

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

**IN RE: LAC MÈGANTIC TRAIN
DERAILMENT LITIGATION**

)
)
)
)

1:16-cv-01001-JDL

ORDER DENYING CERTAIN MOTIONS AS MOOT

This case arises from a July 6, 2013, train derailment and explosion in Lac Mégantic, Quebec, as discussed in greater detail in this court’s Order on Canadian Pacific Railway Company’s Amended Motion to Dismiss. The derailment spawned litigation in Illinois and Texas that was eventually transferred to the District of Maine by me pursuant to the authority established in 28 U.S.C. § 157(b)(5) and later consolidated into the instant case.¹

I previously granted the Amended Motion to Dismiss (ECF No. 2) of the sole remaining defendant, Canadian Pacific Railway Company (“CP”) and denied the plaintiffs’ Motion for Leave to File a Second Amended Complaint (ECF No. 3). There remain three motions pending before the court: (1) the plaintiffs’ Motion to Find That Settlement with Defendants was Made in Good Faith Pursuant to 740 ILCS 100/2(c) (ECF No. 4); (2) CP’s Cross-Motion for an Order Applying Canadian Non-Pecuniary

¹ For a list of individual case numbers, see ECF No. 1 at 1. Two cases that were originally filed in the Circuit Court of Cook County, Illinois, *Roy v. Western Petroleum Co., et al.*, 1:14-cv-00113-JDL, and *Grimard v. Rail World, Inc., et al.*, 1:15-cv-00250-JDL, were removed to the U.S. District Court for the Northern District of Illinois before being transferred to the District of Maine in 2014. Another 35 cases followed the same trajectory from the Circuit Court of Cook County to the Northern District of Illinois before being transferred to the District of Maine in 2016, along with two cases from the U.S. District Court for the Northern District of Texas. See *Audet, et al. v. Deular Energy Marketing, LLC, et al.*, 1:16-cv-00105-JDL; *Boulanger, et al. v. Arrow Midstream Holdings, LLC, et al.*, 1:16-cv-00106-JDL.

Damage Limitations (ECF No. 5); and (3) Estate Representative Robert Keach's Motion to Intervene or, in the alternative, for Leave to Intervene on a Limited Basis (ECF No. 10).

Because the instant case is dismissed as a result of my having granted CP's Amended Motion to Dismiss and because I have denied plaintiffs' Motion for Leave to File a Second Amended Complaint, the remaining motions listed above are **DENIED AS MOOT.**

SO ORDERED.

This 28th day of September 2016.

JON D. LEVY
U.S. DISTRICT JUDGE