

1 Michael J. Gearin, WSBA # 20982
David C. Neu, WSBA # 33143
2 Brian T. Peterson, WSBA # 42088
K&L GATES LLP
3 925 Fourth Avenue, Suite 2900
Seattle, WA 98104-1158
4 (206) 623-7580

Honorable Christopher M. Alston
Chapter 11
Hearing Location: Seattle, Rm. 7206
Hearing Date: Friday, March 9, 2018
Hearing Time: 9:30 a.m.
Response Date: March 2, 2018

5
6
7 UNITED STATES BANKRUPTCY COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 In re:

11 NORTHWEST TERRITORIAL MINT,
12 LLC,

13 Debtor.

Case No. 16-11767-CMA

REPLY DECLARATION OF MARK CALVERT
IN SUPPORT OF MOTIONS FOR ORDER
AUTHORIZING THE AUCTION AND SALE OF
THE DEBTOR'S EQUIPMENT, DIES, TOOLING,
ARCHIVES, AND INVENTORY FREE AND
CLEAR OF ALL LIENS, CLAIMS, INTERESTS,
AND ENCUMBRANCES

14
15 I, Mark Calvert, declare as follows:

16
17 1. I am the Chapter 11 Trustee of Northwest Territorial Mint, LLC ("NWTM" or
18 "Debtor") pursuant to the Court's order of appointment dated April 11, 2016. I am over eighteen
19 (18) years of age and I am competent in all ways to testify. Unless otherwise stated, I make the
20 following statements based on my personal knowledge. I submit this Declaration in Support of My
21 Motion for Order Authorizing the Auction and Sale of the Debtor's Equipment, Dies, Tooling,
22 Archives, and Inventory Free and Clear of All Liens, Claims, Interests, and Encumbrances (the
23 "Motion").

24 2. Betty Carey filed an objection to the Motion. *See* Dkt. No. 1481. Ms. Carey was a
25 NWTM customer and is not affected by the Medalcraft sale in that Medalcraft is not purchasing any
26 dies produced by NWTM at this time. Nor is Ms. Carey a storage customer that holds an interest in

REPLY DECLARATION OF MARK CALVERT IN
SUPPORT OF MOTION FOR ORDER AUTHORIZING
AUCTION AND SALE- 1

K&L GATES LLP
925 FOURTH AVENUE
SUITE 2900
SEATTLE, WASHINGTON 98104-1158
TELEPHONE: (206) 623-7580
FACSIMILE: (206) 623-7022

501098016 v4

1 identifiable stored bullion inventory. Ms. Carey does not hold a security interest in any property of
2 the estate, and does not have a claim against the estate. In fact, I have researched Ms. Carey's pre-
3 petition transactions with the Debtor and I have determined that she owes the estate \$43,160.

4 Attached hereto as Exhibit A is a summary of Ms. Carey's account with Northwest Territorial Mint,
5 LLC. While Ms. Carey held certain precious metals on account with the Debtor totaling \$61,806,
6 the Debtor advanced Ms. Carey cash amounts exceeding the value of her precious metals. In total,
7 the Debtor gave Ms. Carey cash from its bank accounts in the total amount of \$104,966. Thus, as a
8 result of over advances made by the Debtor, Ms. Carey owes the estate a total of \$43,160.

9 3. I understand that during the Court's hearing on March 6, 2018, regarding my ability
10 to sell certain Coining Dies, Ms. Carey asserted an interest in one or more Coining Dies held by the
11 Debtor. I searched the Debtor's records and determined that two Coining Dies used to produce coins
12 ordered by Ms. Carey are in my possession. The two Coining Dies were produced by NWTM and
13 are not subject to the sale to Medalcraft.

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

16 EXECUTED this 6th day of March, 2018, at Seattle, Washington.

17
18 */s/ Mark Calvert* _____

19 Mark Calvert
20
21
22
23
24
25
26

REPLY DECLARATION OF MARK CALVERT IN
SUPPORT OF MOTION FOR ORDER AUTHORIZING
AUCTION AND SALE- 2

501098016 v4

K&L GATES LLP
925 FOURTH AVENUE
SUITE 2900
SEATTLE, WASHINGTON 98104-1158
TELEPHONE: (206) 623-7580
FACSIMILE: (206) 623-7022

CERTIFICATE OF SERVICE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

The undersigned declares as follows:

That she is a Paralegal in the law firm of K&L Gates LLP, and on March 6, 2018, she caused the foregoing document to be filed electronically through the CM/ECF system which caused Registered Participants to be served by electronic means, as fully reflected on the Notice of Electronic Filing.

I declare under penalty of perjury under the laws of the State of Washington and the United States that the foregoing is true and correct.

Executed on the 6th day of March, 2018 at Seattle, Washington.

/s/ Denise A. Lentz
Denise A. Lentz

EXHIBIT A

Betty Carey Summary of Account

	<u>Ounces at</u> <u>3/31/2016</u>	<u>Spot Price at</u> <u>3/31/2016</u>	<u>\$ Value at</u> <u>3/31/2016</u>
Silver	716.00	\$16	\$11,098
Gold	16.00	\$1,232	\$19,712
Palladium	54.00	\$574	\$30,996
Platinum	0.00	\$982	\$0
Total Metal Value on Account			<u>\$61,806</u>
Total Cash Advances Drawn on NWTM Bank Accounts			\$104,966
Total due to (from) Customer			<u><u>(\$43,160)</u></u>