

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE

In re:

MONTREAL MAINE & ATLANTIC
RAILWAY, LTD.

Debtor.

Bk. No. 13-10670

Chapter 11

**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**

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:	December 23, 2015 [†] through and including September 30, 2017
Total Amount of Compensation sought as actual, reasonable and necessary:	\$509,320.00
Total Amount of Expenses sought as actual, reasonable and necessary:	\$1,934.00
Total Fees and Expenses Requested During Compensation Period:	\$511,254.00

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).

[†] The beginning of the period covered by this Fee Application overlaps with the period covered by the First and Second Interim Fee Applications (each as defined below) because neither the First nor the Second Interim Fee Application included fees attributable to services provided by Mr. Keach acting in his capacity as counsel to himself as Estate Representative.

COMPENSATION BY PROFESSIONAL DURING COMPENSATION PERIOD

	Dept. and Year Admitted[‡]	Hourly Billing Rate	Total Hrs. Billed	Value
Shareholders				
Sam Anderson	BRI - 2000	\$ 425.00	2.1	\$ 892.50
Robert J. Keach	BRI-1980	\$ 535.00	242.2	\$ 129,577.00
		\$ 550.00 [§]	245.3	\$ 134,915.00
Paul McDonald	LPG – 1987	\$ 415.00	39.0	\$ 16,185.00
Associates				
Roma Desai	BRI – 2009	\$ 250.00	125.0	\$ 31,250.00
Daniel Keenan	BRI – 2016	\$ 210.00	75.0	\$ 15,750.00
Adam R. Prescott	BRI - 2017	\$ 250.00	93.8	\$ 23,450.00
Beth Smith	REG – 2014	\$ 220.00	2.4	\$ 528.00
John A. Woodcock III	LPG – 2006	\$ 240.00	189.8	\$ 45,552.00
Lindsay Zahradka Milne	BRI – 2011	\$ 250.00	127.1	\$ 31,775.00
Paralegals				
Karla Quirk	BRI	\$ 180.00	103.4	\$ 18,612.00
Angela Stewart	BRI	\$ 215.00	256.7	\$ 55,190.50
Michelle A. Thomas	LPG	\$ 190.00	29.7	\$ 5,643.00
Total			1,531.5	\$ 509,320.00

Blended hourly rate (excluding paraprofessional time): \$376.52

Blended hourly rate for paraprofessionals only: \$203.81

COMPENSATION BY PROJECT CATEGORY DURING COMPENSATION PERIOD

PROJECT CODE	PROJECT DESCRIPTION	HOURS	AMOUNT
01	Asset Analysis and Recovery	3.7	\$925.00
02	Asset Disposition	3.2	\$693.00
04	Case Administration	48.3	\$9,145.50
05	Claims Administration and Objections	116.3	\$57,396.50
07	Fee Employment/Applications	31.0	\$6,226.00
10	Litigation	915.3	\$318,897.50
10A	Litigation: CP Discovery	413.7	\$116,036.50
TOTAL			\$509,320.00

[‡] BRI – Business Restructuring and Insolvency; LPG – Litigation and Dispute Resolution; REG – Real Estate Practice Group. A brief biography of each professional who has rendered services in connection with the fees and expenses herein is set forth on Exhibit B.

[§] On January 31, 2017, BSSN increased the billing rate for Mr. Keach as part of attorney rate adjustments that BSSN implements in the ordinary course of its business.

EXPENSE SUMMARY FOR COMPENSATION PERIOD

EXPENSE CATEGORY	AMOUNT
Federal Express	\$18.82
Court Transcripts	\$1,911.18
Travel	\$4.00
Total Charges & Disbursements	\$1,934.00

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**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**

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”),¹ submits this third application (the “Fee Application”) seeking compensation for professional services and reimbursement of expenses on an interim basis for the period from December 23, 2015 through and including September 30, 2017 (the “Compensation Period”).² 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

¹ 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).

² The beginning of the period covered by this Fee Application overlaps with the period covered by the First and Second Interim Fee Applications (each as defined below) because neither the First nor the Second Interim Fee Application included fees attributable to services provided by Mr. Keach acting in his capacity as counsel to himself as Estate Representative.

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”).

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.³

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.⁴

COMPENSATION AND REIMBURSEMENT REQUEST

12. BSSN seeks allowance of compensation for professional services in the amount of \$509,320.00 and reimbursement of expenses incurred in rendering such services in the amount of \$1,934.00. 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

³ 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).

⁴ 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.

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.⁵

13. 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.

14. 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.

15. 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.

16. This Fee Application is BSSN’s third application to this Court in this Case as counsel to the Estate Representative for compensation for professional services and

⁵ BSSN implements twenty-three (23) task codes for specific categories of work to permit a more detailed analysis of the fees incurred; seven (7) of those task codes were implemented for the work detailed in the Fee Application. 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.

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.

SUMMARY OF SERVICES

17. 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 Debtor's 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.

18. 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.

19. 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 Debtor's 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.⁶

A. Case Administration – Task Code 4

This project category includes services related to time spent assisting in the efficient administration of the Debtor's Post-Effective Date Estate. During the Compensation Period, services rendered by BSSN under this project category included:

- (a) Internal discussions and conferences with the Estate Representative regarding case strategy;
- (b) Miscellaneous filings and organization of documents, including ECF filings, affidavits of service, and communication with the Bankruptcy Court;
- (c) Review of significant pleadings filed in the chapter 11 case and related adversary proceedings, as well as analysis in connection therewith; and
- (d) Docketing deadlines in the chapter 11 case.

BSSN spent 48.30 hours on this project category resulting in \$9,145.50 in associated fees.

B. Claims Administration and Objections – Task Code 5

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 protracted litigation pertaining to a claims objection propounded by the Estate Representative, including preparation for and the taking of various depositions; appellate briefing related to issues arising from such claim objection; and substantial motion practice related to same. BSSN spent 116.30 hours on this project category resulting in \$57,396.50 in associated fees.

⁶ 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.

C. Fee/Employment Applications – Task Code 7

This project category includes services related to the preparation and prosecution of fee applications for the Trustee and his professionals. During the Compensation Period, BSSN prepared and prosecuted BSSN's Second Interim Fee Application and began preparation of this Fee Application. BSSN spent 31.00 hours on this project category resulting in \$6,226.00 in associated fees.

D. Litigation – Task Code 10

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.⁷ During the Compensation Period, services rendered by BSSN under this project category include:

- i. Wheeling & Lake Erie Railway Co. v. Robert Keach (Adv. No. 13-01033)*
 - (a) Defend against and oversee extensive discovery by Wheeling & Lake Erie Railway Co. ("Wheeling");
 - (b) Draft reply in response to Wheeling's objection to Trustee's motion for summary judgment;
 - (c) Preparation for and attendance at hearing on Trustee's motion to dismiss;
 - (d) Respond to Wheeling's motion strike expert designation (including through additional disclosures) and court appearances related to same.
 - (e) Preparation and prosecution of *Motion for Reconsideration of Order Denying Estate Representative's Motion for Summary Judgment*;
 - (f) Appeal of *Order Denying Estate Representative's Motion for Summary Judgment*, including research for and drafting of opening and reply appellate brief for United States District Court for District of Maine; and
 - (g) Docketing of various deadlines related to the above.

⁷ 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.

- ii. ***Robert Keach v. Canadian Pacific Railway Corp. et al (Adv. No. 14-01001)***
(the “CP Adversary Proceeding”)
 - (a) Preparation and prosecution of motion for leave to file Third Amended Complaint;
 - (b) Preparation and prosecution of Estate Representative’s Objection to CP’s Motion to Dismiss;
 - (c) Preparation of and research related to various briefing opposing CP’s motion for leave to amend the Bankruptcy Court’s decision denying in part its motion to dismiss, as well as preparation for and attendance at the oral argument on same; and
 - (d) Docketing of various deadlines related to the above.

- iii. ***Robert Keach v. Caisse De Depot et Placement Du Québec, et al. (Adv. No. 15-01014)***
 - (a) Review of transactional documents giving rise to this adversary proceeding;
 - (b) Drafting and reviewing pleadings as part of prosecuting this adversary proceeding, including drafting objection to Defendant-Eureka’s Motion for Judgment on the Pleadings;
 - (c) Participation in Rule 26(f) Conference with all parties;
 - (d) Preparation of initial disclosures, drafting interrogatories and requests for documents for all defendants, document review, and responding to such requests from opposing counsel in this adversary proceeding;
 - (e) Analysis regarding and research in connection with mediation of adversary proceeding;
 - (f) Preparation and negotiation of settlement agreements resolving adversary proceeding; and
 - (g) Docketing of various deadlines related to the above.

BSSN spent 915.30 hours on this project category resulting in \$318,897.50 in associated fees.

E. Canadian Pacific Litigation Discovery– Task Code 10A

20. This project category relates to time spent on extensive document review, preparation of an electronic discovery protocol, negotiation of search terms for CP’s document

production to the Estate Representative, preparation and prosecution of a motion to compel CP's compliance with the Bankruptcy Rules, and other discovery-related issues all in connection with the CP Adversary Proceeding. BSSN spent 413.70 hours on this project category resulting in \$116,036.50 in associated fees.

ACTUAL AND NECESSARY DISBURSEMENTS

21. As set forth on **Exhibit A** attached hereto, BSSN has disbursed \$1,934.00 as expenses incurred in providing professional services during the Compensation Period. The expenses incurred arise from, *inter alia*, Federal Express charges, Court Call charges, certified mailing fees, filing, certification and services fees, transcript request fees, and travel expenses. 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

22. 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).

23. 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 Debtor.

24. 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.

25. 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, \$511,254.00 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 \$509,320.00 and (ii) reimbursement of expenses in the amount of \$1,934.00; and (b) granting such other and further relief as the Court deems just and proper.

DATED: October 31, 2017

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

By:

/s/ Robert J. Keach, Esq. _____

Robert J. Keach, Esq.

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Montreal Maine & Atlantic Railway

October 26, 2017
Invoice #: *****
Matter #: 047375-00001
Federal Tax ID: 01-0378211

RE: Chapter 11

For professional services rendered through September 30, 2017 in connection with the above mentioned matter:

FEES

SUMMARY

<u>Name</u>	<u>Rate</u>	<u>Hours</u>		<u>Amount</u>
ROBERT J. KEACH	535.00	242.20	\$	129,577.00
ROBERT J. KEACH	550.00	245.30		134,915.00
SAM ANDERSON	425.00	2.10	\$	892.50
PAUL MCDONALD	415.00	39.00	\$	16,185.00
DANIEL KEENAN	210.00	75.00	\$	15,750.00
JOHN A. WOODCOCK III	240.00	189.80	\$	45,552.00
LINDSAY ZAHRADKA MILNE	250.00	127.10	\$	31,775.00
ROMA DESAI	250.00	125.00	\$	31,250.00
BETH SMITH	220.00	2.40	\$	528.00
ADAM R. PRESCOTT	250.00	93.80	\$	23,450.00
ANGELA STEWART	215.00	256.70	\$	55,190.50
KARLA QUIRK	180.00	103.40	\$	18,612.00
MICHELLE A. THOMAS	190.00	29.70	\$	5,643.00
	Summary Total		\$	<u>509,320.00</u>

DETAIL

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>		<u>Amount</u>
01 - Asset Analysis and Recovery					
09/20/17	RND	Meeting with R. Keach re: D&O settlement	0.30	\$	75.00
09/20/17	RND	Review D&O Settlement Agreement re: defense fees for criminal prosecution	0.90		225.00
09/21/17	RND	Continue reviewing D&O settlement agreement, Great American Plan Support Agreement and Plan/DS re: criminal defense fund and settlement related thereto	1.10		275.00
09/25/17	RND	Review D&O Settlement information and CCAA proceedings re: same in connection with defense fund settlement	1.40		350.00
		01 Total	3.70	\$	<u>925.00</u>
02 - Asset Disposition					
04/05/17	KQ	Research re: Trustee's notice of abandonment of valueless and burdensome documents	0.50	\$	90.00
05/09/17	BAS	Revisions to insurance certificate	0.30		66.00
05/09/17	LKZ	Emails w/B.Smith re: closing of Derby sale.	0.20		50.00
05/11/17	LKZ	Emails w/B.Smith re: progress on Milo closing.	0.10		25.00



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>
05/17/17	BAS	E-mail correspondence with tenant regarding status of updated insurance certificate	0.10	22.00
05/17/17	BAS	Review lease to determine post-transfer insurance obligations of landlord and tenant	0.20	44.00
06/02/17	BAS	Facilitate closing of Derby Street property	0.80	176.00
06/02/17	BAS	Attention to disbursements in connection with closing of Derby Street property	0.40	88.00
06/21/17	BAS	Coordinate recording of deed, release and first amended memorandum of lease	0.30	66.00
06/21/17	BAS	E-mail communications with Town's attorney to coordinate closing and recording of Derby parcel	0.30	66.00
		02 Total	3.20	\$ 693.00
04 - Case Administration				
04/03/17	ALS	Review Court docket and hearing calendar with respect to hearings scheduled for April 4th	0.20	\$ 43.00
04/03/17	KQ	Update pleadings file	0.40	72.00
04/07/17	LKZ	Emails w/B.Keach re: insurance policies.	0.10	25.00
04/13/17	ALS	Update press file with news alerts	0.10	21.50
04/14/17	ALS	Emails to/from J. Tewhey re request for fees relating to 506c claim (.2); review data from J. Tewhey (.1); update summary re fees supporting 506c claim (.3); emails to L. Zahradka and F. Caruso attaching revised summary re 506c claim (.2)	0.80	172.00
04/19/17	ALS	Email to L. Zahradka re message from E. LoVoi at Collins Barrow Toronto re engagement letter	0.10	21.50
04/19/17	ALS	Office conference with D. Keenan re 9019 Order with Committee (.1); email to D. Keenan re same (.1)	0.20	43.00
04/20/17	KQ	E-mails with K. Beyers at DSI regarding MMA's Iolta account	0.10	18.00
04/21/17	ALS	Email to L. Zahradka re draft engagement letter from E. LoVoi at Collins Barrow Toronto	0.10	21.50
04/21/17	ALS	Translation of A. Lessard's letter and proposed order transmitted to Judge Dumas with respect to Northbridge General Insurance Company (.3); email to R. Keach attaching same (.1)	0.40	86.00
04/24/17	DSA	Reviewed e-mails and filings relating to CP litigation (.1)	0.10	42.50
04/25/17	ALS	Update press file with news alert	0.10	21.50
04/25/17	KQ	Obtain recent pleadings from the docket (.3) and forward same to S. Bourguine at Richter (.1)	0.40	72.00
04/30/17	LKZ	Review upcoming deadlines.	0.20	50.00
05/01/17	KQ	Review case related litigation dockets and continue to update/maintain pleadings files	5.20	936.00
05/02/17	LKZ	Review case deadlines.	0.00	0.00
05/02/17	KQ	E-mail (.1) and call (.1) with T. McKeon regarding his withdraw from Keach v. Wheeling	0.20	36.00



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>
05/02/17	KQ	Prepare and submit request for MMA confirmation hearing transcript	0.50	90.00
05/03/17	KQ	Prepare pleadings for transmission to the Monitor	2.20	396.00
05/04/17	ALS	Prepare translation of Request for Obtaining the Suspension of Proceedings pleading for R. Keach's review	0.40	86.00
05/12/17	LKZ	Review docket entries for upcoming deadlines.	0.10	25.00
05/18/17	KQ	Update/maintain pleadings files	2.10	378.00
05/19/17	KQ	Update/maintain pleadings files with court filings	2.50	450.00
05/22/17	KQ	E-mail from and to K. Beyers at DSI regarding MMA escrow account	0.10	18.00
05/22/17	KQ	E-mail from and to L. Zahradka regarding Iolta account for MMA	0.10	18.00
05/23/17	KQ	Update pleadings file with recent court filings	0.40	72.00
05/25/17	KQ	Update/maintain pleadings files	0.80	144.00
05/26/17	ALS	Review Court's docket and hearing calendar re upcoming hearings and case deadlines	0.30	64.50
05/26/17	KQ	Update/maintain pleadings file	0.70	126.00
05/29/17	LKZ	Review recent docket entries.	0.10	25.00
05/30/17	LKZ	Emails w/Monitor regarding report to CCAA court.	0.10	25.00
05/30/17	KQ	Prepare for transmittal and send to the Monitor's office the most recent pleadings from the MMA main case docket	1.30	234.00
05/31/17	LKZ	Review deficiency order on motion to extend deadlines and revise same.	0.20	50.00
05/31/17	ALS	Update press file with news alert	0.10	21.50
06/05/17	KQ	E-mail to L. Zahradka regarding transcript from MMA confirmation hearing	0.10	18.00
06/05/17	KQ	Continue updating pleadings files with court filings in the main bankruptcy case	2.80	504.00
06/05/17	ALS	Update press file with news alert	0.10	21.50
06/06/17	KQ	Update/maintain pleadings file	2.10	378.00
06/07/17	KQ	E-mail from and to K. Beyers at DSI regarding MMA escrow account	0.10	18.00
06/08/17	KQ	E-mail from and to K. Byers re: MMA escrow account	0.20	36.00
06/12/17	KQ	Update and maintain pleadings files	1.20	216.00
06/20/17	ALS	Review Court docket and hearing calendar for upcoming deadlines and hearings	0.20	43.00
06/27/17	ALS	Update press file with news alert	0.10	21.50
06/27/17	ALS	Review Court hearing calendar and case dockets, including adversary proceedings, for upcoming deadlines/hearings	0.40	86.00
06/28/17	ALS	Update press file with news alert	0.10	21.50
06/29/17	ALS	Update press with news alert	0.10	21.50
06/30/17	ALS	Update press file with news alert	0.10	21.50
07/05/17	LKZ	Review docket entries for upcoming deadlines.	0.20	50.00



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>
07/06/17	ALS	Update press file with news alert (.1); review article from R. Keach re Lac Megantic (.1)	0.20	43.00
07/07/17	ALS	Update press file with news alerts	0.10	21.50
07/07/17	ALS	Review Court docket and hearing calendar for upcoming hearings/response deadlines in main case	0.20	43.00
07/10/17	ALS	Update press file with news alerts	0.10	21.50
07/12/17	ALS	Update press file with news alert	0.10	21.50
07/13/17	ALS	Update press file with news alert	0.10	21.50
07/14/17	ALS	Update press file with news alert	0.10	21.50
07/19/17	KQ	E-mail from/to K. Beyers regarding MMA escrow account	0.20	36.00
07/20/17	KQ	Prepare recent pleadings for transmission to the Monitor	1.60	288.00
07/25/17	KQ	Prepare MMA pleadings for transmission to the Monitor's office	1.20	216.00
07/26/17	ALS	Update press file with news alert	0.10	21.50
07/26/17	ALS	Review Court docket and hearing calendar for upcoming deadlines and hearings in main and adversary cases	0.30	64.50
07/27/17	KQ	Update pleadings file with recent court filings	1.00	180.00
07/28/17	ALS	Update press file with news alert	0.10	21.50
07/28/17	ALS	Review Court docket and Court's hearing calendar for upcoming hearings/deadlines in main and adversary proceedings	0.30	64.50
08/01/17	ALS	Update press file with news alert	0.10	21.50
08/01/17	KQ	Update pleadings files	1.30	234.00
08/02/17	ALS	Update press file with news alert	0.10	21.50
08/02/17	ALS	Review upcoming hearing dates and deadlines on docket and Court calendar in main case	0.30	64.50
08/04/17	ALS	Email to A. Prescott and R. Desai re consent motion extending deadline to file final decree (.1); review Court docket re same (.1); emails to R. Desai and K. Quirk re filing of consent motion to extend deadline to file final decree (.1);	0.30	64.50
08/04/17	KQ	Finalize and file the fourth consent motion to extend time to file final decree (.2); Prepare and send service same (.3); prepare and file Certificate of Service (.2)	0.70	126.00
08/04/17	RND	Draft consent motion for extension of time to file final decree (.3) and emails with UST and R. Keach re: same (.2)	0.50	125.00
08/07/17	ALS	Docket scheduling re order granting consent motion to extend time to file final decree (.1); update pleadings file re same (.1)	0.20	43.00
08/08/17	KQ	Revision to MMA master e-mail service list	0.10	18.00
08/08/17	ALS	Review email from K. Quirk re update to service list for main bankruptcy case	0.10	21.50



Page 5
October 26, 2017
Invoice #: *****

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>
08/14/17	KQ	E-mail from/to Kevin Beyers at DSI regarding MMA escrow account	0.20	36.00
08/14/17	KQ	Update pleadings files	1.00	180.00
08/14/17	ALS	Update press file with news alert	0.10	21.50
08/14/17	ALS	Review Court calendar and hearing list with respect to main bankruptcy case	0.20	43.00
08/17/17	KQ	Prepare Certification for Admission Pro Hac Vice for Adam Prescott (.3); file pro hac with the bankruptcy court (.1)	0.40	72.00
08/17/17	KQ	Update pleadings file with recent court filings (.4); e-mail to S. Bougine at Richter forwarding recent court filings (.1)	0.50	90.00
08/17/17	KQ	Review dockets and update pleadings files	0.50	90.00
08/24/17	ALS	Update press file with news alert	0.10	21.50
08/29/17	KQ	Prepare recent pleadings for transmission to the Monitor	0.80	144.00
08/31/17	ALS	Update press file with news alert	0.10	21.50
09/01/17	ALS	Preparation of translation of request for obtaining stay of case with respect to case pending before Quebec Superior Court for R. Keach's review	0.30	64.50
09/05/17	ALS	Update press file with news alert	0.10	21.50
09/05/17	ALS	Update press file with news alert	0.10	21.50
09/06/17	ALS	Review Court hearing calendar and docket for upcoming deadlines in main case	0.20	43.00
09/08/17	ALS	Update press file with news alert	0.10	21.50
09/12/17	ALS	Review Case docket and Court calendar for upcoming hearings/deadlines in main bankruptcy case	0.30	64.50
09/12/17	KQ	Substantial docket research.	3.10	558.00
09/13/17	ALS	Update press file with news alerts	0.10	21.50
09/14/17	ALS	Update press file with news alert	0.10	21.50
09/15/17	ALS	Update press file with news alert	0.10	21.50
09/18/17	KQ	E-mail from and to K. Byers at DSI regarding MMA escrow account	0.20	36.00
09/19/17	ALS	Update press file with news alert	0.10	21.50
09/19/17	ALS	Review Court calendar and case docket for upcoming deadlines	0.20	43.00
09/22/17	ALS	Update press file with news alerts	0.10	21.50
09/25/17	ALS	Review dockets in main cases and adversary proceedings for upcoming hearing dates and deadlines	0.20	43.00
09/25/17	KQ	Update and maintain pleadings files	1.20	216.00
04 Total			48.30	\$ 9,145.50
05 - Claims Administration and Objections				
03/30/16	RJK	E-mail to Lindsay Zahradka regarding appeal of 1171(b) decision	0.10	\$ 53.50
03/31/16	RJK	Conference with Lindsay Zahradka regarding Irving Railroad/1171(b) appeal	0.20	107.00



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>
04/08/16	RJK	Review and revise Designation of Record and Statement of Issues (Irving RR appeal)	1.00	535.00
04/11/16	RJK	Review Designation of Record and Statement of Issues (Irving RR appeal)	0.20	107.00
04/28/16	RJK	Review Irving Railroad additional designation of record regarding appeal	0.10	53.50
06/02/16	RJK	Review outline for Irving Railroad brief and e-mail to Lindsay Zahradka regarding same	0.50	267.50
06/03/16	RJK	Review historic precedent regarding six moths' rule (Irving RR appeal)	2.20	1,177.00
06/06/16	RJK	Attention to brief in Irving Railroad appeal (2.5); review precedent regarding 1171(b) claims (2.6)	5.10	2,728.50
06/07/16	RJK	Exchange e-mails and telephone call with Alan Lepene regarding settlement	0.50	267.50
06/07/16	RJK	Review historical precedent for Irving Railroad appeal (3.5); attention to brief (1.8)	5.30	2,835.50
06/08/16	RJK	Attention to Irving Railroad brief, including review of historical six months' rule precedent, all B&M cases (6.3), and review and revise draft brief (1.2)	7.50	4,012.50
06/09/16	RJK	Review and revise brief in Irving Railroad appeal	5.20	2,782.00
07/21/16	RJK	Review BAP Reply Brief	1.00	535.00
09/15/16	RJK	Prepare for oral argument and BAP (1171(b) claims)	6.50	3,477.50
09/17/16	RJK	Prepare for oral argument at BAP (1171(b) claims)	5.80	3,103.00
09/18/16	RJK	Prepare for oral argument regarding (1171(b) claims) at BAP	6.20	3,317.00
09/19/16	RJK	Travel to (2.4) and from (2.4) Boston and prepare for (1.7) and attend (1.0) oral argument at Bankruptcy Appellate Panel (1171(b) claims)	7.50	4,012.50
10/21/16	RJK	Review BAP opinion regarding 1171(b) (.4) and conference with Lindsay Zahradka regarding notice of appeal (.2)	0.60	321.00
11/03/16	RJK	Exchange e-mail with Alan Lepene regarding Irving Railroad	0.20	107.00
11/07/16	RJK	Exchange e-mails with Alan Lepene regarding Irving Railroad Appeal	0.20	107.00
11/18/16	RJK	Prepare for and attend status conference (telephonic) regarding Irving Railroad claims	1.10	588.50
12/08/16	RJK	Review docket entry regarding Irving Railroad appeal (.1); e-mail to Lindsay Zahradka regarding same (.1)	0.20	107.00
02/14/17	RJK	Prepare for and attend hearing regarding stay in Irving Railroad matter	3.50	1,925.00
03/10/17	RJK	Conference with Alan Lepene regarding Irving Railroad case	0.60	330.00
03/15/17	RJK	Review and revise proposed stipulation with Irving Railroads (1.0); conference with Lindsay Zahradka regarding same (.2)	1.20	660.00



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>
03/21/17	RJK	Review Irving Railroad document production; prepare for March 23 depositions	2.50	1,375.00
03/21/17	RJK	Prepare for and attend depositions (Fred Caruso, Robert Keach) in Irving Railroad case	6.20	3,410.00
03/22/17	RJK	Prepare for depositions (Irving Railroad claims)	5.10	2,805.00
03/23/17	RJK	Prepare for and attend depositions of Karl Hansen, Ryan Ellis & Ian Simpson	6.40	3,520.00
03/24/17	RJK	Exchange e-mails with Alan Lepene regarding additional documents	0.40	220.00
04/03/17	ALS	Update docket scheduling re motion to extend deadlines and continue hearing with respect to Amended Objection of Estate Representative to Proofs of Claim Filed by Irving Railroads	0.30	64.50
04/03/17	ALS	Update docket scheduling re continued hearing on Motion for Relief from Judgment and Reconsideration of Claim Trustees 3rd Omnibus Objection to POCs That Will be Satisfied Under the CCAA Plan	0.10	21.50
04/03/17	ALS	Update docket scheduling re continued hearing on Tafisa Canada Inc.'s Supplemental Motion for Extension of Time to File Proof of Claim	0.10	21.50
04/03/17	LKZ	Emails w/Webster team re: continuing motion for relief from judgment (.1) and emails w/A.Adessky re: same (.1); review motion to continue (.1); review Tafisa motion to continue (.1).	0.40	100.00
04/04/17	LKZ	Review email from Webster team re: resolution of remaining claims and emails w/A.Adessky re: same (.1); revise FOO accordingly (.1).	0.20	50.00
04/07/17	LKZ	Emails w/A.Adessky re: Tafisa motion to late file continuance.	0.10	25.00
04/10/17	LKZ	Call w/A.Adessky re: Webster clients' asserted claim amendments.	0.30	75.00
04/13/17	ALS	Review and respond to emails from/to F. Caruso and L. Zahradka re Tafisa proof of claim	0.20	43.00
04/26/17	RJK	Review Robert Keach transcript (Irving Railroad case) regarding connections	0.50	275.00
04/28/17	RJK	Review deposition transcripts for all Irving Railroad witnesses (1.8); review Irving Railroad documents disclosure (3.3); review precedent regarding authority to file Proof of Claim (2.1)	7.20	3,960.00
05/08/17	LKZ	Confer w/B.Keach re: reply in support of objection to Irving RRs claims.	0.10	25.00
05/10/17	LKZ	Call w/Monitor re: Webster motion for relief from judgment (.1); follow-up emails w/Monitor re: same (.1).	0.20	50.00
05/12/17	RJK	Exchange e-mails with Lindsay Zahradka, Alan Lepene regarding Irving Railroad case	0.40	220.00



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>
05/15/17	RJK	Review and revise Reply regarding objection to New Brunswick Southern Railway and Maine Northern Railway Company claims (.5), conference with Lindsay Zahradka regarding same (.2)	0.70	385.00
05/15/17	RJK	Review form of order for New Brunswick Southern Railway, Maine Northern Railway Company objections	0.10	55.00
05/16/17	ALS	Filing of Reply Brief in Support of Amended Objection to Proofs of Claim filed by NBSR and MNR, along with exhibits and proposed form of order	0.70	150.50
05/16/17	ALS	Draft certificate of service re filing of Reply Brief in Support of Amended Objection to Proofs of Claim filed by NBSR and MNR, along with exhibits and proposed form of order (.2); file same with Court (.1)	0.30	64.50
05/16/17	LKZ	Call w/A.Adessky re: progress on resolution of Webster relief from judgment (.2); revise form of order on Webster motion for relief from judgment (.1); emails w/A.Adessky re: same (.1).	0.40	100.00
05/16/17	ALS	Email to R. Keach and L. Zahradka re Reply Brief in support of amended objection to POCs filed by NBSR and MNR (.1); updated pleadings file re same (.2)	0.30	64.50
05/16/17	RJK	Review final response regarding objection to Irving Railroad claims	0.30	165.00
05/18/17	LKZ	Emails w/A.Adessky re: revised FOO on Webster motion for relief from judgment and emails w/Webster team re: same.	0.10	25.00
05/18/17	ALS	Update docket scheduling re hearing on Amended Objection of Estate Representative to Proofs of Claim Filed by Irving Railroads	0.10	21.50
05/22/17	LKZ	Prep for hearing on Tafisa motion to late file.	0.50	125.00
05/22/17	ALS	Update docket scheduling re continued hearing re: Motion for Relief from Judgment and Reconsideration of Claim Trustees 3rd Omnibus Objection to POCs That Will be Satisfied Under the CCAA Plan	0.10	21.50
05/23/17	LKZ	Prep for (1.5), travel to (.2), attend (1.2), travel from (.2) hearing on Tafisa Motion to Late File Claim.	3.10	775.00
05/23/17	LKZ	Emails with counsel Tafisa regarding evidentiary hearing for motion to late file claim.	0.10	25.00
05/23/17	ALS	Emails from/to L. Zahradka re preparation for Tafisa Motion to File Claim After Claims Bar Date (.2); review docket re service of Bar Date Order (.2); emails to/from K. Quirk and S. Baker re same (.2)	0.60	129.00
05/23/17	ALS	Docket scheduling re Tafisa Motion to File Claim After Claim Bar Date	0.10	21.50
05/24/17	LKZ	Emails w/Chambers re: evidentiary hearing on Tafisa motion to late file.	0.10	25.00



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>
05/24/17	ALS	Review and respond to emails from L. Zahradka re exhibits from Irving Railroads	0.20	43.00
05/26/17	RJK	Review objection regarding Irving Railroad exhibits; e-mail regarding same	0.40	220.00
05/30/17	ALS	Review and respond to email from L. Zahradka re evidentiary hearing on Tafisa Motion	0.20	43.00
06/05/17	RJK	Conference with Lindsay Zahradka regarding Irving Railroad claims	0.30	165.00
06/06/17	RJK	Conference call with Alan Lepene (.6); follow-up conference with Lindsay Zahradka, Jack Woodcock (.7)	1.30	715.00
06/08/17	ALS	Update docket scheduling re deadline for all stipulations to be filed with Court with respect to Irving Railroads matter	0.10	21.50
06/09/17	ALS	Docket scheduling re deadlines surrounding trial relating to Tafisa Canada Inc.'s Supplemental Motion for Extension of Time to File Proof of Claim	0.20	43.00
06/09/17	DSA	Reviewed e-mails and filings relating to late filed claims and settlements in adversaries	0.10	42.50
06/13/17	RJK	Review pleadings in Irving RRs litigation	0.50	275.00
06/19/17	LKZ	Emails w/ A. Adessky re: form of order resolving Webster motion for relief from judgment.	0.10	25.00
06/20/17	LKZ	Emails w/Richter, Webster team re: status of settlement discussions.	0.10	25.00
06/23/17	ALS	Update docket scheduling re deadline to file stipulations with respect to Irving Railroads matter (.1); review email from L. Zahradka re same (.1)	0.20	43.00
07/05/17	ALS	Filing of fourth revised proposed order with respect to Webster's Motion for Relief from Judgment (.2); reply email to L. Zahradka re same (.1)	0.30	64.50
07/06/17	ALS	Email from K. Ford at U.S. Bankruptcy Court re Fourth Order Resolving Webster's Motion for Relief from Judgment (.1); office conference with L. Zahradka re same (.1); telephone call to K. Ford at U.S. Bankruptcy Court re same (.1)	0.30	64.50
07/13/17	ALS	Docket scheduling re updated deadline to file stipulations with Court with respect to the Irving Railroads matter (.1); review emails from/to R. Keach and L. Zahradka re same (.1)	0.20	43.00
07/13/17	ALS	Review email from L. Zahradka re status of Irving Railroads matter (.1); review discovery produced in Irving Railroads matter (.2); email to A. Prescott re discovery produced in Irving Railroads matter (.1)	0.40	86.00
08/02/17	ALS	Review emails between K. Quirk and A. Prescott with respect to Court's inquiry re final pretrial conference with respect to Irving Railroads matter	0.20	43.00



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>
08/07/17	RJK	Review revised stipulation (proposed) with Irving Railroad (.3); e-mail to Adam Prescott regarding same (.2)	0.50	275.00
08/09/17	ALS	Office conference with A. Prescott re exhibits with respect to Irving Railroads matter (.1); review electronic files re same (.3); email to A. Prescott with link to exhibits relating to Irving Railroads matter (.1)	0.50	107.50
08/09/17	RJK	Prepare for (.4) and attend telephone call with Alan Lepene regarding stipulation (.4); follow-up with Adam Prescott regarding same (.4)	1.20	660.00
08/10/17	ALS	Office conference with K. Quirk re notice of final pretrial conference in Irving Railroads matter (.1); email to K. Quirk re same (.1); docket scheduling final pretrial conference in Irving Railroads matter (.1)	0.30	64.50
08/10/17	ARP	Review briefing re Irving claim objection.	0.70	175.00
08/11/17	ALS	Update docket scheduling with respect to deadline for parties to file all stipulations to be filed with the Court w/r/t Irving Railroads matter (.1); review email from A. Prescott re same (.1)	0.20	43.00
08/14/17	RJK	Review revisions to stipulations with MNR, NBSR (.2); e-mails regarding same (.2)	0.40	220.00
08/17/17	ARP	Review briefing and hearing record re Irving claim objection	1.20	300.00
08/18/17	ARP	Review briefing and hearing record re Irving claim objection (2.9)	2.90	725.00
09/06/17	RJK	Prepare for and attend final pre-trial conference in Irving Railroad claims case	1.10	605.00
09/07/17	ALS	Docket scheduling with respect to trial on Trustee's Objection to Proofs of Claim filed by Irving Railroads	0.30	64.50
09/21/17	ALS	Update deadline for parties to Submit Proposed Scheduling Order, including Expert Deadlines re: Trial on Trustee's Objection to Proofs of Claim Filed by Irving Railroads (.1); review Court order re same (.2)	0.30	64.50
09/21/17	ARP	Draft pretrial order re Irving claim objection.	0.80	200.00
05 Total			116.30	\$ 57,396.50
07 - Fee/Employment Applications				
04/14/17	DPK	Continue drafting BSSN Fee Application, proposed order, and notice of hearing.	0.90	\$ 189.00
04/17/17	KQ	Office conference with D. Keenan regarding preparation of BSSN fee application	0.10	18.00
04/17/17	DPK	Continue drafting fee application, notice of hearing, and proposed order for BSSN as counsel to the trustee (1.7); review exhibits to same (1.0).	2.70	567.00
04/18/17	DPK	Conference with K. Quirk re preparation of BSSN fee application.	0.10	21.00



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>
04/18/17	LKZ	Confer w/K.Quirk re: expenses reflected on fee application.	0.10	25.00
04/18/17	KQ	Revisions to second interim fee application of BSSN (1.0); Preparation of Exh. A and B related to same. (1.5)	2.50	450.00
04/19/17	KQ	E-mail to L. Zahradka and D. Keenan regarding work performed under Task Code #2 (Asset Disposition)	0.10	18.00
04/19/17	KQ	Continued preparation of second interim fee application of R. Keach, as Estate Representative	1.40	252.00
04/19/17	DPK	Revise Exhibit B (professionals' biographies) (.2); revise fee application, notice of hearing, and proposed order (1.9); conferences with L. Zahradka and K. Quirk re fee application preparation (.3); review emails from/to team re same (.2); further multiple internal discussions with team re same (.3).	2.90	609.00
04/19/17	LKZ	Confer w/K.Quirk re: BSSN fee app (.1); confer w/D.Keenan re: same (.1); revise same (.8).	1.00	250.00
04/20/17	KQ	E-mail to L. Zahradka and D. Keenan regarding scope of service of the fee application	0.10	18.00
04/20/17	DPK	Continue revising BSSN fee application, notice of hearing, and proposed order.	0.40	84.00
04/21/17	DPK	Conference with team re BSSN's fee application.	0.20	42.00
04/24/17	DPK	Emails from/to team re fee application status and revisions.	0.40	84.00
04/24/17	ALS	Review and respond to email from K. Quirk re metric re preparation of fee applications (.2); office conference with L. Zahradka re same (.1); email to L. Zahradka and D. Keenan re metric with respect to the time spent preparing the fee application (.1)	0.40	86.00
04/25/17	KQ	Finalize and file the second interim fee application of BSSN as counsel to the Estate Representative	0.30	54.00
04/25/17	KQ	Prepare and send electronic service of the second interim fee application of BSSN as counsel to the Estate Representative	0.30	54.00
04/25/17	DPK	Review emails from team re fee application (.1); conference with L.Zahradka re same (.1) revise fee application (.1); further conference with A. Stewart and L. Zahradka (.1).	0.40	84.00
04/25/17	LKZ	Revise fee app.	0.60	150.00
04/25/17	ALS	Meeting with L. Zahradka and D. Keenan re filing of fee application	0.10	21.50
04/25/17	ALS	Docket scheduling hearing date and objection deadline with respect to BSSN's Second Interim Fee Application	0.10	21.50
04/26/17	KQ	Prepare Certificate of Service related to the second interim fee application of BSSN (.4); file COS with the court (.1)	0.50	90.00



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>
04/26/17	DSA	Reviewed e-mails and filings relating to fee claims	0.10	42.50
05/17/17	ALS	Emails from/to L. Zahrada re follow up with Court regarding Order on BSSN's fee application	0.10	21.50
05/22/17	ALS	Follow up with K. Ford at U.S. Bankruptcy Court re proposed order on BSSN's fee application (.1); email to L. Zahradka re same (.1)	0.20	43.00
05/23/17	LKZ	Analysis related to payment on entered fee order (.5) and confer w/B.Keach re: same (.1).	0.60	150.00
08/15/17	ALS	Emails from/to K. Quirk re review of proformas with respect to Bernstein Shur's interim fee application (.2); review Court docket re fee period for Bernstein Shur's prior fee application (.2)	0.40	86.00
08/15/17	KQ	Review profomas for compliance with US Trustee's task code requirements	5.20	936.00
08/28/17	KQ	Complete review of proforma for compliance with US Trustee's task code requirements	1.80	324.00
09/18/17	KQ	Office conference with A. Stewart regarding preparation of third interim fee application for BSSN	0.10	18.00
09/20/17	KQ	Begin drafting BSSN's third interim fee application for the period of 4/1/17 - 8/31/17 (1.3); e-mail to B. Keach regarding same (.1); office conference with R. Desai regarding preparation of fee application (.1); begin preparations for Exh. A (1.6)	3.10	558.00
09/20/17	RND	Email and meeting with K. Quirk re: review of MMA Fee Application	0.30	75.00
09/21/17	KQ	Draft Notice of Hearing and Proposed Order with respect to BSSN's third interim fee application (.4); revision to timekeeper statistics in fee application (.5); prepare Exh. B (.4)	1.30	234.00
09/27/17	RND	Meeting with K. Quirk re: draft MMA Fee Application	0.10	25.00
09/27/17	RND	Begin reviewing exhibits and attachments to upcoming fee application	2.10	525.00
		07 Total	31.00	\$ 6,226.00
10 - Litigation				
01/11/16	RJK	Review and revise response to Wheeling Motion to Compel	0.60	\$ 321.00
01/12/16	RJK	Exchange exchange with Lindsay Zahradka regarding Wheeling discovery	0.20	107.00
01/12/16	RJK	Review court's order regarding Wheeling discovery (.5); conference with Tim McKeon, Angela Stewart, Lindsay Zahradka regarding compliance with order (.6); conference with Tim McKeon regarding motion for reconsideration in light of conflict with confirmation order, etc. (.4); analysis re: above (1.2)	2.70	1,444.50
01/13/16	RJK	Review and revise motion to reconsider discovery order	0.70	374.50



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>
01/13/16	RJK	Review and revise motion to reconsider discovery order	0.40	214.00
01/13/16	RJK	Attention to motion to reconsider (0.4); review precedent regarding same (1.4)	1.80	963.00
01/13/16	RJK	Attention to motion to reconsider (.4); conference with Tim McKeon regarding same (.2)	0.60	321.00
01/14/16	RJK	Prepare for and attend hearing on motion to reconsider and follow-up	4.10	2,193.50
01/19/16	RJK	Telephone call with Jeffrey Sternklar regarding January 20 hearing	0.30	160.50
01/19/16	RJK	Exchange e-mail with Leslie Smith regarding Wheeling protective order	0.30	160.50
01/19/16	RJK	Conference with Jeffrey Sternklar (.6); conference with Lindsay Zahradka regarding §157(b)(5) motions (.5); analysis re: same (.4)	1.50	802.50
01/20/16	RJK	Exchange e-mail with Jeffrey Steen regarding Wheeling discovery order	0.10	53.50
01/20/16	RJK	Various conference with Tim McKeon regarding Wheeling order	0.50	267.50
01/22/16	RJK	Review Federal Court of Appeals (Canada) decision regarding Tariff 8 by Canadian Pacific regarding Trustee's case	1.50	802.50
01/22/16	RJK	Exchange e-mails with Monitor, counsel regarding Canadian Pacific	0.30	160.50
01/22/16	RJK	Exchange e-mails with Jeffrey Sternklar regarding US District Court brief request	0.30	160.50
01/23/16	RJK	Review Canadian Pacific response regarding jury trial right in Trustee's litigation	0.40	214.00
01/23/16	RJK	Review Canadian Pacific amended motion to dismiss Wrongful Death claims and Plaintiff's response	0.70	374.50
01/25/16	RJK	Review e-mails regarding Wheeling discovery	0.20	107.00
01/25/16	RJK	Exchange e-mails with George Marcus regarding Wheeling claim	0.30	160.50
01/27/16	RJK	Review Motions to Dismiss and reply; prepare for Jan. 28 hearings regarding same	4.50	2,407.50
01/28/16	RJK	Prepare for and attend hearings regarding Motion to Dismiss	5.00	2,675.00
01/28/16	RJK	Exchange e-mail with Jeffrey Sternklar regarding US District Court Memo; conference with Lindsay Zahradka regarding same	0.40	214.00
01/29/16	RJK	Telephone call with Jeffrey Steen regarding dismissal	0.50	267.50
01/29/16	RJK	Review U.S. Plaintiffs' versions of US District Court's order; responses	0.40	214.00
02/01/16	RJK	Telephone call with Tim Thornton regarding jury trial demand	0.20	107.00



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>
02/05/16	RJK	Review order regarding jury trial regarding Canadian Pacific case; e-mail to Tim McKeon regarding same	0.10	53.50
02/05/16	RJK	Analysis re: Wheeling discovery issues	0.50	267.50
02/08/16	RJK	Review letter from Central Maine & Quebec Railway to Wheeling regarding subpoena (.2); e-mail to Jeremy Fischer regarding same (.1).	0.30	160.50
02/08/16	RJK	Exchange e-mails with Wheeling counsel regarding discovery (.2); conference with Tim McKeon regarding same (.2)	0.40	214.00
02/09/16	RJK	Review Canadian Pacific pleadings, motions, response in US District Court cases	1.30	695.50
02/09/16	RJK	Numerous e-mail exchanges with Tim McKeon, Wheeling Counsel regarding discovery issues (2.5); telephone call with opposing counsel (.5); internal conference regarding same (.7)	3.70	1,979.50
02/11/16	RJK	Exchange e-mails with Irving Oil counsel regarding dismissals	0.30	160.50
02/12/16	RJK	Review motions filed in US District Court by Jeffrey Sternklar; conference with Lindsay Zahradka regarding same	0.30	160.50
02/12/16	RJK	Exchange e-mail with Irving Oil counsel regarding Plaintiff motions in US District Court cases	0.20	107.00
02/12/16	RJK	Review stipulation of dismissal in US District Court; (.1) respond to e-mail from Lindsay Zahradka regarding same (.1)	0.20	107.00
02/12/16	RJK	Telephone call with Chris Nemeth regarding US District Court cases	0.30	160.50
02/12/16	RJK	Exchange e-mails regarding notice of dismissal (Irving Oil)	0.20	107.00
02/12/16	RJK	Conference with Tim McKeon regarding Canadian Pacific jury trial issue	0.20	107.00
02/22/16	RJK	Various, detailed e-mail exchanges and phone calls with Jeffrey Sternklar, defendant's counsel, etc. regarding issues surrounding transfer of cases to US District Court	2.90	1,551.50
03/21/16	RJK	Conference with Tim McKeon regarding Wheeling discovery request	0.20	107.00
03/22/16	RJK	Review responses regarding Motion for Summary Judgment in Wheeling matter (1.0); substantial research and analysis regarding same (4.8); and various e-mails and calls with T. McKeon regarding same (.4)	6.20	3,317.00
03/23/16	RJK	Conference with Tim McKeon regarding response to Wheeling reply (MSJ)	0.20	107.00



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>
03/24/16	RJK	Review tracing memo by Lindsay Zahradka regarding Trustee's Reply regarding summary judgment (.3); review and revise reply to Wheeling Motion for Summary Judgment (2.9) and substantial research regarding same (4.3)	7.50	4,012.50
03/25/16	RJK	Review and revise Response to Wheeling Motion for Summary Judgment and Reply Statement of Facts (3.6), including review of entire record (4.2), precedent regarding same (1.9); substantial research re: same (3.8)	13.50	7,222.50
03/30/16	RJK	Review e-mails regarding Wheeling discovery requests	0.30	160.50
04/01/16	RJK	Telephone call with Fred Caruso regarding Section 506(c) surcharge of Wheeling collateral.	0.40	214.00
04/06/16	RJK	Review Judge Levy's decision (.2), judgments dismissing settling defendants (.5); various e-mails with Lindsay Zahradka (.5), Defendants' counsel regarding same (.3)	1.50	802.50
04/13/16	RJK	Conference with J. Lewis, Tim McKeon regarding Section 506(c) discovery	1.00	535.00
04/21/16	RJK	Attend telephonic conference with Magistrate Nivison, Canadian Pacific, Plaintiffs	1.00	535.00
04/21/16	RJK	Review and revise opposition to motion to strike (Wheeling)	0.20	107.00
04/22/16	RJK	Telephone call with Andrew Adessky regarding Webster Claims, Class Action	0.40	214.00
04/22/16	RJK	Exchange e-mails with Jeffrey Sternklar regarding US District Court cases	0.10	53.50
04/22/16	RJK	Telephone call with Jeffrey Sternklar regarding US District Court cases	0.50	267.50
05/05/16	RJK	Review and revise motion to intervene, in Derailment litigation	0.40	214.00
05/11/16	RJK	Review precedent regarding Rule 26(a)(2)(c) and non-retained experts	1.50	802.50
05/11/16	RJK	Prepare for argument regarding Motion for Summary Judgment (Wheeling)	3.50	1,872.50
05/12/16	RJK	Prepare for and attend hearing regarding Motion for Summary Judgment and Motion to Strike	5.20	2,782.00
05/12/16	RJK	Research re forum non conveniens, jurisdiction, etc.	2.80	1,498.00
05/12/16	RJK	Telephone call with Jeffrey Sternklar regarding litigation issues	0.40	214.00
05/13/16	RJK	Review new Section 506, adequate protection opinion regarding Wheeling 506(c) issues	0.50	267.50
05/13/16	RJK	Attention to post-confirmation issues, Wheeling, etc.	2.50	1,337.50



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>
05/19/16	RJK	Review proposed order regarding motion to strike by Wheeling (.3); e-mail to Tim McKeon regarding same (.1)	0.40	214.00
06/02/16	RJK	E-mail exchange with Jeffrey Sternklar regarding Sherbrooke hearing	0.30	160.50
06/16/16	RJK	Telephone call with Jeffrey Sternklar regarding US District Court case, notice of intent by CP	0.40	214.00
06/23/16	RJK	Exchange e-mails with Jeffrey Sternklar regarding Canadian Pacific litigation	0.20	107.00
06/24/16	RJK	Attention to Canadian Pacific motions in US District Court and Trustee litigation, including review of forum non-conveniens precedent	4.00	2,140.00
06/27/16	RJK	Review CP motion to withdraw reference; telephone call with Roma Desai regarding response	0.70	374.50
06/27/16	RJK	Review precedent regarding forum non conveniens; e-mails to Tim McKeon and Roma Desai regarding same	5.30	2,835.50
06/27/16	RJK	E-mails with Roma Desai regarding response to Canadian Pacific motion to withdraw reference	0.30	160.50
06/28/16	RJK	Attention to responses to CP motions to dismiss and to withdraw reference	4.80	2,568.00
07/05/16	RJK	Review and respond to e-mails from Gowlings re CP, Quebec actions vs. CP; conference with Lindsay Zahradka re narrative on US actions vs. CP	1.10	588.50
07/05/16	RJK	Review and revise memo regarding US litigation vs. CP	0.50	267.50
07/05/16	RJK	E-mail to Pierre Legault regarding CP litigation	0.20	107.00
07/07/16	RJK	Prepare for and attend hearing regarding family motion to enforce Section 5.10 of Plan	3.50	1,872.50
07/07/16	RJK	Review and revise opposition to CP's motion to withdraw reference	2.50	1,337.50
07/07/16	RJK	Review and respond to CP motion to dismiss (forum non)	1.10	588.50
07/08/16	RJK	Review and revise objection to Canadian Pacific motion to dismiss adversary proceeding (forum non)	0.60	321.00
07/08/16	RJK	Review and revise response to Canadian Pacific motion to withdraw reference	1.10	588.50
07/08/16	RJK	Review complaints by Quebec vs. Canadian Pacific and by Canadian Insurers vs. Canadian Pacific	0.90	481.50
07/08/16	RJK	Review pleadings for July 13 US District Court hearings; review relevant CFR provision cited by Canadian Pacific	1.50	802.50
07/25/16	RJK	Conference with Lindsay Zahradka regarding continuance of Webster, Toups motions	0.10	53.50
07/28/16	RJK	Telephone call to C. Nemeth regarding Irving discovery	0.20	107.00
07/28/16	RJK	Telephone call with C. Nemeth regarding Irving discovery	0.20	107.00



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>
08/04/16	RJK	Review and revise motion to amend complaint in trustee's litigation	1.00	535.00
08/04/16	RJK	Attention to affidavit regarding motion to amend complaint	1.30	695.50
08/04/16	RJK	Telephone call with L. Smith regarding affidavit	0.20	107.00
08/05/16	RJK	Attention to motion for leave to amend, R. Keach declaration, and 3rd Amended Complaint in Keach v. CP	2.40	1,284.00
08/15/16	RJK	Review and revise response to Wheeling Notice of Hearing and Rule 11 letter	0.50	267.50
08/15/16	RJK	Review and response to Wheeling Notice of Hearing and Rule 11 letter	0.30	160.50
08/15/16	RJK	Review 4th Circuit decision on recharacterization (re 2011 sale litigation) (.6); e-mails regarding same (.2)	0.80	428.00
08/15/16	RJK	Review Canadian Pacific Response to Motion to Withdraw the Reference	0.30	160.50
08/16/16	RJK	Prepare for and attend hearing in Keach v. Wheeling	2.00	1,070.00
08/16/16	RJK	Review and revise supplemental brief regarding 2011 sale litigation	0.50	267.50
08/26/16	RJK	Attend hearing (in Wheeling v. Keach) regarding Motion for Summary Judgment and subsequent conferences	2.30	1,230.50
08/26/16	RJK	E-mail exchange with Tim McKeon and telephone call with Tim McKeon regarding Motion for Summary Judgment	0.40	214.00
08/31/16	RJK	Review tracing cases (re: Wheeling Case)	0.80	428.00
09/01/16	RJK	Telephone call with Andrew Adessky and Sylvain Vauclair regarding dismissal of settling parties in Canadian class action	1.00	535.00
09/08/16	RJK	Review and revise motion to reconsider	2.70	1,444.50
09/08/16	RJK	Review and revise motion to reconsider	1.70	909.50
09/08/16	RJK	Telephone call with Chris Nemeth regarding discovery from Irving Oil	0.60	321.00
09/08/16	RJK	Review Canadian Pacific supplemental authority in wrongful death cases in US District Court; e-mail to Jeffrey Sternklar regarding same	0.80	428.00
09/08/16	RJK	Attention to Wheeling Motion to Intervene	0.40	214.00
09/09/16	RJK	Telephone call with Tim McKeon regarding Wheeling and Canadian Pacific litigation	0.30	160.50
09/12/16	RJK	Telephone call with Patrick Maxcy regarding 2011 sale litigation	0.70	374.50
09/12/16	RJK	Review and revise response to motion by Wheeling to intervene	0.60	321.00
09/12/16	RJK	Review and revise response to Wheeling motion to intervene	0.30	160.50



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>
09/29/16	RJK	Telephone call with Tim Thornton regarding Third Amended Complaint	0.20	107.00
09/29/16	RJK	Review Judge Levy's decisions regarding motion to dismiss, amend in Wrongful Death cases; e-mail to Jeffrey Sternklar regarding same; conference with Jeffrey Sternklar regarding same	1.10	588.50
09/30/16	RJK	Exchange e-mails with Lindsay Zahradka regarding Motion to Dismiss, etc.	0.40	214.00
10/05/16	RJK	Prepare for and attend conference call with Webster et al regarding late claims; follow-up with Lindsay Zahradka regarding same	1.50	802.50
10/13/16	RJK	Exchange e-mail with Jeffrey Sternklar regarding appeal/options	0.10	53.50
11/10/16	RJK	Prepare for and attend telephone call with Howard Miles, et al regarding mediation	1.60	856.00
11/10/16	RJK	Review materials regarding mediation/mediation statement	0.60	321.00
11/10/16	RJK	Prepare for mediation, mediation statement	3.50	1,872.50
11/15/16	RJK	E-mail exchanges with Tim Thornton; Howard Miles, Roma Desai regarding Mediation; telephone call with Court regarding mediation postponement; follow-up	2.30	1,230.50
11/29/16	RJK	Attention to response to CP Motion to Dismiss	4.30	2,300.50
11/29/16	RJK	Attention to CP Motion to Dismiss	2.30	1,230.50
12/20/16	RJK	Prepare for oral argument on CP Motion to Dismiss (Trustee's adversary proceeding)	2.10	1,123.50
12/20/16	RJK	Attend oral argument on CP Motion to Dismiss; follow-up conferences	4.50	2,407.50
01/17/17	RJK	Review transcript regarding Motion to Dismiss (Caisse de Depot case)	0.50	275.00
01/18/17	RJK	E-mail to Roma Desai regarding Caisse de Depot litigation, etc.	0.20	110.00
01/19/17	RJK	Review statement of issues, designation of record (appeal of Motion to Dismiss complaint v. Wheeling)	0.50	275.00
01/20/17	RJK	Review answers to complaint in Keach v. Caisse de Depot	2.50	1,375.00
01/23/17	RJK	Attention to discovery in Caisse de Depot litigation, including reviewing and revising template for interrogatories and request for production and reviewing numerous recent authorities on recharacterization regarding same	8.20	4,510.00
01/24/17	RJK	Review recharacterization precedent regarding Caisse litigation	4.50	2,475.00
01/25/17	RJK	Prepare for (.6) and attend (1.0) conference with Bernstein Shur team regarding discovery; follow-up with Roma Desai, Paul McDonald regarding Caisse discovery (1.0)	2.60	1,430.00



Page 19
October 26, 2017
Invoice #: *****

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>
01/26/17	RJK	Attention to discovery issues in Caisse litigation	0.50	275.00
01/26/17	RJK	Conference with Jay Geller regarding Caisse litigation	0.30	165.00
01/31/17	RJK	Attention to discovery in Irving Railroad case; conference with Lindsay Zahradka regarding same and regarding suit by Wheeling vs. New Brunswick Southern Railway Company, Maine Northern Railway Company	0.60	330.00
01/31/17	RJK	Review precedent regarding stay of Irving railroad cases due to Wheeling v. Irving Railroad cases	2.10	1,155.00
02/02/17	RJK	Review and revise interrogatories and requests for production of documents for all defendants in Caisse de Depot litigation	1.00	550.00
02/02/17	RJK	Review and revise interrogatories and requests for production of documents for all defendants in Caisse de Depot litigation	0.40	220.00
02/06/17	RJK	Review documents (MMA files) regarding Caisse litigation	1.60	880.00
02/13/17	RJK	Exchange e-mails regarding Caisse discovery conference	0.30	165.00
02/16/17	RJK	Conference with Paul McDonald regarding CP cases	0.20	110.00
03/02/17	RJK	Prepare for and attend Rule 26(f) conference (telephonic) in Caisse de Depot litigation	0.90	495.00
03/02/17	RJK	Telephone call with Andrew Helman regarding Caisse de Depot case	0.30	165.00
03/02/17	RJK	E-mail to Jay Geller regarding Caisse de Depot case	0.20	110.00
03/02/17	RJK	Attention to settlement strategy in Caisse litigation	0.80	440.00
03/03/17	RJK	Attention to possible mediation in Caisse de Depot case	0.60	330.00
03/06/17	RJK	Attention to review of precedent regarding Wheeling appeal	8.50	4,675.00
03/07/17	RJK	Attention to brief in Wheeling appeal	7.60	4,180.00
03/08/17	RJK	Review additional recharacterization precedent (regarding Caisse de Depot)	1.50	825.00
03/08/17	RJK	Attention to brief in Wheeling appeal	2.60	1,430.00
03/08/17	RJK	Review additional recharacterization precedent (Caisse de Depot)	1.10	605.00
03/08/17	RJK	Review and revise brief in Wheeling preference appeal	1.30	715.00
03/09/17	RJK	Attention to brief (Wheeling appeal)	0.60	330.00
03/09/17	RJK	Attention to brief (Wheeling Appeal)	0.50	275.00
03/09/17	RJK	Review precedent regarding Caisse motion	2.30	1,265.00
03/13/17	RJK	E-mail exchange with Patrick Maxcy regarding mediation	0.20	110.00
03/13/17	RJK	E-mail to Caisse counsel regarding mediation	0.40	220.00
03/22/17	RJK	E-mail exchange with defendants regarding mediation	0.50	275.00
03/28/17	RJK	Attention to mediation stipulation re: Caisse de Depot case	0.40	220.00



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>
03/28/17	RJK	Telephone call with Rick Mikels regarding Caisse Mediation	0.20	110.00
03/28/17	RJK	Exchange e-mails with Andrew Helman, Roma Desai regarding stay in Caisse case	0.30	165.00
03/28/17	RJK	Exchange e-mails with Andrew Helman regarding response dates (UFTA case appeal)	0.20	110.00
03/29/17	RJK	Attention to Caisse mediation (.3); conference with Angela Stewart regarding same (.1)	0.40	220.00
03/29/17	RJK	Review Irving Railroad objection to Wheeling Objection and Reservation of Rights	0.20	110.00
03/30/17	RJK	Exchange e-mail regarding Caisse mediation	0.60	330.00
04/03/17	ALS	Review email from L. Zahradka re rescheduled deposition of J. McGonigle with respect to Wheeling v Keach adversary proceeding (.1); update docket scheduling re same (.1)	0.20	43.00
04/03/17	ALS	Review Court calendar re status of pretrial conference in Caisse de Depot adversary proceeding (.1); telephone conference with R. Desai re same (.2)	0.30	64.50
04/03/17	ALS	Office conference with L. Zahradka re response to Irving Railroads' supplemental document request (.1); email to F. Caruso re same (.2); review electronic files re Irving Railroads' supplemental document request (.4)	0.70	150.50
04/03/17	KQ	Prepare Certificate of Service with respect to the joint motion for extension of JPO deadlines and to continue hearing (.2); file same with the court (.1).	0.30	54.00
04/03/17	KQ	Review docket calendar to determine upcoming deadlines (.2); e-mail to L. Zahardka regarding upcoming court deadlines with respect to joint motion to extend JPO deadline and continue hearing (.1); e-mail from L. Zahradka regarding deadlines (.1)	0.40	72.00
04/03/17	DSA	Reviewed e-mails concerning issues with discovery in the Irving Railroad matters (.1)	0.10	42.50
04/03/17	ALS	Update discovery deadline re surcharge motion (.1); review and reply to email from L. Zahradka re same (.1)	0.20	43.00
04/03/17	LKZ	Confer w/A.Stewart re: Irving RRs' Supplemental discovery requests (.4); emails w/A.Helman re same (.1), confer w/B.Keach re same (.2), emails w/F.Caruso re: Caruso depo in Surcharge matter (.2).	0.90	225.00
04/03/17	ALS	Continue search and review of documents relating to Caisse de Depot adversary proceeding for R. Keach and R. Desai's review	1.60	344.00
04/03/17	RJK	Prepare for April 4 hearings regarding Eureka motion, including review of Delaware cases and Opus case	3.60	1,980.00



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>
04/03/17	RJK	Prepare for April 4th hearings regarding Eureka motion, including review of Delaware case and Opus case	1.50	825.00
04/03/17	RND	Emails with R. Keach re: Delaware case re: nullification of certificate of cancellation (Obj to Eureka's Motion for Judgment)	0.20	50.00
04/03/17	RND	Emails with J. Geller re: Caisse pretrial conference and Eureka Motion for Judgment	0.20	50.00
04/04/17	ALS	Review emails from F. Caruso re responses to supplemental document requests served by Irving Railroads	0.40	86.00
04/04/17	ALS	Meeting with L. Zahradka re supplemental document requests served by Irving Railroads (.1); emails to/from E. LoVoi requesting documents with respect to supplemental document requests served by Irving Railroads (.2); preparation of summary of documents potentially responsive to Irving Railroads' supplemental document request (.3)	0.60	129.00
04/04/17	KQ	E-mail from L. Zahradka regarding review of documents housed at Noyes storage with respect to Irving railroads (.1); e-mail to J. Tuffts at Noyes regarding list of boxes to be pulled and delivered to BSSN for review (.1)	0.20	36.00
04/04/17	ALS	Telephone conference with R. Desai re preparation of corporate disclosure statement re Appeals (.1); emails from R. Keach and R. Desai re same (.1); email to R. Desai re corporate disclosure statement (.1)	0.30	64.50
04/04/17	ALS	Telephone conference with R. Desai re hearing on Eureka's motion for judgment on the pleadings in the Caisse de Depot adversary proceeding	0.30	64.50
04/04/17	ALS	Continue search and review of documents relating to Caisse de Depot adversary proceeding for R. Keach and R. Desai's review	1.70	365.50
04/04/17	LKZ	Several calls w/F.Caruso re: document production to Irving Railroads and depositions for Wheeling adversary proceeding (.6); confer w/A.Stewart re: doc production (.3) and emails w/A.Stewart re: same (.2); substantial analysis re: same (.5); emails w/A.Helman re: Caruso depo (.1).	1.70	425.00
04/04/17	RJK	Prepare for and attend hearing on Eureka Motion for Judgment on the Pleadings	2.20	1,210.00
04/04/17	RJK	Review documents in DMS regarding Caisse claims	1.50	825.00
04/04/17	RND	Review hearing audio re: Eureka Motion for Judgment	0.40	100.00
04/05/17	ALS	Continue search, review and organization of documents relating to Caisse de Depot adversary proceeding	3.60	774.00



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>
04/05/17	KQ	Coordinate delivery of boxes from MMA's storage at Noyes for document review with respect to Irving Railroads	0.20	36.00
04/05/17	LKZ	Emails and calls w/F.Caruso re: document production to Irving RRs.	0.40	100.00
04/05/17	DSA	Reviewed e-mails and orders relating Wheeling litigation (.1)	0.10	42.50
04/05/17	ALS	Update docket scheduling re pre-trial conference for Committee v Van Scotter et al adversary proceeding	0.10	21.50
04/05/17	RND	Coordinate opening call with Mediator	0.30	75.00
04/05/17	RND	Review various emails re: 2011 transaction and financial status of MMA	0.60	150.00
04/05/17	RND	Email with Caisse defendants' counsel re: conference call with mediator	0.10	25.00
04/06/17	ALS	Communication to/from R. Desai re call with mediator in Caisse de Depot adversary proceeding (.1); preparation of draft timeline of events relating to Caisse de Depot adversary proceeding or R. Keach and R. Desai's review (5.7)	5.80	1,247.00
04/06/17	KQ	Coordinate receipt of delivery of documents from MMA storage for review with respect to Irving railroads	0.30	54.00
04/06/17	KQ	Initial review of documents from MMA storage regarding Irving railroads	2.10	378.00
04/06/17	KQ	Finalize and file the Corporate Disclosure Statement in the matter of Keach v. Wheeling adversary proceeding	0.30	54.00
04/06/17	DPK	Emails re transcription of the St. John deposition testimony, taken, 3/23/2017 (Irving).	0.20	42.00
04/06/17	LKZ	Emails w/F.Caruso re: deposition transcript.	0.10	25.00
04/06/17	ALS	Emails from/to R. Desai re draft corporate disclosure statement (.2); review draft corporate disclosure statement (.1)	0.30	64.50
04/06/17	ALS	Email from/to R. Keach re mediation in Caisse de Depot adversary proceeding	0.10	21.50
04/06/17	RND	Call with R. Mikels, R. Keach, and Caisse Defendants' Counsel re: mediation	0.60	150.00
04/06/17	RND	Review timeline of 2011 Transaction and documents re: same	0.30	75.00
04/06/17	RND	Emails with R. Keach re: Eureka's Motion for Judgment, audio of argument re: same, and Del. decision re: nullification of certificate of cancellation	0.50	125.00
04/06/17	RND	Draft corporate disclosure statement for Wheeling Appeal	0.30	75.00
04/06/17	RND	Emails with R. Mikels, J. Geller, B. Finestone re: mediation agreement and pre-mediation statement	0.40	100.00
04/06/17	RND	Review Caisse et al documents re: FRA Loan	1.60	400.00



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>
04/07/17	ALS	Review email communications from F. Caruso re Irving Railroads' supplemental document requests (.2); update file with documents potentially responsive to same (.2); meeting with K. Quirk re review of Noyes documents (.2)	0.60	129.00
04/07/17	LKZ	Review log of documents potentially responsive to MN/NB RRs' doc requests (.2) and confer w/A.Stewart (.6), R.Keach (.2) re: same.	1.00	250.00
04/07/17	DSA	Reviewed filings relating to Wheeling litigation (.1)	0.10	42.50
04/07/17	ALS	Docket scheduling mediation schedule re Caisse adversary proceeding	0.20	43.00
04/07/17	ALS	Emails from/to R. Desai re filing amended disclosure statement (.1); filing same with Court (.1)	0.20	43.00
04/07/17	ALS	Review additional emails from F. Caruso and L. Zahradka re supplemental document requests from Irving Railroads	0.20	43.00
04/07/17	ALS	Office conference with J. Woodcock re secondary review of privileged documents with respect to CP litigation	0.10	21.50
04/07/17	ALS	Emails to/from R. Desai re review of documents relating to Caisse adversary proceeding (.2); review documents and update litigation time with respect to Caisse adversary proceeding (4.2)	4.40	946.00
04/07/17	RND	Emails with Eureka and R. Mikels re: mediation agreement	0.20	50.00
04/07/17	RND	Review Caisse et al. case timeline and emails with A. Stewart re: same	0.20	50.00
04/07/17	RND	Call with Clerk's office re: corporate disclosure statement and email with R. Keach re: same (.3)	0.30	75.00
04/07/17	RND	[Wheeling Appeal] Draft Amended Disclosure Statement and coordinate filing of same [Wheeling Appeal]	0.20	50.00
04/10/17	KQ	Office conference with L. Zahradka and A. Stewart regarding review of MMA documents from Noyes storage with respect to the Irving railroad matter (.2); further conference with L. Zaharda regarding same (.2); follow up with S. Baker regarding scanning and formatting of document production (.3); office conference with A. Stewart and S. Baker regarding scanning protocol (.2)	0.90	162.00
04/10/17	ALS	Meeting with L. Zahradka and K. Quirk re production of documents in response to Irving Railroads' supplemental document request	0.20	43.00
04/10/17	DPK	Emails with L. Zahradka re status of transcripts of St. John's depositions and assignment instructions re same.	0.40	84.00



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>
04/10/17	LKZ	Confer w/K.Quirk re: docs responsive to Irving RRs' doc requests (.2); call w/F.Caruso re: same (.3). Review McGonigle depo subpoena from Wheeling (.2) and analysis re: same (1.5); calls w/Wheeling counsel re: same (.3) and confer w/B.Keach re: same (.2).	2.70	675.00
04/10/17	ALS	Review and respond to email from L. Zahradka re Wheeling's accounting of MMA receivables	0.20	43.00
04/10/17	ALS	Continue search, review and organization of documents relating to Caisse de depot adversary proceeding (1.2); add documents to litigation time with respect to Caisse de Depot adversary proceeding (.7)	1.90	408.50
04/10/17	RJK	Attention to Mediation Statement in Caisse de Depot	6.20	3,410.00
04/11/17	KQ	Research format of motion to quash subpoena in preparation of filing same in Wheeling v. Keach (.3); revise template (.2)	0.50	90.00
04/11/17	KQ	Review additional boxes of documents from Noyes storage with respect to the Irving railroad matter	0.30	54.00
04/11/17	KQ	Prepare documents for production MMA Noyes storage with respect to Irving railroad matter	2.50	450.00
04/11/17	DPK	Review November 20, 2015 hearing involving Trustee's litigation with New Brunswick Southern Railway Co. and the Maine Northern Railway Co. (2.5); begin reviewing March 23, 2017 deposition testimony of Karl Hansen (.3).	2.80	588.00
04/11/17	LKZ	Emails w/counsel to Wheeling re: rescheduling McGonigle deposition (.2); emails w/A.Stewart (.1), R.Keach (.1) re: same. Confer w/A.Stewart re: Wheeling document production (.1).	0.50	125.00
04/11/17	ALS	Assist K. Quirk re draft motion to quash subpoena	0.30	64.50
04/11/17	ALS	Review communications relating to previous document requests served upon Wheeling per L. Zahradka's request (.6); email to L. Zahradka re same (.1)	0.70	150.50
04/11/17	ALS	Emails to/from M. Irish at Baker Newman & Noyes re request for documents in response to Irving Railroads' supplemental document request	0.20	43.00
04/11/17	ALS	Review scanned Noyes documents in response to Irving Railroads' supplemental document request	0.60	129.00
04/11/17	ALS	Continue to search, review and organize documents relating to Caisse de Depot adversary proceeding for R. Keach and R. Desai's review	1.80	387.00
04/11/17	RJK	Attention to mediation statement (Caisse)	3.50	1,925.00
04/11/17	RND	Review Caisse et al. documents re: 2011 transaction and begin drafting statement of undisputed facts re: same	2.40	600.00



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>
04/12/17	DPK	Compare November 20, 2015 hearing testimony of Karl Hansen with Hansen's March 23, 2017 deposition testimony in Trustee's (Keach's) litigation with New Brunswick Southern Railway and Maine Northern Railway (4.0); begin drafting comparative chart (1.5).	5.50	1,155.00
04/12/17	LKZ	Emails w/counsel to Wheeling re: McGonigle deposition (.3); emails w/F.Caruso re: 506(c) analysis (.2) and confer w/A.Stewart re: same (.1). Call w/BNN re: Irving RRs doc requests (.2) and confer w/A.Stewart re: same (.1). Confer w/B.Keach re: Caisse mediation statement (.5).	1.40	350.00
04/12/17	ALS	Conference call with L. Zahradka and M. Irish re request for accounting requests in response to supplemental document request served by Irving Railroads	0.20	43.00
04/12/17	ALS	Prepare translation of C. Birks letter to Judge Dumais, along with proposed order, re Bell Canada's declaratory judgment application (.3); email to R. Keach re same (.1)	0.40	86.00
04/12/17	ALS	Meeting with R. Keach re organization of supporting materials to pre-mediation statement re Caisse adversary proceeding (.2); begin organization of supporting materials to pre-mediation statement re Caisse adversary proceeding (.3); continue search, review and organize communications for R. Keach and R. Desai's review with respect to Caisse adversary proceeding (1.7)	2.20	473.00
04/12/17	ALS	Meeting with L. Zahradka re review of documents relating to Irving Railroads' supplemental document request (.1); continue review of Noyes documents in response to Irving Railroads' supplemental document request (.9); office conference with S. Baker re same (.1)	1.10	236.50
04/12/17	RJK	Review file (1.3), draft mediation statement in Caisse litigation (3.8) and review and revise same (.9); e-mail regarding same (.1)	6.10	3,355.00
04/12/17	RND	Draft Caisse statement of undisputed facts	3.10	775.00
04/13/17	DPK	Continue review of Hansen testimony at Nov. 20, 2015 hearing and March 23, 2017 deposition (2.0); continue preparing comparison of same (1.2).	3.20	672.00
04/13/17	LKZ	Analysis re: payment of opposing counsel fees under tie trestle settlement agreement.	0.50	125.00



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>
04/13/17	LKZ	Emails (.2) and call (.3) w/F.Caruso re: 506(c) analysis; confer w/A.Stewart re: Irving RRs doc requests (.2); review documents produced by BNN in connection with same (.3). Confer w/B.Keach re: Caisse mediation statement (.5).	1.50	375.00
04/13/17	DSA	Reviewed e-mails and e-mailed parties concerning issues with payments in trestle litigation	0.20	85.00
04/13/17	ALS	Preparation of compilation of documents referenced in pre-mediation statement with respect to Caisse adversary proceeding	2.40	516.00
04/13/17	ALS	Review email and attachments from M. Irish at Baker Newman & Noyes with respect to Irving Railroads' supplemental document request (.3); email to L. Zahradka re documents from Baker Newman & Noyes with respect to Irving Railroads' supplemental document request (.1); office conferences (multiple) with S. Baker re status of processing of documents from Noyes storage unit with respect to Irving Railroads' supplemental document request (.3); review lists of files in Noyes storage unit re responsive documents to Irving Railroads' supplemental document request (.6); office conference with L. Zahradka re same (.3)	1.60	344.00
04/13/17	ALS	Review CM/ECF notifications and related deadlines with respect to opening of Wrongful Death appeal in First Circuit	0.20	43.00
04/13/17	RJK	Review and revise Pre-Mediation Memorandum (Caisse)	0.50	275.00
04/13/17	RND	Email with A. Stewart re: compilation of documents referenced in pre-mediation memorandum [Caisse]	0.10	25.00
04/13/17	RND	Emails with R. Keach re: Caisse statement of undisputed facts (.2); Revise Caisse statement of undisputed facts (.5)	0.70	175.00
04/13/17	RND	Emails with R. Keach, R. Mikels, and Caisse Defendants' counsel re: agreement to final form of mediation agreement	1.00	250.00
04/13/17	RND	Email with Caisse Defendants' Counsel re: draft statement of undisputed facts	0.10	25.00
04/14/17	ALS	Docket scheduling with respect to Wrongful Death appeal pending in the First Circuit	0.10	21.50
04/14/17	ALS	Reply email to M. Irish at Baker Newman & Noyes with respect to Irving Railroads' supplemental document request	0.10	21.50
04/14/17	ALS	Work on obtaining fee information for F. Caruso re Wheeling's 506(c) claim	0.30	64.50



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>
04/14/17	DPK	Continue compiling comparison of Alan Hansen testimony from Nov. 2015 hearing and March 2017 deposition.	0.60	126.00
04/14/17	ALS	Email to R. Keach and R. Desai re Eureka's Supplemental Reply to the Objection to their Motion for Judgment on the Pleadings re Caisse litigation (.1); update pleadings re same (.1)	0.20	43.00
04/14/17	ALS	Continue search, review and organization of documents relating to Caisse litigation	2.70	580.50
04/14/17	ALS	Redact pre-mediation memorandum prepared by R. Keach re Caisse litigation (.2); emails to/from R. Keach and R. Desai re upcoming mediation re Caisse litigation (.2); office conferences (x2) with R. Keach re compilation to pre-mediation memorandum re Caisse litigation (.2)	0.60	129.00
04/14/17	ALS	Assist L. Zahradka re document production in response to Irving Railroads' supplemental document request, including review of boxes at Noyes storage facility	1.20	258.00
04/14/17	RJK	Telephone call with Dan Rosenthal regarding depositions	0.20	110.00
04/14/17	RJK	Attention to compilation (for mediation) (.2); review documents relevant to Caisse de Depot litigation (.7)	0.90	495.00
04/14/17	RND	Emails with A. Helman re: draft statement of undisputed facts	0.20	50.00
04/14/17	RND	Emails with R. Mikels, R. Keach, and Caisse Defendants' Counsel re: mediation agreement	0.40	100.00
04/14/17	RND	Emails with R. Keach and A. Stewart re: documents related to 2011 transaction (.5) and review documents re: same (1)	1.50	375.00
04/14/17	RND	Review Eureka's supplemental reply	0.40	100.00
04/17/17	KQ	Continued preparation of MMA documents from Noyes storage with respect to Irving Railroad document production	5.50	990.00
04/17/17	DPK	Continue with comparison between Hansen testimony at Nov. 2015 hearing and March 2017 deposition.	1.10	231.00
04/17/17	ALS	Review and respond to email from L. Zahradka re Wheeling's prior document productions (.1); review Wheeling's prior document productions (.1)	0.20	43.00
04/17/17	ALS	Continue search, review and organization of documents relating to Caisse litigation	4.20	903.00
04/17/17	ALS	Continue work on organization of documents responsive to Irving Railroads' supplemental document request	2.00	430.00
04/17/17	RND	Review voicemail from Eureka's counsel re: documents requested	0.10	25.00



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>
04/17/17	RND	Review Caisse documents re: 2011 transaction in connection with upcoming mediation	1.30	325.00
04/18/17	LKZ	Call w/F.Caruso re: 506(c) litigation (.2) and review analysis re: same (.1); emails w/B.Keach re: same (.1) and Wheeling counsel re: Caruso deposition (.2). Emails w/A.Stewart re: progress on Irving RRs doc production (.2) and draft objections and responses to same (.5); review and comment on draft confidentiality order for document production (.9) and emails w/B.Keach (.1), P.McDonald (.1) re: same.	2.40	600.00
04/18/17	DSA	Reviewed e-mails concerning issues with status of payment of claims for trestle litigation.	0.10	42.50
04/18/17	RND	Emails with Defendants' Counsel re: executed mediation agreement and dates for mediation	0.50	125.00
04/19/17	KQ	Continued preparation of MMA documents from Noyes storage in response to Irving document request	4.70	846.00
04/19/17	LKZ	Confer w/K.Quirk re: status of doc production to Irving RRs (.2); review docs in connection with same (1.1); confer w/A.Stewart re: same (.2); emails w/P.McDonald re: protective order for same (.1). Review recent precedent on forum non conveniens issue in connection with CP Motion to Dismiss (.3) and summarize for R.Keach (.3).	2.20	550.00
04/19/17	DSA	Reviewed briefs filed by Wheeling on appeal	0.10	42.50
04/19/17	RND	Review and analyze appellee's brief [Wheeling Appeal]	2.30	575.00
04/19/17	RND	Call with C. Brennan re: document requested in conjunction with Caisse mediation	0.30	75.00
04/19/17	RND	Calls with A. Stewart re: documents to produce to Eureka's counsel in conjunction with mediation	0.90	225.00
04/19/17	ALS	Update docket scheduling re video deposition of Joseph McGonigle in Wheeling v Keach adversary proceeding	0.10	21.50
04/19/17	ALS	Emails from/to L. Zahradka and K. Quirk re document production re Irving Railroads' supplemental document request	0.20	43.00
04/19/17	ALS	Review CM/ECF notification re Wheeling's brief re Keach v Wheeling appeal (.1); confirm reply brief deadline (.1)	0.20	43.00
04/19/17	ALS	Email to R. Keach and R. Desai attaching Appellee's reply brief in Keach v Wheeling appeal	0.10	21.50
04/19/17	ALS	Emails from/to R. Desai re Caisse mediation	0.10	21.50
04/19/17	ALS	Telephone conference with R. Desai re draft statement of undisputed facts re Caisse adversary proceeding	0.20	43.00
04/19/17	ALS	Continue processing of documents responsive to Irving Railroads' supplemental document request	2.20	473.00



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>
04/19/17	ALS	Continue search, review and organization of documents relating to Caisse litigation	2.70	580.50
04/19/17	LKZ	Emails with P. McDonald re: protective order (.1); emails with counsel to Irving railroads regarding same (.1).	0.00	0.00
04/20/17	KQ	Continued preparation of supplemental response documents with respect to Irving litigation	6.90	1,242.00
04/20/17	LKZ	Further revise protective order (.4) and emails w/Irving RRs counsel re: same (.2); review documents in connection with production to Irving Railroads (1.0).	1.60	400.00
04/20/17	RND	Review CP's Motion to Dismiss Derailment Litigation Appeal	1.40	350.00
04/20/17	RND	Review Caisse comments/edits to statement of undisputed facts	0.50	125.00
04/20/17	RND	Emails with R. Keach re: Caisse comment/edits to draft Statement of Undisputed Facts	0.30	75.00
04/20/17	RND	Emails with R. Mikels and Caisse Defendants' re: Keach mediation statement and documents referenced therein	0.40	100.00
04/20/17	RND	Review documents re: 2011 transaction	0.90	225.00
04/20/17	ALS	Email to R. Keach, L. Zahradka and R. Desai re CP Motion to Dismiss filed in Wrongful Death Appeal (.1); update pleadings file with same (.1)	0.20	43.00
04/20/17	ALS	Emails (multiple) from/to R. Keach and R. Desai re pre-mediation memorandum and compilation of documents for transmittal to mediator and other parties re Caisse adversary proceeding (.3); preparation of file transfer links re same (.2)	0.50	107.50
04/20/17	ALS	Organization of documents referenced in Caisse adversary complaint per R. Desai's request	2.70	580.50
04/20/17	ALS	Continue organization of documents responsive to Irving Railroads' supplemental document request (1.5); emails (x3) from/to S. Baker re same (.3); messages to/from L. Zahradka and K. Quirk re status of document production (.2)	2.00	430.00
04/21/17	LKZ	Review document production from MN/NB RRs (1.5) and summarize same for F.Caruso (.5).	2.00	500.00
04/21/17	ALS	Email to R. Keach and R. Desai attaching Appellants' Docketing Statement filed in Wrongful Death Appeal (.1); update pleadings file re same (.1)	0.20	43.00
04/21/17	ALS	Continue to search, review and organize documents relating to Caisse adversary proceeding	3.20	688.00
04/21/17	ALS	Update timeline of events leading up to 2011 sale from MMA to State of Maine as outlined in Caisse adversary complaint	0.70	150.50



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>
04/21/17	ALS	Email to R. Keach and R. Desai attaching communication supporting allegations in Caisse adversary proceeding (.1); additional communication to/from R. Desai re same (.1)	0.20	43.00
04/21/17	RND	Review appellant's docketing statement in Wrongful Death litigation appeal	0.20	50.00
04/21/17	RND	Review Eureka's edits to draft statement of facts and email with R. Keach re: same	0.30	75.00
04/21/17	RND	Review Eureka's redacted mediation statement	0.30	75.00
04/21/17	RND	Email with R. Mikels re: pre-mediation statement and relevant documents re: same	0.10	25.00
04/21/17	RND	Review/analyze Caisse redacted mediation statement	0.40	100.00
04/21/17	RND	Review emails between various investors re: 2011 Transaction	0.10	25.00
04/21/17	RND	Review/analyze mediation statement of Turner, MP Global, and Athena	0.30	75.00
04/21/17	RND	Review/analyze Wheeling's brief in 2011 Transaction Appeal	2.10	525.00
04/22/17	LKZ	Emails with counsel to MN/NB railways re: supplemental doc production.	0.10	25.00
04/24/17	LKZ	Review memo of criminal proceedings (.2) and confer w/B.Keach re: same (.2); substantial research resume (1.7).	2.10	525.00
04/24/17	RJK	Review mediation call with R. Mikels (.4); follow-up (.7)	1.10	605.00
04/24/17	PM	Review CP Motion to Dismiss for Summary Disposition of Appeal.	0.30	124.50
04/24/17	RJK	Review mediation statement (Caisse)	0.90	495.00
04/24/17	ALS	Office conference with L. Zahradka re settlement agreements (.1); review communications relating to redacted and unredacted versions of settlement agreements (.4); listen to confirmation hearing audio of October 9, 2015 re same (.1)	0.60	129.00
04/24/17	ALS	Docket scheduling video deposition of Canadian Pacific Railway in Wheeling v Keach adversary proceeding (.1); update pleadings file with Wheeling's Notice of Deposition re same (.1)	0.20	43.00
04/24/17	ALS	Continue search, review and organization of documents relating to Caisse adversary proceeding	0.50	107.50
04/24/17	RND	Email and call with R. Keach re: revisions to draft statement of undisputed facts	0.30	75.00
04/24/17	RND	Outline and draft reply to Wheeling's Brief in 2011 Transaction	3.50	875.00
04/24/17	RND	Call with R. Keach re: revisions to draft statement of undisputed facts and revise same	2.90	725.00



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>
04/25/17	ALS	Review and reply to email from L. Zahradka re errata sheet with respect to F. Caruso's deposition transcript	0.20	43.00
04/25/17	ALS	Emails from/to L. Zahradka re Proposed Stipulated Protective Order and Confidentiality Agreement filed by Irving Railroads	0.20	43.00
04/25/17	ALS	Organization of pre-mediation memorandums submitted to mediator re Caisse adversary proceeding (.1); email to R. Desai re same (.1)	0.20	43.00
04/25/17	ALS	Draft errata sheet for F. Caruso with respect to his deposition in Irving Railroads' matter (.2); email to L. Zahradka re same (.1)	0.30	64.50
04/25/17	LKZ	Review second component of Irving RRs doc production (.8) and summarize same for F.Caruso (.1).	0.90	225.00
04/25/17	ALS	Search, review and organize documents relating to Caisse adversary proceeding in advance of mediation	2.70	580.50
04/25/17	RJK	Exchange e-mails with Patrick Maxcy regarding mediation statement (Caisse)	0.20	110.00
04/25/17	RJK	Attention to issues regarding reply brief - Wheeling	0.50	275.00
04/25/17	RND	Review CP's response/obj to Wheeling's Subpoena	0.30	75.00
04/25/17	RND	Continue drafting reply to Wheeling's Brief in 2011 Transaction	3.80	950.00
04/26/17	DPK	Review emails re motion to compel and attendant affidavits.	0.20	42.00
04/26/17	LKZ	Emails w/MN/NB Counsel re: proposed protective order.	0.20	50.00
04/26/17	ALS	Emails from/to L. Zahradka re transmittal of errata sheet with respect to F. Caruso and R. Keach's depositions relating to Irving Railroads matter	0.20	43.00
04/26/17	ALS	Emails to/from J. Kerr at Evidox re access to database (.1); office conference with M. Thomas re same (.1)	0.20	43.00
04/26/17	ALS	Continue search, review and organization of documents relating to Caisse adversary proceeding	4.20	903.00
04/26/17	ALS	Preparation of summary of use of sale proceeds for R. Keach and R. Desai's review with respect to 2011 sale from MMA to State of Maine	0.70	150.50
04/26/17	RND	Continue drafting reply to Wheeling's Brief in 2011 Transaction	4.90	1,225.00
04/27/17	ALS	Discussion with A. Cummings re status of errata sheet from F. Caruso with respect to this deposition in Irving Railroads matter	0.10	21.50
04/27/17	ALS	Continue search, review and organization of documents relating to Caisse adversary proceeding in advance of upcoming mediation (2.6); email to R. Keach and R. Desai re same (.2)	2.80	602.00
04/27/17	LKZ	Review upcoming deadlines for MN/NB RRs matter.	0.60	150.00
04/27/17	DPK	Continue comparing testimony of Karl Hansen.	0.90	189.00



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>
04/27/17	RND	Review documents re: MMA financials during timeline of 2011 Transaction	0.70	175.00
04/27/17	RND	Email with R. Keach re: reply to Wheeling's brief in 2011 Transaction Appeal	0.10	25.00
04/27/17	RND	Continue drafting reply to Wheeling's Brief in 2011 Transaction	2.90	725.00
04/28/17	RJK	Exchange e-mail with Rick Mikels regarding Caisse statement of Facts	0.20	110.00
04/28/17	ALS	Emails from/to R. Keach re review of supplemental documents produced by Irving Railroads	0.20	43.00
04/28/17	ALS	Continue search, review and organization of documents relating to Caisse de Depot adversary proceeding in advance of mediation and for R. Keach and R. Desai's review	3.20	688.00
04/28/17	RND	Call with R. Keach re: reply to Wheeling's brief in 2011 Transaction Appeal	0.30	75.00
04/28/17	RND	Emails with Caisse Defendants' counsel and R. Keach re: final version of undisputed statement of facts	0.20	50.00
04/28/17	RND	Finalize Caisse statement of disputed facts (.4) and emails with R. Keach and R. Mikels re: same (.3)	0.70	175.00
04/29/17	ALS	Continue search, review and organization of documents relating to Caisse de Depot adversary proceeding in advance of mediation and for R. Keach and R. Desai's review	0.50	107.50
04/29/17	RND	Continue drafting and revising reply to Wheeling's Brief in 2011 Transaction Appeal	3.90	975.00
04/29/17	RND	Review transcript of oral ruling and audio of hearing on Wheeling's Motion to Dismiss 2011 Transaction Complaint	1.90	475.00
04/30/17	ALS	Continue search, review and organization of documents relating to Caisse de Depot adversary proceeding in advance of mediation and for R. Keach and R. Desai's review	1.80	387.00
05/01/17	ALS	Meeting with R. Keach re review of documents produced by Irving Railroads	0.20	43.00
05/01/17	ALS	Telephone conference with R. Desai re Wheeling appeal and record transferred to District Court (.2); emails from/to R. Desai re audio from hearings in Wheeling adversary proceeding (.2)	0.40	86.00
05/01/17	ALS	Analyze backup to invoices provided by Irving Railroads per R. Keach's request (1.8); preparation of summary re same for R. Keach's review (.4)	2.20	473.00
05/01/17	ALS	Emails to R. Keach, R. Desai and L. Zahradka re CP's Response to Docketing Statement and Appellants' Response to CP's Motion to Dismiss filed in Wrongful Death Appeal (.2); update pleadings file re same (.1)	0.30	64.50



Page 33
October 26, 2017
Invoice #: *****

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>
05/01/17	ALS	Continue search, review and organization of documents relating to Caisse de Depot adversary proceeding in advance of mediation and for R. Keach and R. Desai's review	2.80	602.00
05/01/17	DSA	Reviewed filings relating to CP litigation	0.10	42.50
05/01/17	PM	Review response to motion to dismiss appeal and reply thereto.	0.50	207.50
05/01/17	RJK	Review and revise reply brief in Wheeling UFTA appeal	1.60	880.00
05/01/17	RJK	Review and revise reply brief in Wheeling UFTA Appeal (1.3); review precedent regarding same (.8)	2.10	1,155.00
05/01/17	RJK	Review and revise reply brief in Wheeling UFTA appeal (1.8); review precedent regarding same (1.5)	3.30	1,815.00
05/01/17	RND	Emails with R. Keach re: "dominion and control" argument in Wheeling's Brief in 2011 Transaction Appeal (.3) and review Wheeling's motion to dismiss re: same (.5)	0.80	200.00
05/01/17	RND	Emails with R. Keach re: oral arguments concerning Wheeling's motion to dismiss 2011 Transaction Complaint and arguments made by Wheeling in bankruptcy proceeding	0.30	75.00
05/01/17	RND	Review/analyze audio of 12/28/16 hearing on motion to dismiss 2011 Transaction Complaint	3.00	750.00
05/01/17	RND	Review Appellant's response to motion to dismiss 1st Circuit Appeal [Roy v. CP]	0.80	200.00
05/01/17	RND	Draft and revise Appellant's Reply to Wheeling's Brief [2011 Transaction Complaint Appeal]	3.10	775.00
05/02/17	ALS	Docket scheduling extended expert-designation deadlines given to Wheeling (.1); update pleadings with Wheeling's expert report (.1)	0.20	43.00
05/02/17	ALS	Continue search, review and organization of documents relating to the Caisse de Depot adversary proceeding	3.80	817.00
05/02/17	ALS	Telephone conference with R. Desai re assistance with Wheeling reply brief	0.20	43.00
05/02/17	ALS	Assist R. Keach and R. Desai with record cite check, revisions to and filing of reply brief for filing in Keach v Wheeling appeal	2.00	430.00
05/02/17	DPK	Bluebook Reply Brief of Appellant in litigation with Wheeling & Lake Erie Railway Co.	1.30	273.00
05/02/17	RJK	Review and revise reply brief (Wheeling UFTA)	2.50	1,375.00
05/02/17	RJK	Review and revise Reply Brief (Wheeling UFTA)	1.50	825.00
05/02/17	RJK	Review additional relevant documents in Caisse case	2.20	1,210.00
05/02/17	RND	Review, revise, and finalize reply to Wheeling's Brief in 2011 Transaction Appeal	5.20	1,300.00



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>
05/02/17	RND	Review COS for Appellant's Reply Brief (Wheeling 2011 Transaction Appeal]	0.10	25.00
05/02/17	RND	Review emails from D. Gardner re: short term cash flow issues (2011 transaction)	0.20	50.00
05/02/17	RND	Emails and calls with A. Stewart re: revisions to record cites in Appellant's reply brief (Wheeling 2011 Transaction Appeal)	0.30	75.00
05/02/17	RND	Email with R. Keach and L. Zahradka re: mezz debt in 2011 transaction	0.10	25.00
05/03/17	DPK	Email L. Zahradka re comparison chart of Karl Hansen's hearing and deposition testimony.	0.20	42.00
05/03/17	KQ	E-mail to L. Zahradka regarding MMA documents related to Irving document production	0.10	18.00
05/03/17	LKZ	Emails w/B.Keach re: upcoming deadlines.	0.30	75.00
05/03/17	DSA	Reviewed e-mails and Court filings relating to CP and Wheeling litigation (.1)	0.10	42.50
05/03/17	RND	Begin reviewing various emails concerning NWPA and 2011 Transaction [Caisse]	1.30	325.00
05/03/17	RND	Email with A. Helman re: Caisse mediation and Davis' election to not participate	0.10	25.00
05/04/17	LKZ	Emails w/D.Keenan regarding MN/NB RRs reply.	0.00	0.00
05/04/17	KQ	Make arrangements for MMA files used in the Irving litigation to be returned to the storage facility	0.10	18.00
05/04/17	RJK	Review additional documents in Caisse matter	3.70	2,035.00
05/05/17	LKZ	Emails with team regarding upcoming deadlines.	0.10	25.00
05/05/17	PM	Internet research re. knowledge of volatility of Bakken crude oil.	1.00	415.00
05/05/17	ALS	Email to R. Keach and L. Zahradka re Stipulated Protective Order and Confidentiality Agreement with Irving Railroads (.1); review Stipulated Protective Order and Confidentiality Agreement with Irving Railroads (.2)	0.30	64.50
05/06/17	LKZ	Review emails regarding upcoming deadlines.	0.00	0.00
05/08/17	ALS	Review emails from R. Desai and M. Nelson at Dentons re link to redacted mediation memorandum and compilation of documents re Caisse litigation (.2); transmit file transfer link to M. Nelson at Dentons re same (.1)	0.30	64.50
05/08/17	RJK	Review Caisse documents; prepare for mediation	2.90	1,595.00
05/08/17	RJK	Prepare for mediation	1.10	605.00
05/08/17	RJK	Prepare for mediation	2.90	1,595.00
05/08/17	RND	Emails with A. Stewart and M. Nelson re: Estate Rep's redacted mediation statement and related documents	0.20	50.00
05/08/17	RND	Emails with R. Mikels, A. Helman, and B. Finestone re: mediation agreement and expense split	0.30	75.00



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>
05/09/17	ALS	Review and respond to email from R. Keach re Caisse mediation	0.20	43.00
05/09/17	DPK	Review letter from Karl Hansen re clarifications to deposition testimony for possible impact on deposition/hearing testimony comparison.	0.40	84.00
05/09/17	LKZ	Review Irving RRs JPO (.2); review documents produced by Irving RRs (.5); emails w/B.Keach re: same (.1); confer w/A.Stewart re: marking same in accord with JPO (.1). Review deadlines in Wheeling Surcharge Adversary Proceeding (.1).	1.00	250.00
05/09/17	PM	Review CP motion to Dismiss Appeal and case law cited therein.	0.40	166.00
05/09/17	ALS	Review additional documents relating to Caisse litigation for transmittal to R. Keach and R. Desai	0.80	172.00
05/09/17	ALS	Emails to/from R. Keach and R. Desai re additional documents relating to Caisse adversary	0.20	43.00
05/09/17	RJK	Prepare for (5.0) and attend (5.1) Caisse mediation; return travel (5.0)	15.10	8,305.00
05/09/17	RJK	Telephone call with Dan Rosenthal regarding JPO dates (Wheeling Adversary)	0.40	220.00
05/09/17	RND	Review 2009 emails re: defaults in NWPA	0.10	25.00
05/09/17	RND	Review further documents re: mezz debt (2011 transaction)	0.20	50.00
05/10/17	DPK	Continue drafting testimony comparison based on Karl Hansen's clarification of his deposition testimony (.8); email to L.Zahradka re same (.1).	0.90	189.00
05/10/17	LKZ	Confer w/B.Keach re: Caisse mediation resolution (.2); draft settlement agreement template for same (3.0) and emails w/B.Keach re: same (.2). Emails w/A.Stewart re: production of marked exhibits to Irving RRs (.1); review chart comparing Hansen testimony as between 11/20 hearing and 2017 deposition (.5).	4.00	1,000.00
05/10/17	ALS	Preparation of draft exhibit list and organization of exhibits per L. Zahradka's request with respect to Irving Railroads matter (.7); review and respond to email from L. Zahradka re same (.1)	0.80	172.00
05/10/17	ALS	Review email from R. Keach re outcome of mediation with respect to Caisse adversary proceeding (.1); telephone conference with R. Desai re same (.1)	0.20	43.00
05/10/17	RJK	Exchange e-mail with Roma Desai regarding Caisse settlement	0.30	165.00
05/10/17	RJK	Exchange e-mails with Patrick Maxcy regarding Caisse settlement	0.20	110.00
05/10/17	RJK	Exchange e-mail with Andrew Helman regarding Caisse settlement	0.40	220.00



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>
05/10/17	RND	Emails with R. Keach re: Caisse mediation status and settlement	0.20	50.00
05/10/17	RND	Email with J. Geller re: mediation status	0.10	25.00
05/10/17	RND	Continue drafting/revising Appellant's brief	7.30	1,825.00
05/11/17	ALS	Emails from/to L. Zahradka re revisions to Estate Rep's Exhibit List and Exhibits with respect to Irving Railroads matter (.3); multiple revisions to Estate Rep's Exhibit List and Exhibits with respect to Irving Railroads matter (.6); review Court docket and hearing transcript from November 20, 2015 hearing re admitted exhibits (.3)	1.20	258.00
05/11/17	KQ	Office conference with L. Zahradka regarding settlement agreements in the Caisse litigation (.1); revisions to settlement agreements for each defendant	0.80	144.00
05/11/17	DPK	Review emails re Karl Hansen deposition and hearing testimony comparison.	0.20	42.00
05/11/17	DPK	Review cases addressing when individuals/entities may file proof of claims on behalf of a creditor (2.5); draft synopsis for L.Zahradka (1.8); conference with L.Zahradka re same (.1).	4.40	924.00
05/11/17	LKZ	Emails with A.Stewart re marking exhibits for Irving railroads JPO	0.30	75.00
05/11/17	LKZ	Confer w/D.Keenan re: research for MN/NB RRs reply (.2); emails w/A.Stewart re: marking of exhibits for MN/NB RRs (.2); analysis of documents produced in connection with marking exhibits (.9) and emails w/B.Keach (.2), A.Lepene (.2) re: same; review relevant pleadings (.5), research in connection therewith (.8), and draft outline for reply in support of amended objection to Irving RRs' claims (2.8); emails w/B.Keach re: same (.2) and revise outline accordingly (.4); begin draft reply (.3). Revise template settlement agreement for Caisse litigation (.5) and confer w/B.Keach re: same (.2).	7.40	1,850.00
05/11/17	ALS	Review meeting attendance sheet with respect to vote on CCAA Plan (.2); emails from/to L. Zahradka re same (.1)	0.30	64.50
05/11/17	ALS	Email to R. Keach re Irving Oil Limited's Objection to Trustee's Motion to Amend Complaint filed in CP litigation	0.10	21.50
05/11/17	RJK	Review and revise Caisse settlement agreement draft	0.70	385.00
05/12/17	ALS	Preparation of master exhibits list for L. Zahradka's review with respect to Irving Railroads matter	1.00	215.00



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>
05/12/17	ALS	Telephone conference with M. Paione at U.S. Bankruptcy Court re May 23 hearing with respect to Trustee's Objection to claims of Irving Railroads (.2); email to L. Zahradka re same (.1)	0.30	64.50
05/12/17	ALS	Docket scheduling deadline for Estate Representative and Irving Railroads to file objection to Exhibits (.2); communication from/to L. Zahradka re same (.1)	0.30	64.50
05/12/17	LKZ	Review analysis from D.Keenan re: authority to file proofs of claim in connection with reply in support of amended objection to Irving RRs PoC (.2) and revise outline accordingly (.5); draft reply (4.4); review JPO re: hearing date for amended objection (.2) and confer w/A.Stewart re: same (.2).	5.50	1,375.00
05/12/17	DPK	Review emails re my case law analysis on Rule 3001(b)'s requirements for agents filing proofs of claim on behalf of creditors.	0.10	21.00
05/15/17	ALS	Organization of Irving Railroads' Exhibit & Witness List and corresponding exhibits (.2); update Master Exhibit List per L. Zahradka's request (.5)	0.70	150.50
05/15/17	ALS	Draft consent motion to continue hearing with respect to Amended Objections to claims filed by Irving Railroads (.3); emails from/to L. Zahradka re same (.1)	0.40	86.00
05/15/17	KQ	E-mail from and to J. Henderson at Thompson Hine regarding supplemental document production re MN/NB Railways (.1); prepare and transmit copies of document production to supplemental requests (.6)	0.70	126.00
05/15/17	DPK	Review CP's response to Wheeling's motion to compel.	0.20	42.00
05/15/17	DPK	Further case law research re Rule 3001(b)'s "authorized agent" requirements in the First Circuit (.8) ; draft footnote re same for Reply Brief (.2).	1.00	210.00
05/15/17	LKZ	Continue draft of reply in support of Amended objection to Irving RRs claim (3.9); confer w/D.Keenan re: research for same (.1); emails w/B.Keach re: draft reply (.1); further research in connection with same (.3) and revise same (.8). Confer w/B.Keach re: Wheeling adversary proceeding deadlines (.2) and analysis re: same (.5). Revise motion to continue Irving RRs hearing (.1). Review Caisse comments to settlement agreement (.2) and confer w/B.Keach re: same (.1); draft motion to dismiss defendant from adversary proceeding in connection with same (.2).	6.50	1,625.00
05/15/17	ALS	Emails from/to L. Zahradka re stipulation of dismissal of certain parties re Caisse litigation	0.20	43.00



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>
05/15/17	ALS	Email to R. Keach, P. McDonald, et al. re CP's Response to Wheeling's Motion to Compel (.1); update pleadings file with same (.1); review CP's response to Wheeling's Motion to Compel (.2)	0.40	86.00
05/15/17	ALS	Review email and attachments from R. Keach re Irving Railroads matter	0.20	43.00
05/15/17	PM	Review CP Opposition to Wheeling Motion to Compel.	0.20	83.00
05/16/17	ALS	Perform record cite check on Reply Brief with respect to Irving Railroads	0.70	150.50
05/16/17	ALS	Organization of exhibits referenced in Reply Brief with respect to Irving Railroads	0.80	172.00
05/16/17	KQ	Revisions to settlement agreements in the matter of Keach .v Caisse, et al.	1.60	288.00
05/16/17	LKZ	Draft consent motion to dismiss defendants in Caisse litigation (.3) and emails w/J.Geller re: same (.1); finalize Caisse settlement agreement (.4) and confer w/B.Keach re: same (.1); confer w/K.Quirk re: adapting Caisse settlement agreement for other Caisse defendants (.2). Review A.Stewart revisions to deposition transcript cites for Irving RRs reply (.1) and review D.Keenan revisions to same (.1); review exhibits to same (.2); finalize reply for filing (.3) and supervise filing of same (.1).	1.90	475.00
05/16/17	DPK	Blue Book Reply Brief in Support of Amended Objection to Irving Railroads and give it a "clean read" (2.0); review emails re same (.1).	2.10	441.00
05/16/17	DPK	Revise Motion for Expedited Hearing (.5), and NOH (.1); review emails re same (.1).	0.70	147.00
05/16/17	DSA	Reviewed e-mails and filings relating to Irving Railroad litigation (.1)	0.10	42.50
05/16/17	RJK	Review and revise Caisse de Depot Settlement Agreement	0.40	220.00
05/16/17	RJK	Review Irving filings in Class Action regarding claims v. CP	1.50	825.00
05/17/17	DSA	Reviewed e-mails and filings relating to CP litigation	0.10	42.50
05/17/17	LKZ	Revise draft settlement agreements for Eureka (.2); draft motion to dismiss for same (.1).	0.30	75.00
05/18/17	LKZ	Emails with A. Helman regarding expert report in surcharge adversary proceeding.	0.10	25.00
05/18/17	JW1	Caselaw research regarding motion to stay discovery.	3.50	840.00
05/18/17	LKZ	Emails w/A.Cummings re: 5/24 McGonigle deposition (.1); emails w/B.Keach re: Wheeling expert designation supplements (.1); review docket for upcoming deadlines (.2).	0.40	100.00
05/19/17	LKZ	Review docket entries for upcoming deadlines.	0.10	25.00



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>
05/19/17	ALS	Email to K. Quirk re status of Caisse adversary proceeding (.1); office conference with K. Quirk re same (.1)	0.20	43.00
05/19/17	LKZ	Emails w/K.Quirk regarding settlement agreements.	0.50	125.00
05/19/17	ALS	Update docket scheduling based on agreed upon extensions of deadlines in Wheeling v Keach adversary proceeding	0.30	64.50
05/19/17	KQ	Revisions to the Motions to Dismiss in the Keach v. Caisse matter (.4); revision to the settlement agreement with Eureka (.2)	0.70	126.00
05/19/17	DPK	Review Wheeling's Response to CP's response to Motion to Compel.	0.30	63.00
05/19/17	LKZ	Adapt Caisse settlement agreement for other defendants (.3) and draft motions to dismiss each (.2), FOOs for same (.2).	0.70	175.00
05/19/17	ALS	Reply email to L. Zahradka re Wheeling's Expert Designation	0.10	21.50
05/19/17	ALS	Email to R. Keach, P. McDonald, et al. re Wheeling's Reply to CP's Response to Motion to Compel (.1); update pleadings with same (.1)	0.20	43.00
05/22/17	LKZ	Review docket entries regarding CP objection to motion to compel.	0.10	25.00
05/22/17	DSA	Reviewed e-mails and filings relating to CP litigation	0.10	42.50
05/22/17	PM	Review Wheeling Reply on Motion to Compel CP deposition (.3); review CP Opposition to Motion to Compel and Supporting Affidavit (.4).	0.70	290.50
05/23/17	KQ	Prepare schedule of status of settlement agreements in the Caisse litigation	0.30	54.00
05/23/17	LKZ	Emails w/counsel to settling defendants in Caisse adversary proceeding re: settlement agreements (.2); emails w/Wheeling counsel re: McGonigle depo (.1); emails w/B.Keach re: upcoming deadlines in Wheeling adversary proceeding (.1) and analysis re: same (.1); review upcoming deadlines in Irving RRs contested matter (.2); emails w/Chambers re: evidentiary hearing on Tafisa motion to late file (.1).	0.80	200.00
05/23/17	ALS	Assist R. Keach re preparation for deposition of Joseph McGonigle in the Wheeling v Keach adversary proceeding (.8); office conference with L. Zahradka re same (.1)	0.90	193.50
05/24/17	ALS	Assist R. Keach during deposition of J. McGonigle in Wheeling v Keach adversary proceeding	0.40	86.00
05/24/17	JW1	Final download and storage of electronic files provided to Trustee.	0.20	48.00
05/24/17	JW1	Review documents provided to trustee from third party (1.5); summarize key documents (.6).	2.10	504.00



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>
05/24/17	LKZ	Research in connection with Surcharge claim v. Wheeling (1.2); review Irving RRs marked exhibits for objection to admission (.8) and confer w/B.Keach re: same (.3).	2.30	575.00
05/24/17	RND	Email with A. Stewart re: various CP/WF tariffs	0.10	25.00
05/24/17	RND	Emails with Caisse et al defendants' counsel re: settlement agreement	0.20	50.00
05/24/17	RJK	Prepare for and attend McGonigle deposition	4.10	2,255.00
05/24/17	LKZ	Emails w/R.Keach regarding status of Caisse settlement negotiations.	0.00	0.00
05/25/17	KQ	Respond to L. Zahradka regarding service of settlement agreements for parties represented by Dentons US LLP (.1); office conference with L. Zahradka regarding same (.1)	0.20	36.00
05/25/17	JW1	Email to coordination document filing, organization with A. Stewart.	0.20	48.00
05/25/17	LKZ	Emails w/counsel to Caisse settling defendants re: settlement agreements (.5); research in connection with Wheeling surcharge claim (.5) and emails w/B.Keach re: same (.2); draft objection to Irving RR exhibits (1.0).	2.20	550.00
05/25/17	ALS	Review master exhibit list with respect to Irving Railroads matter (.2); compare same with exhibits produced by Irving Railroads (.5)	0.70	150.50
05/26/17	KQ	Finalize and file the objection to Irving's marked exhibits (.3); e-mail to L. Zahradka regarding service of same (.1)	0.40	72.00
05/26/17	LKZ	Emails w/counsel to Mn/NB RRs regarding additional exhibits.	0.20	50.00
05/26/17	LKZ	Emails with K.Quirk regarding filing of Irving RRs objection.	0.20	50.00
05/26/17	ALS	Review exhibits provided by Irving Railroads per L. Zahradka's request (1.3); office conferences (x2) with L. Zahradka re same (.2)	1.50	322.50
05/26/17	LKZ	Emails w/Wheeling counsel re: Caruso deposition (.1); emails (.1) and call (.3) w/F.Caruso re: documents marked by Irving RRs for admission; further draft objection to same (1.2) and confer w/A.Stewart re: review of exhibits for same (.2). Review Caisse revision to settlement agreement (.2) and emails w/B.K.Keach re: same (.1).	2.20	550.00
05/26/17	ALS	Docket scheduling re deadlines in Order on Wheeling's Motion to Compel (.2); review Order on Wheeling's Motion to Compel (.2)	0.40	86.00



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>
05/26/17	ALS	Update docket scheduling re Deposition of Canadian Pacific Railway in Wheeling v Keach adversary proceeding (.1); review email from L. Zahradka re same (.1)	0.20	43.00
05/26/17	RJK	Review changes to settlement agreement (.3); e-mail to Caisse de Depot counsel (.1)	0.40	220.00
05/26/17	RJK	Exchange e-mails with Lindsay Zahradka regarding Joint Pretrial Order for Wheeling matter	0.20	110.00
05/30/17	KQ	Prepare and file the Certificate of Service related to the Estate Representative's objection to marked exhibits submitted by NBSR and MNRC	0.20	36.00
05/30/17	KQ	Call with L. Zahradka regarding deadline to file stipulation of fact re Irving litigation (.1); call with the Court regarding same (.1)	0.20	36.00
05/30/17	KQ	Prepare Certificate of Service with respect to the Second Joint Motion to Extend JPO Deadline	0.30	54.00
05/30/17	KQ	Finalize and file the second joint motion to extend JPO deadlines	0.20	36.00
05/30/17	LKZ	Analysis re: potential stip w/Irving RRs (.4); emails w/B.Keach re: same (.2); emails w/Irving RRs counsel re: extension of deadline (.2); draft consent motion to continue JPO deadlines (.3) and FOO (.1); revise same (.1) and supervise filing same (.1). Review Caisse comments to settlement agreement (.1) and emails w/B.Keach re: same (.1).	1.60	400.00
05/30/17	DSA	Reviewed filings relating to CP and Irving Railroad litigation.	0.10	42.50
05/30/17	RND	Emails with chambers re: oral arguments concerning Wheeling 2011 Transaction Appeal	0.20	50.00
05/31/17	KQ	Revision to Second Joint Motion to Extend JPO Deadline (.2); file same, FOO and COS via ECF (.2)	0.40	72.00
05/31/17	JW1	Discussion with Bernstein team regarding Wheeling deposition in Calgary.	0.50	120.00
05/31/17	LKZ	Revise and prepare execution version of Caisse settlement agreement (.3) and filing version of motion to dismiss and FOO (.1); emails w/B.Keach (.1), Caisse counsel (.1) re: same. Emails w/Athena counsel re: settlement agreement review (.1); emails w/Davis counsel re: same (.1). Confer w/A.Stewart re: Wheeling expert reports (.5). Confer w/J.Woodcock, B.Keach re: prep for Wheeling deposition of CP for Wheeling adversary proceeding (1.2).	2.60	650.00
05/31/17	ALS	Docket scheduling oral argument in Keach v Wheeling case (.1); review CM/ECF notification scheduling oral argument in Keach v Wheeling case (.1)	0.20	43.00



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>
05/31/17	RJK	Review changes to Caisse settlement agreement (.2); e-mail to Lindsay Zahradka regarding same (.1)	0.30	165.00
05/31/17	RJK	Review Patrick Maxcy e-mail regarding Caisse settlement	0.10	55.00
05/31/17	ALS	Transmittal of pleading to M. Touns per R. Keach's request	0.10	21.50
05/31/17	RND	Emails with P. Maxcy and L. Zahradka re: settlement agreement with Athena	0.20	50.00
05/31/17	RND	Email with L. Zahradka and A. Helman re: status of Davis settlement agreement	0.10	25.00
06/01/17	LKZ	Review recent decisions pertaining to ongoing litigation issues (.5); research in connection with same (1.4).	1.90	475.00
06/01/17	ALS	Meeting with R. Keach re Attorney General v CP litigation in Superior Court Canada (.1); review electronic files re Canadian litigation (.3); emails to/from R. Keach re same (.2)	0.60	129.00
06/01/17	ALS	Email to R. Keach, P. McDonald, etc. attaching CP's Reply to the Estate Representative's Opposition to Motion to Stay Discovery (.1); update pleadings file re same (.1)	0.20	43.00
06/02/17	LKZ	Emails w/Caisse counsel re: wire information, settlement agreement sig page (.2). Research in connection w/Wheeling adversary proceeding (1.1).	1.30	325.00
06/02/17	JW1	Discussion with Bob Keach regarding Wheeling 30(b)(6) deposition.	0.40	96.00
06/02/17	LKZ	Emails w/Caisse defendants regarding settlements amounts.	0.10	25.00
06/02/17	ALS	Update docket scheduling re deposition of Canadian Pacific Railway in Wheeling v Keach adversary (.1); review email from R. Keach re same (.1)	0.20	43.00
06/02/17	RJK	Exchange e-mails regarding Caisse de Depot settlement	0.40	220.00
06/02/17	RJK	Exchange e-mails with Jay Geller, et al regarding Caisse de Depot settlement	0.30	165.00
06/03/17	ALS	Review Globe and Mail article re CP's response filed in Canadian class action suit (.1); email to R. Keach, P. McDonald, etc. re same (.1); review reply from R. Keach re same (.1)	0.30	64.50
06/04/17	LKZ	Emails regarding CP statements To press regarding Lac Megantic liability.	0.20	50.00
06/05/17	ALS	Office conference with R. Keach re CP's response filed in Canadian class action case (.1); email to J. Cuttler at Kugler Kandestin re same (.1); emails to/from R. Keach re same (.1); email to L. Zahradka re CP's response filed in Canadian class action case (.1)	0.40	86.00



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>
06/05/17	LKZ	Confer w/B.Keach re: Irving RRs pretrial conference - hearing dates, stip contour (.7); draft outline for stip (.8); confer w/B.Keach re:same (.4); prep for pretrial conference (.3); emails w/Irving RRs counsel re: same (.2). Emails w/Caisse defendants re: progress on settlement agreements (.3); revise Athena settlement agreement per counsel comments (.4) and analysis for same (.3).	3.40	850.00
06/05/17	DPK	Review Canadian derailment trial and litigation article and emails re to same.	0.10	21.00
06/05/17	PM	Review Glob and mail article re. CP Answer in Canadian PI case and email to Bob Keach and others re. same (.3); review CP defense to Canadian PI suit (1.3).	1.60	664.00
06/05/17	RJK	Attention to CP filed defense in Canadian class action; various e-mails regarding same	1.60	880.00
06/05/17	RJK	Detailed review of CP defense/answer in Quebec class action	1.50	825.00
06/05/17	RJK	Review Federal Court of Appeals decision regarding CP Tariff #8	1.10	605.00
06/05/17	RND	Review CP's Answer in Quebec class action and pleadings in U.S. cases re: contradictory legal positions	5.50	1,375.00
06/06/17	LKZ	Prep for (.5), travel to (.3), attend (.7), travel from (.3) pretrial conference on MN/NB RRs claim objection; meeting w/counsel to MN/NB RRs to discuss factual stipulations (1.0); meeting w/B.Keach re: same (.5); begin draft stipulation for same (1.2).	4.50	1,125.00
06/06/17	RND	Review CP's Answer in Quebec class action and pleadings in U.S. cases re: contradictory legal positions (3.7); Draft Supplemental Briefing re: same (3.3)	7.00	1,750.00
06/07/17	JW1	Review docket entries in Wheeling matter.	0.30	72.00
06/07/17	JW1	Update of Wheeling matter with L. Zahradka.	0.30	72.00
06/07/17	LKZ	Emails w/Caisse counsel re: consummation of settlement agreement (.1) and review settlement agreement in connection with same (.1); revise stipulation for Irving Railroads contested matter (.3) and emails w/B.Keach re: same (.1); confer w/J.Woodcock re: background for Wheeling adversary proceeding in advance of CP depo (.3) and analysis in preparation for same (.3).	1.20	300.00
06/07/17	KQ	Finalize and file the revised proposed order with respect to extending JPO deadlines	0.10	18.00
06/07/17	ALS	Update docket scheduling re deadline for all stipulations to be filed with the Court w/r/t Irving Railroads matter	0.10	21.50



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>
06/08/17	JW1	Review summary judgment papers in Wheeling matter.	1.60	384.00
06/08/17	LKZ	Research in connection with Wheeling adversary proceeding (.3) and confer w/J.Woodcock re: same (.3); revise stipulation for Irving RRs matter (1.2) and confer w/B.Keach re: same (1.1).	2.90	725.00
06/08/17	PM	Review and revise Supplemental Brief on Motion to Dismiss (.3); meet with Bob Keach to discuss Supplemental Brief on Motion to Dismiss (.2).	0.50	207.50
06/08/17	RJK	Review supplemental brief regarding Canadian Pacific Motion to Dismiss; conference with Paul McDonald regarding same	0.50	275.00
06/08/17	ALS	Telephone conference with L. Zahradka re review of Wheeling v Irving Railroads docket from U.S. District Court (.1); review U.S. District Court docket in Wheeling v Irving Railroads litigation for joint stipulation (.1); email to L. Zahradka attaching stipulation filed in Wheeling v Irving Railroads litigation (.1)	0.30	64.50
06/08/17	RND	Emails with R. Keach re: Supplemental Briefing in Trustee's litigation	0.40	100.00
06/08/17	KQ	Review Order granting second joint motion to extend JPO deadline and e-mail to L. Zahradka confirming language specific to ability to extend deadlines without need for further court order	0.10	18.00
06/08/17	LKZ	Emails with Caisse defendants Re: status of settlement agreements.	0.10	25.00
06/09/17	ALS	Organize exhibits referenced in master exhibit list relating to Irving Railroads matter per L. Zahradka's request (.6); office conference with L. Zahradka re same (.1); emails from/to L. Zahradka re organization of exhibits (.1)	0.80	172.00
06/09/17	JW1	Review case law surrounding Wheeling's adversary claims (4.2); analysis with L. Zahradka (.5).	4.70	1,128.00
06/09/17	LKZ	Revise proposed stipulation for Irving RRs (.9) and emails w/B.Keach re: same (.1); transmit same to counsel to Irving RRs (.1) and emails w/A.Stewart re: exhibits stipulated to in same (.1). Confer w/J.Woodcock re: Wheeling 30(b)(6) depo of CP (.5); research in connection with same (.9).	2.60	650.00
06/09/17	PM	Discuss Wheeling matter and upcoming deposition with Jack Woodcock.	0.20	83.00
06/09/17	KQ	Finalize and file the Motion to Dismiss Caisse in the adversary proceeding Keach v. Caisse, et al	0.40	72.00



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>
06/09/17	KQ	Prepare and send service of the Motion to Dismiss Caisse filed in the adversary proceeding Keach v. Caisse, et al (.7); draft and file the Certificate of Service related to same (.4)	1.10	198.00
06/12/17	JW1	Email with L. Zahradka regarding deposition strategy.	0.20	48.00
06/12/17	JW1	Review documents relating to Wheeling matter in preparation for deposition (3.3); strategy with L. Zahradka (1).	4.30	1,032.00
06/12/17	LKZ	Emails w/R.Keach regarding Wheeling depo of CP.	0.00	0.00
06/12/17	LKZ	Research in connection with Wheeling 30(b)(6) depo of CP (.5); confer w/J.Woodcock re: same (1.0); emails w/Caisse defendants re: settlement agreement progress (.3).	1.80	450.00
06/12/17	ALS	Review and respond to email from L. Zahradka re Wheeling's Export report of J. Crouter in Wheeling v Keach adversary proceeding	0.20	43.00
06/13/17	JW1	Caselaw research regarding limitations of liability in rail contracts (2.5); Wheeling deposition strategy with Bernstein attorneys (1).	3.50	840.00
06/13/17	JW1	Review Tariff 2248 and emails relating to its production.	1.00	240.00
06/13/17	JW1	Review of CP's tariffs.	1.20	288.00
06/13/17	KQ	Prepare exhibits for video deposition of CP in CP v. Keach	0.70	126.00
06/13/17	LKZ	Research in connection with wheeling adversary proceeding.	0.10	25.00
06/13/17	LKZ	Prep for (.5) and meet w/ (1.0) B.Keach re: Wheeling 30(b)(6) depo of CP.	1.50	375.00
06/13/17	ALS	Assist J. Woodcock with preparation for deposition of CP, including organization of potential deposition exhibits, in Wheeling v Keach adversary proceeding	1.80	387.00
06/13/17	RND	Review/analyze CP's first motion to withdraw reference and reply (2.9); Revise Trustee's supplemental briefing re: same (1.1)	4.00	1,000.00
06/14/17	JW1	Outline for Wheeling 30(b)(6) deposition.	1.30	312.00
06/14/17	ALS	Filing of supplemental briefing with respect to Estate Rep's Objection to CP's Third Motion to Dismiss (.2); email to R. Keach, R. Desai, P. McDonald, etc. re same (.1)	0.30	64.50
06/14/17	LKZ	Emails w/J.Woodcock re: CP deposition (.3) and analysis re: same (.3).	0.60	150.00
06/14/17	LKZ	Emails w/counsel to Eureka re: status of comments on settlement agreement (.2); emails w/B.Keach re: draft stip to Irving RRs (.2).	0.40	100.00



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>
06/14/17	JW1	Travel to and wait at airport for delayed flight to attend deposition in Wheeling matter; flight ultimately cancelled.	3.00	720.00
06/14/17	JW1	Phone call and follow up emails to court reporter to arrange for telephone attendance at Wheeling deposition.	0.20	48.00
06/14/17	JW1	Emails with opposing counsel arranging for telephone appearance at Wheeling deposition.	0.30	72.00
06/14/17	PM	Review and revise Supplemental Brief on Motion to Dismiss (.3); review changes to Supplemental Brief on Motion to Dismiss and meeting with Bob Keach re. same (.2).	0.50	207.50
06/14/17	ALS	Preparation of electronic versions of deposition exhibits for J. Woodcock re deposition of CP in Wheeling v Keach adversary proceeding	0.60	129.00
06/14/17	ALS	Emails from/to J. Woodcock re preparation for deposition of CP in Wheeling v Keach adversary proceeding	0.20	43.00
06/14/17	JW1	Finish deposition outline for Wheeling 30(b)(6) deposition.	1.00	240.00
06/14/17	RND	Emails with R. Keach and P. McDonald re: Estate Representative's Supplemental Briefing (.2); Revise same (.4); Call with R. Keach re: same (.1)	0.70	175.00
06/14/17	LKZ	Call with A. Stewart re: exhibits for CP deposition.	0.10	25.00
06/14/17	RJK	Review and revise supplemental brief regarding objection to CP Motion to Dismiss	0.50	275.00
06/14/17	RND	Draft supplemental briefing in support of Obj to CP's Motion to Dismiss	0.70	175.00
06/15/17	LKZ	Research in connection with wheeling adversary proceeding.	0.20	50.00
06/15/17	JW1	Participate in Wheeling 30(b)(6) deposition.	4.20	1,008.00
06/15/17	JW1	Review documents received by Wheeling which may be used in 30(b)(6) deposition.	1.00	240.00
06/15/17	JW1	Update on Wheeling 30(b)(6) deposition events to Bernstein attorneys.	0.30	72.00
06/15/17	LKZ	Prep for (.4) and attend (.8, partial) Wheeling 30(b)(6) depo of CP; confer w/J.Woodcock re: same (.5).	1.70	425.00
06/15/17	JW1	Email opposing side for copy of CP production to Wheeling.	0.10	24.00
06/15/17	LKZ	Emails w/Eureka counsel re: comments to Caisse settlement agreement.	0.10	25.00
06/16/17	JW1	Email regarding CP production to Wheeling.	0.10	24.00
06/16/17	LKZ	Emails with A.Stewart re: execution version of Settlement agreement with Eureka (.1); emails w/Eureka counsel regarding same, wire instructions (.1).	0.20	50.00



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>
06/16/17	ALS	Emails from/to J. Woodcock re CP's production in Wheeling v Keach adversary proceeding (.1); obtain CP's production in Wheeling v Keach matter (.2); organize same in electronic files (.2)	0.50	107.50
06/16/17	ALS	Review and respond to L. Zahradka's emails with respect to executed settlement agreement in Caisse litigation (.2); organize executed settlement agreement in electronic record (.1)	0.30	64.50
06/16/17	LKZ	Review Eureka turn of Caisse settlement agreement (.2) and emails w/B.Keach (.1), Eureka counsel (.1) re: same.	0.40	100.00
06/16/17	RJK	Review e-mails regarding Caisse de Depot settlement status	0.40	220.00
06/19/17	JW1	Review CP's document production to wheeling and summarize for Estate Representative.	1.00	240.00
06/19/17	LKZ	Emails w/Caisse settlement defendants re: motions to dismiss, settlement agreement consummation.	0.50	125.00
06/19/17	RND	Emails with L. Zahradka and P. Maxcy re: Athena and MP Global settlement agreements	0.20	50.00
06/20/17	ALS	Update docket scheduling in Wheeling v Keach case with respect to location of oral argument	0.10	21.50
06/20/17	ALS	Docket scheduling re hearing on motion to dismiss pending before Judge Carey in Keach v CP adversary proceeding	0.10	21.50
06/20/17	DPK	Review CP's response to Estate Representative's Supplemental Brief.	0.30	63.00
06/20/17	JW1	Receipt and review of CP's opposition brief to supplemental authority brief.	0.20	48.00
06/20/17	RND	Review CP's response to Trustee's Supplemental briefing	0.30	75.00
06/20/17	ALS	Email to R. Keach, P. McDonald, etc. attaching CP's Response to Supplemental Brief filed in adversary proceeding (.1); update pleadings with same (.1); review CP's Response (.2)	0.40	86.00
06/21/17	LKZ	Call w/counsel to MP Global re: progress on settlement agreement (.1); follow up on consummation of settlement agreement w/Eureka (.1); review upcoming deadlines in connection with same (.3).	0.50	125.00
06/22/17	LKZ	Review revised settlement agreement from counsel to Davis (Caisse adversary) (.1); revise same (.1) and motion to dismiss (.1) and prepare execution version of agreement (.1).	0.40	100.00
06/22/17	PM	Review CP Response to Supplemental Brief on Motion to Dismiss.	0.20	83.00



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>
06/23/17	JW1	Review additions to reply brief outline; email to Bob Keach.	0.20	48.00
06/23/17	KQ	Revision to settlement agreement with Athena in the Keach v. Caisse litigation	0.10	18.00
06/23/17	KQ	Finalize and file the motion to dismiss Eureka in the Keach v. Caisse matter (.2); prepare and send service of same (.3); prepare and file Certificate of Service related to same (.3)	0.80	144.00
06/23/17	LKZ	Research in connection with Wheeling adversary proceeding (.5); emails w/counsel to Caisse defendants re: settlement agreement comments (.6) and prepare execution versions of same (.5).	1.60	400.00
06/23/17	RND	Emails with P. Maxcy and L. Zahradka re: Athena settlement agreement	0.20	50.00
06/26/17	LKZ	Call w/Wheeling counsel re: surcharge adversary proceeding deadlines (.2), Davis settlement agreement timing (.1). Research in connection with Wheeling adversary proceeding (.2).	0.50	125.00
06/26/17	RND	Emails with R. Keach and A. Cummings re: oral arguments for Wheeling Appeal	0.20	50.00
06/26/17	ALS	Review Court docket entry striking supplemental briefing in CP adversary	0.10	21.50
06/26/17	ALS	Emails from/to L. Zahradka re CP litigation and upcoming team meetings	0.10	21.50
06/27/17	KQ	Docket calendaring with respect to deadlines for payment under the settlement agreement for Athena and Turner in the Keach v. Caisse matter	0.10	18.00
06/27/17	KQ	Finalize and file the joint motion to dismiss Athena in the matter of Keach v. Athena et al (.2); prepare and send service of same (.2); draft Certificate of Service with respect to the motion (.2); file COS (.1)	0.70	126.00
06/27/17	KQ	Revisions to the headings on the consent motions to dismiss party for Turner, David and MP Global, and related proposed orders in the matter of Keach v. Athena, et al.	0.10	18.00
06/27/17	KQ	Revisions to consent motion to dismiss Athena Family Partners and related proposed order from Keach v. Athena, et al. (.4); prepare and send service of amended motion(.2); draft Certificate of Service with respect to the amended motion (.2); file COS (.1)	0.90	162.00
06/27/17	LKZ	Review status of Caisse settlement agreements (.3); research in connection with Wheeling adversary proceeding (.3); revise motion to dismiss Athena (.1).	0.70	175.00
06/27/17	RJK	Review briefs, record in Wheeling UFTA appeal; prepare for oral argument	1.50	825.00



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>
06/27/17	RJK	Review briefs, record in Wheeling UFTA appeal (1.0); prepare for oral argument (.5)	1.50	825.00
06/27/17	RND	Emails with L. Zahradka and P. Maxcy re: Athena settlement	0.20	50.00
06/28/17	KQ	Revise motions to dismiss MP Global, Turner and Davis and update pleadings filed with the order on the motion to dismiss Athena in the matter of Keach v. MP Global	0.20	36.00
06/28/17	LKZ	Emails w/Caisse defendants re: status of settlement agreements (.1); prep for (.5) and call w/counsel to Irving RRs re: stip (.5); emails w/B.Keach re: same (.1).	1.20	300.00
06/29/17	LKZ	Emails with K. Quirk re: orders dismissing Caisse defendants.	0.10	25.00
06/29/17	RJK	Prepare for oral argument on Wheeling UFTA appeal	1.50	825.00
06/29/17	ALS	Review email communications from/to District Court re rescheduling of oral argument in appeal re Wheeling adversary proceeding (.1); update docket scheduling re same (.1)	0.20	43.00
06/29/17	ALS	Office conference with K. Quirk re status of Caisse litigation and dismissal of certain defendants	0.20	43.00
06/30/17	ALS	Docket scheduling deadline for Estate Representative to respond to Wheeling's interrogatories (.1); emails from/to L. Zahradka re same (.2)	0.30	64.50
06/30/17	JW1	Strategy regarding brief editing with Bob Keach and Roma Desai.	0.60	144.00
06/30/17	LKZ	Research in connection with Irving RRs contested matter (.4); emails w/Wheeling counsel re: interrogatories (.2); emails w/Caisse defendants re: status of settlement agreements (.5).	1.10	275.00
06/30/17	DSA	Reviewed e-mails concerning issues with hearings in Wheeling matters	0.10	42.50
06/30/17	ALS	Docket scheduling re oral argument in Keach v Wheeling appeal	0.10	21.50
06/30/17	ALS	Review emails from L. Zahradka re status of Caisse litigation	0.20	43.00
06/30/17	RJK	Prepare for Wheeling (UFTA appeal)	1.30	715.00
07/05/17	ALS	Filing of Joint Motion Dismissing Frank K. Turner from Caisse litigation (.2); emails from/to L. Zahradka re filing of same (.1); draft certificate of service re filing of Joint Motion to Dismiss Frank K. Turner (.2); email service upon A. Gilbert re same (.1)	0.60	129.00



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>
07/05/17	ALS	Emails from/to K. Ford at U.S. Bankruptcy Court re Joint Motion to Dismiss Frank Turner from Caisse litigation (.2); telephone call with K. Ford re same (.1); office conference with L. Zahradka re amendment to Joint Motion to Dismiss Frank Turner (.1); preparation of Amended Joint Motion to Dismiss Frank Turner, along with proposed order and certificate of service (.2); filing of Amended Joint Motion to Dismiss Frank Turner with Court (.1); email to A. Gilbert re same (.1)	0.80	172.00
07/05/17	JW1	Wheeling adversary scheduling order analysis with L. Zahradka.	0.20	48.00
07/05/17	ALS	Preparation of shell response to interrogatories propounded by Wheeling in Wheeling v Keach adversary proceeding (.6); email to L. Zahradka re same (.1)	0.70	150.50
07/05/17	ALS	Office conference with L. Zahradka re Wheeling's expert reports and upcoming deadlines (.2); review communications and pleadings surrounding expert designation (.3)	0.50	107.50
07/05/17	LKZ	Revise Webster form of order (.3) and emails (.3) and calls (.2) w/Richter team re: same; emails w/Webster team re: same (.1); supervise filing of same (.1). Research in connection with Wheeling expert reports (1.7). Update settlement tracker for Caisse litigation (.1).	2.80	700.00
07/06/17	LKZ	Confer w/A.Prescott, B.Keach re: next steps in Irving Railroads, CP, Wheeling litigations (1.0); call w/Wheeling counsel re: deadlines in Wheeling adversary proceeding (.3); emails w/B.Keach re: same (.1); emails w/Webster team re: revised order resolving motion for relief from judgment (.3).	1.70	425.00
07/06/17	ALS	Draft notice of appeal with respect to CP litigation (.3); office conference with L. Zahradka re same (.1)	0.40	86.00
07/06/17	ARP	Review MBSR and MNRC district court and appellate court briefing	1.20	300.00
07/07/17	ALS	Revisions to draft notice of appeal re CP litigation (.2); email to L. Zahradka re same (.1)	0.30	64.50
07/07/17	ALS	Office conference with A. Cummings re status of ruling on CP's Motion to Dismiss (.1); review email from R. Keach re same (.1)	0.20	43.00
07/07/17	ALS	Meeting with R. Keach, L. Zahradka and J. Woodcock re Decision on CP's Motion to Dismiss (.3); email Memorandum of Decision on CP's Motion to Dismiss to R. Keach, P. McDonald, etc. (.1); review Court's Memorandum of Decision (.5)	0.90	193.50



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>
07/07/17	DPK	Review Judge Carey's Memorandum of Decision on CP's Motion to Dismiss	0.80	168.00
07/07/17	LKZ	Review ruling on CP motion to dismiss (.6) and discuss same w/B.Keach, J.Woodcock (1.5).	2.10	525.00
07/07/17	JW1	Strategy discussion with Bernstein team regarding denial of motion to dismiss on forum non.	1.00	240.00
07/07/17	LKZ	Call w/Wheeling counsel re: upcoming deadlines (.3). Research re: Daubert deadline (.6).	0.90	225.00
07/07/17	RJK	Review opinion regarding CP Motion to Dismiss; various conferences with Lindsay Zahradka, Jack Woodcock, et al regarding implications and next steps	3.20	1,760.00
07/07/17	RND	Review decision denying CP's motion to dismiss	0.90	225.00
07/10/17	JW1	Receipt and review of decision on CP's motion to dismiss adversary proceeding.	0.50	120.00
07/10/17	ALS	Review message from L. Zahradka re timeline for filing Daubert motions	0.10	21.50
07/10/17	JW1	Review and analysis of order on motion to withdraw the reference.	0.60	144.00
07/10/17	LKZ	Call w/A.Helman re: deadlines in Wheeling Adversary Proceeding (.1); emails w/A.Lepene re: stip comments (.1); confer w/A.Prescott re: next steps for same (.2).	0.40	100.00
07/10/17	ARP	Confer with Ms. Zahradka and Mr. Woodcock re background on adversary proceedings (.8); review Wheeling expert reports re Daubert motion (.9)	1.70	425.00
07/10/17	ALS	Email to J. Woodcock and A. Prescott attaching latest version of Joint Pretrial Scheduling Order and history of prior orders entered in CP litigation	0.30	64.50
07/11/17	LKZ	Emails w/Wheeling counsel re: adv. pro. deadlines (.1); emails w/Irving RRs counsel re: stip comments (.1)	0.20	50.00
07/11/17	PM	Review Motion to Dismiss Opinion.	0.70	290.50
07/11/17	RJK	Prepare for oral argument (UFTA appeal)	2.00	1,100.00
07/11/17	ARP	Perform legal research and draft Daubert motion to exclude Wheeling experts	5.60	1,400.00
07/12/17	LKZ	Research in connection with Wheeling adversary proceeding.	0.90	225.00
07/12/17	RJK	Prepare for (2.1) and attend (1.0) oral argument on UFTA appeal	3.10	1,705.00
07/12/17	ARP	Review summary judgment briefing and oral argument transcript re Wheeling adversary proceeding (.8); Perform legal research and continue drafting Daubert motion to exclude Wheeling experts (5.1)	5.90	1,475.00



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>
07/13/17	ALS	Update deadline Defendants' counter-designations re Wheeling's experts in Wheeling v Keach adversary proceeding (.1); review emails to/from A. Helman, A. Prescott and L. Zahradka re same (.1)	0.20	43.00
07/13/17	LKZ	Emails with a. Prescott re status of Irving railroads stipulation, evidentiary hearing.	0.70	175.00
07/13/17	ARP	Continue preparing draft Daubert motion to exclude Wheeling's experts.	3.40	850.00
07/14/17	ARP	Draft revised Daubert motion to exclude Wheeling's experts	2.60	650.00
07/18/17	ARP	Finalize draft Daubert Motion to exclude Wheeling's experts	1.20	300.00
07/21/17	PM	Review CP Motion for Leave to Appeal Denial of Motion to Dismiss and Answer to Complaint.	0.40	166.00
07/24/17	ALS	Review CP & Soo Line's appeal-related pleadings and Court Order re same (.4); docket scheduling appeal-related deadlines (.4); review Federal Rules of Bankruptcy Procedure re same (.3)	1.10	236.50
07/24/17	ALS	Emails (x2) to R. Keach, P. McDonald, etc. re CP & Soo Line's appeal-related pleadings and upcoming deadlines (.2); update pleadings file with same (.1)	0.30	64.50
07/24/17	ALS	Docket scheduling status conference in Wheeling v Keach adversary proceeding (.1); review Court Order re same (.1)	0.20	43.00
07/24/17	JW1	Initial reading of CP motion for leave to appeal.	0.50	120.00
07/24/17	RND	Review CP's Motion for Leave to Appeal (Trustee's Litigation)	0.90	225.00
07/25/17	JW1	Initial case law research regarding CP's motion leave for appeal.	3.00	720.00
07/25/17	JW1	Review motion for leave to appeal and related documents in related proceeding (1); review bankruptcy rules regarding interlocutory appeals (.5); continued case law research regarding CP's motion for leave to appeal (2.5).	4.00	960.00
07/25/17	JW1	Review underlying papers in forum non conveniens motion (.5); additional case law research for opposition to CP's motion for leave to appeal (1.5).	2.00	480.00
07/26/17	JW1	Read bankruptcy court's decision (.5); outline estate representative's objection to motion for leave to appeal (1).	1.50	360.00
07/26/17	ALS	Office conference with J. Woodcock re draft objection to CP & Soo Line's Motion for Leave to Appeal (.1); email to J. Woodcock attaching requested pleadings (.1)	0.20	43.00
07/26/17	JW1	Draft background and standard of review sections of objection to CP motion for leave to appeal.	6.00	1,440.00



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>
07/26/17	LKZ	Confer with A. Cummings regarding motions to dismiss Caisse litigation.	0.40	100.00
07/26/17	KQ	E-mail from L. Zahradka regarding preparation of motion to dismiss defendant Davis in the Caisse litigation	0.10	18.00
07/26/17	JW1	Continue drafting opposition to CP's motion for leave to appeal.	1.20	288.00
07/27/17	ALS	Office conference with K. Quirk re joint motion dismissing J. Davis from Caisse litigation (.2); review Court docket re Caisse litigation (.1)	0.30	64.50
07/27/17	KQ	Finalize and file the motion to dismiss Davis in the Caisse adversary proceeding (.3); prepare and send service of same (.2); draft Certificate of Service (.2); file same (.1); update status chart (.1); e-mail to L. Zahradka regarding filing (.1)	1.00	180.00
07/28/17	JW1	Draft introduction and add section to brief opposing CP motion for leave to appeal.	1.80	432.00
07/28/17	JW1	Complete substantive edits of Objection to CP's Motion for Leave to Appeal.	3.30	792.00
07/28/17	JW1	Email to Bob Keach regarding draft opposition to CP's motion for leave to appeal.	0.20	48.00
07/31/17	ALS	Review CM/ECF notification and case docket in Wheeling v Maine Northern Railway litigation (.2); update docket scheduling re deadline for parties to file status report (.1)	0.30	64.50
07/31/17	ALS	Preparation of draft corporate disclosure statement for filing in CP appeal (.2); email to R. Keach, P. McDonald, etc. re same (.1); filing of corporate disclosure statement with Court (.1)	0.40	86.00
07/31/17	RJK	Review and revise opposition to CP motion for leave to appeal, and conferences and e-mails with Adam Prescott regarding same	3.00	1,650.00
07/31/17	PM	Review draft Corporate Disclosure Statement and email to Adam Prescott re. same.	0.30	124.50
07/31/17	ARP	Perform legal research re Canadian Pacific's motion for leave to appeal (.9); review draft and coordinate filing of corporate disclosure statement (.3); prepare revised draft re objection to Canadian Pacific's motion for leave to appeal (3.1)	4.30	1,075.00
08/01/17	DPK	Cite-check and blue-book Trustee's Objection to CP's Motion for Leave to Appeal Bankruptcy Court's order on CP's Motion to Dismiss (1.6); multiple conferences with A.Prescott and A.Stewart re procedural and filing rules pertaining to the objection (1.1).	2.70	567.00



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>
08/01/17	ARP	Draft revised objection to motion for leave to appeal (1.2); telephone call with Dan Rosenthal re interrogatory deadline (.1); implement edits and perform research re objection to motion for leave to appeal (1.3);	2.60	650.00
08/01/17	ALS	Update docket scheduling with extended deadline to respond to Wheeling's Interrogatories (.1); review and respond to email from A. Prescott re same (.1); review template for draft answers to interrogatories (.2)	0.40	86.00
08/01/17	ALS	Emails from/to A. Prescott and R. Desai re page limitations with respect to objection to CP's Motion for Leave to Appeal (.3); office conferences (x2) with A. Prescott re District Court rules governing objection to CP's Motion for Leave to Appeal (.2); telephone conference with R. Desai re same (.2); review local and federal rules (.6)	1.30	279.50
08/01/17	ALS	Filing of Motion to Exceed Page Limitations with respect to opposition to CP's Motion for Leave to Appeal with U.S. District Court (.2); revisions to same prior to filing (.1); email to A. Prescott confirming filing of Motion with District Court (.1)	0.40	86.00
08/01/17	RND	Review local district court rules re: motion practice on bankruptcy appeals (.5) and emails and calls with A. Prescott re: same (.2)	0.70	175.00
08/01/17	KQ	E-mail from A. Prescott regarding objection to CP's leave to appeal in Keach v. CP	0.10	18.00
08/02/17	KQ	E-mail from and to Court re JPO re: Irving (.1); e-mail to A. Prescott re: same (.1)	0.20	36.00
08/02/17	ARP	Review motion to dismiss and motion for leave to appeal briefing (.9); review and draft revised joint pre-trial scheduling order (.3); perform research and draft revise objection to motion for leave to appeal (2.8)	4.00	1,000.00
08/02/17	ALS	Review and respond to emails from A. Prescott re Order granting Motion for Enlargement of Page Limits entered in CP v Keach case pending in U.S. District Court for the District of Maine (.2); review CM/ECF notification from U.S. District Court re Order granting Motion for Enlargement of Page Limits (.1)	0.30	64.50
08/03/17	DPK	Continue cite-checking and blue-booking objection to CP's motion for leave to appeal.	1.30	273.00
08/03/17	ALS	Perform cite check on opposition to CP's motion for leave to appeal (.7); emails from/to A. Prescott re same (.1); emails from/to A. Prescott and K. Quirk re filing of opposition to CP's motion for leave (.1); review emails (x2) from R. Keach re same (.2)	1.10	236.50



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>
08/03/17	DPK	Review emails re Trustee's reply to CP's objection to motion to compel and review reply.	0.10	21.00
08/03/17	ARP	Telephone call with Jack Woodcock re objection to motion for leave to file interlocutory appeal (.3); perform research and revise draft re same (3.4); perform research re motion to stay standards (.5); draft revised reply to objection to motion to stay (.8)	5.00	1,250.00
08/04/17	ALS	Email to R. Keach, P. McDonald, etc. attaching Appellant Designations filed by CP & Soo Line (.1); update pleadings re same (.1)	0.20	43.00
08/04/17	KQ	Office conference with A. Stewart regarding MMA filings with respect to CP	0.10	18.00
08/04/17	KQ	Finalize and file the opposition to CP's Motion to appeal in the adversary proceeding of CP v. Keach	0.50	90.00
08/04/17	PM	Review CP designation of record on appeal.	0.10	41.50
08/04/17	ARP	Proofread, cite check and finalize for filing objection to motion for leave to appeal.	2.90	725.00
08/04/17	ALS	Office conference with A. Prescott re: filing Objection to CP & Soo Line's Motion for Leave to Appeal (.1); emails to/from A. Prescott and K. Quirk re Objection to CP & Soo Line's Motion for Leave to Appeal (.1); review objection filed with Court (.2)	0.40	86.00
08/07/17	ALS	Docket scheduling with respect to reply deadline re Objection to CP & Soo Line's Motion for Leave to Appeal pending in U.S. District Court for the District of Maine	0.10	21.50
08/07/17	ALS	Review emails from/to K. Quirk and A. Prescott re status of Irving Railroads matter with respect to setting a final pre-trial conference and status of draft stipulation	0.20	43.00
08/07/17	ARP	Review second set of stipulation to trustee's objection to proof of claims and briefing re same	0.90	225.00
08/08/17	DPK	Review CP and Soo Line's Appellate Designations.	0.10	21.00
08/08/17	KQ	E-mail from and to K. Ford at the court regarding status of determining date of final pre-trial conference with respect to the objection to proofs of claim filed by New Brunswick Southern Railway (.1); office conference with A. Prescott regarding same (.1)	0.20	36.00
08/08/17	ALS	Docket scheduling deadline for parties to meet and confer with respect to Keach v CP litigation (.1); office conference with J. Woodcock re hearing at U.S. Bankruptcy Court on Motion to Compel (.1)	0.20	43.00



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>
08/09/17	KQ	Multiple e-mails from and to A. Prescott regarding setting of final pre-trial conference with respect to the proof of claim filed by New Brunswick Southern Railway (.2); office conference with A. Prescott regarding possible conference dates (.1); e-mail with K. Ford at the U.S. Bankruptcy Court regarding same (.1)	0.40	72.00
08/10/17	KQ	Prepare Notice of Final Pre-Trial Conference with respect to the Trustee's objection to Irving's proof of claim (.3); e-mail to A. Prescott regarding filing of same (.1); finalize and file notice with the court (.2)	0.60	108.00
08/11/17	ALS	Email to R. Keach, P. McDonald, etc. attaching CP's Motion for Subpoena Costs and Incorporated Memorandum of Law (.1); update pleadings file with same (.1)	0.20	43.00
08/11/17	ALS	Office conference with A. Prescott re designation of rebuttal expert or counter-designations in Wheeling v Keach adversary proceeding (.1); emails (x2) to A. Prescott re same (.2)	0.30	64.50
08/11/17	RJK	Exchange e-mail with Patrick Maxcy	0.10	55.00
08/14/17	RJK	Review expert disclosure (.2); e-mail to Adam Prescott regarding same (.1)	0.30	165.00
08/14/17	RND	Review District Court decision re: Wheeling 2011 Transaction Appeal (.9) and review FRAP and local rules re: appeals deadline (.3)	1.20	300.00
08/14/17	KQ	Assist A. Prescott with exhibits related to the deposition of Fred Caruso in Nov, 2015	0.70	126.00
08/14/17	ARP	Finalize exhibits and expert disclosure in Wheeling adversary proceeding (.9); review latest revisions to stipulation re objection to proof of claim filed by NBSR (.7)	1.60	400.00
08/14/17	ALS	Docket scheduling to file Notice of Appeal in Keach v Wheeling litigation (.1); telephone conference with R. Desai to confirm appeal deadline (.2)	0.30	64.50
08/14/17	ALS	Assist A. Prescott with expert disclosure with respect to Wheeling v Keach litigation (.8); emails from/to A. Prescott re same (.1); emails to/from K. Quirk re same (.1); review electronic files with respect to F. Caruso deposition transcripts (.3)	1.30	279.50
08/15/17	ALS	Emails from/to A. Prescott re filing of Second Set of Stipulations Trustee's Objections to Claims filed by Irving Railroads (.2); file Second Set of Stipulations re Trustee's Objections to Claims filed by Irving Railroads with Court (.2)	0.40	86.00



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>
08/15/17	ARP	Proofread and finalize for filing stipulation re objection to proof of claim filed by NBSR (.3); prepare appeal record designations re Canadian Pacific motion for leave to appeal interlocutory order (.9)	1.20	300.00
08/17/17	ALS	Office conference with A. Cummings re Appellee's designation due CP appeal (.1); follow up email to D. Keenan and A. Prescott re same (.1)	0.20	43.00
08/17/17	JW1	Review of CP's designation of record; draft counter designation and court's opinion on forum non conveniens.	1.10	264.00
08/18/17	ALS	Review and respond to emails from J. Woodcock and A. Prescott re filing of Appellee designations re CP appeal (.1); filing of Appellee designations with Court (.2)	0.30	64.50
08/18/17	ALS	Circulate CP & Soo Line's Response to Trustee's Objection to Motion to Leave to Appeal to R. Keach, P. McDonald, etc. (.1); update pleadings file with Trustee's Objection to Motion to Leave to Appeal (.1); review Trustee's Objection to Motion to Leave to Appeal (.2)	0.40	86.00
08/18/17	RJK	Telephone call with Adam Prescott regarding Wheeling litigation	0.20	110.00
08/18/17	ARP	Finalize and file appeal record designation re Canadian Pacific motion for leave to appeal (.2)	0.20	50.00
08/21/17	PM	Review CP Reply on Motion for Leave to Appeal.	0.30	124.50
08/21/17	ARP	Perform research on FRCP 26(a) expert disclosure requirements re Wheeling adversary proceeding (.3); review briefing and hearing record re Irving claim objection (1.2)	1.50	375.00
08/22/17	ALS	Update docket scheduling re continued status conference in Wheeling v Keach matter	0.10	21.50
08/22/17	ARP	Attend hearing re Wheeling adversary proceeding status update	0.30	75.00
08/22/17	RJK	Prepare for (.4) and attend (.4) status conference; follow-up conference with Wheeling counsel (.3)	1.10	605.00
08/24/17	ALS	Communication with A. Prescott re supplement in relation to Estate Representative's Objection to CP's Motion to Dismiss (.1); email to A. Prescott re same (.1)	0.20	43.00
08/24/17	DPK	Conduct cite-check/blue-cook, as well as record cite-check of the Estate Representative's Motion to Exclude the Expert Testimony of Gitomer, Barocci, and Crouter.	2.50	525.00
08/24/17	KQ	E-mail from A. Prescott regarding preparation and filing of pro hac in the adversary proceeding Wheeling v. Keach	0.10	18.00



Matter #: 047375-00001

Montreal Maine & Atlantic Railway
RE: Chapter 11

DETAIL

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08/25/17	KQ	Prepare Certificate of Admission Pro Hac Vice for A. Prescott in the adversary proceeding of Wheeling v. Keach (.4); file same with the court (.1)	0.50	90.00
08/25/17	ALS	Review Motion to Strike Wheeling's Experts (.7); office conference with A. Prescott re same (.1); draft notice of hearing with respect to Motion to Strike (.2); email to A. Prescott re same (.1); assist A. Prescott with filing Motion to Strike with Court (.2)	1.30	279.50
08/25/17	DPK	Continue cite-checking, and proofreading Trustee's Motion to Exclude Expert Testimony.	1.70	357.00
08/25/17	ARP	Revise, proofread and finalize for filing motion to exclude experts re Wheeling adversary proceeding	3.20	800.00
08/28/17	JW1	Call with AUSA regarding disclosure provisions.	0.30	72.00
08/28/17	ALS	Docket scheduling re Motion to Exclude the Expert Reports and Testimony of Louis E. Gitomer, Thomas A. Barocci, and Jarrol A. Crouter (.1); update pleadings file with same (.1)	0.20	43.00
08/29/17	KQ	Update and maintain pleadings files	2.10	378.00
08/29/17	RND	Emails with the Court re: oral argument for Motion for Leave to Appeal	0.20	50.00
08/29/17	PM	Emails re. Motion for Leave to Appeal.	0.10	41.50
08/30/17	ALS	Docket scheduling oral argument with respect to CP's Motion for Leave to Appeal (.1); emails from/to J. Woodcock re same (.1)	0.20	43.00
09/05/17	ARP	Draft interrogatory responses re Wheeling adversary proceeding.	0.80	200.00
09/05/17	RJK	Review Wheeling interrogatories (.3); draft notes regarding answers (.2)	0.50	275.00
09/06/17	PM	Review and revise draft Stipulated Pretrial Order (.4); several internal emails regarding Pretrial Order issues (.1); meeting with discovery team to discuss status of CP discovery and next steps (.7).	1.20	498.00
09/06/17	ARP	Participate in pre-trial conference re Irving claim objection (.3); draft written response re Wheeling interrogatories to the Estate Representative (1.1)	1.40	350.00
09/07/17	ALS	Emails to/from A. Prescott re extension with respect to deadline for Estate Representative to Respond to Wheeling's Interrogatories (.2); update docket scheduling re same (.1)	0.30	64.50
09/07/17	ARP	Draft responses to Wheeling's interrogatory requests in adversary proceeding	1.40	350.00
09/08/17	ALS	Emails from/to A. Prescott re extension of objection deadline with respect to Estate Representative's Motion to Exclude Wheeling's Experts in Wheeling v Keach litigation	0.20	43.00



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>
09/08/17	ARP	Draft expert disclosure re Wheeling adversary proceeding.	0.40	100.00
09/11/17	ALS	Update deadline for Wheeling to file Objection to Motion to Exclude Expert Testimony	0.10	21.50
09/12/17	RND	Draft notice of Appeal of District Court's decision re: Wheeling 2011 Transaction Complaint	0.30	75.00
09/12/17	RND	Email with R. Keach re: notice of appeal of Wheeling 2011 Transaction decision	0.10	25.00
09/12/17	ALS	Telephone conference with R. Desai and K. Quirk re filing of Notice of Appeal with respect to Keach v Wheeling litigation (.2); filing of Notice of Appeal with District Court (.2); email to R. Keach and R. Desai re same (.1); follow-up email to R. Desai re filing of notice of appeal (.1)	0.60	129.00
09/12/17	ALS	Email to A. Cummings re filing of Notice of Appeal in Keach v Wheeling litigation	0.10	21.50
09/13/17	ALS	Review CM/ECF notification with respect to request for transcript of hearing held on May 23, 2017 in Wheeling v Keach litigation (.1); review upcoming deadlines with respect to redaction of transcript (.2)	0.30	64.50
09/14/17	KQ	E-mail from and to A. Prescott regarding need for consent motion to continue hearing and extend objection deadline with respect to deadline for Wheeling to objection to motion to exclude expert reports	0.10	18.00
09/14/17	KQ	Prepare consent motion to continue hearing and extend objection deadline with respect to the Estate Representative's motion to exclude expert reports and related proposed order in the adversary proceeding Wheeling v. Keach (1.4); office conference with A. Prescott regarding same (.1)	1.50	270.00
09/14/17	ARP	Draft interrogatory responses re Wheeling adversary proceeding (.3); perform research sur-reply for CP motion for leave to appeal (.9)	1.20	300.00
09/14/17	ALS	Review email from K. Quirk re draft consent motion to continue hearing and extend objection deadline re Estate Rep's Motion to Exclude Expert Reports and Testimony of Experts in Wheeling v Keach adversary proceeding (.1); review draft consent motion and redline proposed revisions (.2)	0.30	64.50
09/15/17	KQ	Finalize and file the consent motion to continue hearing and extend objection deadline with respect to the Estate Representative's motion to exclude experts in the adversary proceeding Wheeling v. Keach (.2); prepare Certificate of Service (.2); file same (.1); update pleadings file (.1)	0.60	108.00



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>
09/15/17	DSA	Reviewed orders entered in relation to litigation.	0.20	85.00
09/15/17	ARP	Draft interrogatory responses re Wheeling adversary proceeding.	1.40	350.00
09/15/17	ALS	Docket scheduling deadlines in Keach v Wheeling appeal, including deadline to file Appearance Form, Docketing Statement and Transcript Report	0.20	43.00
09/15/17	ALS	Emails (multiple) from/to A. Prescott re extension of deadline for Estate Representative to respond to Wheeling's Interrogatories propounded in the Wheeling v Keach adversary proceeding, and deadline to provide Supplemental Expert Disclosure (.3); update docket scheduling re same (.2)	0.50	107.50
09/15/17	ALS	Email to R. Desai and A. Cummings re status and upcoming deadlines in Keach v Wheeling appeal	0.10	21.50
09/15/17	RND	Review case opening notice, FRAP, and local rules re: deadlines to file designation of record, statement of issues, and other necessary filings related to notice of appeal [Wheeling 2011 Transaction Complaint]	0.20	50.00
09/15/17	RND	Calls and emails with A. Cummings and A. Stewart re: Court's docket entry in Wheeling v. Keach litigation	0.20	50.00
09/18/17	ALS	Docket scheduling re deadline to submit request for redacted transcript with respect to hearing on 5/23/17 in Wheeling v Keach litigation	0.10	21.50
09/18/17	ALS	Docket scheduling status conference and related deadline in Keach v MP Global Enterprises (.1); office conference with K. Quirk re status of same (.1)	0.20	43.00
09/18/17	ALS	Docket scheduling re extended objection deadline and continued hearing re: Estate Representative's Motion to Exclude the Expert Reports and Testimony of Louis E. Gitomer, Thomas A. Barocci, and Jarrol A. Crouter filed in Wheeling v Keach adversary proceeding	0.10	21.50
09/18/17	ALS	Review Court's notification of reopening Keach v Wheeling adversary proceeding due to pending appeal	0.10	21.50
09/18/17	KQ	E-mail from and to K. Ford at the U.S. Bankruptcy Court regarding scheduled hearings in Wheeling v. Keach (.1); e-mails to/from A. Prescott regarding same (.1)	0.20	36.00
09/18/17	ARP	Finalize written responses to Wheeling interrogatories	0.60	150.00
09/18/17	RND	Meeting with R. Keach re: settlement agreement with MP Global	0.30	75.00
09/18/17	RND	Emails with R. Keach and P. Maxcy re: status of settlement agreement with MP Global	0.20	50.00
09/18/17	RJK	Attention to response to Judge Levy's order (CP)	3.00	1,650.00



Matter #: 047375-00001

Montreal Maine & Atlantic Railway
RE: Chapter 11

DETAIL

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09/19/17	KQ	E-mail from/to A. Prescott regarding continuing the hearing with respect to the Objection to Claim 119 in the Wheeling v. Keach adversary proceeding (.1); telephone call with Kristen Ford at the Bankruptcy Court regarding same (.1)	0.20	36.00
09/19/17	ALS	Office conference with K. Quirk re draft notice of continued status conferences in Wheeling v Keach adversary proceeding (.2); email to K. Quirk re same (.1)	0.30	64.50
09/19/17	RND	Email with R. Keach re: transcript for July 12 oral argument [Wheeling Appeal]	0.10	25.00
09/20/17	KQ	Draft notice of continuances of status conferences with respect to the objection to Claim # 119 and the motion for order authorizing recovery of expenses in the Wheeling v. Keach adversary proceeding (.3); e-mail to A. Prescott forwarding same for review (.1); finalize and file the notice (.2)	0.60	108.00
09/20/17	ALS	Update docket scheduling re continued status conferences in Wheeling v Keach adversary proceeding	0.10	21.50
09/20/17	ALS	Office conference with R. Desai and A. Cummings re upcoming deadlines in Keach v Wheeling appeal pending in First Circuit (.3); docket scheduling appeal-related deadlines for same (.2); review First Circuit Rule Book regarding appeal related deadlines (.3)	0.80	172.00
09/20/17	RJK	Review and revise Answers to Wheeling Interrogatories	0.70	385.00
09/20/17	RJK	Review 8th Joint Pretrial Order (Wheeling)	0.20	110.00
09/20/17	RJK	Review Surreply regarding CP appeal (forum non)	0.50	275.00
09/20/17	RND	Review FRAP and First Circuit local rules re: deadlines to file designation, docketing statement, etc. and content of same [Wheeling Appeal]	0.90	225.00
09/20/17	RND	Call with P. Maxcy re: status of settlement with MP Global	0.20	50.00
09/20/17	RND	Review settlement agreement sent by MP Global (.4) and emails with R. Keach and P. Maxcy re: same (.3)	0.70	175.00
09/21/17	ALS	Docket scheduling mandatory pre-argument settlement conference in Keach v Wheeling appeal pending in the First Circuit (.1); office conference with R. Desai re same (.2)	0.30	64.50
09/21/17	RJK	Review and revise surreply (CP motion for leave to appeal); conference with Jack Woodcock regarding same	1.30	715.00
09/21/17	RJK	Review and revise surreply (CP motion for leave to appeal)	0.50	275.00



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>
09/21/17	ARP	Finalize joint pretrial order re Wheeling adversary proceeding (.3); review and finalize responses to Wheeling interrogatories (1.2).	1.50	375.00
09/21/17	RND	Review email and notice of settlement conference sent from First Circuit re: Wheeling Appeal	0.10	25.00
09/21/17	RND	Email with P. Maxcy re: executed settlement agreement with MP Global	0.10	25.00
09/21/17	RND	Email with J. Knutsen at First Circuit re: removal of counsel of record [Wheeling Appeal]	0.10	25.00
09/22/17	ALS	Review settlement agreement with respect to MP Global (.2); emails to/from R. Desai re calculation of payment deadlines (.2)	0.40	86.00
09/22/17	ALS	Docket scheduling deadline for Appellant to provide materials and confidential memorandum to Hon. Patrick J. King with respect to Keach v Wheeling appeal (.1); review letter from First Circuit Court re same (.1)	0.20	43.00
09/22/17	ALS	Office conference with R. Desai re Keach v Wheeling appeal and related deadlines	0.30	64.50
09/22/17	RND	Emails and meeting with A. Stewart re: MP Global settlement agreement	0.20	50.00
09/22/17	RND	Emails with J. Knutsen and A. Cummings re: withdrawal of attorneys of record [Wheeling First Circ. Appeal]	0.20	50.00
09/25/17	KQ	E-mail from A. Prescott re: hearing on DE 237 and DE 35 in Wheeling v. Keach (.1); e-mail to Kristen Ford at the U.S. Bankruptcy Court regarding confirmation of hearing date re: same (.1)	0.20	36.00
09/25/17	ALS	Office conference with R. Desai re Wheeling v Keach appeal and related deadlines	0.40	86.00
09/25/17	ALS	Emails to/from R. Keach, P. McDonald, etc. regarding draft list of proposed custodians and potential CP custodians (.3); continue work on litigation-related tasks, including review of upcoming deadlines and revisions to litigation-related tasks lists (.3)	0.60	129.00
09/25/17	ALS	Calculate settlement payment deadlines with respect to MP Global (.2); emails from/to R. Desai re same (.1)	0.30	64.50
09/25/17	ALS	Update discovery file with Estate Representative's responses to Wheeling's adequate protection claim in Wheeling v Keach adversary proceeding (.1); review responses re same (.1)	0.20	43.00
09/25/17	RND	Email with P. Maxcy re: executed settlement agreement and email with A. Stewart re: same and calculating payment dates	0.20	50.00



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>
09/25/17	RND	Review Bankruptcy Court and District Court record (.3) and draft Appellant's Statement of Issues and Designation (.8) and emails with R. Keach re: same (.2) [Wheeling First Circ. Appeal]	1.30	325.00
09/25/17	RND	Review FRAP and First Circuit Local rules re: Filing of Designation and other early deadlines for appeal [Wheeling First Cir. Appeal]	0.50	125.00
09/26/17	ALS	Office conference with R. Desai re Keach v Wheeling appeal pending in First Circuit (.1); filing of statement of issues and designation of record with District Court (.2); emails to/from R. Desai re same (.2)	0.50	107.50
09/26/17	ALS	Office conference with R. Desai re status of Keach v MP Global, et al. adversary proceeding and next steps re same	0.20	43.00
09/26/17	RND	Meetings with A. Cummings, A. Stewart, and R. Keach (.4) and coordinating calls with District Court and First Circuit re: Appellant's Designation and Statement of Issues (.9)	1.30	325.00
09/26/17	RND	Revise and finalize Appellant's Statement of Issues and Designation [Wheeling First Cir. Appeal]	0.20	50.00
09/27/17	ALS	Email to R. Keach and A. Prescott re: Wheeling's opposition to motion to exclude expert reports and testimony in Wheeling v Keach litigation (.1); update pleadings file re same (.1)	0.20	43.00
09/27/17	ALS	Office conference with R. Desai re transmittal of supplemental record to USCA from District Court per designation of record in Wheeling appeal	0.10	21.50
09/27/17	RJK	Prepare for oral argument in the US District Court (CP Motion for Leave)	2.00	1,100.00
09/27/17	RJK	Prepare for oral argument in the US District Court (CP Motion for Leave)	0.50	275.00
09/27/17	RND	Meeting with A. Cummings re: Docketing Statement, Transcript Report, and initial deadlines set in First Circuit [Wheeling Appeal]	0.30	75.00
09/28/17	ARP	Attend district court hearing on Canadian Pacific motion for leave to appeal (partial)	0.90	225.00
09/28/17	RJK	Prepare for (1.0) and attend oral argument (1.1) regarding CP Motion for Leave to Appeal, etc.	2.10	1,155.00
09/28/17	RND	Email with A. Helman, G. Marcus, and D. Johnson re: appendix [Wheeling 1st Cir. Appeal]	0.10	25.00
09/29/17	ALS	Filing of proposed ninth amended joint pretrial scheduling order in Wheeling litigation (.1); emails from/to A. Prescott re same (.1)	0.20	43.00



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>
09/29/17	ARP	Finalize and file joint scheduling order re Wheeling adversary proceeding (.2); draft joint pre-trial order re Irving claim objection and correspondence with Irving counsel re same (.4)	0.60	150.00
10 Total			915.30	\$ 318,897.50
10 A - CP Discovery				
01/25/16	RJK	Review e-mails regarding Canadian Pacific discovery	0.10	\$ 53.50
01/25/16	RJK	Review CP's request for Interrogatories and Request for Production of Documents	0.40	214.00
01/29/16	RJK	Conference with Lindsay Zahradka regarding Rule 2004 exams, Canadian Pacific	0.30	160.50
01/29/16	RJK	Attention to post-confirmation Rule 2004 exams vs. CP; review precedent	0.70	374.50
01/29/16	RJK	Exchange e-mails with Paul McDonald and Tim McKeon regarding Canadian Pacific discovery responses and action thereon	0.60	321.00
02/08/16	RJK	Exchange e-mails regarding Canadian Pacific document request with Lindsay Zahradka	0.20	107.00
02/09/16	RJK	Review Canadian Pacific's Response to Interrogatories and Requests for Production of Documents	0.50	267.50
02/09/16	RJK	Review Canadian Pacific's First Interrogatories and Request for Production of Documents	0.70	374.50
05/05/16	RJK	Telephone call to Rosenberg re CP litigation issues	0.10	53.50
05/09/16	RJK	Review CP's supplemental answers to interrogatories (.7); conference with Tim McKeon regarding same (.1).	0.80	428.00
05/11/16	RJK	Exchange e-mail with Monitor regarding Canadian Pacific litigation issues	0.20	107.00
06/02/16	RJK	E-mail to Tim Thornton regarding Rule 26(f) conference; review response	0.30	160.50
06/27/16	RJK	Telephone call with Tim Thornton regarding Rule 26(f) report	0.20	107.00
06/29/16	RJK	E-mail to L. Smith (World Fuel Services counsel) regarding CP response to complaint; telephone call with Smith regarding same	0.70	374.50
06/29/16	RJK	E-mail to Pierre Legault regarding Transport Canada notices regarding TDGA as to Canadian Pacific	0.40	214.00
06/29/16	RJK	Review and revise Interrogatories and Request for Production of Documents directed to SOO Line RR; e-mails regarding same	1.60	856.00
06/30/16	RJK	Review CP document production in trustee litigation (Bankr. D. Me.)	1.70	909.50
07/28/16	RJK	Telephone call with Adam Paul regarding World Fuel Services discovery	0.20	107.00
08/16/16	RJK	Review and respond to e-mail from Kirkland & Ellis regarding discovery	0.30	160.50



Page 65
October 26, 2017
Invoice #: *****

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>
08/31/16	RJK	Review Canadian Pacific and Soo Line responses to Interrogatories and Requests for Production of Documents	0.50	267.50
09/13/16	RJK	Review Canadian Pacific Ltd and Soo Line Co. response to discovery; e-mail to Roma Desai	0.40	214.00
10/13/16	RJK	Review and revise letters to CP regarding discovery	0.50	267.50
10/20/16	RJK	Telephone call with Tim Thornton regarding discovery, mediation, e-mails to Thornton regarding same; e-mails to Chris Nemeth, Adam Paul, Leslie Smith regarding same; telephone call to Chris Nemeth regarding same	2.30	1,230.50
11/08/16	RJK	Telephone call with Lisa Smith regarding CP discovery request	0.40	214.00
11/15/16	RJK	Prepare for and attend conference with team regarding discovery issues	1.70	909.50
11/20/16	RJK	Review responses to CP's "assignee" discovery requests and revise same; e-mails to Roma Desai regarding same	1.70	909.50
11/22/16	RJK	Discovery meet and confer call with CP counsel	1.50	802.50
12/12/16	RJK	Conference with Lindsay Zahradka regarding discovery issues, briefing	0.50	267.50
02/06/17	RJK	Review CP-produced documents (1st phase) in Maine litigation	2.30	1,265.00
02/09/17	RJK	Telephone call with counsel regarding Rule 26(f)	0.40	220.00
02/14/17	RJK	Complete review of TSB Report re: White River Ontario derailment by CP train (with oil fire); conference with Angela Stewart regarding research regarding same	1.30	715.00
02/14/17	RJK	Telephone call with Alexander Bayus regarding FOIA request	0.40	220.00
02/15/17	RJK	CP litigation weekly conference	0.50	275.00
03/13/17	RJK	Review TSB Report regarding 2015 Ontario CN Derailment	2.60	1,430.00
04/02/17	DPK	Draft memorandum in support of motion to compel (1.3); notice of hearing (.2) and proposed order (.2).	1.70	357.00
04/03/17	JW1	Finalize and Send draft subpoena and schedule for World Fuel to Bernstein R. Keach.	0.20	48.00
04/03/17	ALS	Emails to/from D. Keenan re draft motion to compel with respect to CP litigation (.1); office conference with D. Keenan re same (.1)	0.20	43.00
04/03/17	DPK	Draft motion to compel (1.2), and memorandum in support of motion (.6); emails to/from L. Zahradka re same (.1).	1.90	399.00
04/03/17	LKZ	Emails w/B.Keach re: letter to Paul Hemming re: supplemental interrogatory requests (.1) and call w/J.Woodcock re: same (.1).	0.20	50.00



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>
04/03/17	PM	Email to Jack Woodcock and Lindsay Zahradka re. demand letter to Paul Hemming re. discovery.	0.10	41.50
04/03/17	ALS	Continue work on discovery-related issues with respect to Estate Representative's litigation against CP	1.70	365.50
04/03/17	RJK	Telephone call with Kirkland & Ellis regarding discovery	0.40	220.00
04/04/17	ALS	Continue working on discovery-related issues with respect to Estate Representative's litigation against CP, including review and redaction of Noyes storage documents	1.80	387.00
04/04/17	JW1	Phone call with Canadian counsel to discuss discovery obligations under Canadian law.	0.30	72.00
04/04/17	JW1	Analysis of cross border protocol for option for getting discovery from Irving Oil Corp.	0.50	120.00
04/04/17	MT	Review data files for CP litigation.	0.60	114.00
04/05/17	ALS	Transmit files to J. Woodcock with respect to secondary review of Noyes documents noted as privileged with respect to Estate Representative's litigation against CP	0.40	86.00
04/05/17	DPK	Attend weekly CP Discovery meeting.	0.50	105.00
04/05/17	JW1	Review email updating on case status and respond with individual updates.	0.20	48.00
04/05/17	LKZ	Draft agenda for (.1) and attend (.4) weekly CP discovery meeting.	0.50	125.00
04/05/17	MT	Analyze data and reprocess.	0.60	114.00
04/05/17	RND	Call with L. Zahradka and D. Keenan re: CP Discovery status	0.30	75.00
04/06/17	LKZ	Emails w/J. Woodcock re: 3P discovery issues.	0.10	25.00
04/06/17	MT	Analyze and re-queue data; loading data for CP litigation.	2.70	513.00
04/06/17	ALS	Emails from/to M. Thomas re discovery-related issues regarding Estate Representative's litigation against CP	0.20	43.00
04/07/17	JW1	Second level review of privilege assertion in hard-copy documents.	1.80	432.00
04/07/17	MT	Load discovery for CP litigation.	1.60	304.00
04/10/17	JW1	Secondary review of privilege assertions for set of hard copy documents.	1.00	240.00
04/10/17	JW1	Receipt and review of email from FRA regarding FOIA request; response to email.	0.20	48.00
04/10/17	JW1	Final secondary review for privilege of hard copy documents.	0.90	216.00
04/11/17	ALS	Review and respond email from A. Cummings re Evidox invoices	0.10	21.50
04/12/17	DPK	Attend weekly CP Discovery team meeting.	0.40	84.00
04/12/17	JW1	Weekly team meeting to discuss case developments, strategy.	0.30	72.00



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>
04/12/17	JW1	Review and analyze (.3), edit (.5) and proofread (.3) statement of issues.	1.10	264.00
04/12/17	LKZ	Prep for (.1) and attend weekly meeting w/ (.3) CP discovery team.	0.40	100.00
04/12/17	ALS	Attendance at team meeting with respect to status of Estate Representative's litigation against CP	0.30	64.50
04/12/17	MT	Team meeting re litigation status (.4); process data in CP litigation (.6).	1.00	190.00
04/13/17	LKZ	Emails w/P.McDonald re: letter to CP re: supplemental interrogatories.	0.10	25.00
04/13/17	MT	Load data for CP litigation.	0.30	57.00
04/14/17	JW1	Send second level review sets to paralegal for production.	0.10	24.00
04/21/17	MT	Analyze data in CP litigation.	1.10	209.00
04/24/17	JW1	Email to Jaime Kerr at Evidox regarding database migration.	0.10	24.00
04/24/17	PM	Emails with Lindsay Zahradka re. pre-motion discovery dispute letter to CP.	0.10	41.50
04/26/17	JW1	Receipt and review of email with case updates in lieu of weekly team meeting; provide additional update.	0.20	48.00
04/26/17	DPK	Review email updates re status of discovery.	0.10	21.00
04/26/17	LKZ	Draft agenda for weekly discovery meeting (.2) and emails w/team re: same (.2).	0.40	100.00
04/26/17	ALS	Emails from/to L. Zahradka re CP discovery status	0.20	43.00
04/26/17	ALS	Review and reply to email from P. McDonald re status of discovery in CP litigation (.1); review summary of discovery status re same (.1)	0.20	43.00
04/26/17	PM	Draft letter to CP counsel re. pre-motion to compel discovery conference (3.1); emails with Lindsay Zahradka and Jack Woodcock re. discovery status (.2).	3.30	1,369.50
04/26/17	ALS	Work on processing of redacted documents to be produced to CP	1.00	215.00
04/26/17	RND	Emails with L. Zahradka, P. McDonald, and J. Woodcock re: status of CP Discovery	0.30	75.00
04/27/17	ALS	Emails from/to P. McDonald re CP discovery-related issues	0.10	21.50
04/27/17	DPK	Review emails re motion to compel and affidavits.	0.20	42.00
04/27/17	MT	Research CP litigation discovery files.	0.60	114.00
04/27/17	PM	Emails from Roma Desai and Angela Stewart re. discovery issues.	0.10	41.50
04/27/17	ALS	Continue preparation of redacted Noyes storage documents for production upon CP	0.40	86.00
04/28/17	JW1	Emails with document vendor regarding migration of database and scheduling of meeting regarding the same.	0.10	24.00



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>
05/01/17	JW1	WebEx meeting with Document vendor to apply redactions to reviewed, hosted documents.	0.90	216.00
05/02/17	ALS	Follow up email to F. Caruso re MMA data room used during sale process	0.10	21.50
05/03/17	JW1	Receipt and review of motion to compel against CP in Wheeling matter.	0.20	48.00
05/03/17	ALS	Continue work on production of redacted documents with respect to Trustee's litigation against CP	0.70	150.50
05/03/17	ALS	Attendance at team meeting to discuss status of CP litigation	0.50	107.50
05/03/17	JW1	Weekly meeting to discuss case updates and strategy.	0.50	120.00
05/03/17	DPK	Research re declaration in support of motion to compel draft declaration of Robert Keach.	0.90	189.00
05/03/17	DPK	Email to CP discovery team re upcoming meeting and update agenda (.3); attend weekly CP Discovery meeting (.5); update agenda for next meeting based on discussion and email same to group (.3).	1.10	231.00
05/03/17	MT	Analyze discovery data (1.2); attend team meeting regarding litigation (.5).	1.70	323.00
05/03/17	PM	Review Wheeling Motion to Compel and email to Discovery Team re. same (.2); meet with Jack Woodcock to discuss Motion to Compel discovery from CP (.1); review Bob Keach revisions to letter to Paul Hemming re. discovery deficiencies (.2); meet with discovery team to discuss status and strategy (.5); revise letter to Paul Hemming re. discovery deficiencies (.6); finalize and send letter to Paul Hemming (.3).	1.90	788.50
05/03/17	ALS	Docket scheduling Wheeling's Motion to Compel CP (.1); email to R. Keach, P. McDonald, et al. re same (.1)	0.20	43.00
05/03/17	ALS	Assist P. McDonald re discovery in Trustee's litigation against CP	0.40	86.00
05/03/17	ALS	Telephone conference with D. Keenan re status of discovery in Trustee's litigation against CP (.1); email to D. Keenan re same (.1)	0.20	43.00
05/03/17	RND	Review Wheeling's Motion to Compel CP to comply with subpoena (.5) and emails with R. Keach and P. McDonald re: same (.2)	0.70	175.00
05/04/17	JW1	Case update with Bob Keach regarding Canadian civil proceedings and FOIA request.	0.30	72.00
05/04/17	DPK	Review P.McDonald's letter to Paul Hemming (.2); revise declaration of Robert Keach (1.7); emails re same (.1);	2.00	420.00



Page 69
October 26, 2017
Invoice #: *****

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>
05/04/17	ALS	Docket scheduling deadline for CP to respond to discovery letter sent by P. McDonald (.1); review letter from P. McDonald to counsel for CP re discovery (.1)	0.20	43.00
05/04/17	ALS	Meeting with D. Keenan re draft Motion to Compel (.1); email to D. Keenan re same (.1)	0.20	43.00
05/04/17	ALS	Review Evidox invoice	0.10	21.50
05/04/17	RJK	Review White River TSB Report; e-mail to Patrice Benoit regarding same	0.90	495.00
05/04/17	ALS	Continue work on production of redacted documents from Noyes Storage relating to Trustee's litigation against CP	0.30	64.50
05/08/17	DPK	Review Wheeling's Motion to Compel CP's Compliance with Subpoenas.	0.20	42.00
05/08/17	LKZ	Emails w/team re: letter to CP counsel re: discovery, motion to compel.	0.20	50.00
05/09/17	DPK	Review Wheeling's Motion to Compel (.4); revise memorandum of law in support of motion to compel (.8).	1.20	252.00
05/09/17	DSA	Telephone conference with F. Caruso concerning issues with CP discovery	0.20	85.00
05/09/17	LKZ	Review letter to CP counsel re: compliance with discovery requests (.2); review Wheeling motion to compel CP to comply with discovery (.2).	0.40	100.00
05/09/17	ALS	Office conference with D. Keenan re filing of motion to compel with respect to CP litigation (.2); emails to D. Keenan re same (.1)	0.30	64.50
05/09/17	ALS	Emails from/to F. Caruso re MMA data room	0.10	21.50
05/10/17	JW1	Weekly team meeting to discuss case updates, strategy.	0.40	96.00
05/10/17	DPK	Attend weekly CP Discovery meeting (.4); update minutes to prior agenda (.3).	0.70	147.00
05/10/17	DPK	Continue drafting Keach declaration (.4); draft motion to compel and memorandum of law in support (2.0).	2.40	504.00
05/10/17	JW1	Review discovery dispute history (.3): case law research for motion to compel (1.3).	1.60	384.00
05/10/17	LKZ	Attend weekly CP discovery meeting.	0.60	150.00
05/10/17	PM	Email from Dan Keenan re. discovery status.	0.10	41.50
05/10/17	MT	Attend team meeting regarding status of MMA litigation.	0.40	76.00
05/10/17	RND	Review update on CP discovery	0.10	25.00
05/11/17	DPK	Draft Motion to Expedite hearing on Estate Rep's Motion to Compel (1.4), FOO (.2), and NOH (.1).	1.70	357.00
05/11/17	PM	Email from Dan Keenan re. discovery status.	0.10	41.50
05/11/17	RJK	Telephone call with Chris Nemeth regarding Irving Oil documents	0.30	165.00
05/12/17	PM	Review CP Motion to Stay Discovery.	0.40	166.00



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>
05/12/17	DPK	Review emails re CP's Motion to Stay Discovery.	0.30	63.00
05/12/17	ALS	Email to R. Keach, P. McDonald, et al. re CP's Motion to Stay Discovery (.1); emails from/to L. Zahradka re same (.1)	0.20	43.00
05/12/17	ALS	Docket scheduling re CP's Motion to Stay Discovery	0.10	21.50
05/12/17	RJK	Exchange e-mails with Leslie Smith regarding World Fuel Services documents	0.30	165.00
05/15/17	LKZ	Emails w/J.Woodcock re: response to CP motion to stay discovery (.1); analysis re: response deadline for same (.1).	0.20	50.00
05/15/17	DPK	Review CP's Motion to Stay Discovery (.4); continue drafting motion for expedited hearing (.9); emails to/from L. Zahradka re same (.1); revise FOO (.1).	1.50	315.00
05/15/17	LKZ	Begin review of motion to expedite for motion to compel CP performance of discovery obligations.	0.40	100.00
05/15/17	ALS	Continue work on privilege log and review of redacted documents for production in CP litigation	1.20	258.00
05/16/17	JW1	Fully draft a motion to compel CP to respond to discovery requests.	4.20	1,008.00
05/16/17	LKZ	Revise motion to expedite on motion to compel CP performance re: discovery obligations (.3); revise NOH (.1), FOO (.1) for same; confer w/D.Keenan re: finalizing same (.1).	0.60	150.00
05/16/17	DPK	Revise Keach Declaration in support of Motion to Compel (.5); conference with A.Stewart re exhibits to same (.2); email to/from A.Stewart re exhibits (.2); review motion to compel; multiple calls/conferences with J.Woodcock re memorandum (.2); revise memorandum in support of motion to compel CP to produce documents and answer interrogatories (1.8); revise proposed order (.2).	3.10	651.00
05/16/17	ALS	Assist D. Keenan re revisions and finalization of Motion to Compel CP, Declaration of Robert J. Keach and exhibits, and Motion for Expedited Hearing	2.20	473.00
05/16/17	ALS	Filing of Motion to Compel CP, Declaration of Robert J. Keach and exhibits, and Motion for Expedited Hearing with Court (.4); draft certificate of service re same (.1); filing of certificate of service with Court (.1); emails to/from D. Keenan re same (.2)	0.80	172.00
05/16/17	ALS	Continue work on privilege log and review of redacted documents for production in CP litigation	0.40	86.00
05/16/17	PM	Review draft Motion to Compel and emails with discovery team re. same.	0.20	83.00



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>
05/17/17	ALS	Docket scheduling hearings and objection deadlines re Motion to Compel CP, Keach Declaration & Motion for Expedited Hearing	0.20	43.00
05/17/17	ALS	Email to R. Keach, P. McDonald, etc. attaching Motion to Compel CP, Keach Declaration & Motion for Expedited Hearing (.1); update pleadings file with same (.2)	0.30	64.50
05/17/17	DPK	Prepare for weekly CP Discovery meeting	0.30	63.00
05/17/17	LKZ	Emails w/team re: status of various CP discovery items.	0.20	50.00
05/17/17	PM	Review ECF Notice re. Motion to Compel filing.	0.10	41.50
05/17/17	ALS	Emails from/to L. Zahradka re CP discovery meeting	0.20	43.00
05/17/17	ALS	Continue work on discovery matters relating to Trustee's litigation against CP, including work on privilege log, workflow discussions, etc.	3.70	795.50
05/18/17	JW1	Initial review of CP's motion to stay discovery.	0.50	120.00
05/18/17	ALS	Continue work on privilege log with respect to CP discovery	1.80	387.00
05/18/17	MT	Work on QC of data loaded for CP litigation.	1.20	228.00
05/19/17	MT	QC documents.	0.70	133.00
05/22/17	JW1	Receipt and review of Wheeling reply in support of motion to compel.	0.20	48.00
05/22/17	JW1	Caselaw research regarding waiver or arguments if delayed.	0.40	96.00
05/22/17	JW1	Review of CP's opposition to motion to compel, expedite hearing.	0.40	96.00
05/22/17	JW1	Case law research regarding CP motion to stay discovery.	1.10	264.00
05/22/17	JW1	Strategy regarding hearing on motion to compel.	0.30	72.00
05/22/17	KQ	Organize documents in preparation for hearing on Estate Representative's motion to compel CP and related motion for expedited hearing in the matter Keach v. CP	1.60	288.00
05/22/17	DPK	Review CP's response and declaration in support to Estate Representative's motion to compel and for expedited hearing.	0.50	105.00
05/22/17	JW1	Review documents relating to motion to compel and CP's response in preparation for hearing; (2); outline hearing notes (.9).	2.90	696.00
05/22/17	LKZ	Confer w/B.Keach re: CP motion to compel.	0.60	150.00
05/22/17	MT	Analyze Project Train hard drive; meet with Angela Stewart; meet with Jack Woodcock.	0.50	95.00
05/22/17	ALS	Email to R. Keach, P. McDonald, etc. re CP's Objection to Motions to Compel and Expedite Hearing (.1); update pleadings file with same (.1)	0.20	43.00



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>
05/22/17	ALS	Email to R. Keach, P. McDonald, etc. attaching Declaration of Paul Hemming in response to Motion to Compel (.1); update pleadings file re same (.1)	0.20	43.00
05/22/17	ALS	Assist L. Zahradka and J. Woodcock re preparation for hearings on Motion to Compel and Motion to Expedite Hearing, along with hearing on Wheeling's Motion to Compel CP	1.80	387.00
05/22/17	ALS	Continue work on privilege log with respect to Noyes documents	1.90	408.50
05/22/17	RND	Review CP's objection to motion to compel and expedite hearing on motion to compel	0.40	100.00
05/22/17	RND	Review Hemming Dec filed in support of obj to motion to compel	0.20	50.00
05/23/17	JW1	Preparation for hearing regarding motion to compel.	0.50	120.00
05/23/17	JW1	Attend and participate at hearing on motion to compel.	1.90	456.00
05/23/17	JW1	Update estate representative on results of hearing on motion to compel.	0.20	48.00
05/23/17	JW1	Case law research regarding motion to stay discovery.	3.00	720.00
05/23/17	JW1	Further review of CP's Motion to Stay.	0.30	72.00
05/23/17	LKZ	Confer w/B.Keach re: hearing on CP motion to compel.	0.20	50.00
05/23/17	JW1	Drafting opposition to motion to stay.	2.50	600.00
05/23/17	ALS	Update docket scheduling re continued hearing re Estate Representative's Motion to Compel CP (.1); office conference with L. Zahradka re status of hearing on Motion to Expedite Hearing and Motion to Compel CP (.1)	0.20	43.00
05/23/17	PM	Meet with Jack Woodcock to discuss Motion for Compliance and Motion to Stay.	0.20	83.00
05/23/17	JW1	Attempt to download documents given to Trustee from FTP site; email to fix problems.	0.40	96.00
05/23/17	RJK	Exchanges e-mails with L. Smith regarding World Fuel Services documents	0.40	220.00
05/24/17	ALS	Telephone conference with R. Desai re status of hearing on Motion to Compel CP	0.20	43.00
05/24/17	DPK	Listen to hearing on Motions for Expedited Hearing and to Compel Production.	0.30	63.00
05/24/17	DPK	Emails from/to team re updates to meeting agenda.	0.20	42.00
05/24/17	JW1	Continue drafting opposition to motion to stay.	4.30	1,032.00
05/24/17	LKZ	Prep for weekly CP discovery meeting.	0.50	125.00
05/24/17	ALS	Review and respond to email from L. Zahradka re CP discovery team meeting	0.10	21.50
05/24/17	ALS	Continue work on privilege log with respect to redacted documents from Noyes storage unit	1.70	365.50
05/24/17	RJK	Review selected documents from World Fuel Services production	0.30	165.00
05/25/17	JW1	Finish first draft of opposition to stay discovery.	0.40	96.00



Page 73
October 26, 2017
Invoice #: *****

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>
05/25/17	JW1	Revise opposition motion to stay and send copy to Bernstein team for final review.	2.20	528.00
05/25/17	DPK	Review Estate Representative's Response to CP's Motion to Stay Discovery.	0.20	42.00
05/25/17	PM	Review and revise Opposition to CP Motion to Stay.	0.80	332.00
05/25/17	LKZ	Review analysis re: CP production of docs.	0.10	25.00
05/25/17	ALS	Review and respond to email from J. Woodcock re World Fuels' document production (.2); organize World Fuels' document production (.2)	0.40	86.00
05/26/17	JW1	Review and insert edits to opposition to motion to compel.	0.40	96.00
05/26/17	JW1	Final proofread of opposition to CP's motion to stay discovery.	0.20	48.00
05/26/17	DPK	Review emails pertaining to Estate Representative's response to CP's motion to stay discovery, and review draft of same.	0.10	21.00
05/26/17	ALS	Review Opposition to CP's Motion to Stay (.2); filing of Opposition to CP's Motion to Stay with Court (.1); preparation and filing of Certificate of Service re same (.1)	0.40	86.00
05/30/17	LKZ	Research in connection w/J.Woodcock review of WFS doc production for CP adversary proceeding.	1.80	450.00
05/31/17	DPK	Review additional emails re CP discovery meeting.	0.10	21.00
05/31/17	DPK	Review further emails re upcoming CP discovery meeting and respond to same.	0.10	21.00
05/31/17	LKZ	Prep for weekly CP discovery meeting (.4); emails w/team re: same (.2).	0.60	150.00
05/31/17	ALS	Review and respond to emails from L. Zahradka and D. Keenan re CP Discovery team meeting	0.20	43.00
05/31/17	ALS	Continue work on privilege log in CP litigation	1.10	236.50
05/31/17	RND	Emails with R. Keach and L. Zahradka re: meeting to discuss CP discovery status	0.30	75.00
06/01/17	JW1	Team meeting to discuss case updates and strategy.	1.00	240.00
06/01/17	JW1	Review CP reply in support of its motion to stay.	0.20	48.00
06/01/17	ALS	Team meeting re CP Discovery	0.90	193.50
06/01/17	DPK	Prepare for CP Discovery meeting; attend meeting with team.	1.10	231.00
06/01/17	PM	Attend discovery team meeting to discuss status and next steps (.8); review CP Reply to Motion for Stay (.2).	1.00	415.00
06/01/17	LKZ	Attend weekly CP discovery meeting.	0.90	225.00
06/01/17	ALS	Participation in CP discovery team meeting	0.40	86.00
06/01/17	ALS	Continue work on privilege log and review of redacted documents in CP litigation	0.90	193.50
06/01/17	RND	Attend CP discovery meeting	0.80	200.00
06/02/17	ALS	Continue work on privilege log and review of redacted documents with respect to CP litigation	1.40	301.00



Page 74
October 26, 2017
Invoice #: *****

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>
06/02/17	RJK	Conference with Lindsay Zahradka, Jack Woodcock regarding CP deposition	0.30	165.00
06/05/17	JW1	Review related answer in Canadian proceedings.	0.50	120.00
06/05/17	LKZ	Review CP answer to class action complaint.	0.20	50.00
06/05/17	JW1	Prepare for hearing on motion to stay discovery.	2.10	504.00
06/05/17	ALS	Update hearing binder with respect to CP's Motion to Stay Discovery	0.20	43.00
06/06/17	DPK	Review CP's reply to Estate Representative's Response to CP's Motion to Stay Discovery.	0.30	63.00
06/06/17	JW1	Final preparation for hearing on motion to stay discovery.	0.50	120.00
06/06/17	JW1	Attend and participate in hearing on motion to stay discovery.	1.10	264.00
06/06/17	LKZ	Confer w/J.Woodcock, R.Keach re: hearing on motion to compel, CP motion to stay discovery, next steps.	0.50	125.00
06/06/17	ALS	Review and respond to email from L. Zahradka re status of CP discovery	0.20	43.00
06/06/17	ALS	Office conference with J. Woodcock re status of hearings on Motion to Compel CP and CP's Motion to Stay Discovery	0.10	21.50
06/06/17	DPK	Review recording of hearing on Estate Representative's Motion to Compel and CP's Motion to Stay Discovery (.3); incorporate updates into CP meeting agenda (.2); review emails from team re going forward with meetings after Judge Cary rules on CP's motion to dismiss (.1); conference with A.Stewart re same (.1).	0.70	147.00
06/06/17	JW1	Update Estate Representative on hearing on motion to stay.	0.20	48.00
06/06/17	JW1	Review and analysis of Canadian administrative decision regarding of tariffs.	1.30	312.00
06/06/17	PM	Meeting with Jack Woodcock re. motion to stay discovery (.1); meeting with and email from Lindsay Zahradka re. discovery issues (.1).	0.20	83.00
06/07/17	RJK	E-mail to Leslie Smith regarding CP agreements/documents	0.10	55.00
06/07/17	RJK	E-mails to Kirkland & Ellis regarding CP documents	0.30	165.00
06/08/17	ALS	Office conference with R. Keach re documents produced by CP (.1); review documents produced by CP and MMA database documents per R. Keach's request (.3)	0.40	86.00
06/13/17	RJK	Conference with Jack Woodcock and Lindsay Zahradka regarding CP deposition	1.00	550.00
06/16/17	RJK	Review e-mails regarding CP production; respond	0.40	220.00
06/20/17	RJK	Conference with Jack Woodcock regarding CP brief	0.30	165.00



Page 75
October 26, 2017
Invoice #: *****

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>
06/20/17	RJK	E-mail regarding CP brief	0.10	55.00
06/21/17	RJK	Exchange e-mails with Leslie Smith regarding Canadian Pacific documents	0.20	110.00
06/26/17	DPK	Review emails re CP Discovery meeting schedule going forward.	0.10	21.00
07/07/17	ALS	Review status of CP discovery-related issues, including update to privilege log and review of redacted documents	0.90	193.50
07/10/17	JW1	Review motion to compel and CP response.	0.30	72.00
07/10/17	JW1	Review CP's discovery responses in adversary proceeding.	0.60	144.00
07/10/17	JW1	Review status of document production to CP.	0.10	24.00
07/10/17	JW1	Team meeting to discuss case strategy.	0.70	168.00
07/10/17	ALS	Attendance at CP litigation team meeting (.7); coordinate CP litigation team meeting (.1)	0.80	172.00
07/10/17	JW1	Review case background materials in light of discovery requests (1.7); update Bernstein associate on overview of case developments (.5).	2.20	528.00
07/10/17	DPK	Call with L.Zahradka re upcoming discovery meeting, and emails re same (.1); attend discovery and litigation meeting with team (.7).	0.80	168.00
07/10/17	LKZ	Confer w/B.Keach re: CP discovery meeting (.2); prep for (.2) and attend (.7) same; meet w/J.Woodcok, A. Prescott re: next steps (.7).	1.90	475.00
07/10/17	JW1	Review prior discovery requested to and produced by CP.	1.30	312.00
07/10/17	PM	Meet with Discovery Team to discuss strategy moving forward.	0.70	290.50
07/10/17	RND	Meeting with R. Keach, P. MacDonald, L. Zahradka, and J. Woodcock re: status of CP discovery in light of decision denying motion to dismiss	0.70	175.00
07/10/17	RJK	Conference with Bernstein Shur team regarding discovery vs. CP; follow-up	1.20	660.00
07/10/17	ALS	Email to A. Prescott with respect to discovery demands served in CP litigation	0.10	21.50
07/10/17	ALS	Email to A. Prescott with latest version of draft ESI protocol	0.10	21.50
07/10/17	ALS	Emails to P. McDonald re documents produced with respect to CP litigation	0.20	43.00
07/10/17	ALS	Continue work on discovery matters relating to CP litigation, including work on privilege log and redacted documents from Noyes production	1.90	408.50
07/11/17	JW1	Review CP's discovery requests and estate representative responses and the parties initial disclosures (1.2); research liability law (1).	2.20	528.00



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>
07/11/17	JW1	Phone call with D. Keenan regarding refile of motion to compel.	0.20	48.00
07/11/17	JW1	Review confirmation order and case law cited to in order.	1.40	336.00
07/11/17	ALS	Office conferences (x2) with D. Keenan re filing of motion to compel in CP litigation	0.20	43.00
07/11/17	DPK	Revise memorandum in support of motion to compel (1.5); revise NOH (.2); conference with A.Stewart re same (.1); calls with J.Woodcock re revisions (.3).	2.10	441.00
07/11/17	JW1	Begin to draft second request for production of documents to CP (2); phone call with Bernstein associate regarding motion to compel (.3).	2.30	552.00
07/11/17	ALS	Continue work on CP litigation discovery tasks, including update to privilege log, review of database for key word searching capability	1.10	236.50
07/11/17	MT	Confer with Angela Stewart re status of case and status of discovery.	0.10	19.00
07/12/17	JW1	Review CP and third party document production in preparation for drafting discovery requests.	3.00	720.00
07/12/17	JW1	Continue drafting new requests for production of documents to CP.	0.60	144.00
07/12/17	JW1	Revise ESI protocol.	0.40	96.00
07/12/17	JW1	Draft letter to opposing counsel regarding ESI protocol, discovery.	0.80	192.00
07/12/17	JW1	Review and edit draft of motion to compel to refile.	0.60	144.00
07/12/17	DPK	Email draft of revised motion to compel and memorandum in support of same to J.Woodcock and L.Zahradka; revise same.	0.20	42.00
07/12/17	ALS	Meeting with D. Keenan re CP's Motion to Compel (.1); email to D. Keenan re discovery timeline (.1)	0.20	43.00
07/13/17	JW1	Final edit of Motion to Compel (.3); review of record (.2).	0.50	120.00
07/13/17	JW1	Email to Canadian counsel regarding status update.	0.20	48.00
07/13/17	JW1	Coordinate filing of motion to compel with D. Keenan.	0.10	24.00
07/13/17	JW1	Case update and strategy with D. Keenan.	0.40	96.00
07/13/17	JW1	Case strategy regarding discovery with P. McDonald.	0.20	48.00
07/13/17	DPK	Call with J.Woodcock regarding revisions to filings pertaining to motion to compel discovery from CP.	0.20	42.00
07/13/17	PM	Meet with Jack Woodcock to discuss ESI protocol and other discovery issues.	0.10	41.50



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>
07/13/17	ALS	Revisions to Motion to Compel CP, memorandum of law, notice of hearing and proposed order (.5); emails from/to D. Keenan re filing of Motion to Compel CP and revisions (.2); filing of Motion to Compel CP and related pleadings (.3); email R. Keach, P. McDonald, etc. re filing of Motion to Compel CP (.1); update pleadings file with Motion to Compel and related pleadings (.1); docket scheduling hearing date and objection deadline re Motion to Compel CP (.1); draft certificate of service re same (.2)	1.50	322.50
07/13/17	ARP	Confer with Jack Woodcock re motion to compel and discovery requests.	0.40	100.00
07/14/17	JW1	Send copies of discovery requests and responses to D. Keenan.	0.10	24.00
07/14/17	JW1	Revise new requests for production; send to D. Keenan for comments.	0.30	72.00
07/14/17	PM	Review Motion to Compel Discovery from CP and Soo Line.	0.20	83.00
07/27/17	JW1	Complete first draft of opposition to CP motion to dismiss.	3.60	864.00
07/28/17	JW1	Review of deadlines for CP response to motion to compel discovery.	0.10	24.00
07/31/17	ALS	Continue work on privilege log for CP litigation, including review of redacted documents	2.90	623.50
08/01/17	ALS	Email to R. Keach, P. McDonald, etc. re CP & Soo Line's Objection to Renewed Motion to Compel (.1); update pleadings re same (.1); review CP & Soo Line's Objection to Renewed Motion to Compel (.4)	0.60	129.00
08/01/17	RND	Review CP's objection to Motion to Compel	0.50	125.00
08/02/17	DPK	Review CP and Soo Line's Objection to Trustee's Motion to Compel	0.30	63.00
08/02/17	PM	Review CP Objection to Motion to Compel.	0.30	124.50
08/02/17	ALS	Review email from J. Woodcock re draft reply in support of Motion to Compel Discovery filed in Keach v CP litigation	0.10	21.50
08/03/17	JW1	Call with Adam Prescott regarding strategy for multiple motion filings.	0.30	72.00
08/03/17	JW1	Research interlocutory appeal and stay of discovery case law.	1.40	336.00
08/03/17	JW1	Draft and edit Reply supporting motion to compel (2.8); email draft to R. Keach and R. Deasi for review (.1).	2.90	696.00
08/03/17	PM	Revise Reply to Motion to Compel.	1.00	415.00
08/03/17	ALS	Emails (x2) from/to A. Prescott re timing of reply in support of motion to compel CP	0.20	43.00



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>
08/03/17	RND	Emails with J. Woodcock and R. Keach re: reply in support of Motion to Compel	0.20	50.00
08/04/17	DPK	Review emails re revisions to Trustee's Reply to CP's opposition to Trustee's Motion to Compel.	0.10	21.00
08/04/17	KQ	Finalize and file the Estate Representative's reply in support of the motion to compel the production of documents and answers to interrogatories from defendants in the matter of Keach v. CP.	0.20	36.00
08/04/17	ALS	Emails from/to A. Prescott and K. Quirk re filing reply in support of Motion to Compel Discovery filed in Keach v CP litigation (.2); review reply in support of motion to compel discovery (.2)	0.40	86.00
08/04/17	PM	Review final version of Reply to Motion to Compel.	0.10	41.50
08/04/17	ARP	Proofread, cite check and finalize for filing reply in support of motion to compel.	1.10	275.00
08/07/17	JW1	Review filings made over past week while on vacation (.5); strategy for motion hearing regarding motion to compel (.2).	0.70	168.00
08/07/17	JW1	Review docket entries and motions regarding motion to compel (1); prepare for hearing on motion to compel (1.1).	2.10	504.00
08/08/17	JW1	Final preparation for hearing on motion to compel (.2) and attend and participate in hearing on motion to compel (1.1).	1.30	312.00
08/08/17	DPK	Review hearing on Trustee's Motion to Compel.	0.70	147.00
08/08/17	JW1	Strategy as to steps to take before discovery conference with opposing party.	0.20	48.00
08/08/17	JW1	Update Adam Prescott on status of discovery in adversary proceeding.	0.20	48.00
08/08/17	ARP	Attend court hearing re motion to compel discovery from Canadian Pacific (.5); confer with Jack Woodcock re motion to compel (.2); review requests for production to Canadian Pacific and Soo Lines and draft potential new requests re same (1.1)	1.80	450.00
08/08/17	RJK	Prepare for and attend hearing regarding motion to compel vs. CP	1.50	825.00
08/08/17	RJK	Follow-up conferences with Jack Woodcock regarding discovery vs. CP	1.00	550.00
08/08/17	RJK	Various conferences with Adam Prescott regarding CP discovery conference	0.50	275.00
08/09/17	ALS	Email to R. Keach re litigation team meeting to discuss status of Keach v CP case	0.10	21.50
08/09/17	JW1	Strategy for additional request for documents with A. Prescott.	0.50	120.00



Page 79
October 26, 2017
Invoice #: *****

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>
08/09/17	ARP	Prepare outline of potential areas for new requests for production to Canadian Pacific and Soo Line (1.2) and confer with Jack Woodcock re same (.2); review document productions made by Canadian Pacific (1.1); telephone call with Alan Lapene re Irving claim objection stipulation (.4); review briefing re Irving claim objection (1.1)	4.00	1,000.00
08/10/17	JW1	Review and edit of Additional request for production to CP; send to R. Keach for review.	0.70	168.00
08/10/17	DPK	Review emails re additional discovery requests (.1); review drafts for same (.2).	0.30	63.00
08/10/17	ARP	Draft revised second set of requests for production to Canadian Pacific and Soo Lines.	1.30	325.00
08/11/17	DPK	Review CP's Motion for Subpoena Compliance.	0.60	126.00
08/16/17	JW1	Receipt and response to Canadian counsel update on information request.	0.10	24.00
08/16/17	ALS	Emails from/to R. Keach and J. Woodcock re discovery-related issues	0.10	21.50
08/18/17	JW1	Review and analysis of CP reply in support of leave to appeal.	0.30	72.00
08/21/17	RJK	Prepare for status conference; conference with Adam Prescott regarding same	0.50	275.00
08/23/17	JW1	Discovery analysis and planning with Bob Keach.	0.20	48.00
08/23/17	PM	Meet with Bob Keach and Jack Woodcock re. CP discovery (.1); revise document requests to CP and Soo Line (.8).	0.90	373.50
08/23/17	RJK	Attention to discovery planning in Trustee litigation	1.50	825.00
08/24/17	JW1	Team meeting regarding preparation for a meet and confer with CP.	1.10	264.00
08/24/17	JW1	Draft letters to opposing counsel regarding meet and confer and new discovery.	1.30	312.00
08/24/17	JW1	Review and analysis of ESI protocol.	0.50	120.00
08/24/17	JW1	Review and analysis of past discovery efforts made by the parties.	0.50	120.00
08/24/17	JW1	Edit, finalize and send letters and attachments to CP counsel regarding ESI protocol and Second Request for Production.	1.10	264.00
08/24/17	PM	Revise document request to CP and Soo Line (.3); meet with Bob Keach, Jack Woodcock and Adam Prescott to prepare for meet and confer with CP and Soo Line (1.0); revise document request to CP and Soo Line (.3); review and revise correspondence to Tim Thornton re. discovery issues (.2); review revisions to ESI Protocol (.2).	2.00	830.00



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>
08/24/17	RJK	Conference with Paul McDonald et al regarding CP Discovery; follow-up; review Second Request for Production to CP	1.20	660.00
08/24/17	ARP	Revise and revise ESI Stipulation re Canadian Pacific adversary proceeding (.9) and confer with Jack Woodcock re same (.2); implement edits and perform cite check re motion to exclude experts in Wheeling adversary proceeding (2.2)	3.30	825.00
08/25/17	JW1	Update A. Stewart regarding preparation of meet and confer and status of MMA document production.	0.20	48.00
08/25/17	ALS	Office conference with J. Woodcock re preparation for meet and confer with CP (.2); review discovery-related communications and documents in preparation for meet and confer with CP (1.1)	1.30	279.50
08/28/17	JW1	Meeting with Bernstein paralegal to discuss history of MMA documents, ESI collection (1.1); research regarding confidentiality of criminal provisions (.7).	1.80	432.00
08/28/17	ALS	Meeting with J. Woodcock and A. Prescott re discovery issues in CP litigation in advance of meet and confer with opposing counsel (1.2); continue work on discovery timeline, including review of communications re discovery, discovery requests and responses, etc., in advance of meet and confer with counsel for CP (3.1)	4.30	924.50
08/28/17	ARP	Confer with Jack Woodcock re preparation for Canadian Pacific discovery conference	0.90	225.00
08/28/17	RJK	Attention to CP discovery issues	1.70	935.00
08/29/17	JW1	Receipt and review of CP's edits to proposed ESI protocol.	0.20	48.00
08/29/17	JW1	Update R. Keach re: agenda items for CP meet and confer.	0.50	120.00
08/29/17	ALS	Review proposed changes to ESI protocol as provided by counsel to CP and Soo Line (.3); emails to P. McDonald, J. Woodcock and M. Thomas re same (.2); communications (multiple) with M. Thomas re ESI protocol, current database supported by Evidox, discovery timeline, etc. (.3); continue work on discovery summary with respect to CP litigation, including review of correspondence, discovery requests served and received, and upcoming deadlines (3.4)	4.20	903.00
08/29/17	JW1	Review and analysis of CP's proposed production specs.	0.30	72.00
08/29/17	JW1	Call with Jamie Kerr to discuss production specifications.	0.20	48.00



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>
08/29/17	JW1	Respond to email from Paul Hemming regarding ESI protocol.	0.10	24.00
08/29/17	JW1	Review and analysis of CP discovery requests and estate representative responses.	1.40	336.00
08/29/17	ALS	Emails from/to J. Woodcock re ER's responses to CP's discovery requests	0.20	43.00
08/29/17	PM	Review CP proposed changes to ESI protocol (.3); meet with Jack Woodcock to discuss preparation for meet and confer with CP's counsel (.3); review pleadings, motions and discovery requests in preparation for CP meet and confer (3.7);	4.30	1,784.50
08/29/17	MT	Analyze CP's comments to ESI protocol (.8); meet with Attorney Woodcock and call to Evidox (.4); meet with Angela Stewart re CP discovery (.3); prepare for discovery conference (.2).	1.70	323.00
08/29/17	RJK	Attention to discovery issues; prepare for August 30th meetings	3.50	1,925.00
08/30/17	JW1	Outline document production timeline in preparation for meet and confer.	0.50	120.00
08/30/17	ALS	Office conference with A. Prescott re meet and confer with counsel for CP (.1); office conference with M. Thomas re discovery issues (.2); continue work on discovery timeline/summary (1.4); emails from/to A. Prescott re extension of deadline to submit joint discovery protocol with Court (.2)	1.90	408.50
08/30/17	JW1	Meet and confer with CP counsel.	4.00	960.00
08/30/17	ARP	Participate in discovery conference re Canadian Pacific adversary proceeding	3.60	900.00
08/30/17	JW1	Draft memo memorializing contents of the meet and confer.	2.00	480.00
08/30/17	JW1	Review file structure of MMA electronic documents.	0.80	192.00
08/30/17	PM	Prepare for meet and confer with CP counsel (.6); attend meet and confer with CP counsel (4.9).	5.50	2,282.50
08/30/17	RJK	Prepare for and attend discovery conference with CP counsel	4.10	2,255.00
08/31/17	JW1	Review of edits to memo regarding meet and confer.	0.20	48.00
08/31/17	JW1	Finalize memo for file on meet and confer.	0.20	48.00
08/31/17	MT	Analyze meet and confer memo.	0.20	38.00
08/31/17	ALS	Emails to/from M. Paione at U.S. Bankruptcy Court re extension of deadline for parties to submit joint discovery protocols (.2); emails from/to A. Prescott re same (.2); email to A. Cummings requesting revision to docket scheduling based on extended deadline to submit discovery protocols (.1)	0.50	107.50
08/31/17	PM	Review and revise Jack Woodcock memo re. meet and confer.	0.50	207.50



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>
08/31/17	ALS	Review A. Prescott's memo regarding meet and confer with counsel for CP and Soo Line (.2); continue work on discovery summary with respect to CP litigation (1.2)	1.40	301.00
08/31/17	ARP	Draft notes re discovery conference with Canadian Pacific	0.90	225.00
09/01/17	ALS	Review and respond to email from M. Thomas re sale data room documents and processing of same (.2); email to J. Woodcock and A. Prescott re sale data room documents (.1); review email from A. Prescott re same (.1); continue work on CP litigation matters, including timeline of events (1.3)	1.70	365.50
09/01/17	ALS	Office conference with J. Woodcock re protective order with respect to CP litigation (.1); email to J. Woodcock re same (.1)	0.20	43.00
09/01/17	MT	Review external drives (1.0) and prepare report to Angela Stewart (.3)	1.30	247.00
09/05/17	ALS	Office conference with M. Thomas re transmittal of hard drive to Evidox for processing (.1); emails to/from M. Thomas and J. Kerr at Evidox re same (.1); continue work on discovery matters with respect to CP litigation (3.7)	3.90	838.50
09/05/17	MT	Emails to and from Jamie Kerr at Evidox regarding additional data to be loaded to the database (.8); forward external drive to Evidox (.3)	1.10	209.00
09/05/17	ARP	Draft revised ESI protocol re Canadian Pacific adversary proceeding (.5) and draft revised joint scheduling order re same (.8).	1.30	325.00
09/06/17	JW1	Email to Bernstein team regarding reporting of narrowing of discovery dispute to court (.1); review edits to proposed scheduling order (.2).	0.30	72.00
09/06/17	ALS	E-mails from/to R. Keach, P. McDonald, etc. re team meeting re CP litigation	0.20	43.00
09/06/17	ALS	Emails from/to M. Thomas re delivery of sale data room hard drive to Evidox for processing	0.10	21.50
09/06/17	JW1	Team meeting regarding next steps following meet and confer.	0.70	168.00
09/06/17	ALS	Attendance at team meeting to discuss status of CP litigation (.7); continue work on discovery matters with respect to CP litigation (1.7)	2.40	516.00
09/06/17	JW1	Review reconciliation between opposing counsel's draft ESI protocol and ER's latest version.	0.30	72.00
09/06/17	RJK	Conference regarding CP discovery issues; follow-up regarding same	0.70	385.00
09/06/17	ARP	Participate in internal conference re discovery in Canadian Pacific adversary proceeding.	0.30	75.00



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>
09/07/17	JW1	Review, finalize, and send draft copies of ESI protocol and draft scheduling order to opposing counsel.	0.30	72.00
09/07/17	JW1	Receipt and review of opposing counsel's redline of proposed JPO.	0.10	24.00
09/07/17	MT	Meet with Angela Stewart re CP discovery (.1); analyze data on external drive regarding same (1.8); email to Angela Stewart (.1); access database (.1)	2.10	399.00
09/07/17	ALS	Emails from/to M. Thomas re sale room documents and discovery issues with respect to CP litigation (.3); meeting with M. Thomas re sale room documents and related discovery issues (.7); continue work on discovery issues relating to CP litigation (1.3)	2.30	494.50
09/07/17	ALS	Emails to/from J. Kerr (Evidox) re database access issues with respect to CP litigation (.2); telephone conference with J. Kerr re same (.1)	0.30	64.50
09/07/17	ALS	Email to A. Cummings and M. Thomas re invoices from Evidox with respect to CP litigation	0.10	21.50
09/07/17	JW1	Call with opposing counsel regarding ESI protocol and proposed pretrial order (.2), and follow up analysis regarding same (.2).	0.40	96.00
09/08/17	ALS	Continue work on discovery timeline/discovery issues with respect to CP litigation	2.20	473.00
09/08/17	JW1	Review and respond to email regarding changes to proposed pretrial order.	0.20	48.00
09/08/17	ALS	Emails from/to M. Thomas, A. Prescott and J. Woodcock re discovery issues relating to CP litigation (.3); review emails from M. Thomas with respect to research pertaining to same (.3).	0.60	129.00
09/08/17	ARP	Review and finalize joint scheduling order in Canadian Pacific adversary proceeding.	0.30	75.00
09/11/17	ALS	Filing of proposed joint pretrial scheduling order with Court in CP litigation (.1); emails from/to A. Prescott re filing same (.1)	0.20	43.00
09/12/17	JW1	Update with Adam Prescott regarding ESI protocol and hearing on motion to compel.	0.20	48.00
09/12/17	JW1	Team meeting on scope and content of data room financial data.	0.30	72.00
09/12/17	JW1	Follow up email to Paul Hemming regarding ESI protocol and Rule 502(d) order.	0.20	48.00
09/12/17	MT	Meet with Angela Stewart, Jack Woodcock and Adam Prescott regarding contents of external drive related to the sale (.3) and follow-up analysis regarding same (.1).	0.40	76.00
09/12/17	ALS	Telephone conference with J. Woodcock, A. Prescott and M. Thomas re CP litigation/discovery-related issues (.3); email to M. Thomas re same (.1)	0.40	86.00



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>
09/12/17	ALS	Continue work on CP litigation related discovery, including revisions to discovery timeline	1.70	365.50
09/13/17	JW1	Compare and contrast versions of ESI protocol and send to opposing counsel.	0.20	48.00
09/13/17	JW1	Review of opposing counsel redline of ESI protocol.	0.10	24.00
09/13/17	ALS	Continue work on CP litigation/discovery issues and update to timeline	0.40	86.00
09/14/17	JW1	Email regarding substance of changes to ESI protocol to Bernstein team.	0.10	24.00
09/14/17	JW1	Receipt and review of district court's order on surreply brief (.1); review of briefing (.2) and initial case law research (.2).	0.50	120.00
09/14/17	JW1	Strategy for sur-reply brief based on courts order.	0.50	120.00
09/14/17	MT	Receive external drive from Evidox and email to Attorney regarding documents to be reviewed.	0.10	19.00
09/14/17	PM	Numerous emails regarding pretrial order (.10); Various emails regarding draft scheduling order (.20)	0.30	124.50
09/14/17	ALS	Review pre-trial scheduling order entered by Court in Keach v CP litigation (.2); docket scheduling upcoming deadlines in Keach v CP litigation (.9); emails to/from K. Ford at U.S. Bankruptcy Court re same (.2)	1.30	279.50
09/14/17	ALS	Email to A. Prescott re Judge Levy's Order requesting Plaintiff to file surreply in CP's pending motion for leave to appeal	0.10	21.50
09/14/17	RND	Meeting with A. Prescott and J. Woodcock re: surreply to CP's Reply re: Motion for Leave to Appeal (.5) and email with R. Keach re: same (.1)	0.60	150.00
09/15/17	JW1	Voicemail and call with opposing counsel regarding changes to ESI protocol (.3); follow up with Adam Prescott regarding the same (.1).	0.40	96.00
09/15/17	MT	Analyze ESI Protocol and meet with Adam Prescott.	0.30	57.00
09/15/17	ALS	Docket scheduling re deadline to file proposed pre-trial statement in Keach v CP litigation	0.10	21.50
09/15/17	ALS	Filing of ESI Stipulation and proposed 502(D) Order with Court in Keach v CP adversary proceeding (.2); emails from/to A. Prescott and J. Woodcock re same (.2); review email from M. Thomas re filing of ESI protocol (.1)	0.50	107.50
09/15/17	PM	Emails with counsel regarding ESI Protocol	0.10	41.50
09/15/17	ARP	Finalize and file ESI Stipulation re CP adversary proceeding.	0.40	100.00
09/18/17	JW1	Discussion of upcoming deadlines, strategy with Adam Prescott and Bob Keach.	0.30	72.00
09/18/17	JW1	Receipt and review of Canadian document production (1); research of companies on Material Safety Data Sheets (1).	2.00	480.00



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>
09/18/17	JW1	Draft notice of hearing for motion to compel.	0.70	168.00
09/18/17	JW1	Form and procedure analysis for filing of notice of hearing regarding motion to compel.	0.20	48.00
09/18/17	ALS	Office conferences (x2) with R. Desai re CP litigation and remaining issues relating to discovery with respect to pre-trial scheduling order and ESI protocol and noticing same for hearing	0.30	64.50
09/18/17	ALS	Review ESI Protocol and 502(D) Order entered by Court in Keach v CP discovery (.2); email to M. Thomas re same (.1); update pleadings file (.1)	0.40	86.00
09/18/17	MT	Receiving final Stipulation re ESI Protocol to Jamie Kerr at Evidox.	0.10	19.00
09/18/17	PM	Emails from discovery team regarding production of documents.	0.20	83.00
09/18/17	RND	Review/revise draft of NOH re: motion to compel (.2) and emails with J. Woodcock and A. Prescott re: same (.1)	0.30	75.00
09/19/17	JW1	Review and comments on edits to hearing notice on motion to compel.	0.20	48.00
09/19/17	ALS	Emails (multiple) from/to J. Woodcock, A. Prescott and R. Desai re request for hearing re issues relating to CP litigation (.3); review draft request to schedule a hearing re same (.1)	0.40	86.00
09/19/17	ALS	Office conference with J. Woodcock re filing of request for hearing re CP litigation (.1); filing of request with Court with respect to CP litigation (.2)	0.30	64.50
09/19/17	JW1	Review record and transcripts on defendants' motions to dismiss in adversary proceeding (1); review and analysis of case law regarding 157(c)(1) (1.5); draft introduction of reply brief (.8).	3.30	792.00
09/19/17	JW1	Complete first draft of surreply for CP Motion for Leave to Appeal.	2.40	576.00
09/19/17	ALS	Work on discovery-related issues with respect to CP litigation including draft custodian list and revisions to discovery timeline	0.90	193.50
09/19/17	RJK	Exchange e-mails with Jack Woodcock regarding CP discovery issue	0.30	165.00
09/19/17	RND	Revise notice of hearing to request hearing re: motion to compel (.2) and emails with A. Prescott and J. Woodcock re: same (.2)	0.40	100.00
09/19/17	RND	Emails with J. Woodcock, A. Stewart, and R. Keach re: simultaneous briefing on motion to compel	0.20	50.00
09/20/17	JW1	Revise surreply brief.	1.10	264.00
09/20/17	ALS	Conference with M. Thomas and J. Kerr at Evidox with respect to document production in Keach v CP litigation (.5); research re: redaction for same (.2)	0.70	150.50



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>
09/20/17	JW1	Weekly meeting to discuss case updates and strategy (.8) and follow up regarding same (.2).	1.00	240.00
09/20/17	ALS	Attendance at CP discovery team meeting	0.80	172.00
09/20/17	ARP	Participate in weekly internal conference re Canadian Pacific discovery status (.4); draft surreply re Canadian Pacific motion for leave to appeal (2.8); draft letter to counsel re Canadian Pacific meet and confer summary (1.4)	4.60	1,150.00
09/20/17	ALS	Continue work on custodian list with respect to CP litigation per Joint Pretrial Scheduling Order	0.60	129.00
09/20/17	JW1	Strategy and analysis regarding argument in surreply to CP's motion for leave to appeal.	0.30	72.00
09/20/17	JW1	Revise surreply brief to CP's Motion for leave to appeal.	2.50	600.00
09/20/17	MT	Review redaction documentation and email to Jamie Kerr (.3); conference with Jamie Kerr re items to be completed before production (1.0); attend team meeting re discovery and brief (.8); follow-up emails with Jamie Kerr at Evidox (.1)	2.20	418.00
09/20/17	RJK	Discovery conference (internal) regarding CP litigation	0.60	330.00
09/21/17	JW1	Additional edits to surreply brief.	1.50	360.00
09/21/17	JW1	E-mail to opposing counsel regarding briefing of DOT-111 issue.	0.20	48.00
09/21/17	JW1	Further revise surreply brief.	0.40	96.00
09/21/17	DPK	Revise Estate Representative's Surreply.	1.50	315.00
09/21/17	PM	Meeting with Jack Woodcock regarding discovery motion issues	0.10	41.50
09/21/17	ALS	Review Surreply and certificate of service (.1); filing of Sur-Reply to CP's Motion for Leave to Appeal (.2); emails from/to R. Keach, J. Woodcock and K. Quirk re filing of Sur-Reply to CP's Motion for Leave to Appeal (.2)	0.50	107.50
09/21/17	ARP	Draft letter summarizing meet and confer with Canadian Pacific.	0.60	150.00
09/22/17	JW1	Email to opposing counsel regarding hearing date for motion to compel.	0.10	24.00
09/22/17	KQ	Enter Agreed Request to Continue on the docket with respect to the motion to compel in the matter Keach v. CP (.1); email to A. Prescott regarding same (.1)	0.20	36.00
09/22/17	ARP	Draft letter to Canadian Pacific counsel summarizing meet and confer	0.90	225.00
09/22/17	JW1	Review and edit letter to opposing counsel regarding meet and confer.	0.40	96.00



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>
09/22/17	ALS	Docket scheduling hearing with respect to Motion to Compel filed in Keach v CP litigation (.2); office conference with A. Prescott and K. Quirk re change to hearing date re same (.2)	0.40	86.00
09/22/17	ALS	Continue work on discovery-related matters in Keach v CP litigation, including updates to custodian list	0.30	64.50
09/25/17	JW1	Scheduling and date analysis and discussion with Adam Prescott.	0.20	48.00
09/25/17	MT	Draft list of custodians with titles for CP searches.	0.40	76.00
09/25/17	ALS	Emails from/to P. McDonald re research assignment with respect to Keach v CP litigation (.2); research re: Keach v CP litigation (.7)	0.90	193.50
09/25/17	PM	Review sur reply motion for appeal of order denying CP third motion to dismiss (.30); Review CP document productions (1.40); Emails with discovery team regarding custodians issue (.20); Investigation regarding awareness of Bakken crude flammability/volatility (1.00); Investigation regarding awareness of Bakken crude flammability/volatility (.30)	3.20	1,328.00
09/25/17	ARP	Draft protective order re Canadian Pacific adversary proceeding	1.10	275.00
09/26/17	JW1	Email to estate representative regarding briefing schedule for motion to compel.	0.10	24.00
09/26/17	JW1	Email to opposing counsel regarding briefing schedule for motion to compel.	0.10	24.00
09/26/17	JW1	Review of revisions to letter to opposing counsel regarding meet and confer.	0.10	24.00
09/26/17	ALS	Office conference with M. Thomas re revisions to custodians list and Evidox-related documents with respect to Keach v CP litigation	0.20	43.00
09/26/17	MT	Draft list of custodians for searches (.4); meet with Angela Stewart re: same (.1); call to and emails to and from Jamie Kerr regarding certain custodians (.2); revise list (.1)	0.80	152.00
09/26/17	PM	Review and revise letter to Tim Thornton and Paul Hemming regarding meet and confer (.50); Emails with team regarding motion to compel (.40)	0.90	373.50
09/26/17	ALS	Continue to work on discovery-related projects with respect to CP litigation	1.80	387.00
09/27/17	JW1	Email to opposing counsel regarding protective order.	0.10	24.00
09/27/17	ALS	Office conference with M. Thomas re revisions to custodians list (.1); review electronic data and case files re custodians (.6); continue work on discovery-related projects with respect to CP litigation (3.2)	3.90	838.50



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>
09/27/17	ALS	Attendance at team meeting to discuss CP litigation and discovery-related issues	0.70	150.50
09/27/17	JW1	Weekly team meeting to discuss next steps in litigation.	0.60	144.00
09/27/17	ARP	Finalize letter to Canadian Pacific re meet and confer summary (.2); participate in internal discovery meeting re Canadian Pacific adversary proceeding (.5); perform research re preparation for argument on Canadian Pacific motion for leave to appeal (.6); telephone call with Alan Lapene (Irving) re claim objection scheduling order (.3)	1.60	400.00
09/27/17	MT	Update Custodian List (.3); research data held by Reliable (1.7); attend team meeting re discovery and CP case status (.6)	2.60	494.00
09/27/17	RND	Meeting with J. Woodcock, A. Stewart, A. Prescott, and M. Thomas to discuss upcoming CP Discovery deadlines, motion for leave to appeal hearing in district court, and motion to compel discovery	0.60	150.00
09/28/17	JW1	Appear at oral argument for CP motion to leave for appeal to district court.	1.00	240.00
09/28/17	JW1	Draft proposed stipulation regarding briefing schedule for motion to compel.	0.80	192.00
09/28/17	JW1	Review TSB report on White River derailment for applicable search terms.	0.70	168.00
09/28/17	JW1	Initial case law research regarding foreseeability analysis.	2.90	696.00
09/28/17	PM	Meet with Bob Keach to discuss oral argument on motion for leave to appeal.	0.20	83.00
09/28/17	ALS	Emails from/to J. Woodcock re preparation of scheduling order with respect to motion to compel filed in CP litigation	0.20	43.00
09/28/17	ALS	Emails from/to M. Thomas re discovery-related searches with respect to CP litigation	0.20	43.00
09/28/17	ALS	Continue work on discovery-related projects with respect to CP litigation, including work on custodian data	2.20	473.00
09/28/17	RND	Revise draft briefing schedule re: motion to compel discovery (.5) and emails with J. Woodcock re: same (.1)	0.60	150.00
09/29/17	JW1	Strategy response to document request from CP Canadian counsel.	0.40	96.00
09/29/17	JW1	Email to opposing counsel regarding protective order.	0.10	24.00
09/29/17	JW1	Further case law research regarding foreseeability and DOT 111 motion to compel.	1.30	312.00
09/29/17	JW1	Review and analyze CP answer to Third Amended Complaint.	0.20	48.00



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>
09/29/17	JW1	Further case law research regarding foreseeability for motion to compel.	1.00	240.00
09/29/17	MT	Research in connection with revision to custodian list (1.7); circulating updated list of custodians (.1); further review of Reliable data (1.5).	3.30	627.00
09/29/17	PM	Review CP Application for Documents in Canadian Action (.3); meet with Bob Keach, Jack Woodcock, Adam Prescott re. Application for Documents in Canadian Action (.3).	0.60	249.00
09/29/17	RJK	Telephone call with Cuttler (Kandestin) regarding document hold/request by CP in Canadian class action; conference with Paul McDonald regarding same	0.50	275.00
09/29/17	RJK	Attention to CP documents request in Quebec class action	0.50	275.00
09/29/17	RJK	Conference with Paul McDonald, et al regarding CP Requests re: Quebec Class Action	0.50	275.00
09/29/17	RJK	Attention to CP documents request (Canada)	0.30	165.00
09/29/17	ALS	File proposed brief scheduling re motion to compel in CP litigation with Court (.1); emails from/to J. Woodcock and R. Desai re same (.2)	0.30	64.50
09/29/17	ALS	Docket scheduling re CP's Application for Preservation of Evidence and Communication of Documents filed in Canadian litigation (.1); review notice of CP's Application for Preservation of Evidence and Communication of Documents (.2); review email from R. Keach re CP's Application for Preservation of Evidence and Communication of Documents (.1)	0.40	86.00
09/29/17	ALS	Office conference with M. Thomas re additional information for custodian list to be exchanged in CP litigation (.2); emails to/from J. Woodcock and M. Thomas re custodian data (.2); review MMA data for information relating to custodians (.8); continue work on discovery-related assignments with respect to CP litigation (.6)	1.80	387.00
09/29/17	ALS	Review P. McDonald letter summarizing meet-and-confer in CP litigation	0.20	43.00
09/29/17	ARP	Confer with Bob Keach, Paul McDonald and Jack Woodcock re response to Canadian Pacific discovery requests in Canadian proceeding	0.30	75.00
09/29/17	RND	Email with J. Woodcock re: finalized version of briefing schedule concerning motion to compel	0.10	25.00
10 A Total			413.70	\$ 116,036.50
Detail Total				\$ 509,320.00



Page 90
October 26, 2017
Invoice #: *****

Matter #: 047375-00001

Montreal Maine & Atlantic Railway
RE: Chapter 11

EXPENSES

<u>Description</u>		<u>Amount</u>
TRANSCRIPT COST - PAID TO: VERITEXT CORPORATION	\$	198.88
TRANSCRIPT COST - PAID TO: TAYLOE COURT REPORTING, LLC		583.50
TRAVEL EXPENSE - PAID TO: LINDSAY K. ZAHRADKA		4.00
TRANSCRIPT COST - PAID TO: CALGARY INDEPENDENT REPORTERS, INC		954.55
FEDERAL EXPRESS - PAID TO: FEDERAL EXPRESS CORPORATION		18.82
TRANSCRIPT COST - PAID TO: LORI D. DUNBAR, RMR, CRR		174.25
Expense Total	\$	<u>1,934.00</u>

CURRENT INVOICE

Fees	\$	509,320.00
Expenses		1,934.00
TOTAL INVOICE	\$	<u>511,254.00</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 26, 2017
Invoice #: *****
Matter #: 047375-00001
Federal Tax ID: 01-0378211

REMITTANCE PAGE

Re: Chapter 11

Fees	\$	509,320.00
Expenses	\$	1,934.00
TOTAL INVOICE	\$	511,254.00

(Payments reflected as of October 26, 2017)

Balance in Trust Account \$ 3,454,154.45

Payment by Credit Card Options: A.) Pay Online – Go to 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 #: *****

Exhibit B

BIOGRAPHIES OF BSSN PROFESSIONALS AND PARAPROFESSIONALS

Shareholders:

D. SAM ANDERSON

Sam Anderson is a co-chair of the firm's Business Restructuring and Insolvency Practice Group. Sam's practice focuses primarily on representing debtors in Chapter 11 reorganization proceedings. Sam's practice has focused most recently on representing real estate holding companies in chapter 11, including debtors in single asset real estate cases, and representing companies in the hospitality industry through reorganizations and asset sales. Additionally, Sam has considerable recent experience working on individual Chapter 11 reorganizations. He has extensive experience representing creditors in Chapter 11 proceedings, including representing landlords as creditors in these proceedings.

Sam has a wide range of experience in representing clients in pre-bankruptcy and bankruptcy related matters, including representing clients in valuation disputes, preference litigation, fraudulent transfer litigation, stay relief, assets sales under the Bankruptcy Code, plan confirmation and other matters arising under bankruptcy law.

He also has experience representing plaintiffs and defendants in commercial litigation in both state and federal courts. Sam was previously employed at firms in Philadelphia, Pennsylvania and Portland, Maine. He is recognized by Chambers USA and Best Lawyers in America.

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.

Associates:

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.

DANIEL KEENAN

Daniel is a member of Bernstein Shur's Business Restructuring and Insolvency Practice Group. In his practice, Daniel assists 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.

BETH SMITH

Beth Smith is a member of Bernstein Shur's Real Estate Practice Group. Before joining Bernstein Shur, Beth served as a law clerk at the New Hampshire Supreme and District courts.

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.

LINDSAY ZAHRADKA MILNE

Lindsay Zahradka Milne is a member of 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.

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.

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.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE**

In re:

MONTREAL MAINE & ATLANTIC
RAILWAY, LTD.

Debtor.

Bk. No. 13-10670
Chapter 11

ORDER GRANTING 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

This matter having come before the Court on 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* (the "Fee Application"),¹ 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 **\$511,254.00**, including professional fees in the amount of **\$509,320.00** and reimbursement of expenses in the amount of **\$1,934.00**.
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.

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

Dated: _____, 2017

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 *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* (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 28, 2017 at 9:00 a.m.** (the “Hearing”).

By the Fee Application, BSSN seeks a total amount of \$511,254.00, which includes \$509,320.00 for compensation of professional fees and \$1,934.00 for reimbursement of expenses incurred with respect to services rendered on behalf of the Estate Representative during the period December 23, 2015 through September 30, 2017 (the “Compensation Period”).¹ 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] (the “First Fee Application”). With respect to the First Fee Application, which covered the period December 23, 2015 through June 30, 2016, 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] (the “Second Fee Application”). With respect to the Second Fee Application, which covered the period July 1, 2016 through March 31, 2017, the court awarded BSSN fees in the amount of \$415,125.50 and expenses in the amount of \$4,900.43.

¹ The beginning of the Compensation Period overlaps with the period covered by the First and Second Interim Fee Applications (each as defined below) because neither the First nor the Second Interim Fee Application included fees attributable to services provided by Mr. Keach acting in his capacity as counsel to himself as Estate Representative.

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 21, 2017**, 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 31, 2017

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

/s/ Robert J. Keach

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Lindsay Zahradka Milne, Esq.
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