

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

IN RE: MONTREAL MAINE )  
& ATLANTIC RAILWAY, LTD., )  
)  
) 1:15-mc-329-JDL  
Debtor. )

ORDER ADOPTING BANKRUPTCY COURT ORDER CONFIRMING  
TRUSTEE’S REVISED FIRST AMENDED PLAN OF LIQUIDATION DATED  
JULY 15, 2015, AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS  
IN CONNECTION THEREWITH

Out of an abundance of caution, the parties seek to have the Order Confirming Trustee’s Revised First Amended Plan of Liquidation dated July 15, 2015, and Authorizing and Directing Certain Actions in Connection Therewith (the “**Order**”) (ECF No. 1) adopted by an Article III Judge. The parties convinced the bankruptcy judge to submit the Order to the District Court as a recommended decision, and they have followed the procedure set forth in Bankruptcy Rule 9033 for review of non-core proceedings by an Article III Judge. On October 30, 2015, Chief Judge Nancy Torresen adopted the Order. Chief Judge Torresen subsequently vacated her Order and has recused herself from this case, and the case was reassigned to me. I have carefully reviewed the Order and all related submissions.

All of the parties have consented to the entry of the Order as a Final Order in accordance with *Wellness Intern. Network, Ltd. v. Sharif*, 135 S.Ct. 1932 (2015). See Order 8. But the Order resolves matters that are potentially non-core. Fearing that a non-consenting party may somehow collaterally attack the Order based on the

Constitutional limits on a bankruptcy judge, and unsure about the state of the law post-*Stern v. Marshall*, 131 S.Ct. 2594 (2011), the parties ask the court to adopt the Order.

Under Bankruptcy Rule 9033(b), a party has 14 days after being served with a copy of the proposed findings of fact and conclusions of law to file written objections. That 14-day period has expired and no objections have been filed. I therefore **ADOPT** the Order Confirming Trustee's Revised First Amended Plan of Liquidation dated July 15, 2015, and Authorizing and Directing Certain Actions in Connection Therewith (ECF No. 1).

**SO ORDERED.**

Dated: November 18, 2015

/s/ Jon D. Levy  
**U.S. DISTRICT JUDGE**