

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE**

In re:

MONTREAL, MAINE & ATLANTIC
RAILWAY, LTD.,

Debtor.

Case No. 13-10670
Chapter 11

FAMILY MEMBERS' RESPONSE TO OBJECTION TO PROPOSED ORDER

The Family Members¹ hereby file this response to the Contemnors' objection [Docket No. 2203] to the proposed form of order filed by the Family Members at the Court's direction [Docket No. 2201] (the "Proposed Order"). In sum, the Contemnors' objections are entirely inconsistent with the Court's verbal directions to counsel regarding submission of a proposed order.

1. Paragraphs 2 and 3 of the Proposed Order quote this Court's minute entry dated July 7, 2016 nearly verbatim.

2. The objection about the identity of Ms. Nadeau's Canadian attorneys has been waived since the Contemnors' failed to advance this argument in their written or oral submissions to the Court. The Motion specifically sought relief against Ms. Nadeau, Joel Rochon, and Daniel Larochelle, and thus the issue was squarely before the Court. Additionally, Mr. Rochon and Mr. Larochelle appeared in the Canadian Court on May 30, 2016 to argue in favor of the Nadeau Motion, and by email dated July 13, 2016 at 8:38 a.m., they agreed in writing to withdraw the Nadeau Motion immediately (which is impossible if they are not Ms. Nadeau's attorneys).

¹ All capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Motion and the Motion to Expedite.

3. The definition of the word “immediately” is well established in both French and English. There is no confusion or ambiguity, as evidenced by the fact that Mr. Rochon and Mr. Larochelle agreed in writing to “immediately” with the Nadeau Motion.

4. The phraseology regarding withdrawal of the Nadeau Motion is not overbroad, as evidenced by the subsequent agreement to immediately withdraw the Nadeau Motion.

5. The Proposed Order does not direct the WD Trustee to do anything specific other than set whatever deadlines and procedures he deems appropriate in his sole discretion. This Court is not ordering any deadlines or mediation – it is merely reiterating the WD Trustee’s existing authority under the Plan, the Confirmation Order, and related documents.

6. See previous paragraph.

7. The Motion and the Reply are quite clear that the Family Members are seeking a finding of contempt and sanctions. They are two separate forms of relief, to be addressed at a later date.

WHEREFORE, the Family Members request that the Court enter the Proposed Order.

Dated: July 13, 2016

Respectfully submitted,

/s/ Jeremy R. Fischer

Jeremy R. Fischer
DRUMMOND WOODSUM
84 Marginal Way, Suite 600
Portland, Maine 04101-2480
Telephone: (207) 772-1941
E-mail: jfischer@dwmlaw.com

*Counsel for Josee Lajeunesse, as Estate
Representative for Eric Pepin Lajeunesse, and
Clermont Pepin, Josee Lajeunesse, and Yannick
Pepin, Individually*