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Honorable Christopher M. Alston
Chapter 11
Hearing Location: Seattle, Rm. 7206
Hearing Date: Friday, December 7, 2018
Hearing Time: 9:30 a.m.
Response Date: November 30, 2018

8 UNITED STATES BANKRUPTCY COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE

11 In re:

12 NORTHWEST TERRITORIAL MINT, LLC,
13 Debtor.

Case No. 16-11767-CMA

SUPPLEMENTAL DECLARATION OF
MARK CALVERT IN SUPPORT OF MOTION
FOR ORDER (1) ALLOWING AND
DISALLOWING ADMINISTRATIVE
EXPENSE CLAIMS; AND (2) FIXING
DISTRIBUTIONS ON ALLOWED
ADMINISTRATIVE EXPENSE CLAIMS

14 Mark Calvert declares as follows:

15 1. I am the Chapter 11 Trustee of Northwest Territorial Mint, LLC (“NWTM” or
16 “Debtor”). I am over eighteen (18) years of age and I am competent in all ways to testify. Unless
17 otherwise stated herein, the following declaration is based on my personal knowledge.

18 2. On November 16, 2018, I filed a Motion for Order (1) Allowing and Disallowing
19 Administrative Expense Claims; and (2) Fixing Distributions on Allowed Administrative Expense
20 Claims (the “Administrative Claims Motion”) (Dkt. 1920).

21 3. As was set forth in the Administrative Claims Motion, a former employee, Michael
22 White, asserted an administrative claim in the total amount of \$86,874.15. In the Administrative
23 Claims Motion, I proposed to allow Mr. White’s administrative claim in the amount of \$50,000,
24 resulting in a payment, at 40%, of \$20,000.

25
26 SUPPLEMENTAL DECLARATION OF MARK CALVERT
IN SUPPORT OF MOTION FOR ORDER (1) ALLOWING
AND DISALLOWING ADMINISTRATIVE EXPENSE
CLAIMS; AND (2) FIXING DISTRIBUTIONS ON
ADMINISTRATIVE EXPENSE CLAIMS - 1

501973434 v1
501973434 v2

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TELEPHONE: (206) 623-7580
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CERTIFICATE OF SERVICE

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The undersigned declares as follows:

That she is a paralegal in the law firm of K&L Gates LLP, and on December 4, 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 4th day of December, 2018 at Seattle, Washington.

/s/ Denise A. Lentz
Denise A. Lentz

SUPPLEMENTAL DECLARATION OF MARK CALVERT
IN SUPPORT OF MOTION FOR ORDER (1) ALLOWING
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EXHIBIT A

AGREEMENT FOR RESOLUTION
OF ADMINISTRATIVE EXPENSE CLAIM

This agreement is made as of November 28, 2018, between Mark Calvert ("Trustee"), in his capacity as Chapter 11 trustee of the bankruptcy estate of Northwest Territorial Mint ("Debtor"), W.D. WA Bankr. 16-11767 (the "Bankruptcy Case"), and Michael White ("Claimant").

Claimant was employed as a production manager by the Debtor pursuant to an employment agreement approved by a Bankruptcy Court order dated September 30, 2016 (Docket 759). Claimant filed an administrative claim (the "Administrative Claim") on October 9, 2018 asserting an administrative claim in the amount of \$77,500. On November 8, 2018, Claimant amended the Administrative Claim to increase the amount to \$86,874.15. The Administrative Claim does not include Claimant's WARN Act claim.

On November 16, 2018, the Trustee filed a Motion for Order (1) Allowing and Disallowing Administrative Expense Claims; and (2) Fixing Distributions on Allowed Administrative Expense Claims [Dkt. No. 1920] (the "Administrative Claims Motion"). In the Administrative Claims Motion, the Trustee disputed portions of the filed Administrative Claim.

The parties wish to avoid the risk and expense of further litigation and to fully resolve all rights of Claimant regarding distributions on account of the Administrative Claim.

THEREFORE, the parties agree as follows:

1. The Trustee will pay, and White will accept, the sum of \$35,000.00 (the "Payment") in full payment and satisfaction of the Administrative Claim. The Payment will be made within two (2) business days of entry of an order approving the Trustee's motion to distribute such amounts in satisfaction of the Administrative Claim.

2. Payment shall be made by wire transfer to the IOLTA account of Donald A Bailey. Wire transfer instructions will be provided to K&L Gates by separate communication.

3. Claimant, for himself, his spouse, and his agents, attorneys, successors, assigns, affiliates and representatives, acknowledges that he holds no other claims of any kind against the bankruptcy estate, except the Claimant's participation in the class of WARN Act claimants.

4. This agreement may be executed in one or more counterparts each of which

shall constitute an original document but all of which taken together shall constitute one and the same agreement. Delivery of an executed copy facsimile or e-mail transmission or other means of electronic communication producing a printed copy will be deemed to be execution and delivery of this agreement on the date of such communication. Any party delivering a copy of the electronic communication shall deliver an executed original of this agreement to the other parties upon request.

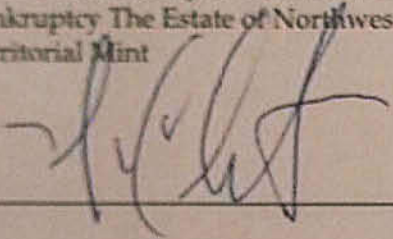
Mark Calvert, Chapter 11 Trustee of the
Bankruptcy The Estate of Northwest
Territorial Mint

Michael White

A handwritten signature in black ink, appearing to read 'M White', is written over a horizontal line. The signature is stylized and cursive.

shall constitute an original document but all of which taken together shall constitute one and the same agreement. Delivery of an executed copy facsimile or e-mail transmission or other means of electronic communication producing a printed copy will be deemed to be execution and delivery of this agreement on the date of such communication. Any party delivering a copy of the electronic communication shall deliver an executed original of this agreement to the other parties upon request.

Mark Calvert, Chapter 11 Trustee of the
Bankruptcy The Estate of Northwest
Territorial Mint



Michael White

