

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MAINE

In re:

MONTREAL MAINE & ATLANTIC  
RAILWAY, LTD.

Debtor.

Bk. No. 13-10670

Chapter 11

CHAPTER 11 TRUSTEE'S SIXTH REPORT  
ON CCAA PROCEEDINGS

Robert J. Keach, the chapter 11 trustee in the above-captioned case of Montreal Maine & Atlantic Railway, Ltd., files this report, pursuant to the *Cross-Border Insolvency Protocol* adopted by this Court, regarding certain filings in the *Companies' Creditors Arrangement Act* case (the "Canadian Case") of Montreal Maine & Atlantic Canada Co., which is currently pending in the Superior Court of Canada, District of Saint-François (the "Superior Court").

On February 21, 2014, in relation to the *Judgment* issued by the Superior Court on February 17, 2014 granting a request for a joint status conference, which *Judgment* is attached as Exhibit A to the *Chapter 11 Trustee's Fifth Report on CCAA Proceedings* [D.E. 675], the *Confidentiality and Non Disclosure Agreement* attached hereto as **Exhibit A** was circulated to the Canadian service list in the Canadian Case.

Dated: February 21, 2014

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

By his attorneys:

/s/ Michael A. Fagone

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CANADA

**SUPERIOR COURT**  
(Commercial Division)

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PROVINCE OF QUÉBEC  
DISTRICT OF ST-FRANÇOIS  
N°: 450-11-000167-134

(Sitting as a court designated pursuant to the  
*Companies' Creditors Arrangement Act*,  
R.S.C. C. C-36, as amended)

IN THE MATTER OF THE PLAN OF  
COMPROMISE OR ARRANGEMENT OF:

**MONTREAL, MAINE & ATLANTIC  
CANADA CO. (MONTREAL, MAINE &  
ATLANTIQUE CANADA CIE);**

PETITIONER

and

**RICHTER ADVISORY GROUP INC.  
(RICHTER GROUPE CONSEIL INC.);**

MONITOR

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UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MAINE

*In re:*

**MONTREAL MAINE & ATLANTIC  
RAILWAY, LTD.,**

Debtor.

Chapter 11

Case No. 13-10670 (LHK)

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**CONFIDENTIALITY AND NON DISCLOSURE AGREEMENT**

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**WHEREAS** on February 7, 2014, a Motion requesting a joint status conference (the "**Motion**") was filed by the Official Committee of Victims in the chapter 11 proceedings of Montreal, Maine & Atlantic Railway Ltd. (the "**US Proceedings**");

**WHEREAS** on February 7, 2014, the Monitor appointed under the proceedings filed by Montreal, Maine & Atlantic Canada Co. pursuant to the *Companies' Creditors Arrangement Act* (the "**Canadian Proceedings**") filed a Motion for directions supporting the request for a joint status conference;

**WHEREAS**, within the scope of the US Proceedings, Justice Louis Kornreich granted the Motion;

**WHEREAS**, within the scope of the Canadian Proceedings, Justice Gaétan Dumas also granted the request for a joint status conference and rendered a judgment on February 17, 2014 declaring that a “joint procedural scheduling conference” would take place on February 26, 2014 at 10:00 a.m. at the US Courthouse, Bangor, Maine, USA before both the Quebec Superior Court, Commercial Division, and the United Bankruptcy Court for the District of Maine (the “**Joint Conference**”);

**WHEREAS**, in both the Canadian Proceedings and US Proceedings, the Courts have ordered that the Joint Conference will take place *in camera* and that the presence of the media would not be permitted;

**WHEREAS**, in both the Canadian Proceedings and US Proceedings, the Courts have ordered that anyone participating in the Joint Conference must execute a confidentiality and non disclosure agreement;

**NOW, THEREFORE**, the undersigned parties have entered into the present Confidentiality and Non Disclosure Agreement in order to assure the strict confidentiality of all information obtained and/or exchanged within the scope of the Joint Conference;

#### Confidential Information

1. “**Confidential Information**” shall refer to all documents and information disclosed or received during or in connection with the Joint Conference that is not otherwise already in the public domain.

#### Non Disclosure of Confidential Information

2. The undersigned parties agree that all Confidential Information shall be kept in strict confidence and shall not be disclosed to any person except as specifically set out hereafter, nor shall it be used or permitted to be used outside of the Joint Conference.
3. Each signatory shall have the right to disclose Confidential Information to its legal and financial advisors, as well as members of its firm or corporate entity; however, such disclosure shall be limited to those individuals who have a need to know the Confidential Information, who are informed of the confidential nature of the Confidential Information and who agree in writing to be bound by the terms and of conditions of this Agreement.
4. The undersigned attorneys shall indicate the client (or clients) for which they act and shall have the right to disclose Confidential Information to said client; however, such disclosure shall be limited to those individuals who have a need to know the Confidential Information, who are informed of the confidential nature of the Confidential Information and who agree in writing to be bound by the terms and of conditions of this Agreement.

**IN WITNESS WHEREOF**, the parties have executed this Confidentiality and Non Disclosure Agreement as of the dates set out below.

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Per :  
Entity :  
Client(s) :  
Date : February \_\_\_\_\_, 2014

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Date : February \_\_\_\_\_, 2014

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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MAINE

In re:

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Bk. No. 13-10670

Chapter 11

**CERTIFICATE OF SERVICE**

I, Maire B. Corcoran Ragozzine, being over the age of eighteen and an attorney at Bernstein, Shur, Sawyer & Nelson, P.A. in Portland, Maine, hereby certify that, on February 21, 2014, I filed the *Chapter 11 Trustee's Sixth Report on CCAA Proceedings*, along with *Exhibit A* via the Court's CM/ECF electronic filing system. Parties who were served via CM/ECF are listed on the attached Service List.

Dated: February 21, 2014

/s/ Maire B. Corcoran Ragozzine  
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