

1 Lawrence K. Engel
Attorney at Law
40 Lake Bellevue #100
2 Bellevue, WA 98005
(425) 454-5500
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Hon. Christopher M. Alston
Chapter 11/Seattle
Hrg. Date: September 21, 2018 @ 9:30 am
Resp. Date: **September 14, 2018**

6 **UNITED STATES BANKRUPTCY COURT**
7 **FOR THE WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

8 In re:
9 NORTHWEST TERRITORIAL MINT,
10 LLC
325 E. Washington St. #226
11 Sequim, WA 98382,

12 Debtor.

Case No. 16-11767-CMA

NOTICE OF HEARING COMBINED
WITH **AMENDED** MOTION TO
WITHDRAW AS COUNSEL FOR
CREDITOR

13
14 **NOTICE OF HEARING**

15 PLEASE TAKE NOTICE that a Hearing on Lawrence K. Engel's Motion to Withdraw as
16 Counsel for the Chris A. Trivelas, Creditor, IS SET as follows:

17 JUDGE: Christopher M. Alston

TIME : 9:30 a.m.

18 PLACE: U.S. Courthouse
700 Stewart St., Room 7206
19 Seattle, WA 98101

DATE: September 21, 2018

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21 The relief sought is described specifically in the subjoined Motion. This Notice is combined with
the Motion described above as authorized by Local Rules.

22 **MOTION TO WITHDRAW AS COUNSEL FOR CREDITOR**

23 COMES NOW Lawrence K. Engel, Counsel for Chris A. Trivelas, Creditor, and makes the
24 following Motion to Withdraw in the above entitled case as per G.R. 2 of the Local Rules of the
25

NOTICE OF HEARING COMBINED WITH
AMENDED MOTION TO WITHDRAW AS
COUNSEL FOR CREDITOR - 1

Lawrence K. Engel
Attorney at Law
40 Lake Bellevue #100
Bellevue, WA 98009
(425) 454-5500

1 U.S. District Court (incorporated into the Local Rules of the above-entitled Court by reference) as
2 follows:

3 1. Mr. Engel has appeared in the above-entitled case for Chris A. Trivelas, Creditor, for
4 monitoring purposes from May 11, 2016 to present. Mr. Trivelas filed his own Proof of Claim in
5 the amount of \$151,880 at Claim No. 1980 on May 18, 2016. All administration of the above-
6 entitled case has been going smoothly under the Trustee's able hand since the time of filing. There
7 will be little or no further meaningful work for the Mr. Trivelas' counsel to do in this case, which
8 is approaching resolution.

9 2. Mr. Engel seeks to withdraw as counsel for the Mr. Trivelas herein since he has
10 scheduled a planned retirement for the end of the calendar year 2018. Mr. Engel also has
11 experienced some significant health issues in the end of 2017 and early 2018, that require his
12 attention at this time.

13 3. Based on the foregoing, there is good cause shown to authorize Mr. Engel's withdrawal
14 as counsel for Chris A. Trivelas, in the above-entitled case. The contact information for Mr.
15 Trivelas is listed on the Claim No. 1980: **P.O. Box 725, North Bend, WA 98045-0725, phone**
16 **number (206) 778-3798, and his email address is catpub@nwlink.com.**

17 4. There are no deadlines, hearings, or trials in the above-entitled case that will be
18 automatically continued as a result of the proposed withdrawal of counsel. Mr. Trivelas is not a
19 party to pending litigation in the above-entitled case (such as contested matters or adversary
20 proceedings that affect him directly as a named party). The above-entitled case is one of the largest
21 active Chapter 11 cases in this District. There are 3,110 claims on file totalling millions of dollars¹,
22 and limited resources with which the Trustee can pay all allowed claims. Based on
23 communications with Michael Gearin, Trustee's Counsel, in February 2018, Mr. Engel learned
24 that it was most unlikely that there would be any meaningful distribution to unsecured creditors in
25 this case. Given this backdrop, it is clear that Mr. Engel's withdrawal as Mr. Trivelas's Counsel,
representing him on a General Unsecured Claim, will be unaffected by any upcoming deadlines in
the above-entitled case.

¹ As per the Claims Register as it existed on August 21, 2018, there are \$83,401,526.87 in total claims filed, of which,
\$3,009,839.86 are secured claims, and \$1,586,379.83 are priority claims. The Trustee is seeking to set a Bar Date for
Administrative Claims [ECF Docket No. 1843], and the amount of such administrative claims are as yet
undetermined. The total amount of allowed claims also has yet to be determined.

1 WHEREFORE, Mr. Engel respectfully requests that the Court grant relief on the above
2 Motion to Withdraw as requested. This Motion is verified by the subjoined Declaration of
3 Lawrence K. Engel.

4 IF YOU OPPOSE the subjoined **Amended** Motion to Withdraw and/or any of the relief
5 specified above, you must file your written response with the Clerk of the U.S. Bankruptcy Court,
6 U.S. Courthouse, 700 Stewart St., Room 6301, Seattle, WA 98101-1271, serve two copies on the
7 Judge's Chambers, and serve one copy on the undersigned Lawrence K. Engel, Counsel for the
8 moving party, 40 Lake Bellevue #100, Bellevue, WA 98005 NOT LATER THAN the
9 RESPONSE DATE, which is **September 14, 2018**.

10 IF NO RESPONSE IS TIMELY FILED AND SERVED, the Court may, in its discretion,
11 GRANT THE MOTION PRIOR TO THE HEARING, WITHOUT FURTHER NOTICE, and
12 strike the hearing.

13 DATED: August 22, 2018.

14 /s/ Lawrence K. Engel
15 LAWRENCE K. ENGEL, WSBA #8421
16 Withdrawing Counsel for Chris A. Trivelas, Creditor

17 **DECLARATION**

18 I, LAWRENCE K. ENGEL, declare that the following is true and correct under penalty
19 of perjury, and pursuant to 28 U.S.C. § 1746:

20 1. I am counsel for the Chris A. Trivelas in the above entitled Chapter 11 case and am
21 making this Declaration in support of the subjoined Motion. I have personal knowledge of all facts
22 attested to herein, and am competent to testify to same.

23 2. I have read the subjoined **Amended** Motion to Withdraw, and believe that all factual
24 statements contained therein are true and correct, under penalty of perjury, and hereby adopt same
25 as my testimony herein.

1 I certify that the foregoing testimony is true and correct to the best of my knowledge and
2 belief under penalty of perjury.

3 DATED at Mount Vernon, Washington this 22nd day of August, 2018.

4 /s/ Lawrence K. Engel
5 Lawrence K. Engel, WSBA # 8421