.00
	Summary Total		\$	435,292.00
	Less Courtesy Discount		\$	(5,780.00)
	Fees		\$	429,512.00

**DETAIL**

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>		<u>Amount</u>
		01 - Asset Analysis and Recovery			
05/31/18	NAT	Conference call regarding US and Canadian filing and tax matters.	1.20	\$	492.00
07/10/18	KQ	Office conference with L. Milne re: coordination of retrieval of contents of lock box at Bangor Savings Bank and review emails related to same	0.20		38.00
07/10/18	LKZ	Emails w/BSB re: safety deposit box (.1); confer w./K.Quirk re: same (.1).	0.20		70.00
07/11/18	KQ	Emails to/from R. Burgess and K. Trott at Bangor Savings Bank re: retrieval of contents of MMA's safe deposit box	0.20		38.00
07/12/18	KQ	Email to K. Trott at Bangor Savings Bank re: retrieval of contents of MMA's safe deposit box (.1); follow up re: logistic of same (.1)	0.20		38.00



Matter #: 047375-00001

Montreal Maine & Atlantic Railway  
RE: Chapter 11

**DETAIL**

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
07/20/18	KQ	Email to/from K. Trott at Bangor Savings Bank re: MMA's safe deposit box	0.10	19.00
07/30/18	ALS	Telephone conference with K. Quirk re review of contents of safe deposit box held at Bangor Savings Bank (.1); review contents of safe deposit box (.8); emails (x3) to R. Keach, P. McDonald, etc., Aubrey Cummings and K. Quirk re same (.3); office conference with M. Thomas re discovery issues (.1)	1.30	292.50
07/30/18	KQ	Travel to Bangor Savings Bank in Bangor, ME (2.3) to retrieve contents of safe deposit box belonging to MMA (.7); travel back to Portland (2.0); office conference with D. Foquette (BSSN IT Dept) regarding computer backup drives retrieved from BSB (.2)	5.20	988.00
07/30/18	LKZ	Emails w/K.Quirk re: contents of safety deposit box (.1); confer w/K.Quirk re: same (.1).	0.20	70.00
07/31/18	ALS	Reply email to R. Keach regarding safe deposit box and request for access log	0.10	22.50
07/31/18	MT	Coordinate regarding safety deposit box contents (.1); analyze contents of external drives from safety deposit box and email regarding the same (.9); meet with Jack Woodcock regarding data (.1).	1.10	220.00
01 Total			10.00	\$ 2,288.00
02 - Asset Disposition				
07/16/18	KQ	Letter to A. Lalonde re Deed of Correction executed by R. Keach with respect to Central Maine and Quebec Railway Canada	0.30	\$ 57.00
07/19/18	KQ	Coordinate wire transfer to WD Trustee (.3) Emails from/to B. Keach re: wire transfer to WD Trustee (.2); call with Tinamarie Feil at BMC Group re: same (.1)	0.60	114.00
02 Total			0.90	\$ 171.00
03 - Business Operations				
07/31/18	ALS	Office conference with K. Quirk re request for safe deposit box log at Bangor Savings Bank (.1); follow up with K. Quirk re status of access log (.1); office conferences (x2) with M. Thomas re same (.2)	0.40	\$ 90.00
03 Total			0.40	\$ 90.00
04 - Case Administration				
03/04/18	ALS	Update press file with news alerts	0.10	\$ 22.50
03/05/18	ALS	Update press file with news alert	0.10	22.50
03/07/18	ALS	Review latest invoices from Evidox with respect to CP litigation (.1); email to A. Cummings re Evidox invoices (.1)	0.20	45.00
03/07/18	ALS	Update press file with news alert	0.10	22.50
03/15/18	KQ	Email with DSI regarding balance of operating account	0.10	19.00
03/15/18	ALS	Update press file with news alert	0.10	22.50





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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
03/19/18	RJK	E-mail exchanges with Patrick Maxcy regarding fee payments from residual defense fund; conference with A. Cummings regarding same	0.40	226.00
03/19/18	ALS	Update press file with news alert	0.10	22.50
03/20/18	ALS	Update press file with news alert	0.10	22.50
03/21/18	ALS	Update press file with news alert	0.10	22.50
03/22/18	ALS	Update press file with news alert	0.10	22.50
03/27/18	ALS	Update press file with news alert	0.10	22.50
04/05/18	ALS	Update press file with news alerts	0.20	45.00
04/10/18	ALS	Update press file with news alert	0.10	22.50
04/12/18	KQ	Email from/to DSI regarding balance of operating account	0.20	38.00
04/12/18	ALS	Update press file with news alerts	0.10	22.50
04/12/18	RJK	Exchange e-mails with Pierre Legault regarding status of all proceedings	0.50	282.50
04/18/18	ALS	Update press file with news alerts	0.10	22.50
04/19/18	ALS	Update press file with news alert	0.10	22.50
04/20/18	ALS	Update press file with news alert	0.10	22.50
04/23/18	ALS	Update press file with news alert	0.10	22.50
04/25/18	KQ	Docket research for case update	0.70	133.00
04/27/18	RJK	Conference with Fred Caruso regarding status, etc.	0.30	169.50
04/30/18	ALS	Update press file with news alert	0.10	22.50
05/01/18	KQ	Docket research for case update	0.60	114.00
05/04/18	ALS	Update press file with news alert	0.10	22.50
05/09/18	ALS	Update press file with news alerts	0.10	22.50
05/10/18	ALS	Update press file with news alert	0.10	22.50
05/11/18	ALS	Update press file with news alerts	0.10	22.50
05/11/18	KQ	Email from DSI re: escrow account	0.10	19.00
05/14/18	KQ	Emails with DSI regarding balance of operating account	0.20	38.00
05/15/18	ALS	Update press file with news alerts	0.10	22.50
05/16/18	ALS	Update press file with news alert	0.10	22.50
05/18/18	ALS	Update press file with news alert	0.10	22.50
05/22/18	KQ	Email from Chubb re change of contact for service of papers	0.10	19.00
05/29/18	KQ	Email from/to Nimisha Hudda at Telus (creditor) regarding change of contact for future service and update master service list	0.30	57.00
05/30/18	ALS	Update press file with news alert	0.10	22.50
06/04/18	KQ	Review email from S. Bourguin re: transferring pleadings to the Monitor	0.10	19.00
06/05/18	ALS	Update press file with news alert (.1); circulate article re upcoming NBSR trial (.1)	0.20	45.00
06/07/18	ALS	Update press file with news alerts	0.10	22.50
06/14/18	ALS	Update press file with news alert	0.10	22.50
06/15/18	ALS	Update press file with news alert	0.10	22.50



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06/19/18	KQ	Emails (x2) with DSI regarding balance of operating account	0.20	38.00
06/19/18	ALS	Update press file with news alert	0.10	22.50
06/20/18	ALS	Update press file with news alert	0.10	22.50
06/22/18	LKZ	Emails w/BSB re: MMA safety deposit box	0.20	70.00
06/27/18	ALS	Update press file with news alert	0.10	22.50
06/28/18	ALS	Update press file with news alerts	0.10	22.50
07/05/18	ALS	Update press file with news alerts	0.10	22.50
07/11/18	ALS	Update press file with news alert	0.10	22.50
07/12/18	ALS	Update press file with news alert	0.10	22.50
07/13/18	KQ	Email with DSI regarding balance of operating account	0.10	19.00
07/13/18	ALS	Update press file with news alert	0.10	22.50
07/24/18	ALS	Update press file with news alert	0.10	22.50
07/30/18	LKZ	Emails w/K.Quirk re: preparation of motion to extend deadline for final decree.	0.10	35.00
08/01/18	KQ	Prepare draft motion to extend time to file the Estate Representative's final decree (.3) and proposed order (.1); email to L. Milne re: same (.1)	0.50	95.00
08/01/18	LKZ	Revise motion for extension of deadline to file final decree (.3) and research re: status of pending litigations and summarize same for motion (.4); confer w/K.Quirk (.2), emails w/UST (.1) re: extension of deadline to file final decree.	1.00	350.00
08/01/18	ALS	Update press file with news alert	0.10	22.50
08/02/18	LKZ	Emails w/UST re: motion to extend deadline to file final decree.	0.10	35.00
08/02/18	ALS	Filing of Sixth Motion to Extend Time to File Final Account and Application for Final Decree with Court (.2); insertion of certificate of service at end of Sixth Motion to Extend Time to File Final Account and Application for Final Decree (.1)	0.30	67.50
08/07/18	ALS	Update press file with news alert	0.10	22.50
08/08/18	ALS	Update docket scheduling with respect to extended deadline to file Application for Final Decree (.1); update pleadings file with Order Extending Deadline to file Application for Final Decree (.1)	0.20	45.00
08/17/18	KQ	Email with DSI regarding balance of operating account	0.10	19.00
08/17/18	KQ	Office conference with J. Woodcock regarding transporting contents of CMQ data to CMQ	0.10	19.00
08/17/18	ALS	Email to K. Quirk attaching contact information for G. Ryan with respect to return of contents of safe deposit box	0.10	22.50
08/20/18	KQ	Telephone call with Gaynor Ryan at CMQ re coordination of returning items retrieved from MMA's safe deposit box and email with Tom Tardiff re: same	0.20	38.00



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08/20/18	ALS	Emails from/to K. Quirk re status of safe deposit box contents and return of same to CMQ	0.20	45.00
08/21/18	KQ	Meet with Tom Tardiff at CMQ to transfer contents of Bangor Savings Bank safe deposit box (.2); email to L. Milne and J. Woodcock re: same (.1)	0.30	57.00
08/31/18	ALS	Update press file with news alert	0.10	22.50
09/05/18	ALS	Update press file with news alert	0.10	22.50
09/10/18	LKZ	Analysis re: third party discovery costs.	0.10	35.00
09/10/18	ALS	Update press file with news alert	0.10	22.50
09/11/18	ALS	Review communications and documents relating to XL policy per R. Keach's request (.3); email to R. Keach re same (.1)	0.40	90.00
09/13/18	ALS	Update press file with news alert	0.10	22.50
09/17/18	ALS	Update press file with news alert	0.10	22.50
09/18/18	ALS	Update press file with news alert	0.10	22.50
09/21/18	KQ	Email with DSI regarding balance of operating account	0.10	19.00
09/24/18	KQ	Email to K. Trott at Bangor Savings Bank re: refund of the fee for drilling the safe deposit box.	0.10	19.00
09/24/18	ALS	Review email from F. Caruso re TD bank account (.1); office conference with R. Keach re same (.1); telephone call to TD Bank re account issues (.2)	0.40	90.00
09/26/18	ALS	Update press file with news alert	0.10	22.50
04 Total			13.50	\$ 3,489.50
05 - Claims Administration and Objections				
05/22/18	LKZ	Analysis re: appeal of bankruptcy court decision on claims objection.	0.30	\$ 105.00
06/20/18	LMP	Research procedural appeal process.	0.40	No Charge
06/20/18	LKZ	Meet w/L.Pritchard re: motion for direct appeal to First Circuit re: Irving Railroads claim objection (.6); research in connection w/same (.2).	0.80	280.00
06/21/18	LMP	Research procedural process for direct appeal to Court of Appeals.	5.50	No Charge
06/21/18	LMP	Review Wheeling Post-Trial Briefs in preparation for oral argument.	0.60	No Charge
06/22/18	LMP	Research procedural process for direct appeal to Court of Appeals.	1.90	No Charge
06/22/18	LKZ	Confer w/L.Pritchard re: research for motion for direct certification to First Circuit	0.20	70.00
06/22/18	LMP	Attend Wheeling hearing.	1.20	No Charge
06/22/18	LMP	Draft Motion for Certification.	5.60	No Charge
06/25/18	LKZ	Confer w/L.Pritchard re: motion for certification by bankruptcy court re: Irving RRs appeal	0.40	140.00
06/27/18	LMP	Revise memorandum on direct appeal procedural process.	1.50	No Charge
06/28/18	LMP	Revise memorandum on direct appeal procedural process.	1.90	No Charge



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
06/28/18	LKZ	Review and revise memo re: procedure for seeking direct appeal to First Circuit for Irving Railroads appeal (.7); research re: same (.7); confer w/L.Pritchard re: same (.4)	1.90	665.00
06/29/18	LMP	Update memorandum on MMA direct appeal process.	0.60	No Charge
07/23/18	ALS	Review email from R. Keach re distribution reallocation	0.10	22.50
08/07/18	LKZ	Emails w/Court re: scheduling oral ruling on objection to MN/NB RR's claim (.1); research re: status of motion for direct certification to Court of Appeals re: same (.1); call w/A.Prescott re: same (.1).	0.30	105.00
08/08/18	LKZ	Emails w/Chambers re: date of ruling on Irving RRs objection.	0.10	35.00
08/20/18	LKZ	Analysis re: path for appeal for First Circuit.	0.10	35.00
08/22/18	ARP	Attend court hearing re decision on Irving claim objection hearing	1.20	312.00
08/22/18	ALS	Office conference with A. Prescott re Judge Cary's decision in Irving Railroads claims objection matter	0.10	22.50
08/22/18	RJK	Prepare for and attend hearing regarding ruling on Irving Railroad claims	2.50	1,412.50
08/29/18	ARP	Confer with R. Keach re Irving appeal	0.40	104.00
08/30/18	ARP	Review and revise proposed order re Irving claim hearing	0.40	104.00
08/30/18	LKZ	Confer w/A.Prescott re: Irving RRs claim objection hearing, appeal next steps.	0.20	70.00
08/31/18	LKZ	Research re: FOO for Irving RRs claim objection.	0.30	105.00
09/04/18	ARP	Review Irving proposed order re accuracy (1.1); call w. A. Lepene re same (.2)	1.30	338.00
09/04/18	LKZ	Research re: confirmation of amounts for FOO in relation to ER's objection to MN/NB RRs' claim.	0.50	175.00
09/04/18	RJK	Review revised order regarding Irving Railroad; e-mail to Adam Prescott regarding same	0.30	169.50
09/05/18	RJK	Review appellate/certification process; analyze settlement options with Irving Railroads	0.60	339.00
09/06/18	LKZ	Analysis re: timing of certification from bankruptcy court for Irving RRs order.	0.30	105.00
09/06/18	ALS	Update pleadings with Order Overruling the Amended Objection of Estate Representative to Irving Railroads' Proof of Claims	0.10	22.50
09/07/18	RJK	Telephone call with Alan Lepene regarding Irving Railroad claims	0.30	169.50
09/07/18	RJK	Conference with Lindsay Zahradka Milne regarding Irving Railroad Claims	0.20	113.00
09/12/18	LKZ	Revise motion for cert. re: Irving RRs appeal.	1.20	420.00
09/14/18	LKZ	Further draft motion for certification from BAP.	4.80	1,680.00



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09/14/18	ALS	Draft notice of appeal with respect to Irving Railroads matter (.3); emails from/to L. Milne re same (.1)	0.40	90.00
09/17/18	ALS	Revision to draft notice of appeal in Irving Railroads matter (.1); email to L. Milne attaching draft notice of appeal for review (.1)	0.20	45.00
09/17/18	LKZ	Review memo re: timing of petition to First Circuit for direct appeal (.1); confer w/B.Keach re: request for certification from bankruptcy court (.3); revise NOA (.1), certification (.5) for same.	1.00	350.00
09/17/18	RJK	Review NSBR, et al settlement offer	0.30	169.50
09/17/18	RJK	Review and revise certification for direct appeal and notice of appeal (NBSR, et al)	0.40	226.00
09/17/18	RJK	E-mail to Andrew Adessky regarding NSBR offer	0.20	113.00
09/17/18	RJK	E-mail to A. LePene regarding settlement offer by NSBR et al.	0.20	113.00
09/18/18	LKZ	Revise certification re: Irving RRs appeal (.5); research re: same (.6); emails w/Irving RRs counsel re: same (.2); confer w/B.Keach re: same (.2).	1.50	525.00
09/18/18	ALS	Review and respond to email from L. Milne re timing of filing of Notice of Appeal with respect to Irving Railway matter	0.10	22.50
09/19/18	LKZ	Confer w/A.Stewart re: NOA (.1); confer w/B.Keach re: certification (.1).	0.20	70.00
09/19/18	ALS	Filing of Notice of Appeal with respect to Irving Railroads matter with Court (.2); office conference with L. Milne re same (.1); email to R. Keach and L. Milne attaching Notice of Appeal (.1); docket scheduling deadlines relating to filing of request for certification with Bankruptcy Court and District Court (.2)	0.60	135.00
09/19/18	RJK	Exchange e-mail with Andrew Adessky regarding NBSR offer	0.30	169.50
09/20/18	LKZ	Emails w/A.Lepene re: certification (.1); confer w/A.Prescott re: same (.1).	0.20	70.00
09/20/18	ALS	Update pleadings file relating to Irving Railroads appeal matter	0.20	45.00
09/21/18	ALS	Docket scheduling deadline for District Court to check for Bankruptcy Appeal Certificate of Readiness from Bankruptcy Court with respect to Keach v NBSR appeal	0.10	22.50
09/21/18	LKZ	Review docket entries re: Irving RRs appeal.	0.10	35.00
09/25/18	LKZ	Review Irving RR's changes to certification (.4) and research re: same (.3); call w/B.Keach re:same (.1); email to counsel re: same (.1); revise same (.1).	1.00	350.00
09/25/18	ALS	Review and respond to email from A. Cummings with respect to transcript request in Irving Railways matter	0.10	22.50



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09/26/18	LKZ	Review additional comments to certification.	0.30	105.00
09/27/18	LKZ	Analysis re: MRS claim (.3); call w/A.Stewart re: research for same (.1); review research (.2); email to F.Caruso re: claim distribution records (.1).	0.70	245.00
09/27/18	LKZ	Finalize certification for filing (.3); research upcoming appellate deadlines in connection with same (.3).	0.60	210.00
09/27/18	ALS	Telephone conference with L. Milne re communication from Maine Revenue Services re claim status (.1); review claims file (.2); email to L. Milne attaching claims list with notations (.1)	0.40	90.00
09/27/18	RJK	E-mail to Alan Lepene regarding settlement	0.30	169.50
09/28/18	LKZ	Call w/F.Caruso re: payment on MRS claim (.2); analysis re: same (.1).	0.30	105.00
05 Total			28.60	\$ 10,617.00
07 - Fee/Employment Applications				
03/09/18	KQ	Email to A. Prescott re: status of Kugler Kandestin's review and response re: its draft second interim fee application	0.10	\$ 19.00
03/09/18	LKZ	Emails w/K. Quirk, A. Prescott re: BSSN fee app (.2); review court calendar, local rules re: same (.1)	0.30	105.00
04/04/18	LKZ	Emails w/A.Prescott re: BSSN fee app filing	0.10	35.00
04/04/18	ALS	Follow up with L. Milne and K. Quirk re status of draft interim fee application	0.20	45.00
04/09/18	KQ	Email from L. Zahradka Milne re: timing for filing the next BSSN fee application	0.10	19.00
04/09/18	LKZ	Confer w/A.Prescott re: BSSN fee app preparation.	0.10	35.00
04/09/18	ALS	Emails from/to L. Milne re status of interim fee application	0.10	22.50
04/10/18	ARP	Review February and March pro forma re confidentiality, task codes and billing compliance	1.20	312.00
04/13/18	KQ	Continued preparation of exhibit A re fourth interim fee application of BSSN	0.40	76.00
04/17/18	KQ	Continued preparation of fourth interim fee application of BSSN (1.2); proposed order (.2); and Notice of Hearing (.2); office conference with A. Prescott re: same (.1); prepare Exh. B (bios) (.2)	1.90	361.00
04/18/18	KQ	Revisions to MMA fourth interim fee application	0.50	95.00
04/18/18	LKZ	Confer w/A.Prescott re: BSSN invoice issues for fee app	0.20	70.00
04/18/18	RND	Call with A. Prescott re: preparation of MMA Fee Application	0.10	26.00
04/23/18	LKZ	Emails with A. Prescott regarding BSSN fee app	0.10	35.00



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04/24/18	KQ	Continued preparation of fourth interim fee application of BSSN (1.2); email from L. Zahradka Milne re: revisions to same (.1); revision to Notice of Hearing with respect to the Fourth Interim Fee Application of BSSN (.2); finalize and file the fourth interim fee application (.4); prepare and send service of same (.2); prepare and file Certificate of Service (.4)	2.50	475.00
04/24/18	LKZ	Revise BSSN fee app (.9), FOO (.1), NOH (.1), exhibits (.1); confer w/K.Quirk (.1), A.Prescott (.1) re: same	1.40	490.00
04/25/18	ALS	Docket scheduling hearing date and objection deadline to BSSN's fourth interim fee application	0.10	22.50
04/25/18	KQ	Telephone call from the US Trustee's office re: Ledes files with respect to BSSN's fourth interim fee application and email to A. Stewart re: same	0.20	38.00
04/26/18	KQ	Follow up re: securing Ledes files requested by the US Trustee with respect to BSSN' s fourth interim fee application (.1); email to/from L. Whiting at Trustee's office re: same (.1)	0.20	38.00
04/26/18	LKZ	Confer w/A.Prescott re: BSSN fee app.	0.50	175.00
04/26/18	ALS	Emails from/to K. Quirk and A. White re UST's request for LEDES file for interim fee application	0.30	67.50
04/30/18	KQ	Email to Lynn Whiting at the US Trustee's office regarding BSSN's Ledes file with respect to its fourth interim fee application	0.10	19.00
04/30/18	ALS	Review LEDES file for interim fee application filed by Bernstein Shur (.3); email to K. Quirk re same (.1)	0.40	90.00
05/03/18	KQ	Office conference with A. Prescott re: potential hearing date with respect to Kugler Kandestin's second interim fee application	0.10	19.00
05/04/18	KQ	Revisions to Notice of Hearing and Exh A re Kugler Kandestin second interim fee application	0.20	38.00
05/04/18	ARP	Review and finalize for filing Kugler Kandestin fee application (.7)	0.70	182.00
05/07/18	ALS	Review email and attachments from R. Keach with respect to interim fee application for DSI (.2); email to L. Milne re assistance with filing DSI's interim fee application (.1)	0.30	67.50
05/07/18	LKZ	Emails w/B.Keach re: DSI fee app	0.10	35.00
05/07/18	RJK	Review e-mails regarding DSI fee application; e-mail to Angela Stewart regarding same	0.30	169.50



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
05/08/18	KQ	Revision to the Notice of Hearing related to the second interim fee application of Kugler Kandestin and email to A. Prescott re: filing of same (.2); finalize and second interim fee application (.5); prepare and send service of same (.5); email to Jeremy Cuttler forwarding as-filed fee application (.1); prepare and file the Certificate of Service (.4)	1.70	323.00
05/08/18	ALS	Docket scheduling Kugler Kandestin's second interim fee application (.1); office conference with K. Quirk re filing of Kugler Kandestin's second interim fee application (.1)	0.20	45.00
05/08/18	KQ	Begin preparation of DSI's second interim fee application	1.20	228.00
05/09/18	KQ	Complete draft of DSI second interim fee application (Estate Rep), exhibits, proposed order and notice of hearing (1.7); email to A. Prescott re: same (.1)	1.80	342.00
05/09/18	LKZ	Analysis re: BSSN, KK, DSI fee apps	0.40	140.00
05/10/18	LKZ	Confer w/K.Quirk re: DSI fee app.	0.10	35.00
05/16/18	LKZ	Emails w/R.Keach re: BSSN fee app objection deadline.	0.10	35.00
05/18/18	KQ	Email to L. Zahradka Milne re: passing of objection deadline and order on BSSN fee application	0.10	19.00
05/21/18	KQ	Revisions to second interim fee application of DSI (1.7); finalize and file same (.3); prepare and send service of filed fee application (.4); prepare and file Certificate of Service (.2)	2.60	494.00
05/21/18	KQ	Telephone call with the US Bankruptcy Court re: hearing on BSSN's fourth interim fee application and e-mail to L. Zahradka Milne re same (.2); conference with L. Zahradka Milne re: fourth interim fee application (.1)	0.30	57.00
05/21/18	LKZ	Review DSI invoice (.1) and revise fee app accordingly (.5), FOO (.1), NOH (.1); confer w/K.Quirk re: filing same (.1); begin prep for hearing on same (.6)	1.50	525.00
05/21/18	ALS	Docket scheduling hearing and objection deadline re DSI's Second Interim Fee Application	0.10	22.50
05/21/18	ALS	Email to K. Quirk re hearing on BSSN's fee application	0.10	22.50
05/22/18	LKZ	Prep for (.2) and attend (.2) hearing on BSSN fee app; follow-up correspondence w/R.Keach re: same (.2); follow-up emails w/A.Stewart re: same (.1)	0.70	245.00
05/22/18	ALS	Office conference with L. Milne re status of hearing on Bernstein Shur's interim fee application	0.10	22.50
05/30/18	LKZ	Confer w/A.Stewart re: KK fee app (.1); emails w/K.Quirk re: same (.1)	0.20	70.00





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06/04/18	KQ	Telephone call to US Bankruptcy Court re order with respect to second interim fee application of Kugler Kandestin and email to L. Zahradka Milne re: same (.1); review docket for case update (.1)	0.20	38.00
06/04/18	ALS	Review Order approving Second Interim Fee Application of Kugler Kandestin (.1); update docket scheduling re same (.1)	0.20	45.00
06/04/18	KQ	Revisions to proforma for BSSN fees for March, April & May, 2018 for review for compliance with UST's task code requirements (.3); office conference with L. Milne re: R. Keach's fees (.1)	0.40	76.00
06/05/18	KQ	Review proformas for compliance with US Trustee's task code requirements for the months of March, April & May, 2018 (.6); office with L. Zahradka Milne re: R. Keach time entries (.1) and follow up allocation of same to matter 1 (.2)	0.90	171.00
06/05/18	LKZ	Review RJK time entries for privilege, confidentiality issues.	0.20	70.00
06/06/18	KQ	Complete review of proformas for compliance with US Trustee's task code requirements for the months of March, April & May, 2018 (1.1); email to A. Prescott re: next steps (.1)	1.20	228.00
06/11/18	ALS	Email to K. Quirk re request from Lynn Whiting at UST's office re LEDES for fee application	0.10	22.50
06/11/18	ARP	Review March, April and May pro formas re confidentiality, privilege and task coding	2.40	624.00
06/14/18	KQ	Telephone call with Lynn Whiting at the U.S. Trustee's office regarding the second interim fee application of DSI	0.20	38.00
06/14/18	ALS	Follow up email from K. Quirk re response to L. Whiting's document request with respect to DSI's fee application	0.10	22.50
06/18/18	KQ	Email to L. Milne and A. Prescott re: order granting the second interim fee application of DSI (.1); emails to/from F. Caruso re: payment of fees and expenses (.2)	0.30	57.00
06/18/18	ALS	Update docket scheduling with respect to Order Approving DSI's Second Interim Fee Application	0.10	22.50
06/19/18	KQ	Revise to BSSN proforma for the period of March - May, 2018	2.10	399.00
06/23/18	KQ	Revisions to BSSN proforma for the period of March - May, 2018	2.30	437.00
06/28/18	KQ	Review proformas for compliance with U.S. Trustee's task code requirements for the months of April and May, 2018	1.20	228.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
07/20/18	ARP	Review June pro forma re privilege, task codes and compliance with UST guidelines	0.90	234.00
09/17/18	LKZ	Research in connection w/next BSSN fee application (.2); confer w/K.Quirk re: same (.1).	0.30	105.00
09/17/18	ALS	Review emails from L. Milne and K. Quirk re Bernstein Shur fee application	0.10	22.50
09/24/18	KQ	Office conference with L. Milne re: preparation of fifth interim fee application of BSSN	0.10	19.00
09/24/18	LKZ	Review BSSN August bill for privilege, confidentiality issues (1.0), research re: same (.5).	1.50	525.00
07 Total			38.80	\$ 9,191.00
10 - Litigation				
03/01/18	ALS	Assist A. Prescott in preparation for upcoming deposition of Fred Caruso in Wheeling v Keach adversary proceeding	1.80	\$ 405.00
03/01/18	LKZ	Confer w/A.Stewart in prep for Caruso follow-up depo in Wheeling adversary.	0.30	105.00
03/01/18	ARP	Telephone calls with F. Caruso re Wheeling deposition (.3); review Wheeling deposition exhibits and prepare for F. Caruso deposition (.6); draft motion in limine re Wheeling litigation (2.2)	3.10	806.00
03/01/18	RJK	Telephone call with Fred Caruso regarding deposition	0.40	226.00
03/01/18	KQ	Email to A. Prescott re: BSSN time entries specific to distribution of assets	0.10	19.00
03/02/18	ARP	Prepare for (.4) and participate in deposition of F. Caruso (.9) in Wheeling matter	1.30	338.00
03/02/18	ALS	Review Local and Federal Rules with respect to filing of motions in limine in adversary proceedings (.3); emails to/from A. Prescott regarding same (.1)	0.40	90.00
03/05/18	ARP	Draft motion in limine to exclude expert re Wheeling matter	3.00	780.00
03/06/18	ARP	Continue drafting motion in limine re Wheeling expert (1.6); review summary judgment briefing and case law re preparation for drafting Wheeling omnibus motion in limine (3.3)	4.90	1,274.00
03/07/18	ARP	Continue drafting motion in limine re Wheeling expert (2.4); research and draft omnibus motion in limine re issues for Wheeling trial (4.9)	7.30	1,898.00
03/08/18	PM	Review information re: NBSR investigation	0.30	129.00
03/08/18	ARP	Review summary judgment briefing re preparation for Wheeling omnibus motion in limine	1.30	338.00
03/09/18	ARP	Perform research and continue drafting motions in limine re Wheeling litigation	5.10	1,326.00
03/12/18	ARP	Continue drafting omnibus motion in limine re Wheeling trial (5.4); revise motion in limine re Wheeling expert (.4)	5.80	1,508.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
03/13/18	ARP	Draft remaining sections re omnibus motion in limine to exclude Wheeling evidence (4.6); finalize draft motion in limine re Wheeling expert (1.1)	5.70	1,482.00
03/14/18	ARP	Continue drafting and revising omnibus motion in limine to exclude Wheeling evidence at trial	3.70	962.00
03/15/18	ALS	Update transcripts file with Fred Caruso deposition transcript from Wheeling adversary proceeding (.1); review and respond to email from A. Prescott re same (.1)	0.20	45.00
03/15/18	ARP	Telephone call with A. Helman re Wheeling motions in limine	0.20	52.00
03/16/18	ARP	Proofread and revise draft motions in limine re Wheeling trial	1.30	338.00
03/21/18	ARP	Confer with R. Keach re Wheeling motions in limine (.3); correspondence with A. Helman re motions in limine (.1); draft revised motion in limine re Wheeling expert re comments from R. Keach (2.1)	2.50	650.00
03/21/18	ALS	Office conference with A. Prescott re preparation for filing motions in limine in Wheeling litigation	0.20	45.00
03/21/18	RJK	Review motion in limine (Gitomer) in Keach v. Wheeling (1.0); conference with Adam Prescott regarding same (.4)	1.40	791.00
03/21/18	RJK	Review/revise motion in limine (contract evidence) in Wheeling case	1.20	678.00
03/21/18	RJK	Conference with Adam Prescott regarding motions in limine	0.30	169.50
03/21/18	RJK	Review precedent regarding motions in limine	1.70	960.50
03/22/18	ALS	Review draft motions in limine and begin organizing exhibits to Affidavits of RJK with respect to Wheeling litigation	0.50	112.50
03/23/18	ALS	Organize exhibits referenced in draft affidavits of RJK in support of motions in limine to be filed in Wheeling adversary proceeding	1.40	315.00
03/23/18	ALS	Email to A. Prescott re preparation for filing motions in limine and related pleadings in Wheeling adversary proceeding	0.10	22.50
03/26/18	ALS	Further organization of exhibits to affidavit of RJK with respect to motions in limine to be filed in Wheeling adversary proceeding (.8); record cite check motion in limine with respect to Gitomer (.7); begin record cite check motion in limine re contract evidence (.2); preparation for filing motions in limine and related pleadings with Court (1.0); draft certificate of service (.2); filing motions in limine and related pleadings with Court (.7); emails to/from A. Prescott re same (.1)	3.70	832.50



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
03/26/18	KQ	Preform cite check re: the Estate Representative's motion in limine to exclude certain evidence and witness testimony in Wheeling v. Keach (1.2); revisions to exhibits related to same (.3)	1.50	285.00
03/26/18	DPK	Cite check and bluebook motions in limine in Wheeling litigation	3.00	675.00
03/26/18	ARP	Revise Wheeling motions in limine re comments from R. Keach (1.6); research, cite check and proofread motions in limine (4.2); organize exhibits re motions in limine (.8); draft proposed orders re motions in limine (.9); manage finalization and filing of motions in limine (.4)	7.90	2,054.00
03/26/18	RJK	Review and revise motions in limine re: Wheeling	0.90	508.50
03/26/18	RJK	Attention to motions in limine re: Wheeling	0.60	339.00
03/27/18	ALS	Emails to R. Keach and A. Prescott re motions in limine filed by Wheeling (.1) and Estate Representative (.1); update pleadings file re same (.2)	0.40	90.00
04/02/18	ALS	Email to R. Keach and L. Milne attaching Joint Report on Case Status filed in Wheeling v MNR & NBSR case pending in U.S. District Court (.1); update pleadings file re same (.1)	0.20	45.00
04/03/18	ALS	Update docket scheduling with respect to Order Granting Motion to Extend Stay Period entered in Wheeling v MNR & NBSR litigation and deadline to file next joint status report	0.20	45.00
04/03/18	RJK	Review documents produced by CP	1.10	621.50
04/03/18	RJK	Telephone call with M. Touns	0.30	169.50
04/05/18	ARP	Draft objection re Wheeling motion in limine to exclude R. Keach testimony	1.30	338.00
04/06/18	ARP	Outline response to Wheeling motion in limine re surcharge evidence	0.90	234.00
04/09/18	ARP	Research case law and draft objection re Wheeling motion to exclude testimony from R. Keach (2.2)	2.20	572.00
04/10/18	ARP	Draft objection re Wheeling motion in limine to exclude R. Keach trial testimony (2.1); draft objection re Wheeling motion in limine to exclude letter evidence from trial (3.6)	5.70	1,482.00
04/11/18	ARP	Confer with R. Keach re responses to Wheeling motions in limine (.6); draft revised responses to Wheeling motions in limine re attorney letter and witness testimony (1.4); research and draft response to Wheeling motion in limine re surcharge evidence (2.9)	4.90	1,274.00
04/11/18	RJK	Review and revise response to motions in limine (3.5); conference with Adam Prescott regarding same (.6).	4.10	2,316.50



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
04/12/18	DPK	Proofread and blue-book/cite-check Estate Representative's responses and objections to Wheeling's motions in limine in Wheeling litigation	1.10	247.50
04/12/18	ARP	Draft objection to Wheeling motion in limine re surcharge issue (3.1) and perform research of docket and case law re same (1.1)	4.20	1,092.00
04/12/18	RJK	Review response to motions in limine (Wheeling)	0.30	169.50
04/13/18	KQ	Finalize and file the Estate Representative's objections to Wheeling's motion to exclude the ER as a trial witness, motion to exclude correspondence from shipper's counsel, and motion to exclude surcharge evidence (.8); prepare and file Certificate of Service for same (.5)	1.30	247.00
04/13/18	ARP	Proofread and file objection to Wheeling motion in limine re attorney letter (.4); re Estate Representative testimony (.4); re surcharge evidence (.3)	1.10	286.00
04/13/18	DPK	Proofread and bluebook/cite-check Estate Representative's objection to Wheeling's motion in limine to exclude surcharge evidence	0.90	202.50
04/13/18	JW1	Analyze Quebec government complaint against CP	0.20	52.00
04/13/18	ALS	Review and respond to email from M. Toups re case information re pending litigation against CP	0.20	45.00
04/13/18	ALS	Emails from/to A. Prescott and K. Quirk re filing of replies to objections to motions in limine in Wheeling litigation	0.20	45.00
04/13/18	RJK	Review and revise motion in limine (Wheeling surcharge)(1.0); e-mail to Adam Prescott regarding same (.1)	1.10	621.50
04/13/18	RJK	Exchange e-mail with L. Comtois regarding Quebec action vs. CP	0.40	226.00
04/13/18	RJK	Exchange e-mails with Mitchell Toups regarding CP	0.30	169.50
04/17/18	ARP	Telephone call with J. Cuttler re discovery with CP in Canada	0.20	52.00
04/18/18	RND	Review First Circuit Decision re: Wheeling Appeal	0.80	208.00
04/19/18	MT	Emails from and to Attorney Prescott regarding production of documents to CP's counsel in the Canadian cases.	0.20	40.00
04/19/18	ARP	Research and draft reply in support of motion to exclude Wheeling expert	2.10	546.00
04/20/18	ARP	Draft reply in support of motion to exclude Wheeling trial evidence	3.80	988.00
04/20/18	ALS	Review and respond to email from L. Milne re First Circuit decision in Wheeling litigation	0.20	45.00
04/23/18	RJK	Review and revise response regarding motion in limine (Gitomer)	0.40	226.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
04/24/18	ALS	Review email from R. Keach re scheduling of hearings on Motions to Compel filed in Wheeling adversary proceeding	0.10	22.50
04/24/18	RJK	Review precedent regarding 506(c)	0.30	169.50
04/25/18	DPK	Proofread and blue-book/cite-check Estate Representative's reply to Wheeling's opposition to ER's motion in limine to exclude Gitomer.	0.70	157.50
04/25/18	ALS	Docket scheduling hearings on motions in limine filed in Wheeling adversary proceeding	0.10	22.50
04/25/18	ARP	Draft reply brief re omnibus motion in limine to exclude Wheeling evidence	3.10	806.00
04/26/18	ARP	Prepare exhibit list re Wheeling trial (.9); draft reply brief in support of motion in limine to exclude Wheeling evidence (.8)	1.70	442.00
04/26/18	ARP	Confer with R. Keach re Wheeling exhibit list (.3); draft reply brief re omnibus motion in limine to exclude Wheeling evidence (2.3)	2.60	676.00
04/26/18	MT	Transfer certain production documents to Jeremy Cuttler.	0.60	120.00
04/26/18	RJK	Conference with Adam Prescott regarding Wheeling trial prep (.3); follow-up re same (.7)	1.00	565.00
04/26/18	ALS	Begin work on draft exhibit list for A. Prescott's review with respect to Wheeling adversary proceeding	1.00	225.00
04/27/18	LKZ	Confer w/A.Stewart re: Wheeling trial prep.	0.30	105.00
04/27/18	KQ	Assist with preparation of exhibit list for Wheeling trial	2.30	437.00
04/27/18	ARP	Continue drafting reply re motion in limine to exclude Wheeling trial evidence (1.1); research case law re same (1.6); proofread, cite check and finalize for filing re same (.4); prepare exhibit list (1.4) and deposition designation list (.4) re Wheeling trial	4.90	1,274.00
04/27/18	ALS	Assist A. Prescott with preparation of draft exhibit list with respect to Wheeling adversary proceeding	2.60	585.00
04/27/18	ALS	File Reply to Motion in Limine to Exclude Gitomer in Wheeling adversary	0.30	67.50
04/27/18	ALS	Update pleadings with various replies to motions in limine filed in Wheeling adversary proceeding	0.30	67.50
04/27/18	ALS	Email to A. Prescott re email from class counsel regarding discovery	0.10	22.50
04/27/18	KQ	Finalize and file the reply to motion in limine to exclude omnibus evidence in the Wheeling v. Keach matter	0.30	57.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
04/27/18	RJK	Review and revise response regarding omnibus motion in limine (.5); Review precedent regarding Motions in Limine (1.1); Attention to motions in limine (.9); Review Wheeling witness list, etc (.4); Attention to response regarding motion in limine (1.6)	4.50	2,542.50
04/30/18	KQ	Prepare and file the Certificate of Service with respect to The Estate Representative's Reply in Support of His Omnibus Motion in Limine to Exclude From Trial Certain Evidence and Witness Testimony in the adversary proceeding Wheeling v. Keach	0.40	76.00
04/30/18	ALS	Review exhibit and deposition designations provided by Wheeling	0.30	67.50
05/01/18	PM	Emails with counsel re CP defense to Canadian proceedings	0.10	43.00
05/01/18	ARP	Telephone call with J. Cuttler re CP Canada discovery	0.20	52.00
05/02/18	JW1	Provide copy of protective order to Bob Keach	0.10	26.00
05/02/18	PM	Emails re call with Canadian counsel (.1); review CP response to Canadian AG's motion to institute proceedings (1.1)	1.20	516.00
05/02/18	ALS	Review emails from A. Prescott re production of documents to Jeremy Cuttler	0.20	45.00
05/03/18	ARP	Telephone call with D. Rosenthal re Wheeling exhibits (.5) and continue discussion with R. Keach re same (.3); prepare counter designation of deposition transcripts re Wheeling trial (.7)	1.50	390.00
05/03/18	LKZ	Call w/Louise Comtois re: status of litigation against CP (.8); follow-up conference w/B.Keach re: same (.3); follow-up emails w/L.Comtois re: same (.2).	1.30	455.00
05/03/18	PM	Phone call with Bob Keach, Lindsay Milne, Canadian counsel re status	1.00	430.00
05/03/18	RJK	Prepare for and attend telephone call with L. Comtois, et al regarding claims vs CP (including review of CP answer to government complaint)	3.10	1,751.50
05/03/18	RJK	Prepare for and attend conference with Wheeling counsel regarding exhibits and other trial prep (.6); follow-up conference with Adam Prescott re same (.3)	0.90	508.50
05/03/18	RJK	Prepare regarding Wheeling hearings	1.60	904.00
05/04/18	MT	Emails re MMA data and research files (.8); call to and email to Evidox (.3) ; analyze email from Evidox (.3); prepare email to Golnaz Nayerahmadi regarding data (.3)	1.70	340.00
05/04/18	ALS	Update pleadings file with respect to Province's case against CP (.4); emails from/to L. Milne re same (.1); review Court docket of case pending in Quebec Superior Court (.3)	0.80	180.00



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05/04/18	ALS	Review email from A. Prescott re update to deadline to file consolidated exhibits list with Court in Wheeling adversary proceeding	0.10	22.50
05/04/18	KQ	Telephone call to the US Bankruptcy Court re deadline to file exhibit lists in Wheeling v Keach	0.10	19.00
05/04/18	ARP	Draft witness list re Wheeling trial (.5); correspondence with D. Rosenthal re Wheeling trial (.1); confer with R. Keach re Wheeling trial (.2)	0.80	208.00
05/04/18	RJK	Review various submissions regarding Wheeling dispute	1.10	621.50
05/07/18	ALS	Email Wheeling's Witness List to R. Keach and A. Prescott (.1); update pleadings file with same (.1)	0.20	45.00
05/07/18	ALS	Update deadline for consolidated list of exhibits to be filed with Court in Wheeling adversary proceeding (.1); review email from A. Prescott re same (.1)	0.20	45.00
05/07/18	MT	Check status on text files for native documents (.1); forward text files and overlay DAT to Golnaz Nayerhmadi (.2)	0.30	60.00
05/07/18	RJK	Prep regarding Wheeling hearings	2.70	1,525.50
05/08/18	MT	Emails from and to Golnaz Nayerahmadi and follow up with respect to certain files as well as related email to Evidox	0.40	80.00
05/08/18	ARP	Review exhibit list re preparing Wheeling trial stipulations (.3); begin drafting outline re Wheeling trial (1.8); review Wheeling proposed stipulations (.2)	2.30	598.00
05/09/18	ARP	Telephone call and emails with D. Rosenthal re Wheeling exhibits (.4); review Wheeling's proposed stipulations (.4); draft proposed stipulations re Wheeling trial (2.9)	3.70	962.00
05/09/18	RJK	Conference with Adam Prescott regarding Wheeling Adversary (.2); Review Wheeling proposed stipulations; edit same; conference with Adam Prescott regarding same (.5); Review confidentiality stipulation regarding consolidated Quebec litigation (.3); Review e-mail regarding corrective deed; e-mail to Gowlings regarding same (.4); Review proposed revised stipulation; edit same (Wheeling dispute) (.5);	1.90	1,073.50
05/10/18	KQ	Emails with A. Prescott regarding exhibits to be used at trial in the matter Wheeling v. Keach (.1); preparation of exhibits re same(2.7)	2.80	532.00
05/10/18	ARP	Continue drafting stipulations re Wheeling trial (1.2); coordinate trial exhibit preparation (.2); telephone call with Wheeling counsel re trial stipulations (.9); review Wheeling stipulation revisions (.2)	2.50	650.00





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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
05/10/18	RJK	Prepare for and attend meeting with George Marcus, et al. regarding Wheeling stipulation, etc., follow-up re same	1.20	678.00
05/10/18	RJK	Revise proposed stipulations (Wheeling)	0.40	226.00
05/10/18	MT	Email from Evidox and responding to Golnaz Nayerahmadi	0.10	20.00
05/11/18	RJK	Review protective order; exchange e-mails with Mitchell Toups regarding same	0.60	339.00
05/11/18	RJK	Attention to Wheeling disputes, filings	1.40	791.00
05/14/18	KQ	Continued preparation of trial exhibits in Wheeling adversary proceeding	2.20	418.00
05/14/18	PM	Review key documents and emails re same (1.2); strategize re certain case issues (.4); review certain CP documents and emails re same (.3)	1.90	817.00
05/14/18	ARP	Continue drafting Wheeling trial stipulations (.9); exhibit list (.8); telephone call with Wheeling re same (.3); correspondence with Wheeling counsel re pretrial stipulations and exhibits (.4); draft objection to Wheeling deposition transcript designations (.8)	3.20	832.00
05/14/18	ALS	Filing Estate Representative's Objections to Deposition Transcript Designations with Court in Wheeling v Keach adversary proceeding (.1); revise Estate Representative's Objections to Deposition Transcript Designations to add certificate of service (.1); reply email to A. Prescott re filing of Estate Representative's Objections to Deposition Transcript Designations (.1)	0.30	67.50
05/14/18	RJK	Review and respond to various e-mails regarding Wheeling litigation (.6); Attention to Wheeling exhibit lists, stipulation, etc (2.2)	2.80	1,582.00
05/15/18	ARP	Continue revising stipulations re Wheeling trial (.8); correspondence with Wheeling counsel re pretrial filings (.5); telephone call with D. Rosenthal re stipulations and exhibits (.2); confer with R. Keach re stipulations and exhibits (.3); meeting with R. Keach and G. Marcus re Wheeling trial (.3); compile exhibits re Wheeling trial (.4); prepare outline re Wheeling trial (.9)	3.40	884.00
05/15/18	PM	Emails with Angela Stewart re. CP document production (.1); Review CP Tariffs (1.5)	1.60	688.00
05/15/18	ALS	Emails from/to A. Prescott re schedules to Asset Purchase Agreement with respect to Wheeling adversary proceeding (.2); review schedules to Asset Purchase Agreement per A. Prescott's request (.3)	0.50	112.50



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05/15/18	ALS	Emails (x2) to R. Keach and A. Prescott attaching Joint Consolidated Exhibit List for Trial and Trial Stipulations filed in Wheeling v Keach adversary proceeding (.2); update pleadings file re same (.1)	0.30	67.50
05/15/18	RJK	Review revised stipulation; e-mails to Dan Rosenthal, Adam Prescott regarding same (.4); Prepare for and attend conference with George Marcus regarding possible Wheeling settlement (.9); Exchange e-mails with Dan Rosenthal regarding stipulation (.2)	1.50	847.50
05/16/18	KQ	Continued preparation of trial exhibits in Wheeling adversary proceeding	4.20	798.00
05/16/18	ARP	Draft pretrial memorandum re Wheeling trial (5.2); proofread and revise same (1.4); continue compiling exhibits re Wheeling trial (.6); correspondence with Wheeling counsel re pretrial preparations (.3); continue preparing trial exam outlines (.9)	8.40	2,184.00
05/16/18	ALS	Review emails with respect to exhibits in advance of Wheeling trial	0.20	45.00
05/17/18	KQ	Continued preparation of trial exhibits in Wheeling adversary proceeding	4.50	855.00
05/17/18	KQ	Review pretrial brief for docket number check in the Wheeling v. MMA adversary proceeding	0.30	57.00
05/17/18	ARP	Continue drafting trial witness exam outlines (3.8); review motions in limine re oral argument preparation (.9)	4.70	1,222.00
05/17/18	ALS	Assist A. Prescott and K. Quirk re preparation of exhibits re trial in Wheeling v Keach adversary proceeding	0.60	135.00
05/17/18	ALS	Circulate as-filed copies of pretrial memorandums filed by Wheeling and Estate Representative in Wheeling adversary proceeding (.1); update pleadings file re same (.1)	0.20	45.00
05/18/18	KQ	Continued preparation of trial exhibits in Wheeling adversary proceeding	2.10	399.00
05/18/18	ALS	Attend training session at Bankruptcy Court with respect to use of electronic evidence in advance of upcoming Wheeling trial	0.80	180.00
05/19/18	ARP	Review motions in limine briefing re oral argument preparation	1.30	338.00
05/20/18	ARP	Continue reviewing briefing re Wheeling motions in limine oral argument and preparing notes re same	2.90	754.00
05/21/18	ALS	Review email from A. Prescott re assistance with preparation for upcoming Wheeling trial (.1); assist A. Prescott with preparation for hearing on upcoming motions in limine (.3)	0.40	90.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
05/21/18	ALS	Office conference with K. Quirk re preparation for upcoming trial in Wheeling v Keach litigation	0.20	45.00
05/21/18	KQ	Preparation of documents for hearing on motions in limine in Wheeling v. Keach (.5); coordinate delivery of Defendant's exhibits to Plaintiff's counsel (.1); Continued preparation of documents with respect to Wheeling v. Keach trial (1.8)	2.40	456.00
05/21/18	ARP	Continue outline and exhibit preparation for Wheeling trial (3.6); continue preparation for motions in limine argument (.8); attend hearing re motions in limine (2.6)	7.00	1,820.00
05/21/18	RJK	Prepare for and attend hearing regarding Motions in Limine	5.50	3,107.50
05/21/18	RJK	Prepare for Wheeling Trial	1.50	847.50
05/22/18	KQ	Coordination of Defendant's exhibits to be used in Wheeling v. Estate Representative trial (1.7); receipt and review of Plaintiff's exhibits (.5); review redline of revised Joint Consolidated Exhibit List for Trial (.1)	2.30	437.00
05/22/18	LKZ	Emails with A. Stewart regarding emails in connection with Wheeling adversary proceeding	0.10	35.00
05/22/18	ARP	Continue preparing exam outlines and exhibits for Wheeling trial	4.80	1,248.00
05/22/18	ALS	Review email from K. Stone regarding Joint and Plaintiff's Exhibits with respect to Wheeling adversary proceeding (.1); email to K. Quirk re same (.1); office conference with K. Quirk re organization of exhibits for upcoming trial (.3)	0.50	112.50
05/22/18	ALS	Emails from/to L. Milne re assistance for R. Keach with respect to preparation for upcoming trial in Wheeling case	0.20	45.00
05/23/18	JW1	Analyze CP discovery responses for information for Wheeling trial.	0.80	208.00
05/23/18	KQ	Office conference with A. Prescott re: additional Defendant and Plaintiff trial exhibits in Wheeling v. Keach (.1); coordination of same (1.5); email from Plaintiff's paralegal regarding addition of Plaintiff's exhibits (.1)	1.70	323.00
05/23/18	ARP	Continue preparing exhibits and witness outlines re Wheeling trial (3.4); prepare revised exhibit list and additional exhibits (.4)	3.80	988.00
05/23/18	ALS	Assist R. Keach and A. Prescott with preparation for trial in Wheeling v. Keach adversary proceeding	3.90	877.50
05/23/18	RJK	Prepare for Wheeling hearings	11.90	6,723.50
05/24/18	ALS	Assist R. Keach and A. Prescott with trial preparation with respect to Wheeling v Keach matter	1.60	360.00



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**DETAIL**

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
05/24/18	KQ	Revisions to exhibits (1.4); assist with trial set-up in Wheeling v. Keach (.7)	2.10	399.00
05/24/18	PM	Review Petroleum News article re. Bakken shipments and emails from CP production.	0.20	86.00
05/24/18	ARP	Continue preparing for (1.9) and participate in trial with Wheeling (7.8)	9.70	2,522.00
05/24/18	RJK	Prepare for (2.4) and attend Wheeling hearings (7.8)	10.20	5,763.00
05/25/18	ARP	Prepare for Wheeling trial re surcharge (1.3); participate in Wheeling trial (2.8)	4.10	1,066.00
05/25/18	ALS	Assist R. Keach and A. Prescott re second day of trial in Wheeling v Keach adversary proceeding (.8); office conference with R. Keach re request for trial transcript (.1); preparation of trial transcript request form (.1); transmittal of transcript request form to Court (.1)	1.10	247.50
05/25/18	RJK	Prepare for and attend Wheeling hearing	4.10	2,316.50
05/29/18	LKZ	Strategic conference w/R.Keach re: Wheeling adversary proceeding hearing, next steps	0.60	210.00
05/29/18	ARP	Call with F. Caruso re Wheeling trial follow up	0.20	52.00
05/29/18	ALS	Telephone call with Veritext re status of Wheeling v Keach trial transcripts (.1); email to R. Keach and A. Prescott re same (.1)	0.20	45.00
05/30/18	KQ	Docket review for case update in the Wheeling v. Keach adversary proceeding (.4); emails and telephone conference with K. Stone at Marcus Clegg re: audio of trial (.3)	0.70	133.00
05/30/18	RJK	Exchange e-mails regarding stipulation	0.20	113.00
05/31/18	KQ	Organization of trial documents used in Wheeling v. Keach	0.50	95.00
05/31/18	PM	Meet with Bob Keach re status and strategy (.2); review, analyze and comment on new Canadian Complaint against CP (.8)	1.00	430.00
05/31/18	ALS	Email to R. Keach and A. Prescott attaching Wheeling v Keach trial transcripts (.1); follow up email to K. Quirk re same (.1)	0.20	45.00
05/31/18	ALS	Docket scheduling deadline to submit redacted transcript submissions to Court with respect to Wheeling v Keach trial transcripts	0.10	22.50
05/31/18	ALS	Review email from R. Keach attaching Quebec Superior Court suit filed by businesses against CP, MMAC and Thomas Harding (.1); review Complaint (.3)	0.40	90.00
05/31/18	ALS	Review Wheeling v Keach trial transcripts	0.30	67.50
05/31/18	RND	Emails with L. Zahradka re: documents produced by CP and potential relevance to litigation	0.30	78.00
05/31/18	RJK	Exchange e-mails with Patrice Benoit and Andrew Adessky regarding new Canadian suit	0.40	226.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
05/31/18	RJK	Preliminary review of pleadings in new Canadian action	0.40	226.00
06/01/18	ALS	Docket scheduling deadline for stipulations, simultaneous briefs and continued hearing in Wheeling v Keach litigation	0.20	45.00
06/01/18	ALS	Email to R. Keach and A. Prescott attaching Stipulation filed with Court in Wheeling adversary proceeding	0.10	22.50
06/05/18	JW1	Analyze recent article regarding Canadian case against NBSR stemming from Lac-Megantic	0.20	52.00
06/05/18	RJK	Review article regarding NBSR trial; e-mails regarding same	0.40	226.00
06/06/18	RJK	Attention to post-trial brief (Wheeling case)	2.50	1,412.50
06/07/18	RJK	Review Demande Introductive (Complaint) in 9020-1648 Quebec Inc. v. CP	0.50	282.50
06/07/18	RJK	Review CP Defense regarding Combined Canadian action; review U.S. and Canadian regulations regarding claims vs. CP	3.60	2,034.00
06/07/18	RJK	Attention to post-hearing brief	1.10	621.50
06/07/18	ALS	Email to R. Keach and A. Prescott attaching Stipulation in Wheeling v Keach adversary proceeding	0.10	22.50
06/07/18	ALS	Docket scheduling deadline for Estate Representative to disburse funds to Marcus Clegg as counsel for Wheeling per Stipulation entered in Wheeling v Keach adversary proceeding (.1); review Stipulation entered in Wheeling v Keach (.1)	0.20	45.00
06/11/18	PM	Review articles re: preemptions and tort liability	0.50	215.00
06/11/18	RJK	Conference with Adam Prescott regarding Wheeling Post-Hearing Brief	1.00	565.00
06/11/18	RJK	Attention to post-hearing brief (Wheeling)	1.60	904.00
06/11/18	ARP	Review trial transcript re preparing for post-trial brief in Wheeling litigation	1.80	468.00
06/12/18	RJK	Attention to post-hearing brief (Wheeling)	6.00	3,390.00
06/12/18	ARP	Continue researching, reviewing trial record, and drafting post-trial brief in Wheeling litigation	3.60	936.00
06/13/18	JW1	Weekly team meeting to discuss CP document production and litigation strategy	1.00	260.00
06/13/18	ARP	Continue researching and drafting Wheeling post-trial brief (3.1); confer with R. Keach re same (.2)	3.30	858.00
06/13/18	RJK	Attention to post-trial brief (Wheeling)	1.60	904.00
06/13/18	RJK	Attention to post-trial brief (Wheeling)	2.00	1,130.00
06/13/18	RJK	Attention to post-trial brief (Wheeling)	5.10	2,881.50
06/14/18	ARP	Continue drafting Wheeling post-trial brief	5.20	1,352.00
06/14/18	KQ	Preparation of exhibits with respect to the post-trial brief in the adversary proceeding of Wheeling v. Keach	3.20	608.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
06/14/18	ALS	Review and respond to email from A. Prescott re assistance with post-trial brief for filing in Wheeling adversary proceeding	0.20	45.00
06/14/18	RJK	Attention to post-hearing brief (Wheeling)	2.10	1,186.50
06/14/18	RJK	Attention to post-hearing brief	2.60	1,469.00
06/15/18	KQ	Continued preparation of exhibits with respect to post-trial brief in the adversary proceeding Wheeling v. Keach (1.4); file brief (.1)	1.50	285.00
06/15/18	DPK	Cite check and proofread Wheeling post-trial brief	1.30	292.50
06/15/18	ARP	Continue drafting post-trial brief and implementing comments from R. Keach re same (3.2); proofread, cite check and finalize exhibits to post-trial brief for filing (2.4)	5.60	1,456.00
06/15/18	RJK	Attention to post-trial brief	7.20	4,068.00
06/15/18	ALS	Circulate Post-Trial Brief filed by Wheeling	0.10	22.50
06/18/18	ARP	Review Wheeling's post-trial brief (.8) and confer with R. Keach re same (.5)	1.30	338.00
06/18/18	PM	Review 9th Circuit Opinion on Consent Directives	0.70	301.00
06/18/18	RND	Review/analyze various CP pleadings in light of documents produced	6.50	1,690.00
06/21/18	ARP	Review post-trial briefing and trial transcript re preparation for Wheeling hearing	1.40	364.00
06/21/18	PM	Review video re: book on Lac Megantic disaster and research re. same.	0.30	129.00
06/21/18	RND	Review news clips from Canada re: derailment and ongoing litigation	0.10	26.00
06/21/18	ALS	Email to A. Prescott attaching transcript of confirmation hearing (.1); telephone conference with A. Prescott re request for various transcripts from hearings in the main bankruptcy case (.2)	0.30	67.50
06/21/18	ALS	Review and respond to emails from R. Keach, L. Milne and A. Prescott re release of Megantic book (.2); review media coverage of Megantic book release (.3)	0.50	112.50
06/22/18	ALS	Work on translation of Megantic book per L. Milne's request	0.70	157.50
06/22/18	ALS	Submission of transcript request from oral ruling in Wheeling adversary proceeding per R. Keach's request	0.30	67.50
06/22/18	RJK	Prepare for and attend hearing regarding Wheeling claim	2.00	1,130.00
06/22/18	ARP	Attend court hearing re decision on Wheeling trial	1.00	260.00
06/25/18	ALS	Obtain pleadings in opposition to stay pending appeal for R. Keach's review	0.30	67.50
06/25/18	LKZ	Confer w/L.Pritchard re: opposition for motion for stay pending appeal	0.20	70.00



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**DETAIL**

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
06/25/18	LMP	Research and draft memorandum on the legal standard for the issuance of a bond and the court's calculation of that bond.	6.60	No Charge
06/25/18	LKZ	Confer w/ B.Keach re: hearing on Wheeling adversary proceeding, next steps	0.60	210.00
06/25/18	RJK	Attention to possible stay motion response (Wheeling)	1.30	734.50
06/25/18	RJK	Attention to possible stay motion response (Wheeling)	1.10	621.50
06/25/18	ARP	Review Wheeling trial transcript (.4); perform research re motions to stay pending appeal (.8)	1.20	312.00
06/25/18	ALS	Email to R. Keach and A. Prescott attaching transcript from oral argument in Wheeling v Keach adversary proceeding (.1); update file with transcript from oral argument in Wheeling v Keach adversary proceeding (.1)	0.20	45.00
06/26/18	LMP	Revise memorandum on the legal standard for imposing a bond.	1.60	No Charge
06/26/18	LKZ	Review research re: posting a bond I/c/w Wheeling potential motion for stay pending appeal	0.20	70.00
06/26/18	ALS	Email to R. Keach attaching sharefile link to metadata for the MMA document production, along with certain documents regarding train operating and protocol	0.20	45.00
06/26/18	ALS	Email to L. Milne re translation of Megantic book (.1); continue work on translation of Megantic book (.7)	0.80	180.00
06/26/18	ALS	Update pleadings with Order from June 22nd ruling with respect to Wheeling v Keach adversary proceeding	0.10	22.50
06/27/18	RJK	Review protective order in Keach v. CP	0.40	226.00
06/28/18	ALS	Email to J. Cuttler regarding litigation matters pending in Quebec Superior Court	0.20	45.00
07/02/18	ALS	Review email from A. Prescott re: H. Pelkey email regarding Wheeling's Motion for Stay Pending Appeal and Motion for Emergency Hearing in Wheeling v Keach case (.1); office conference with A. Prescott re same (.1); emails (multiple) with A. Prescott re scheduling of hearing on Wheeling's Motion for Stay Pending Appeal (.2); email to H. Pelkey re same (.1)	0.50	112.50
07/02/18	ALS	Email to R. Keach and A. Prescott attaching Wheeling's Notice of Appeal (.1); update pleadings file with same (.1)	0.20	45.00
07/02/18	RJK	Review precedent regarding stay pending appeal, mootness (Wheeling)	1.10	621.50
07/03/18	ALS	Docket scheduling deadline for Appellant Designation in Wheeling v Keach appeal (.1); email to R. Keach and A. Prescott re same (.1)	0.20	45.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
07/03/18	ALS	Preparation of draft response to Wheeling's anticipated filing of their Motion for Stay Pending Appeal per L. Milne's request	0.40	90.00
07/03/18	ALS	Email to R. Keach, A. Prescott and L. Milne attaching Wheeling's Motion to Stay Pending Appeal and Motion to Expedite Hearing (.1); update pleadings file with same (.1); docket scheduling hearing and objection deadlines with respect to Wheeling's Motion to Stay Pending Appeal (.1)	0.30	67.50
07/03/18	LKZ	Confer w/B.Keach re: opposition to stay pending appeal request by Wheeling.	0.40	140.00
07/03/18	RJK	Attention to response to anticipated motion for stay (Wheeling)	0.40	226.00
07/03/18	RJK	Attention to response to anticipated motion for stay (Wheeling)	2.10	1,186.50
07/05/18	ALS	Update pleadings file with respect to Wheeling v. Keach appeal to District Court (.1); docket scheduling deadline for District Court to check for Bankruptcy certificate of readiness (.1)	0.20	45.00
07/05/18	JW1	Analyze article regarding NSBR trial.	0.10	26.00
07/05/18	ARP	Draft brief in response to Wheeling motion for stay pending appeal (5.8); continue revising same (.6)	6.40	1,664.00
07/05/18	RJK	Review oral ruling transcript regarding reply to motion for stay	0.40	226.00
07/06/18	ALS	Perform record cite check in Opposition to Wheeling's Motion for Leave to Appeal	0.60	135.00
07/06/18	LKZ	Revise opposition to Wheeling motion for stay pending appeal.	0.80	280.00
07/06/18	ALS	Filing of Estate Representative's Objection to Wheeling's Motion to Stay Pending Appeal with Court (.2); email to R. Keach and A. Prescott re same (.1)	0.30	67.50
07/06/18	ARP	Continue revising opposition to Wheeling motion for stay (1.3) and perform case research re same (.4); discuss and implement edits from R.Keach re same (1.2)	2.90	754.00
07/06/18	RJK	Review and revise objection to Wheeling Motion to Stay	1.30	734.50
07/09/18	DKM	Oral argument on opposition to stay pending appeal.	1.50	No Charge
07/09/18	PM	Emails re. translations (.1); review correspondence re. document production status and issues (.2); review press re. transloading facility and CP expansion into Bakken.	0.00	0.00
07/09/18	RJK	Prepare for and attend hearing regarding motion for stay (Wheeling)	2.40	1,356.00
07/09/18	RJK	Attention to motion to dismiss appeal	0.30	169.50





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**DETAIL**

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
07/09/18	ARP	Attend court hearing re Wheeling motion for stay pending appeal	1.00	260.00
07/10/18	PM	Review email re. Irving trial.	0.10	43.00
07/16/18	KQ	Email from/to A. Prescott re: Appellee's designation in the Wheeling v. Keach adversary proceeding and review court docket re same	0.20	38.00
07/16/18	KQ	Docket calendaring regarding upcoming deadlines with respect to Wheeling v. Keach Appellant Designations	0.10	19.00
07/16/18	ARP	Call w. F. Caruso re Wheeling case status (.1); draft motion to dismiss Wheeling district court appeal (5.8)	5.90	1,534.00
07/17/18	ARP	Continue drafting motion to dismiss Wheeling appeal	1.60	416.00
07/17/18	RJK	Review and revise motion to dismiss appeal	0.60	339.00
07/18/18	KQ	Finalize and file the motion to dismiss in the Wheeling v. Keach adversary proceeding (.5); docket calendaring related to upcoming deadlines (.1)	0.60	114.00
07/18/18	DPK	Cite-check and blue book Estate Representative's motion to dismiss Wheeling appeal.	0.50	112.50
07/18/18	ARP	Review motion to dismiss Wheeling appeal re R. Keach comments (1.6); proofread, cite check and finalize for filing re same (1.2)	2.80	728.00
07/18/18	RJK	Review and revise Motion to Dismiss Wheeling appeal	0.70	395.50
07/18/18	RJK	Review and revise motion to dismiss, Wheeling appeal	0.40	226.00
07/24/18	ALS	Email to R. Keach, P. McDonald, et al. regarding B. Campbell book re Lac-Megantic derailment and background information (.3); review B. Campbell reports and related materials re derailment (1.3)	1.60	360.00
07/24/18	LKZ	Review article on conviction of CP employee for derailment.	0.10	35.00
07/26/18	ARP	Draft designation of items to be included in the record and restatement of issues on appeal re Wheeling	1.20	312.00
07/26/18	ALS	Docket scheduling re deadline to file redacted transcript submission in Wheeling adversary proceeding	0.10	22.50
07/27/18	ARP	Continue drafting designation of record for appeal w. Wheeling	1.10	286.00
07/30/18	ARP	Finalize and prepare for filing statement of issues on appeal and designation of record re Wheeling	1.10	286.00
07/30/18	ALS	Review and revisions to Designation of Record on Appeal for filing in Wheeling adversary case per A. Prescott's request (.3); filing of Designation of Record on Appeal in Wheeling adversary case (.1)	0.40	90.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
07/31/18	ALS	Email to K. Quirk requesting update to docket scheduling with respect to the Bankruptcy Court's transmittal of record on appeal to District Court in Wheeling adversary (.1); email to R. Keach and A. Prescott re same (.1)	0.20	45.00
08/01/18	ALS	Email to R. Keach re Kugler Kandestin's review of status of proceedings pending in Quebec and New Brunswick courts	0.10	22.50
08/01/18	ALS	Update pleadings file in Wheeling appeal matter pending in District Court (.2); review docket in Wheeling appeal matter (.1)	0.30	67.50
08/03/18	ALS	Email to R. Keach and A. Prescott attaching Wheeling's Motion for Enlargement of Time filed in District Court appeal (.1); update pleadings file re same (.1)	0.20	45.00
08/08/18	ALS	Email to R. Keach and A. Prescott attaching Wheeling's Objection to Motion to Dismiss in District Court appeal (.1); update pleadings file with same (.1); docket scheduling reply deadline re Objection to Motion to Dismiss (.1)	0.30	67.50
08/09/18	ARP	Review Wheeling opposition to motion to dismiss and begin outline reply brief	3.60	936.00
08/09/18	ALS	Review and respond to email from A. Prescott re T. Litwiler appearance in Wheeling's pending appeal	0.20	45.00
08/10/18	ARP	Review Wheeling Rule 60(b) motion and motion for stay (.9); call w. R. Keach re Wheeling motions (.3); continue drafting reply in support of motion to dismiss appeal (2.8)	4.00	1,040.00
08/10/18	LKZ	Confer w/A.Prescott re: Wheeling motion practice.	0.30	105.00
08/10/18	ALS	Docket scheduling re Wheeling's Motion for Relief from Judgment and Motion to Expedite Hearing in adversary proceeding (.1); docket scheduling Wheeling's Motion to Stay and Motion for Expedited Hearing filed in appeal pending in District Court (.1)	0.20	45.00
08/10/18	ALS	Email to R. Keach and A. Prescott re Wheeling's Motion for Relief from Judgment and Motion to Expedite Hearing in adversary proceeding (.1); email to R. Keach and A. Prescott re Wheeling's Motion to Stay and Motion for Expedited Hearing filed in appeal pending in District Court (.1)	0.20	45.00
08/13/18	ALS	Telephone call to case manager at U.S. District Court re deadline reset on Wheeling's Motion for Expedited Hearing (.1); office conference with A. Prescott re same (.1); update docket scheduling re revised deadline to file objection to Wheeling's Motion for Expedited Hearing (.1); email to R. Keach and A. Prescott re same (.1)	0.40	90.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
08/13/18	ARP	Review and begin drafting objection to Wheeling motion to expedite stay motion (3.6); review and begin drafting response to Wheeling Rule 60(b) motion (.8)	4.40	1,144.00
08/14/18	ALS	Docket scheduling deadline for redacted transcript submission for transcript of May 21, 2018 hearing in Wheeling v. Keach adversary proceeding	0.10	22.50
08/14/18	ARP	Continue drafting objection to Wheeling motion for expedited hearing on stay motion (3.3); continue revising same re R. Keach edits (.5); continue drafting objection to Wheeling Rule 60(b) motion (1.1); continue drafting reply in support of motion to dismiss appeal as moot (.9)	5.80	1,508.00
08/14/18	ALS	Email to R. Keach and A. Prescott attaching Wheeling's Notice of Withdrawal of Motion for Relief from Judgment filed in District Court appeal (.1); update pleadings file re same (.1)	0.20	45.00
08/14/18	RJK	Review and revise response to Wheeling Motion to Expedite (US District Court)	0.50	282.50
08/15/18	ARP	Proofread and cite check objection to Wheeling motion to expedite stay motion (1.2); continue drafting reply in support of motion to dismiss Wheeling appeal (4.5)	5.70	1,482.00
08/15/18	ALS	Revise Objection to Wheeling's Motion to Expedite Hearing filed in District Court	0.40	90.00
08/15/18	ALS	Request hearing transcript for July 9th hearing before Judge Cary in Wheeling v Keach adversary proceeding	0.20	45.00
08/15/18	ALS	Email to R. Keach and A. Prescott regarding status of hearings on Wheeling's Motion to Expedite Hearing and Motion for Relief from Judgment (.1); review Court docket and Judge Cary's hearing calendar re same (.1)	0.20	45.00
08/16/18	ARP	Continue drafting reply in support of motion to dismiss Wheeling appeal (3.5); review Wheeling reply re motion to expedite (.2); review court order re motion to expedite (.2)	3.90	1,014.00
08/16/18	LKZ	Confer w/B.Keafch re: status of Wheeling appeal.	0.20	70.00
08/16/18	ALS	Update docket scheduling in Wheeling v Keach appeal pending in U.S. District Court based on Court's Order Granting Wheeling's Motion to Expedite Hearing (.3); review Court's Order Granting Wheeling's Motion to Expedite Hearing in District Court appeal (.1)	0.40	90.00
08/16/18	ALS	Email to R. Keach and A. Prescott attaching Wheeling's Reply to Objection to Motion to Expedite filed in District Court appeal (.1); update pleadings file with same (.1)	0.20	45.00



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**DETAIL**

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
08/16/18	ALS	Email to R. Keach and A. Prescott attaching Order Granting Wheeling's Motion to Expedite in District Court Appeal (.1); update pleadings re same (.1)	0.20	45.00
08/16/18	RJK	Review and revise response regarding Wheeling; review additional precedent regarding same; attention to Wheeling appeal issues	6.00	3,390.00
08/17/18	ALS	Update pleadings file in Wheeling v Keach appeal pending in District Court (.3); emails to/from R. Keach re request for 5/21 hearing transcript in Wheeling v Keach adversary proceeding (.1); request 5/21 hearing transcript from Veritext (.1); email to R. Keach and A. Prescott attaching transcript from 5/21 hearing in Wheeling v Keach adversary proceeding (.1)	0.60	135.00
08/17/18	ARP	Continue drafting reply to motion to dismiss Wheeling appeal (3.1); continue preparing opposition to Wheeling motion for stay (1.2)	4.30	1,118.00
08/17/18	RJK	Review cases regarding Wheeling appeal; impairment	1.60	904.00
08/20/18	RJK	Review and revise reply regarding motion to dismiss Wheeling appeal	1.50	847.50
08/20/18	RJK	Review and revise reply regarding Motion to Dismiss appeal (.4); conference with Adam Prescott regarding same (.2)	0.60	339.00
08/20/18	RJK	Conference with Adam Prescott regarding request for motion for stay	0.30	169.50
08/20/18	RJK	Review precedent regarding Rule 7001(7)	0.50	282.50
08/20/18	ARP	Continue drafting reply in support of motion to dismiss	3.80	988.00
08/21/18	DPK	Cite check and blue book Estate Representative's reply to motion to dismiss.	0.50	112.50
08/21/18	ARP	Finalize reply to motion to dismiss for filing (.7); continue drafting objection to Wheeling motion for stay (1.1)	1.80	468.00
08/21/18	RJK	Review and revise reply regarding Wheeling appeal	0.70	395.50
08/22/18	ARP	Proofread and finalize for filing reply in support of motion to dismiss Wheeling appeal	0.70	182.00
08/22/18	ARP	Continue drafting objection to Wheeling motion for stay	3.40	884.00
08/22/18	ALS	Record cite check Estate Rep's reply in support of motion to dismiss filed in Wheeling v Keach appeal case (.7); filing of Estate Rep's reply in support of motion to dismiss in Wheeling v. Keach appeal case (.2)	0.90	202.50
08/23/18	ARP	Continue drafting objection to Wheeling motion for stay	2.10	546.00
08/24/18	ARP	Continue drafting opposition to stay motion	2.90	754.00



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**DETAIL**

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
08/28/18	ARP	Continue drafting opposition to Wheeling motion for stay	3.80	988.00
08/29/18	ARP	Continue drafting objection to Wheeling motion for stay	4.10	1,066.00
08/30/18	ARP	Continue drafting, revising objection to Wheeling motion for stay (2.2); implement edits from R. Keach re same (.8)	3.00	780.00
08/30/18	RJK	Review and revise opposition to stay in Wheeling appeal (USDC)	1.10	621.50
08/30/18	RJK	Review and revise opposition to stay in Wheeling appeal (USDC)	0.40	226.00
08/31/18	ALS	Perform record cite check on Estate Representative's Opposition to Wheeling's Motion for Stay and Injunctive Relief Pending Appeal (.5); telephone conference with R. Desai re same (.1); filing of Opposition with District Court (.2); email to R. Keach and A. Prescott attaching as-filed version of Opposition to Wheeling's Motion for Stay (.1)	0.90	202.50
08/31/18	ARP	Proofread objection to Wheeling motion for stay	1.10	286.00
08/31/18	RND	Review and revise Opposition to Wheeling's Motion for Stay	2.60	676.00
09/04/18	ALS	Review email communications to/from R. Keach regarding pleadings in Wheeling adversary proceeding	0.10	22.50
09/05/18	ALS	Email to R. Keach attaching Joint Report on Case Status and Motion for Extension of Stay filed in Wheeling v. Irving Railroads litigation pending in U.S. District Court (.1); update pleadings file re same (.1)	0.20	45.00
09/06/18	RJK	Prepare for oral argument regarding motion to dismiss Wheeling appeal, stay	6.20	3,503.00
09/07/18	RJK	Prepare for and attend oral argument regarding motion to dismiss Wheeling appeal, motion for stay	3.10	1,751.50
09/07/18	ARP	Review briefing re Wheeling motion for stay (.4); attend court hearing re motion to dismiss Wheeling appeal, motion for stay (1.7)	2.10	546.00
09/19/18	PM	Meeting to discuss discovery strategy (1.2) and follow up analysis re: same (.1)	1.50	645.00
09/20/18	ALS	Review electronic file regarding research of service of subpoena/third party discovery (.6); emails to/from J. Woodcock and R. Desai re same (.1)	0.70	157.50



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
09/24/18	ALS	Reply email to C. Gray at Kugler Kandestin regarding obtaining pleadings from Quebec Superior Court & New Brunswick Court proceedings	0.10	22.50
10 Total			535.20	\$ 181,882.00
10 A - CP Discovery				
03/07/18	ALS	Review emails from/to L. Milne, J. Woodcock and A. Prescott re CP litigation team meeting	0.10	\$ 22.50
03/07/18	ALS	Review upcoming discovery deadlines in CP litigation based on the Bankruptcy Court's recent order	0.20	45.00
03/09/18	ALS	Continue work on discovery-related tasks with respect to CP litigation, including review of remaining list of discovery items to discuss with attorneys	1.70	382.50
03/14/18	ALS	Review emails between L. Milne and P. McDonald re CP litigation team meeting (.1); update docket scheduling re same (.1)	0.20	45.00
03/14/18	ALS	Continue work on discovery-related tasks in CP litigation, including review and coding of documents produced by CP	0.60	135.00
03/15/18	MT	Analyze file and draft email re discovery status.	0.40	80.00
03/15/18	ALS	Review and respond to email from M. Thomas re outstanding discovery items with respect to CP litigation	0.20	45.00
03/21/18	ALS	Emails to/from J. Woodcock, L. Milne and A. Prescott with respect to CP litigation team meeting	0.10	22.50
03/23/18	JW1	Coordinate receipt of documents from CP with paralegal	0.20	52.00
03/23/18	ALS	Office conference with J. Woodcock re rolling production received from CP (.1); review correspondence from counsel to CP and thumb drive containing rolling production (.1); office conference with J. Woodcock re lack of password from CP to access rolling production (.1)	0.30	67.50
03/26/18	JW1	E-mail to CP counsel regarding password for document production; follow up email to paralegal regarding same	0.10	26.00
03/26/18	ALS	Transmit documents produced by CP to Evidox for processing (.2); emails from/to K. Lovejoy at Evidox re same (.1); messages to/from R. Desai re document review with respect to CP litigation (.1)	0.40	90.00
03/27/18	ALS	Review and respond to email from L. Lee re Evidox credentials for R. Desai in response to rolling production received from CP (.1); communications from/to R. Desai re review of CP's rolling production (.1); email to J. Kerr re status of ingestion of CP rolling production (.2)	0.40	90.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
03/27/18	ALS	Telephone conference with R. Desai re review of rolling production from CP	0.40	90.00
03/27/18	RND	Call with A. Stewart re: process for reviewing CP discovery (.4) and review evidox training to be able to review documents (1.1)	1.50	390.00
03/27/18	ALS	Review documents produced by CP in Evidox database (1.2); emails from/to R. Desai re review of documents (.2)	1.40	315.00
03/28/18	JW1	Team meeting to analyze CP case status and strategy going forward	0.60	156.00
03/28/18	LKZ	Attend meeting re: status of CP discovery requests, production.	0.60	210.00
03/28/18	MT	Attend CP team meeting (.6); email to Evidox requesting review sets (.1); draft letter to opposing counsel re discovery (.5)	1.20	240.00
03/28/18	PM	Attend CP discovery team meeting	0.60	258.00
03/28/18	RJK	Attend CP litigation group meeting	0.60	339.00
03/28/18	RND	Meeting with R. Keach, A. Prescott, J. Woodcock, L. Zahradka, P. McDonald, and A. Stewart re: recent CP production and review of same	0.60	156.00
03/28/18	RND	Review CP complaint and amendments thereto (1.3); Begin reviewing documents produced by CP in connection with Trustee's litigation (3.5)	4.80	1,248.00
03/28/18	ALS	Attend weekly CP litigation meeting	0.60	135.00
03/29/18	LKZ	Emails w/CP doc review team re: status	0.20	70.00
03/29/18	MT	Email to attorneys with respect to review of documents	0.10	20.00
03/29/18	RND	Emails with M. Thomas, L. Zahradka, and J. Woodcock re: CP document production	0.50	130.00
03/29/18	RND	Review documents produced by CP	3.10	806.00
03/30/18	RND	Continue reviewing CP document production and copiling hot docs	4.30	1,118.00
04/02/18	JW1	Analyze batch of CP produced documents.	2.80	728.00
04/02/18	ALS	Office conference with J. Woodcock re review of CP document production (.1); review CP document production in Evidox database (.3); telephone conference with R. Desai re status of review of CP docs (.1)	0.50	112.50
04/02/18	JW1	Further analyze specific documents recently produced by CP.	0.60	156.00
04/02/18	JW1	Search for specific CP document in Eclipse database.	0.30	78.00
04/02/18	MT	Email to Attorneys Prescott and Woodcock regarding discovery items	0.10	20.00
04/02/18	ALS	Continue keyword searches of CP document production	0.70	157.50
04/03/18	JW1	Search and analysis of CP produced documents	1.30	338.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
04/03/18	JW1	Eclipse database navigation and confer w. Evidox re: review and tagging procedures for review of CP documents	0.30	78.00
04/03/18	LKZ	Review emails re: CP document production	0.10	35.00
04/03/18	ALS	Work on CP document production review, including search for specific documents from rolling production	1.00	225.00
04/03/18	RND	Review and make notations re: documents produced by CP	4.80	1,248.00
04/04/18	JW1	Weekly team meeting regarding update on case strategy and analysis	0.40	104.00
04/04/18	JW1	Review CP produced documents	3.20	832.00
04/04/18	LKZ	Attend weekly CP discovery meeting	0.40	140.00
04/04/18	JW1	Review and edit letter to CP counsel re: sale-room data	0.20	52.00
04/04/18	MT	Attend team meeting regarding CP discovery and case status	0.40	80.00
04/04/18	RND	Meeting with A. Stewart, J. Woodcock, A. Precott, R. Keach re: CP Discovery status	0.40	104.00
04/04/18	PM	Meet with discovery team to discuss status and next steps	0.10	43.00
04/04/18	ALS	Follow up email to J. Woodcock and A. Prescott re production of sale room data with respect to CP litigation (.1); office conference with M. Thomas re status of same (.1)	0.20	45.00
04/04/18	ALS	Attendance at weekly CP litigation team meeting	0.40	90.00
04/04/18	ALS	Preparation of summary of CP custodians with respect to rolling production received from CP (.3); email to R. Keach and P. McDonald re same (.1)	0.40	90.00
04/04/18	RND	Email with A. Stewart re: recent CP Production	0.10	26.00
04/05/18	JW1	E-mail to CP counsel re: document production status.	0.10	26.00
04/05/18	ALS	Transmit document production of sale data to Paul Hemming per J. Woodcock's request	0.30	67.50
04/06/18	ALS	Emails (x2) to J. Woodcock with respect to scheduling of discovery conference with Court in CP litigation (.2); telephone conference with M. Paione at U.S. Bankruptcy Court with respect to scheduling of discovery conference with Judge Cary (.1); docket scheduling discovery conference (.1); summarize documents produced by CP in first rolling production (.6)	1.00	225.00
04/06/18	ALS	Email to J. Woodcock, A. Prescott and M. Thomas re status of discovery in CP litigation	0.10	22.50
04/09/18	ALS	Emails from/to L. Milne re invoice from Evidox Corporation with respect to CP discovery	0.20	45.00
04/09/18	ALS	Email to P. McDonald and J. Woodcock re participation in telephonic hearing before Judge Cary re discovery dispute with CP	0.10	22.50





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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
04/09/18	ALS	Continue search and review of documents produced by CP	1.20	270.00
04/09/18	RND	Review documents produced by CP	4.30	1,118.00
04/10/18	ALS	Email to M. Paoine at U.S. Bankruptcy Court, copying P. McDonald, J. Woodcock and P. Hemming regarding upcoming discovery conference with Court re CP litigation (.1); docket scheduling discovery conference (.1)	0.20	45.00
04/10/18	ALS	Continue review of documents produced by CP	1.00	225.00
04/10/18	RND	Continue reviewing documents produced by CP	1.30	338.00
04/11/18	ALS	Email from J. Woodcock re CP team meeting (.1); email to R. Keach and P. McDonald re CP team meeting (.1); attendance at weekly CP litigation team meeting (.5)	0.70	157.50
04/11/18	RND	Call with A. Stewart, P. McDonald, R. Keach, and A. Prescott re: status of CP Discovery and upcoming Discovery Status Conference	0.60	156.00
04/11/18	PM	Attend discovery team meeting to discuss status and strategy (.8).	1.70	731.00
04/11/18	RJK	CP Litigation Meeting; follow-up	0.70	395.50
04/11/18	ARP	Attend internal meeting re CP litigation updates and strategy	0.50	130.00
04/11/18	RND	Emails with R. Keach and A. Stewart re: meeting to discuss status of CP document production and upcoming status conference re: same	0.20	52.00
04/11/18	RND	Emails and call with A. Stewart re: CP's document production for Trustee's litigation	0.30	78.00
04/11/18	RND	Continue reviewing documents produced by CP	2.80	728.00
04/11/18	ALS	Continue review of documents produced by CP and Soo Line with respect to identified issues	2.30	517.50
04/12/18	ALS	Preparation of summary of documents produced by CP in advance of Court discovery conference (1.0); review documents relating to specific issues in CP case (1.6)	2.60	585.00
04/12/18	PM	Meet with Jack Woodcock to prepare for call with Court (.3); prepare for and attend discovery conference with Court (.6); emails with Bob Keach re discovery conference (.1)	1.00	430.00
04/12/18	RND	Emails with A. Stewart, R. Keach, and P. McDonald re: status of CP's document production and items CP has not produced	0.50	130.00
04/12/18	RND	Continue reviewing documents produced by CP	4.80	1,248.00
04/12/18	ALS	Emails to/from P. McDonald and J. Woodcock re discovery served in CP litigation	0.10	22.50
04/12/18	JW1	Prepare for and participate in conference with court regarding CP ESI production (.6); Prepare for status conference with court with Paul McDonald (.2)	0.80	208.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
04/13/18	JW1	Email to Roma Desai regarding document review process	0.10	26.00
04/13/18	ALS	Review letter and attachment (ESI docs) from P. Hemming re CP document production (.3); email and file transfer to Evidox re ingestion of CP production (.2)	0.50	112.50
04/13/18	ALS	Review and respond to emails from R. Desai re review of discovery from CP	0.30	67.50
04/13/18	RND	Email with J. Woodcock re: review of certain issues in recent CP document production	0.10	26.00
04/13/18	RND	Review documents produced by CP	5.90	1,534.00
04/13/18	LKZ	Emails with CP discovery team re status of production	0.20	70.00
04/15/18	ALS	Continue review of ESI production by CP with respect to key issues identified in course of litigation	2.00	450.00
04/15/18	RND	Review documents produced by CP	3.30	858.00
04/16/18	ALS	Email to R. Keach, P. McDonald and review team re CP rolling document production (.1); emails to J. Woodcock and R. Desai re review of CP's latest document production (.1); email to J. Kerr at Evidox re creation of review batches (.1); continue review of documents produced by CP (.4)	0.70	157.50
04/16/18	RND	Email with A. Stewart re: CP discovery and recently produced documents from CP	0.10	26.00
04/16/18	RND	Review documents produced by CP to determine relevance	4.80	1,248.00
04/17/18	RND	Review documents produced by CP to determine relevance	2.40	624.00
04/18/18	LKZ	Attend weekly CP discovery meeting (.1); emails w/team re: same (.1).	0.20	70.00
04/18/18	ALS	Continue work on review of documents produced by CP	0.30	67.50
04/18/18	RND	Emails with L. Zahradka re: status of CP's production; Review documents produced by CP to determine relevance	6.70	1,742.00
04/19/18	ALS	Continue review of documents produced by CP	0.70	157.50
04/19/18	RND	Review documents produced by CP to determine relevance	5.90	1,534.00
04/20/18	RND	Continue reviewing documents produced by CP to determine relevance	4.20	1,092.00
04/20/18	ALS	Continue review of documents produced by Canadian Pacific	3.40	765.00
04/23/18	ALS	Continue searches and review of documents produced by Canadian Pacific	2.40	540.00
04/23/18	RND	Review documents produced by CP for relevance	3.50	910.00
04/24/18	RND	Review documents produced by CP for relevance	6.10	1,586.00
04/25/18	ALS	Emails from/to L. Milne re CP litigation team meeting	0.10	22.50



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
04/25/18	LKZ	Attend weekly meeting regarding CP discovery progress	0.80	280.00
04/25/18	RND	Meeting with A. Stewart, R. Keach, L. Zahradka, A. Prescott, M. Thomas, P. McDonald, and J. Woodcock re: status of review of produced documents and outstanding documents CP has yet to produce	0.80	208.00
04/25/18	JW1	Participate in weekly team meeting regarding document production update and analysis and case strategy.	0.80	208.00
04/25/18	RND	Call with A. Stewart re: certain documents produced by CP	1.80	468.00
04/25/18	ALS	Telephone conference with R. Desai re review of CP discovery	1.80	405.00
04/25/18	ALS	Attendance at team meeting with respect to CP litigation	0.80	180.00
04/25/18	MT	Attend team meeting regarding discovery (.8); prepare documents for CP Counsel in Canadian case (.2).	1.00	200.00
04/25/18	ARP	Participate in internal meeting re update on CP discovery	0.80	208.00
04/25/18	PM	Attend meeting of CP discovery team	0.80	344.00
04/25/18	PM	Emails with Paul Hemming and Bob Keach re contacting Keegan Loxam	0.20	86.00
04/25/18	RND	Review documents produced by CP for relevance	4.90	1,274.00
04/25/18	ALS	Emails to/from J. Woodcock with respect to CP's most recent document production (.2); export CP discovery for transmittal to Evidox for ingestion (.3)	0.50	112.50
04/25/18	ALS	Continue to search and review of documents produced by CP	2.20	495.00
04/25/18	RJK	Conference with Bernstein Shur team regarding CP litigation	1.00	565.00
04/26/18	RND	Review documents produced by CP for relevance	5.30	1,378.00
04/26/18	ALS	Reply email to K. Lovejoy at Evidox with respect to ingestion of CP's most recent document production (.2); emails to/from A. Johnson at Evidox with respect to export of tagged documents (.2)	0.40	90.00
04/26/18	ALS	Email to J. Woodcock and R. Desai re review of CP's most recent document production (.1); search and review documents produced by CP relating to identified issues (2.2)	2.30	517.50
04/27/18	RND	Review documents produced by CP	5.40	1,404.00
04/30/18	JW1	Analyze CP documents and draft email to review team regarding document tags and review procedures.	0.60	156.00
04/30/18	ALS	Review email from J. Woodcock re review of CP discovery (.2); search documents produced by CP for identified issues per J. Woodcock's email (.9)	1.10	247.50



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04/30/18	RND	Email with J. Woodcock re: document tag list for CP document review (.1); Review documents produced by CP to determine relevance (5.1)	5.20	1,352.00
05/01/18	LKZ	Review email from J.Woodcock re: CP doc review (.1); call w/R.Desai re: same (.1); meeting w/J.Woodcock re: same (.4)	0.60	210.00
05/01/18	MT	Emails re MMA data and resolving access issues	0.30	60.00
05/01/18	ALS	Emails (multiple) to/from J. Woodcock, R. Desai, etc. re document review and tagging of Canadian Pacific's document productions	0.40	90.00
05/01/18	ALS	Continue review of documents produced by Canadian Pacific	2.60	585.00
05/01/18	RND	Further emails with A. Stewart and J. Woodcock re: tagging documents produced by CP (.2); Calls with L. Zahradka re: process of reviewing documents produced by CP (.5); Review documents produced by CP for relevant information (3.9)	4.60	1,196.00
05/02/18	JW1	Strategy for CP document review (.4); weekly team meeting to update and strategize (.5)	0.90	234.00
05/02/18	PM	Attend discovery team meeting	0.50	215.00
05/02/18	RJK	Discussion regarding CP litigation	0.60	339.00
05/02/18	LKZ	Emails w/CP discovery team re: discussion w/Louise Comtois (Province) (.2); confer w/A.Stewart re: reviewing set of CP docs (.1); meeting w/J.Woodcock & R.Desai re: doc review (.3); meeting w/P.McDonald & B.Keach re: document review timeline, next steps (.9); review documents produced by CP (1.2).	2.70	945.00
05/02/18	ALS	Review emails (multiple) regarding searching and tagging of documents produced by Canadian Pacific	0.40	90.00
05/02/18	RND	Call with J. Woodcock and L. Zahradka re: tagging/review of CP documents for various subject matters (.4); Call with CP Team re: timeline for review of produced documents (.5); Review documents produced by CP for relevant information (6.5)	7.40	1,924.00
05/03/18	ALS	Review and respond to email from L. Milne re batch review of documents produced by Canadian Pacific (.2); modify tagging palette in Evidox database per request from reviewing attorneys (.4); email to R. Keach and P. McDonald re deficiencies with CP's recent document production (.3); continue to review and tag documents produced by Canadian Pacific (1.7)	2.60	585.00
05/03/18	ALS	Telephone conference with R. Desai re certain documents produced by CP with respect to CP litigation (.3); email to R. Desai re same (.1)	0.40	90.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
05/03/18	RND	Call with A. Stewart re: documents produced by CP and tagging of same (.7); Review documents produced by CP for relevant information (5.6)	6.30	1,638.00
05/04/18	RND	Review documents produced by CP for relevant information	6.90	1,794.00
05/04/18	ALS	Continue analysis of CP document production and specific issues therein	0.40	90.00
05/04/18	ALS	Work on preparing timeline re Canadian Pacific's document productions	1.20	270.00
05/07/18	ALS	Review Evidox invoice with respect to CP litigation (.1); review and respond to email from L. Milne re same (.1)	0.20	45.00
05/07/18	JW1	Email to Paul Hemming regarding CP document production.	0.10	26.00
05/07/18	RND	Review documents produced by CP to determine relevance to Trustee's litigation	6.90	1,794.00
05/08/18	ALS	Reply email to J. Woodcock re additional document production from Canadian Pacific	0.10	22.50
05/08/18	ALS	Office conferences (x2) with L. Milne re review of documents produced by Canadian Pacific	0.30	67.50
05/08/18	ALS	Transmittal of documents produced by CP to Evidox for ingestion (.3); review and respond to email from J. Kerr regarding ingestion of additional documents from CP (.1)	0.40	90.00
05/08/18	LKZ	Review documents produced by CP	3.70	1,295.00
05/08/18	PM	Emails with Lindsay Milne and others re document review issues.	0.20	86.00
05/08/18	ALS	Search and review documents produced by Canadian Pacific	1.90	427.50
05/08/18	RND	Calls with L. Zahradka and A. Stewart re: review of documents produced by CP	0.70	182.00
05/08/18	RND	Review documents produced by CP to determine relevance to Trustee's litigation (4.4); Emails and conferences with L. Zahradka re: documents produced by CP and the relevance of same (.3); Emails with L. Zahradka, R. Keach, and P. McDonald re: requesting additional information and documents from CP (.5)	5.20	1,352.00
05/09/18	ALS	Search and review documents produced by Canadian Pacific (5.4); multiple emails between attorney review team regarding CP document productions (.3); office conference with R. Keach re same (.1)	5.80	1,305.00
05/09/18	LKZ	Review CP doc production	3.70	1,295.00
05/09/18	JW1	Analyze documents produced by CP	0.30	78.00
05/09/18	RND	Call with A. Stewart to discuss various documents produced by CP and the relevance of same	0.70	182.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
05/09/18	PM	Review documents produced by CP (.6); emails with Paul Hemming and internally re. document production and other discovery issues (.2); meeting and emails with Lindsay Milne re discovery issues (.1)	0.90	387.00
05/09/18	RJK	Review e-mails regarding CP discovery (.3); review discovery materials (.8)	1.10	621.50
05/09/18	RJK	Review CP discovery materials (.5); e-mail regarding same (.1)	0.60	339.00
05/09/18	RND	Emails with CP Team re: certain documents produced by CP and missing documents related to same (1.1); Review documents produced CP to determine relevance for Trustee's litigation (4.3);	5.40	1,404.00
05/10/18	JW1	Team meeting to analyze document review process and documents	0.80	208.00
05/10/18	LKZ	Review CP doc production (4.5); team meeting re: status of document review (.8)	5.30	1,855.00
05/10/18	LKZ	Emails w/R.Desai re: doc review status	0.10	35.00
05/10/18	MT	Attend discovery meeting (.9).	0.90	180.00
05/10/18	ARP	Participate in internal CP discovery meeting (.8)	0.80	208.00
05/10/18	PM	Emails with Paul Hemming and discovery team re discovery issues (.2); meet with Bob Keach re document review (.2)	0.40	172.00
05/10/18	ALS	Continue search, review and summarization of documents produced by Canadian Pacific	3.60	810.00
05/10/18	RJK	Review e-mails regarding CP discovery (.5); review CP discovery (.1)	0.60	339.00
05/10/18	RJK	Prepare for and conference with team regarding CP discovery (1.2); follow-up conference with Paul McDonald, Jack Woodcock, etc. (.2)	1.40	791.00
05/10/18	RND	Call with CP Discovery Team to discuss documents produced by CP (.8); Emails with A. Stewart and P. McDonald re: CP document production (.2); Review documents produced CP to determine relevance for Trustee's litigation (4.1)	5.10	1,326.00
05/10/18	ALS	Office conference with L. Milne re review of CP discovery (.2); Attendance at team meeting with respect to status of CP litigation, including review of CP's document productions (1.0); Email to R. Keach, P. McDonald, etc. regarding summary of CP document productions to date (.2); Emails to/from R. Desai re discovery information for review during litigation team meeting with respect to CP document productions (.3); Update working draft of additional specifications for Canadian Pacific based on review of document productions (.2)	1.90	427.50



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05/11/18	JW1	Emails with opposing counsel regarding CP document production.	0.10	26.00
05/11/18	MT	Update discovery log (.1); email re contract (.1).	0.20	40.00
05/11/18	LKZ	Review CP document production	1.70	595.00
05/11/18	RND	Emails with R. Keach, J. Woodcock, and L. Zahradka re: review of certain documents produced by CP that may be relevant (.4); Review documents produced by CP to determine relevance (6.4);	6.80	1,768.00
05/11/18	ALS	Work on export of documents from CP's document production for R. Keach's review (.6); emails to/from J. Kerr at Evidox re same (.2); Circulate portions of CP's document production to R. Keach, P. McDonald and team for review (.2); Review supplemental document production from Canadian Pacific (.2); Continue search, review and tagging of documents produced by Canadian Pacific (1.7); continue work on litigation timeline with respect to documents produced by Canadian Pacific (1.6)	4.50	1,012.50
05/13/18	ALS	Review and code documents produced by Canadian Pacific	3.00	675.00
05/14/18	ALS	Reply email to J. Kerr re preparation of export set with respect to certain documents produced by Canadian Pacific (.1); email to Evidox team regarding ingestion of supplemental document produced by Canadian Pacific on May 11th (.1)	0.20	45.00
05/14/18	LKZ	Review CP document production	2.40	840.00
05/14/18	RJK	Review certain CP documents from production (.3); e-mail regarding same (.1)	0.40	226.00
05/14/18	RJK	Review CP discovery production	2.10	1,186.50
05/14/18	ALS	Review and issue coding of documents produced by Canadian Pacific	1.20	270.00
05/14/18	RND	Emails with R. Keach, J. Woodcock, and P. McDonald re: documents produced by CP (.2); Emails with L. Zahradka re: certain documents produced by CP (.3); Review documents produced CP for relevance to litigation (5.6)	6.10	1,586.00
05/14/18	ALS	Telephone conference with R. Desai regarding review and coding of CP discovery (.5); Office conference with R. Keach re CP's supplemental document production (.2); Obtain copies of CP tariffs for P. McDonald's review (.6); Organization of certain documents produced by Canadian Pacific for R. Keach's review (3.4)	4.70	1,057.50
05/15/18	LKZ	Review CP document production	1.80	630.00
05/15/18	ALS	Emails to/from J. Kerr at Evidox re exporting sets of documents produced by Canadian Pacific	0.20	45.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
05/15/18	ALS	Continue to organization certain documents produced by Canadian Pacific for R. Keach's review	1.80	405.00
05/15/18	ALS	Review and respond to emails from R. Desai re custodians and search terms as a result of review of Canadian Pacific document productions (.2); telephone conference with R. Desai re same (.1); multiple updates re list of custodians and search terms to request from Canadian Pacific (.4)	0.70	157.50
05/15/18	ALS	Continue search, review and issue tagging of documents produced by Canadian Pacific	2.90	652.50
05/15/18	RJK	Review CP discovery regarding specific factual issues	0.50	282.50
05/15/18	RND	Emails with R. Keach and A. Stewart re: documents produced by CP (.2); Emails with L. Zahradka re: documents produced by CP that may require further translation (.3); Review documents produced by CP for relevance to litigation (5.9);	6.40	1,664.00
05/16/18	ALS	Review emails to/from L. Milne re status of CP litigation team meeting	0.10	22.50
05/16/18	ALS	Email to R. Keach attaching documents produced by Canadian Pacific	0.10	22.50
05/16/18	RND	Review documents produced by CP for relevance to litigation	4.90	1,274.00
05/16/18	ALS	Continue review and tagging of documents produced by Canadian Pacific	2.60	585.00
05/16/18	ALS	Continue to organize certain documents produced by Canadian Pacific for R. Keach's review	0.80	180.00
05/16/18	LKZ	Emails with CP document review team regarding status of review	0.20	70.00
05/17/18	JW1	Analyze review of CP production of documents with Lindsay Zahradka	0.40	104.00
05/17/18	JW1	Coordinate team document review of CP production of documents	0.40	104.00
05/17/18	LKZ	Review CP document production (4.8); meet w/J.Woodcock re: review protocol (.2); summarize same for doc review team (.2); follow up team meeting re: document review consistency (.6)	5.80	2,030.00
05/17/18	RND	Call with J. Woodcock, L. Zahradka, and A. Stewart re: protocol for reviewing documents produced by CP	0.50	130.00
05/17/18	RND	Emails and call with L. Zahradka re: protocol for reviewing documents produced by CP	0.50	130.00
05/17/18	RND	Review documents produced CP for relevance to litigation	4.50	1,170.00
05/17/18	ALS	Attendance at CP document review team meeting with L. Milne, J. Woodcock and R. Desai	0.50	112.50





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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
05/17/18	ALS	Multiple emails to/from L. Milne and R. Desai re review and tagging of documents produced by Canadian Pacific (.4); review document database and revisions to tagging protocol per L. Milne, J. Woodcock and R. Desai's direction (1.2); continue review and tagging of documents produced by Canadian Pacific (2.1); updates (multiple) to summary of hot documents, search terms and custodians for team review (.4)	4.10	922.50
05/18/18	LKZ	Emails w/CP doc review team	0.30	105.00
05/18/18	LKZ	Review docs from CP production	0.30	105.00
05/18/18	RND	Call with A. Stewart re: various documents produced by CP that may need further review	0.50	130.00
05/18/18	ALS	Continue review and tagging of documents produced by Canadian Pacific (3.6); emails to/from L. Milne and R. Desai re adjustments to tagging layout with respect to review of documents produced by Canadian Pacific (.3); update tagging layouts based on discussions with L. Milne, R. Desai and J. Woodcock (.4)	4.30	967.50
05/18/18	RND	Emails with A. Stewart and L. Zahradka re: CP document review	0.30	78.00
05/18/18	RND	Email with CP Team re: certain documents produced by CP and their potential relevance to litigation	0.20	52.00
05/18/18	RND	Review documents produced by CP to determine relevance to litigation	3.50	910.00
05/21/18	LKZ	Review CP document production	0.70	245.00
05/21/18	ALS	Continue review and issue tagging of documents produced by Canadian Pacific	3.60	810.00
05/21/18	RND	Review documents produced by CP for relevance	7.10	1,846.00
05/22/18	KQ	Office conference with A. Stewart re: financial documents from sale data room hard drive (.2); review structure of hard drive (.4)	0.60	114.00
05/22/18	LKZ	Review CP document production	4.00	1,400.00
05/22/18	ALS	Office conference with K. Quirk regarding organization of documents from sale data hard drive	0.20	45.00
05/22/18	ALS	Continue review and tagging of documents produced by Canadian Pacific (3.2); work on discovery-related assignments (.6); track down discovery-related documents per attorneys' requests (.6)	4.40	990.00
05/22/18	RND	Emails with L. Zahradka and A. Stewart re: documents produced CP	0.20	52.00
05/22/18	RND	Review document produced by CP for relevance	5.90	1,534.00
05/23/18	KQ	Download financial documents from sale data room hard drive	0.60	114.00
05/23/18	LKZ	Review CP document production.	0.90	315.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
05/23/18	ALS	Continue review and tagging of documents produced by Canadian Pacific (1.3); review list of discovery-related assignments from attorneys (.2); track down discovery-related documents per reviewing attorneys' requests (.8)	2.30	517.50
05/23/18	RND	Emails with L. Zahradka and A. Stewart re: documents produced by CP and their potential relevance to litigation	0.30	78.00
05/23/18	RND	Review document produced by CP for relevance	6.10	1,586.00
05/23/18	LKZ	Emails with CP discovery team regarding recent document review.	0.10	35.00
05/24/18	ALS	Continue review and tagging of documents produced by Canadian Pacific (1.9); continue work on timeline based on document productions from Canadian Pacific (1.0)	2.90	652.50
05/24/18	RND	Review documents produced by CP to determine relevance to litigation	4.80	1,248.00
05/25/18	ALS	Continue to work on timeline based on document productions from Canadian Pacific (1.1); continue review and tagging of documents produced by Canadian Pacific (.7)	1.80	405.00
05/25/18	ALS	Review and respond to email from L. Milne re request for document and related attachments produced by Canadian Pacific	0.20	45.00
05/25/18	ALS	Review and respond to emails from L. Milne and R. Desai re review and tagging procedure for redacted documents produced by Canadian Pacific	0.20	45.00
05/25/18	LKZ	Emails with CP discovery team.	0.10	35.00
05/25/18	RND	Emails with L. Zahradka and A. Stewart re: document produced by CP that may be relevant to litigation	0.50	130.00
05/29/18	RND	Review documents produced by CP to determine relevance	3.10	806.00
05/30/18	LKZ	Confer w/P.McDonald re: status of CP doc review	0.20	70.00
05/30/18	PM	Phone call with Bob Keach re discovery issues (.1); meeting with Lindsay Milne re document review issues (.2)	0.30	129.00
05/30/18	ALS	Review FERC filings for relevant data relating to CP litigation (.8); email to L. Milne re FERC search results (.1)	0.90	202.50
05/30/18	ALS	Continue review and tagging of documents produced by Canadian Pacific	0.80	180.00
05/30/18	RND	Emails with L. Zahradka and P. McDonald re: team meeting to discuss documents produced by CP	0.20	52.00
05/31/18	LKZ	Emails w/P.McDonald re: new Canadian lawsuit (.1) review FERC filings (.1) and summarize same (.1)	0.30	105.00
05/31/18	LKZ	Emails w/CP doc review team re: specific case issues.	0.10	35.00



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05/31/18	LKZ	Emails w/CP discovery team re: CP doc production	0.20	70.00
05/31/18	ALS	Continue review and tagging of documents produced by Canadian Pacific	2.60	585.00
06/01/18	ALS	Continue review, tagging and searching of documents produced by Canadian Pacific (1.7); public filings with respect to Bakken crude (.7); update list of proposed additional custodians, search terms, and documents in light of CP's document production (.3)	2.70	607.50
06/01/18	LKZ	Emails w/CP discovery team re: review status	0.10	35.00
06/04/18	LKZ	Review emails from doc review team re: recent documents reviewed	0.10	35.00
06/04/18	MT	Review emails re crude oil documentation	0.10	20.00
06/04/18	PM	Review CP documents and emails with discovery team re same (.2); review CP discovery (.2)	0.40	172.00
06/04/18	ALS	Continue review and tagging of documents produced by Canadian Pacific	4.30	967.50
06/04/18	ALS	Circulate documents produced by Canadian Pacific to R. Keach, P. McDonald, etc. for review (.3); review and respond to email from L. Milne re same (.1)	0.40	90.00
06/05/18	LKZ	Emails w/doc review team re: recent documents	0.10	35.00
06/05/18	JW1	Analyze CP document production	0.90	234.00
06/05/18	ALS	Continue review and tagging of documents produced by Canadian Pacific	4.20	945.00
06/05/18	ALS	Update running list of follow up requests/questions for attorney review with respect to Canadian Pacific's document productions	0.30	67.50
06/05/18	ALS	Circulate requested emails produced by Canadian Pacific to R. Keach, P. McDonald, et al.	0.10	22.50
06/05/18	PM	Review information re: JD Irving trial (.1); emails with Angela Stewart re: privilege issue (.1)	0.20	86.00
06/05/18	RND	Review documents produced by CP to determine relevance to litigation	4.20	1,092.00
06/06/18	LKZ	Attend CP discovery meeting	0.80	280.00
06/06/18	RND	Call with CP Team re: Discovery related to Trustee's litigation	0.80	208.00
06/06/18	JW1	Weekly team meeting to discuss document review and strategy.	0.80	208.00
06/06/18	JW1	Analyze specific documents produced by CP.	0.30	78.00
06/06/18	JW1	Analyze and review CP document production.	1.20	312.00
06/06/18	ALS	Attend meeting with R. Keach, P. McDonald, etc. regarding status of CP document review and next steps	0.80	180.00
06/06/18	ALS	Continue review and tagging of documents produced by Canadian Pacific (3.8); emails (multiple) to/from R. Keach and P. McDonald re review of documents from CP's document production (.4)	4.20	945.00



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06/06/18	LKZ	Review "hot docs" from CP production	0.20	70.00
06/06/18	MT	Attend CP litigation discovery status meeting	0.80	160.00
06/06/18	PM	Review CP document production and emails with Angela Stewart re: same (.1); attend discovery strategy meeting (.7).	0.80	344.00
06/06/18	RJK	Discovery conference	0.80	452.00
06/06/18	RND	Emails with CP Discovery team re: documents produced by CP and relevance to litigation	0.60	156.00
06/07/18	JW1	Analyze CP document production with Roma Desai and Angela Stewart	1.00	260.00
06/07/18	ALS	Follow up with J. Woodcock, L. Milne and R. Desai regarding CP discovery projects	0.10	22.50
06/07/18	ALS	Meeting with J. Woodcock and R. Desai regarding discovery-related assignments with respect to CP litigation	1.00	225.00
06/07/18	ALS	Continue review and tagging of documents produced by Canadian Pacific	3.70	832.50
06/07/18	RND	Meeting with J. Woodcock and A. Stewart re: review of CP pleadings	0.50	130.00
06/07/18	RND	Begin reviewing CP's pleadings in light of documents produced by CP	2.90	754.00
06/08/18	PM	Research re: Rail Regulations and Bakken crude	2.00	860.00
06/10/18	ALS	Continue work on searching, tagging and review of documents produced by Canadian Pacific in preparation of submission of proposed additional custodians, search words and additional documents to request based on review	6.00	1,350.00
06/11/18	ALS	Assist R. Desai with discovery-related project with respect to CP litigation (.8); continue work on searching, tagging and review of documents produced by Canadian Pacific in preparation of submission of proposed additional custodians, search words and additional documents to request based on review (1.9)	2.70	607.50
06/11/18	RND	Review CP pleadings in light of discovery produced to analyze arguments in Trustee's litigation	6.40	1,664.00
06/12/18	ALS	Continue work on searching, tagging and review of documents produced by Canadian Pacific in preparation of submission of proposed additional custodians, search words and additional documents to request based on review	6.70	1,507.50
06/12/18	RND	Review CP pleadings in light of discovery produced to analyze arguments in Trustee's litigation	7.50	1,950.00
06/13/18	RND	Call with CP Discovery team re: documents produced by CP and further requests for documents from CP related to litigation	1.00	260.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
06/13/18	LKZ	Review documents from CP production (.4); attend meeting w/CP document reviewers (1.0)	1.40	490.00
06/13/18	PM	Review CP document production (.4); meet with discovery team to discuss status and next steps (1.0)	1.40	602.00
06/13/18	ARP	Attend weekly CP discovery team meeting	1.00	260.00
06/13/18	ALS	Continue work on searching, tagging and review of documents produced by Canadian Pacific in preparation of submission of proposed additional custodians, search words and additional documents to request based on review	7.60	1,710.00
06/13/18	ALS	Attend meeting with R. Keach, P. McDonald, J. Woodcock, L. Milne, R. Desai and A. Prescott regarding CP litigation status and discovery matters	1.00	225.00
06/13/18	ALS	Email to R. Keach, P. McDonald, J. Woodcock, etc. attaching proposed additional custodians to request from CP (.1); further revisions to additional CP custodians list (.1)	0.20	45.00
06/13/18	RND	Emails with CP Discovery team re: certain relevant documents produced by CP	0.60	156.00
06/13/18	RND	Review CP pleadings in light of discovery produced to analyze arguments in Trustee's litigation	5.00	1,300.00
06/14/18	LKZ	Review certain docs from CP document production	0.30	105.00
06/14/18	ALS	Circulate documents produced by CP to R. Keach, P. McDonald, J. Woodcock, etc.	0.20	45.00
06/14/18	ALS	Emails to/from L. Milne re missing pages and full copy of certain CP documents	0.20	45.00
06/14/18	ALS	Email to R. Keach, P. McDonald, J. Woodcock, etc. attaching link to MMA-related documents produced to Canadian Pacific (.1); review R. Keach's reply re same (.1)	0.20	45.00
06/14/18	ALS	Email to K. Quirk re access to documents on Sale Data Hard Drive	0.10	22.50
06/14/18	ALS	Continue work on searching, tagging and review of documents produced by Canadian Pacific in preparation of submission of proposed additional custodians, search words and additional documents to request based on review	4.60	1,035.00
06/14/18	PM	Review CP document production	0.10	43.00
06/14/18	RND	Emails with CP Discovery team re: need for follow up discovery	0.20	52.00
06/14/18	RND	Review CP pleadings in light of discovery produced to analyze arguments in Trustee's litigation	3.50	910.00
06/15/18	KQ	Office conference with A. Stewart re: downloading of documents from sale data room hard drive	0.10	19.00
06/15/18	LKZ	Review emails from CP doc production	0.20	70.00



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06/15/18	ALS	Continue searching, tagging and review of documents produced by Canadian Pacific in preparation of submission of proposed additional custodians, search words and additional documents to request based on review	5.60	1,260.00
06/15/18	RND	Emails with CP Discovery team re: follow up items to certain discovery requests	0.20	52.00
06/15/18	RND	Review CP pleadings in light of discovery produced to analyze arguments in Trustee's litigation	2.50	650.00
06/18/18	ALS	Continue searching, tagging and review of documents produced by Canadian Pacific in preparation of submission of proposed additional custodians, search words and additional documents to request based on review	2.20	495.00
06/18/18	PM	Review CP document production	0.30	129.00
06/19/18	LKZ	Analysis in connection with CP document production.	0.50	175.00
06/19/18	ALS	Continue work on review and flagging of documents produced by Canadian Pacific relating to certain issues	4.80	1,080.00
06/19/18	ALS	Circulate documents produced by Canadian Pacific to R. Keach, P. McDonald, etc.	0.30	67.50
06/19/18	ALS	Email to J. Woodcock attaching draft additional search terms list for transmittal upon Canadian Pacific	0.10	22.50
06/19/18	ARP	Review designated "hot" documents produced by CP	2.80	728.00
06/19/18	RND	Emails with CP Discovery team re: certain documents produced by CP and need for further review	0.40	104.00
06/19/18	RND	Review/analyze various CP pleadings in light of documents produced	5.70	1,482.00
06/20/18	RND	Meeting with CP Team to discuss Discovery produced	0.40	104.00
06/20/18	JW1	Analyze CP documents and potential new search terms	2.00	520.00
06/20/18	JW1	Weekly team meeting to discuss case strategy and next steps.	0.40	104.00
06/20/18	ARP	Attend weekly internal discovery meeting (.4); draft letter to CP re confirmation of completed document productions (.5)	0.90	234.00
06/20/18	ALS	Attendance at CP litigation team meeting	0.40	90.00
06/20/18	ALS	Revisions to summary of documents produced by Estate Representative in CP litigation (.3); email to A. Prescott re same (.1)	0.40	90.00
06/20/18	ALS	Revisions to list of additional custodians for service upon Canadian Pacific (.3); email to J. Woodcock re same (.1)	0.40	90.00
06/20/18	ALS	Email to L. Milne re document relating to certain documents produced by Canadian Pacific	0.10	22.50
06/20/18	ALS	Continue work on review and flagging of documents produced by Canadian Pacific relating to certain issues	3.20	720.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
06/20/18	LKZ	Confer w/discovery team re: status (.4); follow-up analysis re: same (.6)	1.00	350.00
06/20/18	RJK	Discovery conference; follow-up	0.60	339.00
06/20/18	PM	Review CP documents and email to team re. same.	0.40	172.00
06/20/18	RND	Emails with CP Discovery team re: documents produced by CP and need for further review	0.20	52.00
06/20/18	RND	Review/analyze various CP pleadings in light of documents produced	7.20	1,872.00
06/21/18	RND	Review/analyze various CP pleadings in light of documents produced	7.10	1,846.00
06/21/18	ALS	Review and respond to email from A. Prescott re status of document production served upon CP	0.20	45.00
06/21/18	ALS	Continue work on discovery timeline, including review and summarizing key documents produced in CP litigation	4.20	945.00
06/22/18	LKZ	Review research on CP involvement in Lac Megantic	0.40	140.00
06/22/18	ALS	Continue work on discovery timeline, including review and summarizing key documents produced in CP litigation (4.6); emails to/from Evidox re export of tagged documents for attorney review (.2)	4.80	1,080.00
06/22/18	ALS	Review email from R. Keach re review of database for issue-related documents obtained from MMA (.1); review database for MMA documents (.7); reply email to R. Keach attaching requested documents (.2)	1.00	225.00
06/22/18	RND	Review/analyze various CP pleadings in light of documents produced	6.90	1,794.00
06/23/18	ALS	Continue review of documents in database for MMA-related documents per R. Keach's request (1.1); continue work on discovery timeline, including review and summarizing key documents produced in CP litigation (1.4)	2.50	562.50
06/24/18	ALS	Continue work on discovery timeline, including review and summarizing key documents produced in CP litigation	3.00	675.00
06/25/18	MT	Emails re CP document production	0.20	40.00
06/25/18	ALS	Continue review, issue tagging and exporting of key documents produced by Canadian Pacific	4.20	945.00
06/25/18	RND	Continue reviewing CP pleadings in light of CP's discovery production	6.40	1,664.00
06/26/18	JW1	Analyze CP documents and draft new proposed search terms.	1.80	468.00
06/26/18	LKZ	Emails w/A.Stewart re: additional document requests for CP	0.10	35.00
06/26/18	MT	Analyze production data (.3); email to Adam Prescott and Angela Stewart re: MMA productions(.1); meet with Adam Prescott (.2); email to Angela Stewart (.1).	0.70	140.00



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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
06/26/18	ARP	Revise letter to CP re completion of discovery productions	0.40	104.00
06/26/18	ALS	Reply email to A. Johnson at Evidox re export of key documents tagged in Canadian Pacific document production	0.10	22.50
06/26/18	ALS	Office conference with M. Thomas re letter to P. Hemming re discovery status (.2); emails to M. Thomas re same (.1); emails (x2) to L. Milne re MMA records (.1)	0.40	90.00
06/26/18	ALS	Continue review, issue tagging and exporting of key documents produced by Canadian Pacific	3.20	720.00
06/26/18	RND	Emails with CP Discovery team re: additional custodians	0.30	78.00
06/26/18	RND	Continue reviewing CP pleadings in light of CP's discovery production	5.90	1,534.00
06/27/18	JW1	Draft letter to CP regarding additional search terms and electronic discovery	0.60	156.00
06/27/18	RND	CP Discovery Team Meeting	0.50	130.00
06/27/18	JW1	Analyze CP documents and relevant custodians	2.00	520.00
06/27/18	JW1	Weekly team meeting to provide team updates and discuss next litigation steps	0.50	130.00
06/27/18	LKZ	Attend weekly meeting w/CP doc review team	0.50	175.00
06/27/18	JW1	Refine additional search terms, analyzing CP documents (1.0); edit and finalize letters to CP regarding electronic discovery (1.0)	2.00	520.00
06/27/18	MT	Attend team meeting re CP discovery	0.60	120.00
06/27/18	ARP	Participate in internal CP discovery meeting (.5); draft additional search terms for CP (.8); revise letter to CP re additional search terms and custodians (.6)	1.90	494.00
06/27/18	ALS	Attend weekly team meeting with respect to CP litigation	0.40	90.00
06/27/18	ALS	Email to J. Woodcock re draft list of additional custodians from Canadian Pacific (.1); office conference with J. Woodcock re same (.1)	0.20	45.00
06/27/18	ALS	Email to R. Keach and J. Woodcock attaching operating agreement for CP and DPTS, along with documents with respect to the Pioneer Project (.2); review documents relating to CP and DPTS and the Pioneer Project (.7)	0.90	202.50
06/27/18	ALS	Continue review, issue tagging and exporting of key documents produced by Canadian Pacific	5.20	1,170.00
06/27/18	RND	Continue reviewing CP pleadings in light of CP's discovery production	5.30	1,378.00
06/28/18	LKZ	Research regarding additional custodians for CP document production	1.60	560.00





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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
06/28/18	ALS	Review letters sent to Paul Hemming regarding discovery obligations and electronic production	0.20	45.00
06/28/18	ALS	Continue review and issue tagging of documents produced by Canadian Pacific	3.10	697.50
06/28/18	RND	Continue reviewing CP pleadings in light of CP's discovery production	6.40	1,664.00
06/29/18	ALS	Continue work on discovery-related projects, including review and tagging of documents from Canadian Pacific, search for transloading facility documents and press releases for L. Milne	3.80	855.00
06/29/18	LKZ	Research in connection with additional custodians for CP discovery	0.30	105.00
06/29/18	JW1	Call with CP counsel regarding custodians and search terms	0.30	78.00
06/29/18	RND	Review email from L. Zahradka re: additional document requests from CP	0.30	78.00
06/29/18	RND	Continue reviewing CP pleadings in light of CP's discovery production	6.80	1,768.00
07/01/18	RND	Continue reviewing CP pleadings in light of CP's discovery production	4.20	1,092.00
07/02/18	ALS	Emails to/from R. Keach re upcoming team meeting re CP litigation	0.10	22.50
07/02/18	ALS	Continue review and organization of tagged documents from Canadian Pacific's document production	2.70	607.50
07/02/18	RND	Review CP pleadings and documents produced by CP during discovery to determine whether further discovery is necessary	6.90	1,794.00
07/03/18	ALS	Continue review and organization of tagged documents from Canadian Pacific's document production	2.70	607.50
07/03/18	RND	Review CP pleadings and documents produced by CP during discovery to determine whether further discovery is necessary	5.40	1,404.00
07/05/18	LKZ	Review Canadian federal government prosecutions of other Defendants for revised CP discovery demand leads.	0.10	35.00
07/05/18	RND	Review CP pleadings and documents produced by CP during discovery to determine whether further discovery is necessary	6.20	1,612.00
07/06/18	RND	Review CP pleadings and documents produced by CP during discovery to determine whether further discovery is necessary	5.80	1,508.00
07/09/18	ALS	Continue review and tagging of key documents for inclusion in timeline with respect CP litigation	1.70	382.50



Matter #: 047375-00001

Montreal Maine & Atlantic Railway  
RE: Chapter 11

**DETAIL**

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
07/09/18	RND	Review CP pleadings and documents produced by CP to determine if further discovery is necessary	5.30	1,378.00
07/10/18	JW1	Call with CP counsel regarding search terms and additional ESI production.	0.50	130.00
07/10/18	ALS	Continue review and tagging of key documents for inclusion in timeline with respect CP litigation	1.40	315.00
07/10/18	RND	Review CP pleadings and documents produced by CP to determine if further discovery is necessary	7.20	1,872.00
07/11/18	LKZ	Confer w/CP discovery team members (.2); review discovery letters sent to CP (.2); emails w/team re: same (.1).	0.50	175.00
07/11/18	PM	Emails with Jack Woodcock and Lindsay Milne re. discovery issues.	0.00	0.00
07/11/18	RND	Review CP pleadings and documents produced by CP to determine if further discovery is necessary	7.40	1,924.00
07/12/18	ALS	Continue review of tagged documents for addition to case timeline with respect to CP litigation	0.40	90.00
07/12/18	RND	Review CP pleadings and documents produced by CP to determine if further discovery is necessary	6.90	1,794.00
07/13/18	ALS	Continue review of key documents for addition to litigation timeline	1.40	315.00
07/13/18	RND	Review CP pleadings and documents produced by CP to determine if further discovery is necessary	7.00	1,820.00
07/16/18	RND	Review CP pleadings and documents produced by CP to determine if further discovery is necessary	5.40	1,404.00
07/17/18	JW1	Email Evidox regarding additional search terms and custodians for MMA dataset.	0.20	52.00
07/17/18	RND	Review CP pleadings and documents produced by CP to determine if further discovery is necessary	4.80	1,248.00
07/18/18	JW1	Analyze results of CP search term hits.	0.30	78.00
07/18/18	RND	CP Discovery Team meeting to discuss documents produced and further discovery requests	0.70	182.00
07/18/18	JW1	Weekly team meeting to analyze case developments and future strategy.	0.70	182.00
07/18/18	MT	Analyze results of additional searches; update discovery log; meet with Lindsay Zahradka Milne.	0.30	60.00
07/18/18	LKZ	Meeting re: CP supplemental doc requests, privilege log (.7); follow-up conference w/M.Thomas re: same (.1).	0.80	280.00
07/18/18	PM	Attend meeting re. discovery status and next steps.	0.70	301.00
07/18/18	RJK	CP discovery conference	0.50	282.50
07/20/18	PM	Review documents produced pursuant to FOAA request.	0.10	43.00



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**DETAIL**

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
07/23/18	ALS	Review Canadian Pacific's privilege log (.2); comparison of CP's privilege log with documents produced by CP (.4); email to R. Keach, P. McDonald, et al. re discrepancy between CP's privilege log and redacted documents produced by CP (.1)	0.70	157.50
07/23/18	LKZ	Emails w/discovery team re: privilege log.	0.10	35.00
07/23/18	MT	Analyze email regarding privilege log and list of redacted documents; analyze emails with Evidox.	0.10	20.00
07/23/18	PM	Emails with discovery team re. CP privilege log.	0.10	43.00
07/23/18	ALS	Email to R. Desai re review of CP pleadings (.1); telephone conference with R. Desai re same (.2)	0.30	67.50
07/23/18	ALS	Continue review and organization of tagged documents from CP's document production	2.40	540.00
07/23/18	RJK	Review discovery letters to CP	0.10	56.50
07/23/18	RND	Emails with A. Stewart and P. McDonald re: CP privilege log	0.20	52.00
07/23/18	JW1	Respond to email from Evidox regarding MMA addition search terms and custodians (.1); Draft email to opposing counsel regarding proposed search terms and custodians (.3)	0.40	104.00
07/24/18	JW1	Review new search term analysis and complete drafting email to opposing counsel regarding new searches on MMA documents.	0.30	78.00
07/24/18	ALS	Telephone conference with R. Desai re CP pleadings review (.1); Continue work on event timeline with respect to litigation against CP based on review and tagging of CP document production (2.6)	2.70	607.50
07/25/18	JW1	Analyze redacted documents produced by CP for privilege assertions.	0.30	78.00
07/25/18	LKZ	Confer w/A.Stewart re: Canada investigation revealing 2012 test of Bakken crude (.2); confer w/P.McDonald re: progress on new search terms w/CP (.1).	0.30	105.00
07/25/18	PM	Review email from Angela Stewart re: derailment issues.	0.10	43.00
07/25/18	ALS	Follow up email to R. Keach, P. McDonald, etc. regarding redacted documents produced by Canadian Pacific (.2); review all documents flagged as redacted by Canadian Pacific (1.1)	1.30	292.50
07/25/18	ALS	Continue work on litigation timeline based on review of documents produced by Canadian Pacific	4.20	945.00
07/25/18	RND	Further emails with A. Stewart and P. McDonald re: CP privilege log	0.20	52.00
07/25/18	RND	Email with L. Zahradka re: CP Discovery team meeting	0.10	26.00
07/26/18	ALS	Update docket scheduling with respect to CP litigation team meeting	0.10	22.50



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**DETAIL**

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
07/26/18	ALS	Continue work on litigation timeline based on review of documents produced by Canadian Pacific	3.80	855.00
07/27/18	RND	CP Discovery Team Meeting	0.30	78.00
07/27/18	JW1	Weekly team meeting regarding discovery updates.	0.30	78.00
07/27/18	ALS	Attend meeting with R. Keach, P. McDonald, etc. regarding status of CP discovery	0.30	67.50
07/27/18	LKZ	Attend weekly CP discovery meeting.	0.30	105.00
07/27/18	MT	Attend status meeting re CP discovery	0.30	60.00
07/27/18	PM	Meeting with discovery team to discuss status and strategy.	0.30	129.00
07/27/18	ALS	Preparation of spreadsheet summarizing items flagged by R. Desai after review of CP pleadings	0.70	157.50
07/27/18	ALS	Continue work on litigation timeline based on review of documents produced by Canadian Pacific	3.80	855.00
07/27/18	ARP	Participate in team discovery meeting	0.30	78.00
07/30/18	JW1	Prepare for and conduct phone call with opposing counsel regarding additional search terms, discovery issues.	1.10	286.00
07/30/18	MT	Update discovery timeline and meet with Angela Stewart and Karla Quirk regarding contents of safety deposit box.	0.20	40.00
07/30/18	LKZ	Emails w/CP discovery team re: safety deposit box data, storage, letter to CP.	0.30	105.00
07/30/18	RND	Emails with CP Discovery team re: follow up document production	0.60	156.00
07/31/18	JW1	Review and summarize notes from call with CP counsel the previous day.	0.30	78.00
07/31/18	PM	Various emails re. discovery issues.	0.20	86.00
08/01/18	RND	CP Discovery Team call (.6), follow-up re: same (.1)	0.70	182.00
08/01/18	ARP	Participate in team meeting re CP discovery	0.60	156.00
08/01/18	LKZ	Meet w/CP discovery team (.6); confer w/A.Stewart re: CMQ documents (.2); analysis re: same (.3) and confer w/B.Keach re: same (.1).	1.20	420.00
08/01/18	MT	Attend strategy meeting ew: CP discovery (.6); follow-up re: same (.1)	0.70	140.00
08/01/18	ALS	Emails from/to S. Baker re preparation of log to document contents of safe deposit box held at Bangor Savings Bank	0.10	22.50
08/01/18	ALS	Attendance at team meeting with respect to CP discovery (partial)	0.40	90.00
08/01/18	ALS	Telephone conference with G. Ryan re safe deposit box from Bangor Savings Bank (.2); office conferences with L. Milne (.2) and J. Woodcock (.1) re: same	0.50	112.50
08/01/18	ALS	Continue work on timeline and identification of key documents in CP litigation	1.70	382.50



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**DETAIL**

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
08/02/18	ALS	Email to L. Milne re monthly fees billed by Evidox in CP litigation	0.10	22.50
08/03/18	ALS	Follow up email to J. Woodcock regarding BSB safe deposit box	0.10	22.50
08/03/18	JW1	Voicemail from and Call to CP counsel regarding discovery tasks.	0.20	52.00
08/07/18	ARP	Draft motion for amended scheduling order in CP litigation	1.20	312.00
08/07/18	ALS	Review email from L. Milne re review of Evidox invoices	0.10	22.50
08/08/18	ALS	Review Evidox invoices (.1); reply email to L. Milne re same (.1)	0.20	45.00
08/10/18	LKZ	Review recent headlines in connection with volatility of Bakken as known at time of deratiltment.	0.20	70.00
08/10/18	ALS	Emails from/to L. Milne re upcoming CP team meeting	0.10	22.50
08/13/18	KQ	Email from/to K. Trott at Bangor Savings Bank forwarding safe deposit box signature card and email to L. Milne re: same	0.10	19.00
08/13/18	LKZ	Emails w/K.Quirk re: safety deposit box.	0.10	35.00
08/13/18	ARP	Finalize and circulate motion to amend scheduling order	0.30	78.00
08/14/18	ALS	Review organization charts produced by Canadian Pacific (.2); email to Evidox to request organization charts to be added to database (.1)	0.30	67.50
08/14/18	PM	Review and analyze newly-produced organization charts and email to discovery team re. same.	0.20	86.00
08/14/18	RJK	Telephone call with Tim Thornton regarding depositions; e-mail to and telephone call with Patrick Maxcy regarding same	0.60	339.00
08/15/18	JW1	Analyze CP org charts and custodial lists.	0.50	130.00
08/15/18	RND	Meeting with CP Discovery Team (.8); follow up re: same (.1)	0.90	234.00
08/15/18	ALS	Attend meeting with R. Keach, P. McDonald, etc. regarding status of CP litigation (.8); email CP org charts to team prior to meeting (.1)	0.90	202.50
08/15/18	JW1	Weekly team meeting analyzing CP org charts and discovery strategy and scheduling (.8); confer w/ P. McDonald re: same (.3); analysis re: same (.1)	1.20	312.00
08/15/18	JW1	Analyze and edit draft proposed scheduling order.	0.30	78.00
08/15/18	JW1	Email Lindsay Milne regarding return of third-party materials improperly given to the estate representative.	0.10	26.00
08/15/18	LKZ	Attend weekly meeting on CP discovery issues (.8); review org charts re: additional custodians (.2).	1.00	350.00



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**DETAIL**

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
08/15/18	PM	Meet with discovery team to discuss status and next steps (.8); meet with Jack Woodcock to discuss discovery issue (.3).	1.10	473.00
08/15/18	ARP	Attend weekly team meeting re CP discovery	0.80	208.00
08/15/18	RND	Review documents produced by CP to determine whether further document production is necessary	0.20	52.00
08/15/18	RJK	CP Litigation meeting (and prep for same)	1.50	847.50
08/16/18	JW1	Edit joint proposed pretrial order	0.20	52.00
08/16/18	JW1	Email opposing counsel regarding discovery schedule and ESI protocol issues.	0.30	78.00
08/16/18	PM	Review and approve revised Joint Pretrial Order.	0.10	43.00
08/16/18	ALS	Review and respond to email from A. Johnson at Evidox re processing of supplemental discovery from Canadian Pacific	0.20	45.00
08/17/18	ALS	Review responses and objections to jurisdictional discovery served by Canadian Pacific and Trustee	0.40	90.00
08/17/18	JW1	Call with opposing counsel regarding discovery deadline and proposed schedule.	0.20	52.00
08/20/18	JW1	Discovery response analysis with Bob Keach regarding CP requested documents.	0.30	78.00
08/20/18	JW1	Emails with Angela Stewart regarding location of CP requested documents.	0.10	26.00
08/20/18	RJK	Conference with Jack Woodcock regarding CP discovery issues	0.30	169.50
08/20/18	ALS	Review files (electronic and paper) for appraisals for production in CP litigation (.4); emails to/from R. Keach and J. Woodcock re same (.2); email to A. Cummings re appraisals (.1)	0.70	157.50
08/21/18	ALS	Emails to/from K. Quirk re review of MMA valuation documents from Sale Data Room in response to CP's document request (.2); review MMA Sale Data Room contents re same (.2)	0.40	90.00
08/22/18	JW1	Analyze CP counsel response to draft scheduling order (.1); email to Bernstein team regarding same (.1).	0.20	52.00
08/22/18	JW1	Email response to opposing counsel regarding draft scheduling order.	0.20	52.00
08/22/18	JW1	Edit draft proposed scheduling order.	0.20	52.00
08/22/18	KQ	Upload documents produced to CP from data room for attorney review	0.40	76.00
08/22/18	ALS	Reply email to R. Keach re status of search for MMA-related appraisals and valuation records	0.10	22.50
08/22/18	ALS	Review Evidox document database for MMA-related appraisal and valuation documents	0.80	180.00
08/23/18	JW1	Email opposing counsel regarding proposed scheduling order.	0.10	26.00



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**DETAIL**

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
08/23/18	ALS	Review and respond to email from J. Woodcock re filing of revised proposed scheduling order in CP litigation	0.10	22.50
08/24/18	ARP	Draft proposed order re amended scheduling motion	0.50	130.00
08/24/18	KQ	Finalize and file the joint motion to amend the pretrial schedule in Keach v. CP	0.20	38.00
08/28/18	ALS	Review of Notice of Hearing issued by Court in Keach v CP litigation (.1); circulate same via email to R. Keach, P. McDonald, etc. (.1)	0.20	45.00
08/29/18	RND	Meeting with CP team to discuss next steps in seeking discovery from CP	0.50	130.00
08/29/18	JW1	Analyze appraisal reports of MMA liquidated value.	0.30	78.00
08/29/18	JW1	Weekly team meeting analyzing case strategy and discovery steps.	0.50	130.00
08/29/18	JW1	Email evidox regarding production of appraisal reports.	0.10	26.00
08/29/18	MT	Attend meeting re: CP discovery (partial).	0.40	80.00
08/29/18	PM	Attend discovery status and strategy meeting.	0.50	215.00
08/29/18	ALS	Review emails to/from Evidox and J. Woodcock ingestion of supplemental documents for production in CP litigation	0.20	45.00
08/29/18	RJK	CP discovery meeting	0.40	226.00
08/30/18	LKZ	Emails w/discovery team re: CP scheduling counter-proposal.	0.10	35.00
08/30/18	ALS	Review pleadings sent by C. Gray at Kugler Kandestin with respect to CP litigation pending in Canadian Courts (.3); review and respond to email from C. Gray re same (.1)	0.40	90.00
08/30/18	ALS	Review email from L. Lee at Evidox regarding document production	0.10	22.50
08/31/18	JW1	Review Evidox production to CP.	0.20	52.00
08/31/18	JW1	Coordinate production of appraisal documents with Evidox (.3) and send via link to opposing counsel (.1).	0.40	104.00
08/31/18	ALS	Review email from J. Woodcock re production of appraisal documents upon counsel for CP (.1); email to M. Thomas re same (.1); email to M. Thomas re return of contents of safe deposit box to CMQ (.1)	0.30	67.50
08/31/18	LKZ	Emails w/CP discovery team re: document production.	0.10	35.00
08/31/18	ALS	Review key documents in Evidox database for inclusion in litigation timeline for attorney review	1.00	225.00
08/31/18	MT	Update discovery timeline.	0.20	40.00
09/05/18	ARP	Attend court hearing re motion to amend CP discovery schedule	0.20	52.00
09/05/18	MT	Analyze Order Granting Amended Pretrial Scheduling Order.	0.10	20.00



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**DETAIL**

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
09/05/18	ALS	Email to R. Keach, P. McDonald, etc. attaching Order Granting Amended Pretrial Scheduling Order in Keach v CP adversary (.1); update pleadings file with same (.1); review Order Granting Amended Pretrial Scheduling Order in Keach v CP adversary (.2); docket scheduling deadlines in Amended Pretrial Scheduling Order (.3)	0.70	157.50
09/05/18	ALS	Emails to/from J. Woodcock and A. Prescott re question surrounding deadlines in Order Granting Amended Pretrial Scheduling Order entered in Keach v CP adversary (.2); emails to/from K. Ford at U.S. Bankruptcy Court re same (.1)	0.30	67.50
09/05/18	ALS	Office conference with A. Prescott re CP litigation status meeting	0.10	22.50
09/05/18	RJK	Prepare for and attend hearing regarding motion to amend Pre-Trial Order (CP)	0.60	339.00
09/05/18	RJK	Telephone call with Patrick Maxcy regarding depositions	0.40	226.00
09/05/18	PM	Listen to hearing on Motion to Amend Pretrial Order	0.10	43.00
09/09/18	ALS	Review email from D. Conneally at Evidox with respect to storage fees relating to CP litigation (.1); email to A. Prescott re same (.1)	0.20	45.00
09/10/18	ALS	Transmittal of CP's latest document production to Evidox for ingestion (.1); emails to/from J. Woodcock and J. Kerr re same (.1)	0.20	45.00
09/10/18	ALS	Review email from K. Quirk attaching August invoice from Evidox with respect to CP litigation (.1); telephone conference with L. Milne regarding same (.1); review August invoice from Evidox (.1)	0.30	67.50
09/11/18	JW1	Analyze crude by rail documents.	0.60	156.00
09/11/18	LKZ	Confer w/J.Woodcock re: crude by rail file.	0.20	70.00
09/12/18	RND	Meeting with CP team to discuss next steps in discovery process	0.60	156.00
09/12/18	JW1	Email Evidox regarding production and receipt of document imaging (.1); email Angela Stewart regarding same (.1).	0.20	52.00
09/12/18	JW1	Weekly team meeting to analyze recent CP production and discovery strategy (partial)	0.50	130.00
09/12/18	MT	Attend team meeting regarding status (partial)	0.40	80.00
09/12/18	LKZ	Team meeting re: Crude by Rail file.	0.60	210.00
09/12/18	PM	Attend meeting with discovery team re: status and next steps (.6); analysis following up from same	0.70	301.00
09/12/18	RJK	Conference regarding CP cases, discovery with BSSN team	0.60	339.00
09/13/18	LKZ	Emails w/A.Stewart re: CP Crude by Rail file.	0.10	35.00





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**DETAIL**

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
09/13/18	ALS	Import CP's Crude by Rail file into document management system for R. Keach and P. McDonald's review (.2); emails to J. Woodcock and L. Milne re same (.1)	0.30	67.50
09/13/18	PM	Review crude rail file	1.40	602.00
09/13/18	RJK	Review CP "Crude by Rail" documents	2.10	1,186.50
09/14/18	RJK	Review CP Production (Crude by Rail file)	4.10	2,316.50
09/16/18	ALS	Review CP's Crude by Rail file for inclusion in litigation timeline	0.70	157.50
09/19/18	JW1	Team meeting regarding coordinating discovery, CP document review, and case strategy.	1.30	338.00
09/19/18	ARP	Participate in weekly DP discovery meeting	1.20	312.00
09/19/18	JW1	Review materials for call with opposing counsel regarding outstanding discovery issues (.5); call with opposing counsel regarding same (.5)	1.00	260.00
09/19/18	LKZ	Attend weekly CP discovery meeting (1.2) and follow-up re: same (.1).	1.30	455.00
09/19/18	MT	Attend team meeting (1.2); follow-up re: same (.1)	1.30	260.00
09/19/18	ALS	Attendance at CP litigation team meeting to discuss status of discovery and next steps (partial)	0.40	90.00
09/19/18	RJK	Prepare for and attend conference with BSSN team regarding CP litigation	0.80	452.00
09/19/18	RJK	Attention to CP Discovery	1.60	904.00
09/20/18	JW1	Analyze estate representative's interrogatory responses.	0.20	52.00
09/20/18	JW1	E-mail Evidox regarding setting up review of CP production.	0.10	26.00
09/20/18	JW1	Analyze documents produced by CP.	2.20	572.00
09/20/18	RND	Emails with A. Stewart and J. Woodcock re: third party discovery	0.20	52.00
09/20/18	RND	Emails with J. Woodcock and L. Zahradka re: review of additional documents produced by CP	0.10	26.00
09/20/18	ALS	Review emails (x2) to/from J. Woodcock and Evidox with respect to review of most recent CP production (.2); update litigation timeline with additional information provided in CP's most recent production (.4)	0.60	135.00
09/21/18	JW1	Analyze CP document production.	1.80	468.00
09/25/18	LKZ	Emails w/A.Stewart re: CP 10Ks for disclosures.	0.10	35.00
09/25/18	JW1	Supplement interrogatory responses.	2.40	624.00
09/25/18	PM	Meet with Bob Keach re. discovery issues.	0.20	86.00
09/25/18	ALS	Obtain SEC filings of Canadian Pacific Railway Company for L. Milne's review (.1); review SEC filings filed by Canadian Pacific Railway (.2)	0.30	67.50



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**DETAIL**

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
09/26/18	RND	Meeting with CP Team to discuss status of discovery requests and document requests from CP (.2); follow-up correspondence re: same (.1)	0.30	78.00
09/26/18	ARP	Participate in weekly CP discovery meeting (.2); analysis i/c/w same (.1)	0.30	78.00
09/26/18	JW1	Analyze MMA documents to assist in supplemental interrogatory responses (4); supplement responses (.5).	4.50	1,170.00
09/26/18	JW1	Weekly team meeting to analyze case developments.	0.20	52.00
09/26/18	ALS	Attend team meeting regarding status of discovery-related issues in CP litigation	0.20	45.00
09/26/18	ALS	Download, organize and transmit documents requested by J. Landry per R. Keach's request (1.3); emails to/from R. Keach re same (.1); telephone call to R. Desai re transmission of documents to J. Landry (.1)	1.50	337.50
09/26/18	MT	Attend team meeting re discovery (.2); prep for same (.2)	0.40	80.00
09/26/18	LKZ	Attend weekly CP discovery meeting.	0.20	70.00
09/26/18	RJK	Prepare for and attend CP litigation conference with Bernstein Shur team	1.00	565.00
09/28/18	LKZ	Review CP 10Q for disclosure re: MMA.	0.10	35.00
		10 A Total	830.50	\$ 221,486.00
	14 - Other			
05/10/18	CBB	Research - obtained articles including a technical journal article from Hydrocarbon Processing	2.00	\$ 230.00
		14 Total	2.00	\$ 230.00
	21 - Tax Issues			
07/23/18	ALS	Review and respond to email from R. Keach re K. Redstone (Baker Newman & Noyes) email requesting backup supporting IOLTA ledger for tax purposes	0.30	\$ 67.50
		21 Total	0.30	\$ 67.50
		Detail Total		\$ 429,512.00

**EXPENSES**

<u>Description</u>	<u>Amount</u>
FILING FEE - PAID TO: DUVERNAY REPORTING INC	\$ 110.80
FEDERAL EXPRESS - PAID TO: FEDERAL EXPRESS CORPORATION	26.12
SUPPLIES	442.89
TRAVEL EXPENSE - PAID TO: LINDSAY K. ZAHRADKA	1.55
FEDERAL EXPRESS - PAID TO: FEDERAL EXPRESS CORPORATION	44.91
FEDERAL EXPRESS - PAID TO: FEDERAL EXPRESS CORPORATION	35.72
MISCELLANEOUS - PAID TO: LINDSAY K. ZAHRADKA	27.58
FEDERAL EXPRESS - PAID TO: FEDERAL EXPRESS CORPORATION	43.28
MISCELLANEOUS - PAID TO: BANGOR SAVINGS BANK	200.00
TRANSCRIPT COST - PAID TO: VERITEXT	253.10



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October 23, 2018  
Invoice #: 3575971

Matter #: 047375-00001

Montreal Maine & Atlantic Railway  
RE: Chapter 11

**EXPENSES**

<u>Description</u>	<u>Amount</u>
FEDERAL EXPRESS - PAID TO: FEDERAL EXPRESS CORPORATION	53.65
TRAVEL EXPENSE - PAID TO: KARLA M. QUIRK	139.52
Expense Total	\$ <u>1,379.12</u>

**CURRENT INVOICE**

Fees	\$ 429,512.00
Expenses	<u>1,379.12</u>
TOTAL INVOICE	\$ <u>430,891.12</u>



**Bernstein, Shur,  
Sawyer & Nelson, P.A.**  
100 Middle Street  
PO Box 9729  
Portland, ME 04104-5029  
  
T (207) 774-1200  
F (207) 774-1127

Montreal Maine & Atlantic Railway

October 23, 2018  
Invoice #: 3575971  
Matter #: 047375-00001  
Federal Tax ID: 01-0378211

**REMITTANCE PAGE**

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**Re: Chapter 11**

Fees Before Discount	\$	435,292.00
Less Courtesy Discount	\$	(5,780.00)
Fees	\$	429,512.00
Expenses	\$	1,379.12
<b>TOTAL INVOICE</b>	<b>\$</b>	<b>430,891.12</b>
Balance in Trust Account	\$	816,733.11

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**Payment by Credit Card Options:** **A.) Pay Online - Go to [www.bernsteinshur.com](http://www.bernsteinshur.com) and click Pay Online in the upper right hand corner.**  
**B.) Call (207)-228-7199 during normal business hours.**  
**C.) Complete the information below and mail to the PO Box address above.**

Card Number: \_\_\_\_\_  
Exp. Date: \_\_\_\_\_  
Amount: \_\_\_\_\_  
Signature: \_\_\_\_\_

**Payment by Check:** **Please indicate invoice number on the check and include this Remittance Page and mail to the PO Box address above.**

**Payment by Wire Transfer:**  
Bank: NORWAY SAVINGS BANK  
Account Number: 8702125873  
ABA Number: 211-274-515  
Reference Invoice #: 3575971

## **Exhibit B**

### **BIOGRAPHIES OF BSSN PROFESSIONALS AND PARAPROFESSIONALS**

#### **Shareholders:**

##### **ROBERT J. KEACH**

Bob Keach is co-chair of BSSN's Business Restructuring and Insolvency Practice Group. His practice focuses on the representation of various parties in workouts and bankruptcy cases, including debtors, creditors, creditors' committees, lessors, and third parties acquiring troubled companies and/or their assets. Bob has appeared before the bankruptcy courts in the Districts of Maine, Delaware, Eastern District of Pennsylvania, Massachusetts, New Hampshire, Central District of California, Middle District of Florida, Middle District of Louisiana and the Southern and Eastern Districts of New York. Bob has also appeared as a panelist on national bankruptcy, lender liability, and creditors' rights programs, and is the author of several articles on bankruptcy and creditors' rights.

Bob is a Fellow of the American College of Bankruptcy, and a member of the Board of Directors and Executive Committee of the American Bankruptcy Institute, where he served as President from 2009-2010. Bob has been recognized by Best Lawyers in America for over twenty years for his work in bankruptcy and creditor-debtor rights, and by Chambers USA as a "Star Performer" in their Corporate/M&A-Bankruptcy section. He is AV-rated by Martindale-Hubbell.

##### **PAUL MCDONALD**

Paul McDonald is a shareholder and the chair of the Litigation Practice Group. Paul concentrates his practice in complex commercial and business litigation matters. He has tried cases to judges, juries, administrative appeal panels and arbitrators in Maine and across the country. Paul is recognized as a leading commercial litigator by Chambers USA, Best Lawyers in America, and Super Lawyers, and is rated AV-rated by Martindale-Hubbell.

Paul is a frequent presenter at legal and business seminars and is the co-author of a Bernstein Shur's monthly Commercial and Business Litigation Newsletter. In 2010, Paul was awarded the Vincent L. McKusick Award by the Maine State Bar Association, which honors the author of the best article published in the Maine Bar Journal that year, for his article entitled Recovery of Lost Profits Damages; All Is Not Lost.

##### **NELSON A. TONER**

Nelson Toner is the chair of the firm's Tax Practice Group. Nelson's practice focuses on international, federal and state tax planning, business succession planning and real estate planning, including complex transactions such as mergers and acquisitions, tax-fee exchanges, reorganizations and municipal and private activity bond financing.

Nelson advises educational organizations, health care agencies, hospitals, and nonprofits on a range of tax matters, including Maine sales and use tax issues, real property tax, and public

charity and private foundation status. He frequently shares his expertise at seminars for the Maine Bar Association and with law students at the University Of Maine Law School as adjunct professor of estate and gift tax. In 2007, Nelson received the firm's Barnett I. Shur Civic Award in recognition of his steadfast service to the community

### **LINDSAY ZAHRADKA MILNE**

Lindsay Zahradka Milne is a shareholder in Bernstein Shur's Business Restructuring and Insolvency Practice Group. In her practice, Lindsay assists a broad array of corporate clients in matters including chapter 11 reorganizations, asset sales and acquisitions and bankruptcy-related litigation.

Prior to joining Bernstein Shur, Lindsay worked as an associate with Akin Gump in New York, where she focused on financial restructuring matters. She advised borrowers, debtors, official committees of unsecured creditors, lenders, and ad-hoc groups of bondholders in connection with pre-filing negotiations and chapter 11 proceedings.

Lindsay earned her JD from Fordham University School of Law, where she completed an externship with the United States Attorney's Office for the Eastern District of New York as well as an externship with the Honorable Marcy Kahn of the New York Supreme Court. She completed her B.A. at Dartmouth College, where she was a member of the Phi Beta Kappa honor society. Lindsay is admitted to practice in New York and Maine; in the U.S. District and Bankruptcy Courts for Southern District of New York and Maine; and before the First Circuit.

### **Of Counsel:**

#### **ROMA DESAI**

Roma N. Desai is a member of Bernstein Shur's Business Restructuring and Insolvency Practice Group. Her practice focuses on commercial bankruptcy and business reorganization.

Prior to joining Bernstein Shur, Roma served as a federal law clerk for the Honorable J. Michael Deasy and the Honorable Mark W. Vaughn of the U.S. Bankruptcy Court for the District of New Hampshire. She has also worked for multiple New York City law firms, representing clients in commercial and corporate bankruptcy issues.

Roma earned her JD from Washington University in St. Louis School of Law, where she completed an externship with the enforcement division of the U.S. Securities and Exchange Commission. She is admitted to practice law in New York, the U.S. District Court for Eastern District of New York, the U.S. District Court for Southern District of New York the state of Maine and the U.S. District Court of Maine.

**Associates:**

**DANIEL KEENAN**

During the Compensation Period, Daniel was a member of Bernstein Shur's Business Restructuring and Insolvency Practice Group.<sup>1</sup> In his practice, Daniel assisted various corporate clients in matters including chapter 11 reorganizations, bankruptcy-related litigation, and asset sales. During law school Daniel worked as a judicial extern for Judge Kermit Lipez, on the Court of Appeals for the First Circuit, and as a summer associate at a New Hampshire law firm, which focused on business litigation.

Daniel earned his J.D. from the University of Maine School of Law, and his B.A. from Loyola University Maryland.

**ADAM PRESCOTT**

Adam is a member of Bernstein Shur's Business Restructuring and Insolvency Practice Group. Adam's practice focuses on business restructuring and insolvency proceedings, including chapter 11 reorganizations, asset sales and acquisitions, and bankruptcy-related litigation. In addition to his bankruptcy practice, Adam also has significant experience advising clients on antitrust and competition matters.

While in law school, Adam interned for the Honorable Jon D. Levy at the Maine Supreme Judicial Court. Adam earned his J.D. from the William & Mary School of Law, and his B.S. from Trinity College.

**JACK WOODCOCK**

Jack Woodcock is a member of Bernstein Shur's Litigation Practice Group. Jack has years of experience litigating complex, high-stakes cases where there are millions or even billions of dollars on the line. His broad range of experience includes defending the United States in large civil suits in federal courts across the country, such as two bellwether suits brought by residents of Greater New Orleans for flood damages incurred in Hurricane Katrina. Jack has handled cases across a wide area of subject matters—large-scale flooding, engineering, law enforcement, personal injury, and corporate losses.

Before joining Bernstein Shur, Jack was a trial attorney for the U.S. Department of Justice, Civil Division, Torts Branch and a law clerk for the Maine Supreme Judicial Court.

**Paraprofessionals:**

**KARLA QUIRK**

Karla Quirk is a paralegal in the Business Restructuring and Insolvency Practice Group. Karla served as a legal assistant at Bernstein Shur before being promoted to paralegal in 2012. She was previously employed at Verrill & Dana, LLP where she worked as a paralegal.

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<sup>1</sup> Daniel has since left BSSN.

**ANGELA STEWART**

Angela is a paralegal in the Business Restructuring and Insolvency Practice Group. Angela has worked as a paralegal since 1997. She holds a BA in Public Management from the University of Maine.

**MICHELLE A. THOMAS**

Michelle has been a paralegal at Bernstein Shur since 1998. Her practice areas include general litigation, aviation litigation, complex litigation, personal injury, asbestos litigation, and energy and environmental law. Michelle graduated from Casco Bay College in 1984.

**CHRISTINE B. BERTSCH**

Christine Bertsch has been the law librarian for Bernstein Shur since 1993. Her background includes academic and public library work experience at the University of Maine at Presque Isle, Dyer Library Association, and the Fountaindale Public Library District. She holds a master's degree in library science from the University of Denver, 1977, and a B.A. degree from Illinois State University.



**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MAINE**

In re:

MONTREAL MAINE & ATLANTIC  
RAILWAY, LTD.

Debtor.

Bk. No. 13-10670

Chapter 11

**ORDER GRANTING FIFTH INTERIM APPLICATION FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES FOR BERNSTEIN, SHUR, SAWYER & NELSON, P.A., AS COUNSEL TO ROBERT J. KEACH, ESTATE REPRESENTATIVE, FOR THE PERIOD MARCH 1, 2018 THROUGH AND INCLUDING SEPTEMBER 30, 2018**

This matter having come before the Court on the *Fifth Interim Application for Compensation and Reimbursement of Expenses for Bernstein, Shur, Sawyer & Nelson, P.A., as Counsel to Robert J Keach, Estate Representative, for the Period March 1, 2018 Through and Including September 30, 2018* (the "Fee Application"),<sup>1</sup> and after proper notice to all creditors and other parties-in-interest, the Court having independently reviewed the Fee Application, it is hereby **ORDERED, ADJUDGED, and DECREED** as follows:

1. The Fee Application is granted.
2. In relation to the Compensation Period and, pursuant to 11 U.S.C. § 330, BSSN is allowed compensation for services to the Estate Representative in the aggregate amount of **\$430,891.12** including professional fees in the amount of **\$429,512.00** and reimbursement of expenses in the amount of **\$1,379.12**.
3. The Fees and expenses for the Compensation Period are hereby awarded on an interim basis in accordance with the applicable sections of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and this Court's local rules.

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Fee Application.

Dated: \_\_\_\_\_, 2018

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**The Honorable Peter G. Cary**  
**Chief Judge, United States Bankruptcy Court**

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MAINE**

In re:

MONTREAL MAINE & ATLANTIC  
RAILWAY, LTD.

Debtor.

Bk. No. 13-10670

Chapter 11

**NOTICE OF HEARING**

Bernstein, Shur, Sawyer & Nelson, P.A. (“BSSN”), counsel to Robert J. Keach, the Estate Representative (the “Estate Representative”) of the post-effective date estate of Montreal Maine & Atlantic Railway, Ltd. (the “Debtor”), has filed the *Fifth Interim Application for Compensation and Reimbursement of Expenses for Bernstein, Shur, Sawyer & Nelson, P.A., as Counsel to Robert J. Keach, Estate Representative, for the Period March 1, 2018 Through and Including September 30, 2018* (the “Fee Application”). A hearing on the Fee Application is set to take place at the United States Bankruptcy Court, 537 Congress Street, Portland, Maine on **November 20, 2018 at 9:00 a.m.**

By the Fee Application, BSSN seeks a total amount of \$430,891.12, which includes \$429,512.00 for compensation of professional fees and \$1,379.12 for reimbursement of expenses incurred with respect to services rendered on behalf of the Estate Representative during the period March 1, 2018 through September 30, 2018 (the “Compensation Period”). BSSN seeks an order authorizing and approving this compensation for fees and expenses incurred during the Compensation Period on an interim basis.

On August 1, 2016, BSSN filed the *First Interim Application for Compensation and Reimbursement of Expenses for Bernstein, Shur, Sawyer & Nelson, P.A., as Counsel to Robert J. Keach, Estate Representative, for the Period December 23, 2015 Through and Including June 30, 2016* [D.E. 2215], with respect to which the court awarded BSSN fees in the amount of \$287,871.50 and expenses in the amount of \$2,767.21.

On April 25, 2017, BSSN filed the *Second Interim Application for Compensation and Reimbursement of Expenses for Bernstein, Shur, Sawyer & Nelson, P.A., as Counsel to Robert J. Keach, Estate Representative, for the Period July 1, 2016 Through and Including March 31, 2017* [D.E. 2342], with respect to which the court awarded BSSN fees in the amount of \$415,125.50 and expenses in the amount of \$4,900.43.

On November 1, 2017, BSSN filed the *Third Interim Application for Compensation and Reimbursement of Expenses for Bernstein, Shur, Sawyer & Nelson, P.A., as Counsel to Robert J. Keach, Estate Representative, for the Period December 23, 2015 Through and Including September 30, 2017* [D.E. 2401], with respect to which the court awarded BSSN fees in the amount of \$509,320.00 and expenses in the amount of \$1,934.00.

On April 24, 2018, BSSN filed the *Fourth Interim Application for Compensation and Reimbursement of Expenses for Bernstein, Shur, Sawyer & Nelson, P.A., as Counsel to Robert J. Keach, Estate Representative, for the Period October 1, 2017 Through and Including March 30, 2018* [D.E. 2449],<sup>1</sup> with respect to which the court awarded BSSN fees in the amount of \$261,181.50 and expenses in the amount of \$1,777.85.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.**

If you do not want the court to approve the Fee Application, or if you want the court to consider your views on the Fee Application, then on or before **November 13, 2018**, you or your attorney must file with the court a written response explaining your position. If you are not able to access the CM/ECF Filing System, your response should be served upon the Court at:

Alec Leddy, Clerk  
United States Bankruptcy Court for the District of Maine  
202 Harlow Street  
Bangor, Maine 04401

-and-

Robert J. Keach, Esq.  
Bernstein, Shur, Sawyer & Nelson, P.A.  
100 Middle St., PO Box 9729  
Portland, Maine 04104-5029

If you have to mail your response to the Court for filing, you must mail it early enough so that the Court will receive it on or before the date stated above.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Fee Application and may enter an order granting that relief.

DATED: October 23, 2018

**BERNSTEIN, SHUR, SAWYER & NELSON, P.A.**

/s/ Robert J. Keach  
Robert J. Keach, Esq.  
Lindsay Zahradka Milne, Esq.  
100 Middle Street, P.O. Box 9729  
Portland, Maine 04104-5029  
Telephone: (207) 774-1200  
Facsimile: (207) 774-1127  
Email: rkeach@bernsteinshur.com  
lmilne@bernsteinshur.com

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<sup>1</sup> The title and cover page inadvertently indicated that the application covered the period October 1, 2017 through March 30, 2018, but no March 2018 time was included in this fee application.