

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MAINE

Hearing Date: September 13, 2013
Hearing Time: 10:00 AM EDT
Location: Bangor
Objection Date: September 11, 2013, 5:00PM

| | |
|---|---|
| <hr/> | |
| In re |) |
| |) |
| |) |
| MONTREAL MAINE & ATLANTIC RAILWAY, LTD. |) |
| |) |
| |) |
| Debtor |) |
| <hr/> | |

CHAPTER 11
CASE NO. 13-10670-LHK

**MOTION FOR EXPEDITED HEARING OF
WRONGFUL DEATH CLAIMANTS' MOTION
FOR FORMATION OF CREDITORS' COMMITTEE**

Pursuant to D. Me. LBR 9013-1(i), the representatives of the probate estates¹ of 18 victims² of the massive explosion in Lac-Mégantic, Quebec, from the derailment of a train operated by the Debtor (the “Wrongful Death Claimants”) respectfully request an expedited hearing on **September 13, 2013 at 10:00 AM** with objections to be filed by 5:00PM prevailing Eastern time on September 11, 2013, on their motion seeking appointment of a creditors’ committee of wrongful death and personal injury claimants [Docket No. 76] (the “First Committee Formation Motion”). As grounds therefor, the Wrongful Death Claimants state:

¹ The estate representatives are Marie Precieuse Salomon, Milliana Alliance, Lisette Fortin-Bolduc, Genevieve Dube, Mylaine Dube, Laurie Dube, Louise Boulet, Jean Boulet, Colette Boulet, Champagne Ghislain, Danielle Lachance, Germaine Faucher, Maude Faucher, Tristan Lecours, Sandy Bedard, William Guertin, Arianne Guertin, Clermont Pepin, Marie-Eve Lapierre, Dave Lapierre, Nancy Valler, Diane Belanger, France Picard, Christiane Mercier, Elie Rodrique, Maxime Roy, Carol-Anne Roy, Lise Doyon, Sherley Roy, Rejean Roy, Louise Breton, Mario Sévigny, Marc-Antoine Sévigny, Michel Sirois, Solange Belanger, Richard Turcotte, Christine Pulin, Suzanne Bizier, Annick Roy and Sophie Veilleux.

² The victims are Marie Semie Alliance, Stephanie Bolduc, Yannick Bouchard, Marie France Boulet, Karine Champagne, Marie-Noelle Faucher, Michael Guertin, Jr., Stephanie Lapierre, Joannie Lapointe, Marianne Poulin, Martin Rodrique, Jean Pierre Roy, Kevin Roy, Melissa Roy, Andree-Anne Sevigny, Jimmy Sirios, Elodie Turcotte and Joanie Turmel.

1. On August 22, 2013, the Wrongful Death Claimants filed the First Creditors' Committee Motion. The Wrongful Death Claimants reviewed with the United States Trustee ("UST") their wish for a creditors' committee to represent wrongful death and personal injury claimants. At the UST's request, the Wrongful Death Claimants did not seek expedited determination of their motion, in order to allow sufficient time for the UST to consider his position.

2. On August 30, 2013, the Informal Committee of Quebec Claimants (the "Informal Committee") filed a separate motion (the "Second Committee Formation Motion") for appointment of a creditors' committee to represent the types of creditors on the Informal Committee, including (a) the government of the Province of Quebec, Canada, (b) the municipality of the City of Lac-Mégantic and (c) the representatives of a class action lawsuit filed by certain victims of the Lac-Mégantic explosion. The Informal Committee concurrently filed a motion for expedited determination of the Second Committee Formation Motion. The motion for expedited determination and (if it is granted) the Second Committee Formation Motion are scheduled to be heard on September 13, 2013 at 10:00AM.

3. The Wrongful Death Claimants seek expedited determination of the First Committee Formation Motion to allow that motion to be heard at the same time as the Second Committee Formation Motion. Considering both motions at the same hearing will provide an orderly process for this Court to determine the two different proposals for the constituencies to be represented by the proposed committee.³

4. The UST has informed the Wrongful Death Claimants that a hearing on September 13 will allow sufficient time for the UST to finalize its position concerning formation of a creditors'

³ Not only would the two proposals each be properly before the Court, but parties in interest will have received notice to respond by September 11 to the First Committee Formation Motion as well as the second.

committee, and has authorized the Wrongful Death Claimants to state that the UST does not oppose this motion for expedited determination. Similarly, the Informal Committee has authorized the Wrongful Death Claimants to state that the Informal Committee does not oppose this motion and agrees (as already stated in the Second Committee Formation Motion) that the two motions concerning formation of a creditors' committee should be heard at the same time. Finally, the Chapter 11 Trustee has stated that, while not consenting to an expedited hearing, he agrees that the two motions should be heard at the same time.

WHEREFORE, the movants pray that this Court grant expedited determination of the First Committee Formation Motion such that the hearing thereon will be held on September 13, 2013, with objections to be filed by 5:00 PM prevailing Eastern time on September 11, 2013.

Dated: September 4, 2013

Respectfully submitted,

Marie S. Alliance, *et al.*

By their attorneys,

/s/ George W. Kurr, Jr.
George W. Kurr, Jr.
Gross, Minsky & Mogul, P.A.
23 Water Street, Suite 400
P. O. Box 917
Bangor, ME 04402-0917
Phone: (207) 942-4644 ext. 206
Fax: (207) 942-3699
gwkurr@grossminsky.com

and

Daniel C. Cohn
Taruna Garg
MURTHA CULLINA LLP
99 High Street, 20th Floor
Boston, Massachusetts 02110
Phone: (617) 457-4000

Fax: (617) 482-3868
<http://www.grossminsky.com/>
Peter J. Flowers
MEYERS & FLOWERS, LLC
3 North Second Street, Suite 300
St. Charles, IL 60174
Phone: (630) 232-6333
Fax: (630) 845-8982

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MAINE

| | | |
|---------------------------|---|-----------------------|
| _____ |) | |
| In re |) | |
| |) | |
| MONTREAL MAINE & ATLANTIC |) | CHAPTER 11 |
| RAILWAY, LTD. |) | CASE NO. 13-10670-LHK |
| |) | |
| Debtor |) | |
| _____ |) | |

**ORDER GRANTING MOTION FOR EXPEDITED HEARING OF
WRONGFUL DEATH CLAIMANTS' MOTION
FOR FORMATION OF CREDITORS' COMMITTEE**

Upon consideration of the Wrongful Death Claimants' Motion for Expedited Hearing (the "Motion for Expedited Hearing") of Wrongful Death Claimants' Motion for Formation of Creditors' Committee(the "Creditors' Committee Motion"), and proper notice having been given, and sufficient cause appearing therefore, it is hereby ORDERED that:

1. The Motion for Expedited Hearing is GRANTED.
2. A hearing on the Creditors' Committee Motion shall be held on September 13, 2013 at 10:00AM.
3. Responses or objections to the Creditors' Committee Motion shall be due on or before September 11, 2013 at 5:00PM.

Dated at Bangor, Maine, this ____ day of _____, 2013.

Hon. Louis H. Kornreich
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MAINE

| | | |
|---------------------------|---|-----------------------|
| |) | |
| In re |) | |
| |) | |
| MONTREAL MAINE & ATLANTIC |) | CHAPTER 11 |
| RAILWAY, LTD. |) | CASE NO. 13-10670-LHK |
| |) | |
| Debtor |) | |
| |) | |

NOTICE OF EXPEDITED HEARING WITH RESPECT TO WRONGFUL DEATH CLAIMANTS' MOTION FOR FORMATION OF CREDITORS' COMMITTEE

The representatives of the probate estates¹ of 18 victims² of the massive explosion in Lac-Mégantic, Quebec, from the derailment of a train operated by the Debtor (the "Wrongful Death Claimants") have filed a *Motion for Expedited Hearing of Wrongful Death Claimants' Motion for Formation of Creditors' Committee* (the "Motion to Expedite") and a *Motion for Formation of Creditors' Committees* (the "Motion"), which Motion is attached hereto as Exhibit A.

If you do not want the Court to approve the Motion to Expedite or the Motion, then on or before **5:00PM on September 11, 2013**, you or your attorney must file with the Court a response or objection explaining your position. If you are not able to access the CM/ECF Filing System, then 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

If you do have to mail your response to the Court for filing, then you must mail it early enough so that the Court will receive it **on or before September 11, 2013**.

You may attend the hearing with respect to the Motion to Expedite scheduled to be held at the Bankruptcy Court, 202 Harlow Street, Bangor, Maine on **September 13, 2013 at 10:00 a.m.** If

¹ The estate representatives are Marie Precieuse Salomon, Milliana Alliance, Lisette Fortin-Bolduc, Genevieve Dube, Mylaine Dube, Laurie Dube, Louise Boulet, Jean Boulet, Colette Boulet, Champagne Ghislain, Danielle Lachance, Germaine Faucher, Maude Faucher, Tristan Lecours, Sandy Bedard, William Guertin, Arianne Guertin, Clermont Pepin, Marie-Eve Lapierre, Dave Lapierre, Nancy Valler, Diane Belanger, France Picard, Christiane Mercier, Elie Rodrique, Maxime Roy, Carol-Anne Roy, Lise Doyon, Sherley Roy, Rejean Roy, Louise Breton, Mario Sévigny, Marc-Antoine Sévigny, Michel Sirois, Solange Belanger, Richard Turcotte, Christine Pulin, Suzanne Bizier, Annick Roy and Sophie Veilleux.

² The victims are Marie Semie Alliance, Stephanie Bolduc, Yannick Bouchard, Marie France Boulet, Karine Champagne, Marie-Noelle Faucher, Michael Guertin, Jr., Stephanie Lapierre, Joannie Lapointe, Marianne Poulin, Martin Rodrique, Jean Pierre Roy, Kevin Roy, Melissa Roy, Andree-Anne Sevigny, Jimmy Sirios, Elodie Turcotte and Joanie Turmel.

the Motion to Expedite is granted at that time, the Court may immediately thereafter conduct hearings to consider, and may grant some or all of the relief sought by the Motion.

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

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion to Expedite or the Motion and may enter an order granting the requested relief without further notice or hearing.

Dated: September 4, 2013

Marie S. Alliance, *et al.*

By their attorneys,

/s/ George W. Kurr, Jr.
George W. Kurr, Jr.
Gross, Minsky & Mogul, P.A.
23 Water Street, Suite 400
P. O. Box 917
Bangor, ME 04402-0917
Phone: (207) 942-4644 ext. 206
Fax: (207) 942-3699
gwkurr@grossminsky.com

and

Daniel C. Cohn
Taruna Garg
MURTHA CULLINA LLP
99 High Street, 20th Floor
Boston, Massachusetts 02110
Phone: (617) 457-4000
Fax: (617) 482-3868
<http://www.grossminsky.com/>
Peter J. Flowers
MEYERS & FLOWERS, LLC
3 North Second Street, Suite 300
St. Charles, IL 60174
Phone: (630) 232-6333
Fax: (630) 845-8982

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MAINE

Hearing Date: October 3, 2013
Hearing Time: 10:00AM EDT
Location: Bangor
Objection Date: September 12, 2013

| | | |
|---------------------------|---|-----------------------|
| _____ |) | |
| In re |) | |
| |) | CHAPTER 11 |
| MONTREAL MAINE & ATLANTIC |) | CASE NO. 13-10670-LHK |
| RAILWAY, LTD. |) | |
| |) | |
| Debtor |) | |
| _____ |) | |

**WRONGFUL DEATH CLAIMANTS' MOTION
FOR FORMATION OF CREDITORS' COMMITTEE**

The representatives of the probate estates of Marie Semie Alliance, Stephanie Bolduc, Yannick Bouchard, Marie France Boulet, Karine Champagne, Marie-Noelle Faucher, Michael Guertin, Jr., Stephanie Lapierre, Joannie Lapointe, Marianne Poulin, Martin Rodrique, Jean Pierre Roy, Kevin Roy, Melissa Roy, Andree-Anne Sevigny, Jimmy Sirios, Elodie Turcotte and Joanie Turmel – each of them killed in the massive explosion in Lac Megantic, Quebec, on July 6, 2013, resulting from derailment of a train operated by the Debtor (the “Disaster”) – hereby move pursuant to Section 1102(a)(2) of the Bankruptcy Code for this Court to direct the Office of the United States Trustee (the “UST”) to appoint a committee of wrongful death and personal injury claimants. The 18 movants, who are represented in their wrongful death claims by Attorney Peter Flowers, are listed in Exhibit A to this motion. The movants have been informed that 15 other decedents’ representatives, whose counsel for their wrongful death claims is Attorney Jason Webster,¹ will file a joinder to this motion. The movants encourage any

¹ Mr. Webster’s clients who have brought suit in Illinois are using Mr. Flowers as local counsel in those actions.

additional decedents' representatives to join in this motion and/or seek membership on the committee of wrongful death and personal injury claimants if this motion is granted.

The movants have conferred about the relief sought by this motion with Stephen Morrell, Esq. of the UST, who promised to start the process of obtaining the UST's position, but could not state a position at this time. The movants have also conferred with Robert Keach, Esq., the newly appointed trustee of the Debtor, who explained that he was not yet prepared to take a position on the relief sought by this motion.

In support of this motion, the movants state:

1. Section 1102(a)(2) of the Bankruptcy Code provides for appointment of official committees in Chapter 11 cases "if necessary to assure adequate representation of creditors" 11 U.S.C. § 1102(a)(2). While Section 1102(a)(1), requiring automatic appointment of an unsecured creditors' committee, does not apply in a railroad reorganization,² Congress has left undisturbed the discretion of this Court to appoint committees where necessary to assure adequate representation of a creditor constituency. 7 Collier on Bankruptcy ¶ 1102.07 (Alan N. Resnick & Henry J. Sommer eds., 16th ed. 2012). The need for an official committee to represent wrongful death and personal injury claimants in this case is clear for the following reasons:

2. ***Wrongful death and personal injury claimants will be by far the largest creditor constituency in this case.*** The Debtor has acknowledged \$33.5 million of secured debt together with unsecured trade payables of \$3.5 million. Given the horrific circumstances of the Disaster and the Debtor's role in it, wrongful death verdicts in the hundreds of millions of dollars can be expected.

² 11 U.S.C. § 1161.

3. *Elemental fairness requires appointment of a committee to represent wrongful death and personal injury claimants.* “[T]ort victims are involuntary creditors who did not elect to work for, do business with, or purchase the securities of a railroad.” *Id.* at ¶ 1171.01 The decedents were unsophisticated individuals who happened to be in a small-town café when it, and they, were incinerated by the Debtor’s runaway train. Their estate representatives are, for the most part, family members or friends of the decedents, living in Canada far from the location of this Court, and themselves not familiar with American bankruptcy law. Appointment of the requested committee fulfils the very purpose of Section 1102, which is to provide an effective voice to creditors for whom individual participation in the Chapter 11 case is impractical.

4. *Formation of an official committee to represent wrongful death and personal injury claimants will benefit the bankruptcy estate by solving otherwise difficult issues of due process.* Like all creditors, bodily injury claimants have the right to receive reasonable notice and an opportunity to be heard on matters in this case that affect their interests. Absent formation of a committee, satisfying requirements of due process in respect of wrongful death and personal injury claimants could prove to be a nightmare for the bankruptcy estate. Providing all bodily injury claimants with every notice and motion in this case may not practical, and it is far from clear that bombarding a group of foreigners, who may or may not understand English, with American legal documents on nearly a daily basis would constitute due process or harassment. The usual practice in Chapter 11 cases where no committee has been formed of providing notice solely to the largest among similarly-situated creditors does not work for bodily injury claimants because their claims are unliquidated. For some of these challenges, work-arounds could conceivably be developed. However, the most humane, reasonable and effective

way to provide due process for wrongful death and personal injury claimants would be to form an official committee to actively participate in this Chapter 11 case on their behalf.

5. *Formation of a committee of bodily injury claimants will greatly enhance the likelihood of a successful Chapter 11 case.* Confirmation of a Chapter 11 plan will require support from wrongful death and personal injury claimants. Section 1171(a) of the Bankruptcy Code provides that wrongful death and personal injury claims, including those arising prepetition, are entitled to payment as administrative claims. Under the similar provision of prior law, these claims would in the course of the receivership or reorganization be liquidated and paid in monthly installments, with interest, prior to confirmation of a plan. *See In re Central Railroad Company of New Jersey*, 479 F.2d 424 (3d Cir. 1973).³ If, as seems inevitable because of the amount they are owed, bodily injury claimants remain unpaid at the time a plan is considered for confirmation, the plan may not be confirmed without paying them the full amount they are owed, in cash, on the effective date of the plan *except to the extent that they otherwise agree*. 11 U.S.C. § 1129(a)(9)(A). There are many reasons why wrongful death and personal injury claimants might otherwise agree. However, agreements require negotiations, and negotiations require adequate representation of the parties, which, in the case of wrongful death and personal injury claimants, only an official committee can assure. In sum, formation of an official committee will benefit the bankruptcy estate by providing a negotiating partner in connection with the Chapter 11 plan and other aspects of this case – thus enhancing the likelihood of a successful outcome.

6. *Appointment of an official committee of wrongful death and personal injury claimants is in the best interest of all constituencies.* By promoting active and effective participation by bodily injury claimants in the Chapter 11 case, an official committee will serve

³ Central Railroad involved personal injury claims of the railroad's employees. In enacting the Bankruptcy Code in 1978, Congress expanded the priority of wrongful death and personal injury claims to include non-employees. 8 Collier on Bankruptcy ¶ 1171.01.

the interests not only of its own constituency but of others as well. The prospect of being sued in the tort system, probably in many different lawsuits in multiple jurisdictions, cannot be comforting to the Debtor's affiliates and other parties that might share the Debtor's liability for claims arising from the Disaster. These constituencies will benefit by utilizing the orderly and efficient process, and the certainty of closure, that a consensual Chapter 11 plan can provide in the mass tort context, as a far superior alternative to the risk of being subject to uncertainty, duplication of effort, inconsistent results, indefinite duration and ever-burgeoning expense in the tort system. In sum, parties that potentially share liability for the Disaster should welcome the opportunity to deal with bodily injury claimants inside the Chapter 11 tent, rather than outside.

7. *There is strong support among wrongful death and personal injury claimants for appointment of an official committee to represent them.* The Disaster is publicly reported to have killed 47 people. Of these, 33 of their estates are movants or will be joining in this motion. Thus, this Court and the other constituencies in this Chapter 11 case can expect that the committee will be a representative and effective voice for wrongful death and personal injury claimants.⁴

8. *To be effective, the committee must solely represent solely wrongful death and personal injury claimants* The movants seek a committee that will solely represent wrongful death and personal injury claimants, as distinct from a committee that would have a fiduciary duty to general unsecured creditors and/or other claimants. It has become standard practice in mass tort cases to appoint a committee representing only bodily injury claimants, even when property damage and/or non-tort unsecured creditors have committee representation as well

⁴ This assumes that the UST will appoint a committee that is truly representative of wrongful death claimants. In the unlikely event of an issue in this regard, this Court has the authority under Section 1102(a)(4) of the Bankruptcy Code, in a railroad reorganization to the same extent as in other Chapter 11 cases, to change the membership of a committee. Cf. 11 U.S.C. § 1161 (listing the provisions of Chapter 11, not including 1102(a)(4), that do not apply in railroad cases).

(through separate committees).⁵ This practice reflects the distinct interests of bodily injury claimants in mass tort cases. In this case, it is particularly clear that wrongful death and personal injury claimants and general unsecured creditors have severely conflicting interests. First, as described above, wrongful death and personal injury claimants have the statutory priority of administrative expenses, not general unsecured claims. Second, wrongful death and personal injury claimants are almost certainly covered by insurance that is unavailable to trade claimants. Third, wrongful death and personal injury claimants have claims against wrongdoers other than the Debtor, which may be affected by orders entered or a plan confirmed in this Chapter 11 case. Fourth, wrongful death and personal injury claimants have the right for their claims to be determined by jury trial, pursuant to 28 U.S.C. § 1411(a), which provides in pertinent part that "title 11 do[es] not affect any right to trial by jury that an individual has under applicable nonbankruptcy law with regard to a personal injury or wrongful death tort claim."⁶ No doubt there are other differences as well between the position of bodily injury claimants and general unsecured creditors in the context of this case. Forming a single committee to represent both groups would assure the committee's inability to represent either group.

⁵ See, e.g., In re Dow Corning Corp., 280 F.3d 648, 654 (6th Cir. 2002) (referring to official committee of tort claimants of silicon breast implants); In re Federal-Mogul Global, Inc., 300 F.3d 368, 377 (3d Cir. Del. 2002) (referring to official committee of asbestos claimants); In re A.H. Robins Co., 828 F.2d 239 (4th Cir. 1987) (referring to committee of Dalkon Shield personal injury claimants); In re W.R. Grace & Co., 476 B.R. 114 (D. Del. 2012) (referring to official committee of asbestos personal injury claimants and a separate official committee of asbestos property damage claimants); In re G-I Holding, Inc., 306 B.R. 746 (S.D.N.Y. 2004) (referring to official committee of asbestos claimants).

⁶ The rights of bodily injury claimants are materially different not only from the rights of non-tort creditors but also from those of property damage claimants. For example, property damage claimants do not have the right for a jury to adjudicate their claims in this case (as with all creditors outside the scope of 28 U.S.C. § 1411(a), property damage claimants waive their jury trial right by filing a proof of claim) nor do property damage claims enjoy administrative expense priority. Moreover, it is a common occurrence in mass tort cases for the insurance rights of property damage claims to differ materially from those of bodily injury claimants; however, the movants are not sufficiently familiar with the Debtor's insurance coverage to address this issue in the context of this particular case.

WHEREFORE, the movants pray that this Court direct the Office of the United States Trustee to appoint an official committee of wrongful death and personal injury claimants in this case.

Marie Semie Alliance, *et al.*

By their attorneys,

/s/ George W. Kurr, Jr.

George W. Kurr, Jr.
GROSS, MINSKY & MOGUL, P.A.
23 Water Street, Suite 400
P. O. Box 917
Bangor, ME 04402-0917
Phone: (207) 942-4644 ext. 206
Fax: (207) 942-3699
gwkurr@grossminsky.com

and

Daniel C. Cohn, *pro hac vice admission pending*
Taruna Garg, *pro hac vice admission pending*
MURTHA CULLINA LLP
99 High Street, 20th Floor
Boston, Massachusetts 02110
Phone: (617) 457-4000
Fax: (617) 482-3868

Peter J. Flowers, *pro hac vice admission pending*
MEYERS & FLOWERS, LLC
3 North Second Street, Suite 300
St. Charles, IL 60174
Phone: (630) 232-6333
Fax: (630) 845-8982



| VICTIM (Decedent) | REPRESENTATIVE OF DECEDENT |
|---|---|
| Alliance, Marie Semie | Marie Precieuse Salomon (mother of Marie Semie Alliance) and Milliana Alliance (Daughter) |
| Bolduc, Stephane | Lisette Fortin-Bolduc, Mother of Stephane |
| Bouchard, Yannick | Genevieve Dube, acting as representative of Mylaine Dube(17) and Laurie Dube(15), minor children of ' Bouchard |
| Boulet, Marie-France | Louise Boulet, Sister to Marie France Boulet |
| Boulet, Yves | Jean Boulet(father) & Colette Boulet(mother)-- Parents to Yves Boulet |
| Champagne, Karine | Ghislain, Champagne (father); Lachance, Danielle (mother) -- Parents to Karine Champagne |
| Faucher, Marie-Noelle | Germaine Faucher (mother) & Maude Faucher (representing Tristan Lecours, a minor child) -- Mother a to Marie-Noelle Faucher |
| Guertin Jr., Michel or Guertin, Junior Michel | Sandy Bedard (mother of William and Arianne and common law spouse of Michel) as guardian of Willia (son, 9) & Arianne Guertin (daughter, 7) |
| Lajeunesse, Eric Pepin | Clermont Pepin, Father of Eric |
| Lapierre, Stephane | Marie-Eve Lapierre (daughter), Dave Lapierre (son), and Nancy Vallerand (ex-wife of plaintiff, guardian son) |
| Lapointe, Joannie | Diane Belanger, Mother to Joannie Lapointe |
| Picard, Louise Poirer | France Picard, Daughter to Louise Picard |
| Poulin, Marianne | Christiane Mercier (mother of decedent); Mario Poulin, (father of decedent) |
| Rodrique, Martin | Elie Rodrique, Father to Martin Rodrique |
| Roy, Jean-Pierre | Maxime Roy (adult son) and Carol-Anne Roy (adult daughter)W |
| Roy, Kevin | Mother (Lise Doyon) and Minor Child (Sherley Roy) of Kevin Roy |
| Roy, Melissa | Rejean Roy (Parent) |
| Sévigny, Andrée-Anne | Louise Breton & Mario Sévigny & Marc-Antoine Sévigny, Parents and brother |
| Sirois, Jimmy | Michel Sirois and Solange Belanger , Parents to Jimmy Sirois |
| Turcotte, Elodie | Richard Turcotte and Christine Pulin; Parents of Elodie Turcotte |
| Turmel, Joanie | Suzanne Bizier, Mother of Joanie Turmel |
| Veilleux, Jean-Guy | Daughter (minor) represented by her mother, Annick Roy (not married to Jean-Guy) |
| Veilleux, Richard | Sophie Veilleux, Daughter of Richard Veilleux |

UNITED STATES BANKRUPTCY COURT
 FOR THE DISTRICT OF MAINE

| | | | |
|---------------------------|--------|---|-----------------------|
| <hr/> | |) | |
| In re | |) | |
| | |) | |
| MONTREAL MAINE & ATLANTIC | |) | CHAPTER 11 |
| RAILWAY, LTD. | |) | CASE NO. 13-10670-LHK |
| | |) | |
| | Debtor |) | |
| <hr/> | |) | |

**ORDER GRANTING WRONGFUL DEATH CLAIMANTS’
 MOTION FOR FORMATION OF CREDITORS’ COMMITTEE**

Upon consideration of the Wrongful Death Claimants’ Motion for Formation of Creditors’ Committee (the “Motion”), and proper notice having been given, and sufficient cause appearing therefor, it is hereby:

ORDERED that the Motion is GRANTED, and the Office of the United States Trustee is hereby directed to promptly appoint an official creditors’ committee consisting of representatives of wrongful death and personal injury claimants.

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

Dated at Bangor, Maine, this ____ day of _____, 2013.

 Hon. Louis H. Kornreich
 United States Bankruptcy Judge