Michael J. Gearin, WSBA # 20982 David C. Neu, WSBA # 33143 Brian T. Peterson, WSBA # 42088 K&L GATES LLP 925 Fourth Avenue, Suite 2900 Seattle, WA 98104-1158 (206) 623-7580 Honorable Christopher M. Alston

Chapter 11

Hearing Location: Seattle, Rm. 7206 Hearing Date: September 1, 2017

Hearing Time: 9:30 a.m.

Response Date: August 25, 2017

## UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re:

1.

2.

NORTHWEST TERRITORIAL MINT, LLC,

Debtor.

Case No. 16-11767-CMA

DECLARATION OF MARTY COLWELL IN SUPPORT OF TRUSTEE'S SECOND MOTION FOR ORDER GRANTING AUTHORITY TO RETURN STORED INVENTORY TO CUSTOMERS

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I, Marty Colwell, hereby declare as follows:

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Granting Authority to Return Stored Inventory to Customers (the "Motion"). I am over eighteen

I submit this Declaration in support of the Trustee's Second Motion for Order

I am a Director of Sales for Northwest Territorial Mint, LLC's ("NWTM" or the

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(18) years of age, and I am competent in all ways to testify.

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"Debtor"). I have personally viewed the silver confederate rounds (the "Confederate Rounds")

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discovered in NWTM's Auburn, Washington Facility, as they are now stored in NWTM's Dayton,

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Nevada, Facility. A picture of the Confederate Rounds is attached as Exhibit A.

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3. I recognize the Confederate Rounds, because I sold the custom dies for these coins to Henri Klingler in 2002. I have reviewed NWTM's records from that period, and at the time he

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purchased the dies, Mr. Klingler requisitioned 15,300 1 oz. coins consisting of 15,000 "business

DECLARATION OF MARTY COLWELL IN SUPPORT OF SECOND MOTION FOR ORDER GRANTING AUTHORITY TO RETURN STORED INVENTORY - 1

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strike" coins, 300 "silver proof coins" and 100 silver proof coins with selective gold plating. Periodically, Mr. Klingler would contact NWTM and have some of the Klingler Rounds shipped to him. NWTM's records confirm that between 2002 and 2009 at least 12,550 Klingler Rounds were shipped. Unfortunately, because the shipping records pre-dating 2009 were kept as paper records, there is the possibility that shipping records are missing.

I declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

EXECUTED this '7' day of August, 2017, at Dayton, Nevada.

Marty Colwell

DECLARATION OF MARTY COLWELL IN SUPPORT OF SECOND MOTION FOR ORDER GRANTING AUTHORITY TO RETURN STORED INVENTORY - 2

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## **EXHIBIT A**





