1 Paul E. Fogarty, WSBA # 26929 Honorable Christopher M. Alston FOGARTY LAW GROUP PLLC Chapter 11 1001 4th Avenue, Suite 3200 Seattle, WA 98154 3 (206) 441-0172 4 5 6 7 IN THE UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF WASHINGTON 8 AT SEATTLE 9 In re: Case No. 16-11767 NORTHWEST TERRITORIAL MINT, LLC 10 Internal Number: 20-S001 11 Debtor. Chapter 11 12 13 STATEMENT OF ISSUES, DESIGNATION OF ITEMS TO BE 14 INCLUDED IN THE RECORD ON APPEAL, AND CERTIFICATE 15 REGARDING TRANSCRIPTS 16 17 Mark Calvert ("Appellant") hereby provides, pursuant to Rule 8009 of the Federal Rules of 18 Bankruptcy Procedure, the following statement of issues, designation of the items to be included 19 in the record, and certificate regarding transcripts in connection with the Appellant's notice of 20 appeal [Docket No. 2184], as amended by Appellant's amended notice of appeal [Docket No. 21 2186] (the "Notice of Appeal"). As set forth in the Notice of Appeal, Appellant appeals from the 22 Order on Fee Applications of Trustee, Cascade Capital Group, LLC, K&L Gates, and Miller Nash 23 Graham & Dunn [Docket No. 2118] (the "Fee Order"), entered on October 11, 2019, and the 24 related Order on Motion to Alter or Amend Findings of Fact and Conclusions of Law in Order on 25 Fee Applications [Docket No. 2182] (the "7052 Order"), entered on December 18, 2019. 26 27 FOGARTY LAW GROUP PLLC STATEMENT OF ISSUES AND 1001 4th Avenue, Suite 3200 **DESIGNATION OF RECORD - 1** 28 Seattle, WA 98154 Telephone: (206) 441-0172

Case 16-11767-CMA Doc 2206 Filed 01/15/20 Ent. 01/15/20 10:53:12 Pg. 1 of 38

Facsimile: (206) 826-9405

5

6

7 8

9

10 11

12

13 14

15

16 17

18

19

20 21

22

23

24 25

26

27

28

STATEMENT OF ISSUES AND DESIGNATION OF RECORD - 2

STATEMENT OF ISSUES ON APPEAL

The Fee Order and the 7052 Order raise at least the following issues on appeal:

1. Whether the bankruptcy court committed clear error in making its sua sponte factual findings that:

"[Mr. Calvert as Trustee] misled the Court on multiple occasions, testified inconsistently on the stand, filed monthly reports with false statements, and made unauthorized payments to himself and others. In addition one of his employees carrying out his settlement protocol made false statements to dozens of customers. The Trustee also disregarded rules and the bidding procedures order."

Fee Order at 82.

- 2. Whether the record and applicable law supports the bankruptcy court's sua sponte legal conclusion that in this case the "appropriate result," Fee Order at 82, was the disallowance, as a punitive sanction for misconduct, of \$886,379.03 in Mr. Calvert's trustee fees incurred over the period April 11, 2016 to September 30, 2018, constituting 100% of the trustee fees that the bankruptcy court found were otherwise reasonable, adequately documented, authorized, necessary, and of material benefit to the estate.
- 3. Whether the bankruptcy court erred in disallowing \$119,000 of fees based on an additional 340 hours of Mr. Calvert's time sought by Cascade Capital Capital Group LLC that were otherwise reasonable, adequately documented, authorized, necessary, and of material benefit to the estate, on the basis that the services Mr. Calvert performed were in the nature of trustee services rather than professional accounting services, in lieu of reclassifying those time entries as in the nature of trustee services and allowing them to the extent that total reasonable compensation of the trustee fell within the applicable statutory commission of \$906,310. Fee Order at 62.
- 4. Whether the bankruptcy court exceeded its authority by, without notice or adversary due process, and acting as prosecutor, factfinder and sentencer in sua sponte imposing punitive

FOGARTY LAW GROUP PLLC 1001 4th Avenue, Suite 3200 Seattle, WA 98154 Telephone: (206) 441-0172

Facsimile: (206) 826-9405

3

6

7

8

9

10

11 12

13

14 15 16

17 18 19

20

21

22 23

25

26

27

28

24

sanctions on Mr. Calvert in the form of disallowance and forfeiture of all reasonable trustee compensation otherwise earned in this case.

- 5. Whether the bankruptcy court erred in directing immediate disbursement of administrative expenses allowed on an interim basis, notwithstanding the estate's administrative insolvency, and prior to its disallowance of Mr. Calvert's administrative claim for fees and expenses becoming final and unappealable.
- 6. Whether the bankruptcy court erred in entering the Fee Order and/or the 7052 Order.

DESIGNATION OF RECORD ON APPEAL

Appellant hereby designates the following items to be included in the record on appeal, which includes all exhibits and addenda attached thereto and filed therewith and all documents incorporated by reference therein:

Item	Filing/Entry Date	Docket No. ¹
Voluntary Petition	4/1/16	01
Declaration of Ross B. Hansen in Support of Debtor's	4/5/16	15
Emergency Motions: (1) for Authority to Pay Pre-		
Petition Payroll and Employee Benefits; (2) for Approval		
of Adequate Assurance to Utilities; (3) for Approval of		
Case Management Order; (4) for Retention of Bill		
Weisfield and Stuart Heath of Elliott Bay Asset		
Solutions, LLC as Chief Restructuring Officer		
Opposition by Creditors Bradley S. Cohen and Cohen	4/6/16	24
Asset Management, Inc. to Debtor's Emergency Motion		
Authorizing Retention of CRO's and in Support of the		
Sua Sponte Appointment of a Chapter 11 Trustee		
Objection of United States Trustee to Employment of	4/6/16	25
CRO; Request to Appoint Chapter 11 Trustee;		
Declaration of Martin L. Smith		
Reply to Debtor's Emergency Motion Pursuant to 11	4/6/16	29
U.S.C. §§ 105(a) and 363(b) for Entry of an Order		

Unless otherwise indicated, all references herein to "Docket No." shall be to the docket maintained for the above-captioned bankruptcy case.

STATEMENT OF ISSUES AND **DESIGNATION OF RECORD - 3** FOGARTY LAW GROUP PLLC 1001 4th Avenue, Suite 3200 Seattle, WA 98154 Telephone: (206) 441-0172 Facsimile: (206) 826-9405

Case 16-11767-CMA

Filed 01/15/20 Doc 2206 Ent. 01/15/20 10:53:12

Pg. 3 of 38

1	Item	Filing/Entry Date	Docket No. ¹
2 3	Authorizing the Retention of Bill Weisfield and Stuart Heath of Elliott Bay Asset Solutions, LLC as Chief		
4	Restructuring Officers <i>Nunc Pro Tunc</i> Stipulated Order Directing the Appointment of a Chapter	4/7/16	45
5	11 Trustee Ex Parte Application for Order Approving Appointment	4/8/16	48
6	of Chapter 11 Trustee Ex Parte Order Approving Appointment of Chapter 11 Trustee	4/11/16	51
7 8	Ex Parte Application for Order Authorizing Employment of Cascade Capital Group, LLC as Accountants for	4/13/16	61
9 10	Trustee on an Interim Basis Declaration of Mark Calvert in Support of <i>Ex Parte</i> Application for Order Authorizing Employment of Cascade Capital Group, LLC as Accountants for Trustee	4/13/16	62
11 12	on Interim Basis Order to Show Cause	4/22/16	96
13	Motion for Order Establishing Procedures for Interim Payment of Fees and Costs to Professionals	4/22/16	101
14	Final Application for Employment of Cascade Capital Group, LLC as Accountants for Trustee	4/22/16	104
15 16	Letter to Honorable Christopher M. Alston's Show Cause Order April 22, 2016	4/25/16	119
17	Trustee's Response to Order to Show Cause	4/27/16	140
18	Motion for Order Approving the Sale of the Debtor's Tomball, Texas Assets Free and Clear of All Liens, Claims, Interests, and Encumbrances; Approving the	5/6/16	200
19 20	Assumption and Assignment of Certain of the Debtor's Executory Contracts; and Granting Other Related Relief		
21	Declaration of Mark Calvert in Support of Motion for Order Approving the Sale of the Debtor's Tomball,	5/6/16	201
22	Texas Assets Free and Clear of All Liens, Claims, Interests, and Encumbrances; Approving the Assumption and Assignment of Certain of the Debtor's Executory		
23	Contracts; and Granting Other Related Relief	5/6/16	202
24 25	Declaration of Tom Tucker in Support of Motion for Order Approving the Sale of the Debtor's Tomball Texas	5/6/16	202
26	Assets Free and Clear of All Liens, Claims, Interests, and Encumbrances; Approving the Assumption and Assignment By the Trustee to Buyer of Certain of the		

27

28

Item	Filing/Entry Date	Docket No. ¹
Debtor's Executory Contracts; and Granting Other Related Relief		
Global Notes Regarding Bankruptcy Schedules and Statements	5/10/16	221
Schedules A/B: Assets – Real and Personal Property	5/10/16	222
Schedule D: Creditors Who Have Claims Secured by Property	5/10/16	223
Schedules E & F: Creditors Who Have Unsecured Claims	5/10/16	224
Schedule G: Executory Contracts and Unexpired Leases	5/10/16	225
Schedule H: Codebtors	5/10/16	226
Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy	5/10/16	227
Transcript of 341(a) Meeting of Creditors, May 11, 2016 (Examination of Ross Hansen)	5/18/16	265
Objection By Medallic Art Company, LLC to the Proposed Sale of Debtor's Tomball, Texas Assets	5/23/16	288
Trustee's Status Report	6/1/16	369
Notice of Continued Hearing on Approval for Breakup Fee	6/2/16	370
Order Approving the Sale of the Debtor's Tomball, Texas Assets Free and Clear of All Liens, Claims, Interests, and Encumbrances; Approving the Assumption and Assignment of Certain of the Debtor's Executory Contracts; and Granting Other Relief	6/2/16	374
Supplemental Declaration of Mark Calvert in Support of Application for Order Authorizing Employment of Cascade Capital Group, LLC as Accountants For Trustee	6/2/16	375
Monthly Financial Report for the period of April 2016	06/07/2016	388
Motion for Order Granting Authority to Return Stored Inventory, Other Customer Owned Inventory and Coining Dies	6/28/16	457
Declaration of Mark Calvert in Support of Motion for Order Granting Authority to Return Stored Inventory, Other Customer Owned Inventory and Coining Dies	6/28/16	458
Trustee's Motion for Order Holding Ross Hansen in Contempt for Violation of Automatic Stay	6/28/16	460

1	Item	Filing/Entry Date	Docket No.1
3	Declaration of Mark Calvert in Support of Motion for Order Holding Ross Hansen in Contempt for Violation of Automatic Stay	6/28/16	461
5	Declaration of Dave Huffman in Support of Trustee's Motion for Order Holding Ross Hansen in Contempt for Violation of Automatic Stay	6/28/16	462
6	Declaration of Robin WM Vugteveen in Support of Motion for Order Holding Ross Hansen in Contempt for Violation of Automatic Stay	6/28/16	463
8	Declaration of Paul Wagner in Support of Trustee's Motion for Order Holding Ross Hansen in Contempt for Violation of Automatic Stay	6/28/16	464
9 0	Declaration of Destiny Krum in Support of Trustee's Motion for Order Holding Ross Hansen in Contempt for Violation of Automatic Stay	6/28/16	465
1 2	Declaration of Annette Trunkett in Support of Trustee's Motion for Order Holding Ross Hansen in Contempt for Violation of Automatic Stay	6/28/16	466
3	Notice of Hearing re Trustee's Motion for Order Holding Ross Hansen in Contempt for Violation of Automatic Stay	6/28/16	467
5	G Ra Co Awards Manufacturing, LP's Memorandum Supporting Payment of Break-Up Fee	7/1/16	479
6	Declaration of Larry R Cook in Support of G Ra Co Awards Manufacturing, LP's Memorandum Supporting Payment of Break-Up Fee	7/1/16	480
7 8	Trustee's Reply to Graco Awards Manufacturing, LP's Memorandum Supporting Break-Up Fee	7/5/16	488
9	Supplemental Declaration of Tom Tucker in Support of G Ra Co Awards Manufacturing, LP's Memorandum Supporting Payment of Break-Up Fee	7/7/16	495
$\begin{bmatrix} 0 \\ 1 \end{bmatrix}$	Motion for Order Granting Authority to Pay Accrued Vacation Compensation to Terminated Employees of the Graco Division of Northwest Territorial Mint LLC	7/28/16	556
3	Declaration of Mark Calvert in Support of Trustee's Motion for Order Granting Authority to Pay Accrued Vacation Compensation to Terminated Employees of the Graco Division of Northwest Territorial Mint LLC	7/28/16	557
4	Response of Ross Hansen to Motion for Contempt	7/29/16	560
6	Declaration of Ross Hansen	7/29/16	561

27

28

1	Item	Filing/Entry Date	Docket No.1
2	Ross Hansen's Supplemental Memorandum in Response to Motion for Contempt	8/2/16	569
3 4	Declaration of C. James Frush	8/2/16	570
5	Reply Declaration of Mark Calvert in Support of Motion for Order Holding Ross Hansen in Contempt for	8/2/16	572
6	Violation of Automatic Stay Reply Declaration of Connie Hoff Regarding Motion for	8/2/16	573
7	Order Holding Ross Hansen in Contempt for Violation of Automatic Stay		
8 9	Reply Declaration of Robin WM. Vugteveen in Support of Motion for Order Holding Ross Hansen in Contempt for Violation of Automatic Stay	8/2/16	574
10	Reply Declaration of Patrick K. Mannelly in Support of Motion for Order Holding Ross Hansen in Contempt for	8/2/16	575
11 12	Violation of Automatic Stay Declaration of Michael J. Gearin in Support Trustee's Reply in Support of Motion for Order Holding Ross	8/2/16	576
13	Hansen in Contempt for Violation of Automatic Stay Trustee's Motion to Strike Supplemental Memorandum	8/3/16	577
14 15	Filed by Ross Hansen Trustee's Motion for Order Holding Ross Hansen in Contempt and for Award of Sanctions	8/4/16	581
16	Declaration of David C. Neu in Support of Trustee's Motion for Order Holding Ross Hansen in Contempt and for Award of Sanctions	8/4/16	582
17 18	Monthly Financial Report for the period of May 2016	08/08/2016	590
19	Monthly Financial Report for the period of June 2016	08/08/2016	591
20	Order Denying in Part Trustee's Motion for Order Holding Ross Hansen in Contempt for Violation of the	8/9/16	595
21 22	Automatic Stay Monthly Financial Report for the period of <i>July 2016</i>	08/12/2016	606
23	Order Denying Motion for Order Granting Authority to Pay Accrued Vacation Compensation	8/23/16	633
24 25	Order Granting Motion for Authority to Return Stored Inventory, Other Customer Owned Inventory, and Coining Dies	9/21/16	728
26	Monthly Financial Report for Corporate or Partnership Debtor (August 2016)	9/22/16	729

1	Item	Filing/Entry Date	Docket No. ¹
2 3	Trustee's Motion to Assume Dayton, Nevada Lease and Acknowledge Validity of Security Agreement	9/27/16	740
	Declaration of Mark Calvert in Support of Trustee's	9/27/16	742
4	Motion to Assume Lease for Dayton Facility Declaration of Connie Hoff Regarding Lease and	9/27/16	743
5	Security Agreement for Dayton Facility		
6	Declaration of David C. Neu in Support of Motion to Assume Amended Lease for Dayton Facility	9/27/16	744
7	Declaration of Tod McDonald in Support of Motion to Assume Amended Lease for Dayton Facility	9/27/19	745
8 9	Notice of Continued Hearing on Trustee's Motion to Assume Dayton, Nevada Lease and Acknowledge Validity of Security Agreement	10/11/16	772
10	Monthly Financial Report for the period of September 2016	10/21/2016	788
11	Ex Parte Motion to Approve Stipulation Extending Deadline for Trustee to Assume or Reject	10/27/16	797
12 13	MACLLC'S Memorandum in Opposition to Motion to Assume Dayton, Nevada Lease	11/17/16	832
14	Monthly Financial Report for the period of October 2016	11/23/2016	836
15	Monthly Financial Report for the period of <i>November</i> 2016	12/15/2016	851
16	Motion to Approve Employment of Chief Executive Officer	12/30/16	857
17	Declaration of Mark Calvert in Support of Motion to Approve Employment of Chief Executive Officer	12/30/16	859
18 19	Monthly Financial Report for Corporate or Partnership Debtor (December 2016)	2/1/17	893
20	Order Granting Motion to Approve the Employment of Chief Executive Officer	2/7/17	897
21	Monthly Financial Report for the period of January 2017	02/15/2017	910
22	Monthly Financial Report for the period of <i>February</i> 2017	03/17/2017	950
23	Trustee's Motion to Approve Settlement with Richard Bressler Pursuant to Bankruptcy Rule 9019	4/7/17	970
24	Declaration of Brian T. Peterson in Support of Motion to	4/7/17	971
25	Approve Settlement with Richard Bressler Pursuant to Bankruptcy Rule 9019		
26			

28

STATEMENT OF ISSUES AND DESIGNATION OF RECORD - 8

Item	Filing/Entry Date	Docket No. ¹
Declaration of Mark Calvert in Support of Motion to Approve Settlement with Richard Bressler Pursuant to Bankruptcy Rule 9019	4/7/17	972
Monthly Financial Report for Corporate or Partnership Debtor (March 2017)	4/19/17	985
Statement of Dayton Landlord re Assumption of Lease and Related Matters	4/28/17	1000
Order Denying Trustee's Motion to Approve Settlement with Richard Bressler Pursuant to Bankruptcy Rule 9019	5/3/17	1002
Order Granting Trustee's Motion to Assume Lease for	5/15/17	1018
Monthly Financial Report for Corporate or Partnership	5/19/17	1033
Motion for Authority to Enter Into Post-Petition	5/19/17	1034
Declaration of Mark Calvert in Support of Motion to Approve Authority to Enter Into Post-Petition Financing	5/19/17	1035
Response of the Official Unsecured Creditors' Committee to Trustee's Motion to Enter Into Post-	5/31/17	1049
Interim Order Granting Trustee's Motion for Authority to Enter Into Post-Petition Financing Agreement Pursuant	6/5/17	1062
Declaration of Mark Calvert in Support of Final Order on Motion to Approve Authority to Enter Into Post-Petition	6/7/17	1076
Supplemental Declaration of Mark Calvert in Support of Motion to Approve Authority to Enter Into Post-Petition	6/19/17	1095
Final Order Granting Trustee's Motion for Authority to Enter Into Post-Petition Financing Agreement Pursuant	6/22/17	1109
to 11 U.S.C. §364 Monthly Financial Report for Corporate or Partnership Debtor (May 2017)	6/23/17	1111
Monthly Financial Report for Corporate or Partnership	07/21/17	1136
Monthly Financial Report for Corporate or Partnership	8/16/17	1163
Memorandum Decision on Trustee's Motion to Assume	9/1/17	1185
	Declaration of Mark Calvert in Support of Motion to Approve Settlement with Richard Bressler Pursuant to Bankruptcy Rule 9019 Monthly Financial Report for Corporate or Partnership Debtor (March 2017) Statement of Dayton Landlord re Assumption of Lease and Related Matters Order Denying Trustee's Motion to Approve Settlement with Richard Bressler Pursuant to Bankruptcy Rule 9019 Order Granting Trustee's Motion to Assume Lease for Dayton Facility Monthly Financial Report for Corporate or Partnership Debtor (April 2017) Motion for Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Declaration of Mark Calvert in Support of Motion to Approve Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Response of the Official Unsecured Creditors' Committee to Trustee's Motion to Enter Into Post-Petition Financing Agreement Interim Order Granting Trustee's Motion for Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Declaration of Mark Calvert in Support of Final Order on Motion to Approve Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Supplemental Declaration of Mark Calvert in Support of Motion to Approve Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Final Order Granting Trustee's Motion for Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Final Order Granting Trustee's Motion for Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Final Order Granting Trustee's Motion for Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Final Order Granting Trustee's Motion for Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Monthly Financial Report for Corporate or Partnership Debtor (June 2017) Monthly Financial Report for Corporate or Partnership Debtor (July 2017)	Declaration of Mark Calvert in Support of Motion to Approve Settlement with Richard Bressler Pursuant to Bankruptcy Rule 9019 Monthly Financial Report for Corporate or Partnership Debtor (March 2017) Statement of Dayton Landlord re Assumption of Lease and Related Matters Order Denying Trustee's Motion to Approve Settlement with Richard Bressler Pursuant to Bankruptcy Rule 9019 Order Granting Trustee's Motion to Assume Lease for Dayton Facility Monthly Financial Report for Corporate or Partnership Debtor (April 2017) Motion for Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Declaration of Mark Calvert in Support of Motion to Approve Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Response of the Official Unsecured Creditors' Committee to Trustee's Motion to Enter Into Post- Petition Financing Agreement Interim Order Granting Trustee's Motion for Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Supplemental Declaration of Mark Calvert in Support of Final Order on Motion to Approve Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Supplemental Declaration of Mark Calvert in Support of Motion to Approve Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Final Order Granting Trustee's Motion for Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Final Order Granting Trustee's Motion for Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Final Order Granting Trustee's Motion for Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Final Order Granting Trustee's Motion for Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Final Order Granting Trustee's Motion for Authority to Enter Into Post-Petition Financing Agreement Pursuant to 11 U.S.C. §364 Final Order Granting Trustee's Motion to Agreem

27

28

FOGARTY LAW GROUP PLLC 1001 4th Avenue, Suite 3200 Seattle, WA 98154 Telephone: (206) 441-0172 Facsimile: (206) 826-9405

Case 16-11767-CMA Doc 2206 Filed 01/15/20 Ent. 01/15/20 10:53:12 Pg. 9 of 38

1	Item	Filing/Entry Date	Docket No. ¹
2 3	Application for Compensation of Cascade Capital Group LLC, as Accountants for the Chapter 11 Trustee	9/15/17	1199
4	Declaration of Mark Calvert in Support of Application for Compensation of Cascade Capital Group LLC, as	9/15/17	1200
5	Accountants for the Trustee Trustee's Application for Compensation	9/15/17	1201
6	Declaration of Mark Calvert in Support of Trustee's	9/15/17	1202
7 8	Application for Compensation Monthly Financial Report for Corporate or Partnership Debtor (August 2017)	9/25/17	1212
9	Response of the Official Unsecured Creditors' Committee to First Interim Fee Applications of Trustee and Trustee's Professionals	9/29/17	1224
10	Trustee's Report of Investigation and Status Report	10/3/17	1229
12	Monthly Financial Report for Corporate or Partnership Debtor (September 2017)	10/20/17	1287
13	Monthly Financial Report for Corporate or Partnership Debtor (October 2017)	11/17/17	1309
14	Monthly Financial Report for Corporate or Partnership Debtor (November 2017)	12/21/2019	1325
15	Motion for Relief from Stay and Related Relief	12/29/17	1328
16 17	Declaration of Connie Hoff in Support of Motion for Relief From Stay	12/29/17	1330
18	Motion for Order Authorizing the Auction and Sale of the Debtor's Equipment, Dies, Tooling, Archives, and	1/19/18	1350
19	Inventory Free and Clear of All Liens, Claims, Interests, and Encumbrances		
20	Declaration of Mark Calvert in Support of Motion for Order Authorizing the Auction and Sale of the Debtor's	1/19/18	1351
21 22	Equipment, Dies, Tooling, Archives, and Inventory Free and Clear of All Liens, Claims, Interests, and		
22 23	Encumbrances Class Action Adversary Proceeding Complaint	1/31/18	1389
24	Declaration of Gary Mark in Support of Limited	2/5/18	1412
25	Objection to Trustee's Sale Monthly Financial Report for Corporate or Partnership	2/6/18	1417
26	Debtor (December 2017)		

27 |

28

STATEMENT OF ISSUES AND DESIGNATION OF RECORD - 10

1	Item	Filing/Entry Date	Docket No.1
3	Motion for Order Granting Authority to Incur Credit, Approving Bid Procedures for Sale of Estate Assets, and Approving Breakup Fee	2/8/18	1432
4 5	Declaration of Mark Calvert in Support of Motion for Order Granting Authority to Incur Credit, Approving Bid Procedures, and Approving Breakup Fee	2/8/18	1433
6	Declaration of Steven Mattes	2/8/18	1434
7	Declaration of Taso Sofikitis	2/8/18	1435
8 9	Motion for Order Approving the Sale of Certain of the Debtor's Assets Free and Clear of All Liens, Claims, Interests, and Encumbrances to Medalcraft Mint, Inc.	2/16/18	1457
10	Declaration of Mark Calvert in Support of Sale Motions	2/16/18	1462
11 12	Order Granting Authority to Incur Credit, Approving Bid Procedures for Sale of Estate Assets, and Approving Breakup Fee	2/23/18	1471
13	Monthly Financial Report for Corporate or Partnership Debtor (January 2018)	2/28/18	1480
14 15	Supplemental Declaration of Mark Calvert in Support of Motion for Order Approving Sale of Certain of the Debtor's Assets Free and Clear of All Liens, Claims,	3/2/18	1491
16	Interests, and Encumbrances to Medalcraft Mint, Inc. Letter to Judge Alston Filed by Rayburn D. Pollard Jr.	3/6/18	1494
17		3/6/18	
18 19	Reply in Support of (I) Motion for Order Approving the Sale of Certain of the Debtor's Assets Free and Clear of All Liens, Claims, Interests, and Encumbrances to Medalcraft Mint, Inc.; and (II) Motion for Order	3/0/18	1503
20	Approving the Sale of Certain of the Debtor's Assets Free and Clear of All Liens, Claims, Interests, and		
21	Encumbrances to Industrial Assets Corp. Reply Declaration of Mark Calvert in Support of Motions	3/6/18	1504
22 23	for Order Authorizing the Auction and Sale of the Debtor's Equipment, Dies, Tooling, Archives, and		
24	Inventory Fee and Clear of All Liens, Claims, Interests, and Encumbrances Declaration of Dick Johnson in Support of Limited	2/9/19	1521
25	Declaration of Dick Johnson in Support of Limited Objection to Trustee's Sale	3/8/18	1521
26	Declaration of Angela Dey in Support of Limited Objection to Trustee's Sale	3/8/18	1522

27

28

1	Item	Filing/Entry Date	Docket No. ¹
2	Declaration of Friedrike Merck in Support of Limited Objection to Trustee's Sale of Medallic Assets	3/8/18	1523
3 4	Interested Party American Numismatic Association's Limited Objection to Trustee's Motion for Order	3/8/18	1524
5	Approving the Sale of Certain of the Debtor's Assets Free and Clear of All Liens, Claims, Interests, and		
6	Encumbrances to Medalcraft Mint, Inc. Interested Party Friedrike Merck's Limited Objection to Trustee's Motion for Order Approving the Sale of	3/8/18	1525
7 8	Certain of the Debtor's Assets Free and Clear of All Liens, Claims, Interests, and Encumbrances to		
9	Medalcraft Mint, Inc. Interested Party Dick Johnson's Limited Objection to	3/8/18	1526
10	Trustee's Motion for Order Approving the Sale of Certain of the Debtor's Assets Free and Clear of All		
11 12	Liens, Claims, Interests, and Encumbrances to Medalcraft Mint, Inc. Letter to Judge Alsten Filed by The Javieb American	3/9/18	1527
13	Letter to Judge Alston Filed by The Jewish-American Hall of Fame Monthly Financial Report for Comparets on Portnership	3/15/18	
14	Monthly Financial Report for Corporate or Partnership Debtor (February 2018)	3/15/18	1532
15	Second Supplemental Declaration of Mark Calvert in Support of Motion for Order Approving Sale of Certain of the Debtor's Assets Free and Clear of All Liens,	3/13/18	1533
16	Claims, Interests, and Encumbrances to Medalcraft Mint, Inc.		
17 18	Order Denying Trustee's Motion for Order Approving the Sale of Certain of the Debtor's Assets Free and Clear	3/19/18	1539
19	of All Liens, Claims, Interests, and Encumbrances to Medalcraft Mint, Inc.	2/22/19	1546
20	Trustee's Motion for Order Converting Case From a Chapter 11 Case to a Chapter 7 Case	3/23/18	1546
21 22	Declaration of Mark Calvert in Support of Trustee's Motion for Order Converting Case From a Chapter 11 Case to a Chapter 7 Case	3/23/18	1547
23	Renewed Motion for Order Approving the Sale of Certain of the Debtor's Assets Free and Clear of All	3/30/18	1556
24	Liens, Claims, Interests, and Encumbrances to Medalcraft Mint, Inc.		
25 26	Declaration of Mark Calvert in Support of Renewed Motion for Order Approving the Sale of Certain of the Debtor's Assets Free and Clear of All Liens, Claims,	3/30/18	1557

27

28

1	Item	Filing/Entry Date	Docket No. ¹
2	Interests, and Encumbrances to Medalcraft Mint, Inc.		
3	Motion to Approve (I) Deadline to Assert Claims With	3/30/18	1560
4 5	Respect to Ownership of NWTM Coining Dies; and (II) Settlement Protocol to Resolve Claims to Ownership of		
	NWTM Dies Declaration of Mark Calvert in Support of Motion to	3/30/18	1561
6 7	Approve (I) Deadline to Assert Claims With Respect to Ownership of NWTM Coining Dies; and (II) Settlement		
8	Protocol to Resolve Claims to Ownership of NWTM Dies		
9	Ex Parte Motion to (I) Limit Notice on Trustee's Renewed Motion for Order Approving the Sale of	4/6/18	1574
10	Certain of the Debtors' Assets Free and Clear of All Liens, Claims, Interests, and Encumbrances to		
11	Medalcraft, Inc. and (II) Approve Renewed Notice to Die Customers Regarding Sale of the Debtor's Assets Free		
12	and Clear of Liens, Claims, Interests, and Encumbrances	4/12/10	1506
13	Letter Reply to Trustees Motion for Order Converting Case From a Chapter 11 to a Chapter 7 Case Filed by	4/13/18	1586
14	Tracy Routh Monthly Financial Report for Corporate or Partnership	4/20/18	1606
15	Debtor (March 2018)	4/20/19	1607
16	Letter Reply to Trustee's Motion for Order Converting Case From a Chapter 11 to a Chapter 7 Case and	4/20/18	1607
17	Application for Compensation of Cascade Capital Group LLC as Accountants for the Trustee Filed by Alexander		
18	Koehler Letter Reply to Trustee's Motion for Order Converting	4/20/18	1608
19	Case From a Chapter 11 to a Chapter 7 Case Filed by Roger W. Jennings		
20	Motion for Allowance and Payment of Administrative	4/20/18	1609
21	Expense Claims Objection to Motion to Convert to Chapter 7	4/20/18	1610
22			
23	Letter Filed by The American Dahlia Society, Inc.	4/23/18	1611
24	Letter Objection to Renewed Motion for Order Approving the Sale of Certain of the Debtor's Assets	4/26/18	1614
25	Free and Clear of All Liens, Claims, Interests, and Encumbrances to Medalcraft Mint, Inc. Filed by Robert		
26	Miller, dba Hobby Machine		

27 ||

28

STATEMENT OF ISSUES AND DESIGNATION OF RECORD - 13

1	Item	Filing/Entry Date	Docket No. ¹
3 4	Letter Reply to Trustee's Motion for Order Converting Case From a Chapter 11 to a Chapter 7 Case Filed by William L. Hanson, Former CoChair of the Unsecured Creditors Committee	4/26/18	1615
5	Response to Motion to Convert to Chapter 7 Filed by Richard and Paula Pehl	4/26/18	1616
6	Letter Objection to Trustee's Motion for Order Converting Case From a Chapter 11 to a Chapter 7 Case Filed by Harrison Ashcraft	4/26/18	1617
8 9	Reply to Limited Objection to Renewed Motion for Order Approving the Sale of Certain of the Debtor's Assets Free and Clear of All Liens, Claims, Interests, and	5/1/18	1624
10	Encumbrances to Medalcraft Mint, Inc. Declaration of Mark Calvert in Support of Reply to Limited Objection to Renewed Motion for Order Approving the Sale of Certain of the Debtor's Assets Free and Clear of All Liens, Claims, Interests, and	5/1/18	1625
12 13	Encumbrances to Medalcraft Mint, Inc. Trustee's Reply in Support of Motion to Convert Case From Chapter 11 to Chapter 7	5/1/18	1626
14 15	Declaration of Mark Calvert in Support of Trustee's Reply in Support of Motion for Order Converting Case From a Chapter 11 Case to a Chapter 7 Case	5/1/18	1627
16	Conditional Objection by Michael Parish to the Proposed Sale of Debtor's Assets	5/3/18	1636
17 18	Order Granting Renewed Motion for Order Approving the Sale of Certain of the Debtor's Assets Free and Clear of All Liens, Claims, Interests, and Encumbrances to Medalcraft Mint, Inc.	5/7/18	1639
19	Order Denying Trustee's Motion for Order Converting Case From a Chapter 11 to a Chapter 7 Case	5/8/18	1641
20	Trustee's Response to Motion for Allowance and Payment of Administrative Expense	5/11/18	1649
21 22	Declaration of Mark Calvert in Support of Trustee's Response to Motion for Allowance and Payment of Administrative Expense	5/11/18	1650
23	Reply in Support of Motion for Allowance and Payment of Administrative Expense Claim	5/15/18	1655
24 25 26	Motion for Order Approving the Sale of Certain Assets of the Estate Free and Clear of All Liens, Claims, Interests, and Encumbrances to American Numismatic	5/23/18	1676
20	Society		

27

28

1	Item	Filing/Entry Date	Docket No.1
2	Declaration of Mark Calvert in Support of Motion for	5/23/18	1677
3	Order Approving the Sale of Certain Assets of the Estate Free and Clear of All Liens, Claims, Interests, and		
4	Encumbrances to American Numismatic Society Monthly Financial Report for the period of <i>April 2018</i>	06/01/2018	1692
5	Worlding I maneral Report for the period of April 2010	00/01/2018	1072
6	Correction to Trustee's Reply in Support of Motion for Order Approving the Sale of Certain Assets of the Estate	6/11/18	1709
7	Free and Clear of All Liens, Claims, Interests, and Encumbrances to American Numismatic Society and		
8	Proposed Order	6/1/5/10	1710
9	Order Granting Motion for Order Approving the Sale of Certain Assets of the Estate Free and Clear of All Liens,	6/15/18	1719
10	Claims, Interests, and Encumbrances to American Numismatic Society		
11	Interested Parties' Motion to Enforce a Prior Court Order	6/19/18	1728
12	Declaration of Gordon Sletmoe, Lebanon Oregon Fire Chief	6/19/18	1729
13	Monthly Financial Report for the period of May 2018	07/02/18	1757
14 15	Trustee's Reply in Support of Motion to Approve Terms of Severance Agreement With Edgar Chacon	7/3/18	1759
16	Order to Show Cause	7/6/18	1763
17 18	Motion for Order Approving Sale of Unclaimed NWTM Dies Free and Clear of Liens, Claims, Interests, and Encumbrances to Medalcraft Mint, Inc.	7/6/18	1765
19	Declaration of Mark Calvert in Support of Motion for Order Approving the Sale of Unclaimed NWTM Dies	7/6/18	1766
20	Free and Clear of All Liens, Claims, Interests, and Encumbrances to Medalcraft Mint, Inc.		
21	Ex Parte Motion to Approve Notice to Die Customers Regarding Cancellation of July 17, 2018 Omnibus	7/11/18	1774
22	Hearing		1001
23	Letter to Judge Alston Regarding Settlement of Bill Atalla Administrative Claim	7/25/18	1824
24	Order Granting Motion for Order Approving Sale of Unclaimed NWTM Dies Free and Clear of Liens,	7/30/18	1828
25	Claims, Interests, and Encumbrances to Medalcraft Mint, Inc.		
26	I me.	<u>l</u>	

28

STATEMENT OF ISSUES AND DESIGNATION OF RECORD - 15

1	Item	Filing/Entry Date	Docket No. ¹
2	Motion for Order Approving Settlement With Bill Atalla	8/3/18	1833
3		8/3/18	1633
4	Declaration of Mark Calvert in Support of Motion for Order Approving Settlement With Bill Atalla	8/3/18	1834
	Ex Parte Motion for Order Establishing Deadline for	8/7/18	1837
5	Filing Applications for Payment Of Administrative Claims Against the Debtor (For Claims Arising on or		
6	Before 7/31/18)		
7	Monthly Financial Report for Corporate or Partnership Debtor (June 2018)	8/8/18	1841
8	Monthly Financial Report for Corporate or Partnership	8/15/18	1846
9	Debtor (July 2018) Joint Motion for an Order (1) Granting Class	8/16/18	1847
10	Certification for Purposes of Settlement Only; (2)		
11	Appointing Settlement Class Representative and Settlement Class Counsel; (3) Preliminarily Approving		
12	the Settlement Agreement Between Class Claimant, on		
13	Her Own Behalf and on Behalf of the Settlement Class; (4) Approving the Form and Manner of Notice to		
	Settlement Class; (5) Scheduling a Final Fairness Hearing for the Final Consideration and Approval of the		
14	Settlement; and (6) Finally, Approving the Settlement		
15	Declaration of Mark Calvert in Support of Joint Motion for an Order (1) Granting Class Certification for	8/16/18	1848
16	Purposes of Settlement Only; (2) Appointing Settlement		
17	Class Representative and Settlement Class Counsel; (3) Preliminarily Approving the Settlement Agreement		
18	Between Class Claimant, on Her Own Behalf and on		
19	Behalf of the Settlement Class; (4) Approving the Form and Manner of Notice to Settlement Class; (5)		
20	Scheduling a Final Fairness Hearing for the Final		
21	Consideration and Approval of the Settlement; and (6) Finally, Approving the Settlement		
	Motion to Approve Settlement With Robert and Connie Hoff Pursuant to FRBP 9019	9/6/18	1873
22	Declaration of Mark Calvert in Support of Motion to	9/6/18	1874
23	Approve Settlement With Robert and Connie Hoff Pursuant to FRBP 9019		
24	Order Pursuant to Section 105 of the Bankruptcy Code	9/14/18	1880
25	and Bankruptcy Rules 7023 and 9019 (I) Preliminarily Approving Settlement, (II) Certifying a Class of Warn		
26	Act Claimants for Settlement Purposes Only, (III)		

STATEMENT OF ISSUES AND **DESIGNATION OF RECORD - 16**

1	Item	Filing/Entry Date	Docket No. ¹
2	Appointing Settlement Class Counsel and Settlement Class Representative, (IV) Approving Form and Manner		
3	of Notice to Settlement Class Members of Class		
4	Certification and Settlement, (V) Scheduling a Fairness Hearing to Consider Final Approval of Settlement, and		
5	(VI) Granting Related Relief Monthly Financial Report for Corporate or Partnership	9/24/18	1887
6	Debtor (August 2018)	9/24/18	100/
7	Final Application for Payment of Fees and Reimbursement of Expenses of Counsel for the Official	10/12/18	1894
8	Unsecured Creditors' Committee		
9	Declaration of Mark D. Northrup in Support of Final Application for Payment of Fees and Reimbursement of	10/12/18	1895
10	Expenses of Counsel for the Official Unsecured Creditors' Committee (Miller Nash Graham & Dunn)		
11	Monthly Financial Report for the period of September 2018	10/12/18	1896
12	Letter From Judge Alston Regarding Final Hearing on	11/6/18	1902
13	Joint Motion For Approval of Class Action Settlement of WARN Act Claims		
14	Declaration of Mark Calvert in Response to Letter From Chambers Dated November 6, 2018	11/14/18	1915
15	Declaration of Marty Colwell	11/14/18	1916
16	Declaration of Jason Fleet	11/14/18	1917
17	Declaration of Paul Wagner in Response to Letter From	11/14/18	1918
18	Chambers Dated November 6, 2018		
19	Motion for Order (1) Allowing and Disallowing Administrative Expense Claims; and (2) Approving	11/16/18	1920
20	Distributions on Administrative Expense Claims Declaration of Mark Calvert in Support of Motion for	11/16/18	1921
21	Order (1) Allowing and Disallowing Administrative	11/10/10	1,521
22	Expense Claims; and (2) Fixing Distributions on Allowed Administrative Expense Claims		
23	Declaration of Brian T. Peterson in Support of Motion for Order (1) Allowing and Disallowing Administrative	11/16/18	1922
24	Expense Claims; and (2) Fixing Distribution Amounts on Allowed Administrative Claims		
25	First Application for Compensation of Cascade Capital Group LLC, as Accountants for the Chapter 11 Trustee	11/16/18	1924
26	Group LLC, as Accountants for the Chapter 11 Trustee		

28

STATEMENT OF ISSUES AND **DESIGNATION OF RECORD - 17**

Item	Filing/Entry Date	Docket No.
Declaration of Mark Calvert in Support of First Application for Compensation of Cascade Capital Group LLC as Accountants for the Trustee	11/16/18	1925
Trustee's First Application for Compensation	11/16/18	1926
Declaration of Mark Calvert in Support of Trustee's First Application for Compensation	11/16/18	1927
K&L Gates LLP Application for Compensation	11/16/18	1928
Notice of Hearing on Applications for Compensation	11/16/18	1930
Monthly Financial Report for Corporate or Partnership Debtor (October 2018)	11/28/18	1936
G.RA.CO. Awards Manufacturing, LP and Rett, LP's Response to the Trustee's Motion to Approve and Disallow Cost of Administration Claims	11/29/18	1937
Declaration of Tom Tucker in Response to Trustee's Motion for Allowance/Disallowance of Cost of Administration Claims	11/29/18	1938
Response of Counsel for the Official Unsecured Creditors' Committee to Fee Applications of Trustee and Trustee's Professionals	11/30/18	1943
Trustee's Reply in Support of Motion for Order (1) Allowing and Disallowing Administrative Expense Claims; and (2) Approving Distributions on Administrative Expense Claims	12/04/18	1945
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	12/04/18	1946
Consolidated Reply in Support of Fee Applications of Trustee and Trustee's Professionals	12/04/18	1947
Declaration of Michael J. Gearin in Support of Reply on First Interim Fee Applications of Trustee and Trustee's Professionals	12/04/18	1948
Reply Declaration of Jessica Gilmore to Committee Counsel Fee Response	12/04/18	1949
Reply Declaration of Mark Calvert in Support of Fee Applications of Chapter 11 Trustee and Trustee's Professionals	12/4/18	1950

1	Item	Filing/Entry Date	Docket No. ¹
2	Declaration of Jenifer Baker	12/5/18	1951
3	Supplemental Letter to Judge Alston Filed by Joshua Gibbons	12/6/18	1952
5	Final Order Approving the WARN Act Claims	12/6/18	1956
6	Settlement pursuant to FRBP 7023 and FRBP 9019 Supplemental Letter to Judge Alston Filed by William L.	12/7/18	1957
7 8	Hanson Order Granting, in Part, Trustee's Motion for Order (1) Allowing and Disallowing Administrative Expense Claims; and (2) Approving Distributions on	12/19/18	1965
9	Administrative Expense Claims Monthly Financial Report for Corporate or Partnership Debtor (November 2018)	1/7/19	1970
10	Notice of Continued Hearing on Applications for Compensation	1/8/19	1971
12	Letter Response Filed by Randall Lovelace	1/17/19	1976
13	Letter Objection Filed by Julie Williams	1/18/19	1977
14	Letter Objection Filed by E. James Lunt	1/18/19	1978
151617	Supplemental Declaration of Mark D. Northrup in Support of Final Application for Payment of Fees and Reimbursement of Expenses of Counsel for the Official Unsecured Creditors' Committee (Miller Nash Graham	1/18/19	1979
18 19	& Dunn LLP) Supplemental Declaration of Michael J. Gearin in Support of K&L Gates LLP First Application for Compensation for Continued Hearing February 1, 2019	1/18/19	1980
20	Supplemental Declaration of David C. Neu in Support of Fee Applications of Chapter 11 Trustee and Trustee's	1/18/19	1981
21 22	Professionals for Continued Hearing February 1, 2019 Supplemental Declaration of Mark Calvert in Support of Fee Applications of Chapter 11 Trustee and Trustee's	1/18/19	1982
23	Professionals for Continued Hearing February 1, 2019 Letter Objection Filed by Eric A. Watts	1/22/19	1983
24 25	Letter Response Filed by Robert DiFatta	1/22/19	1984
26	Letter Objection Filed by David L. Sorensen	1/22/19	1985

Item	Filing/Entry Date	Docket No.1
Letter Objection Filed by Frank Roberto	1/22/19	1986
Letter Response Filed by Joy Trushenski	1/22/19	1987
Letter Objection Filed by Jeff Manke	1/22/19	1988
Letter Response Filed by Jeffrey McMeel	1/22/19	1989
Letter Response Filed by Lee H. Thorsell	1/22/19	1990
Letter Objection Filed by Jodie Hirtler	1/22/19	1991
Letter Objection Filed by David Dougherty	1/22/19	1992
Letter Objection Filed by Larry F. Rowe	1/23/19	1993
Letter Objection Filed by John Eisenmann	1/23/19	1994
Letter Objection Filed by Scott Ainsworth	1/23/19	1995
Letter Objection Filed by Robert DiFatta	1/23/19	1996
Letter Objection Filed by Melyin J. Bell	1/23/19	1997
Letter Objection Filed by David J. Lord Jr.	1/24/19	1998
Response to Motion for Payment of Professional Fees and Sworn Declaration in Response to Questions Asked by the Court on December 7, 2018	1/24/19	1999
Declaration of Bill Atalla in Response to Applications for Compensation	1/24/19	2000
Letter Objection Filed by Amanda Hull	1/25/19	2001
Letter Objection Filed by Robert Reid	1/25/19	2002
Letter Response Filed by William L. Hanson	1/25/19	2003
Letter Objection Filed by Douglas L. Davidson	1/28/19	2004
Letter Objection Filed by Peter Berger	1/28/19	2006

FOGARTY LAW GROUP PLLC 1001 4th Avenue, Suite 3200 Seattle, WA 98154 Telephone: (206) 441-0172 Facsimile: (206) 826-9405

Case 16-11767-CMA Doc 2206 Filed 01/15/20 Ent. 01/15/20 10:53:12 Pg. 20 of 38

Item	Filing/Entry Date	Docket No.1
Letter Objection Filed by Glenn Grayman	1/28/19	2007
Letter Objection Filed by Grace Yow	1/28/19	2008
Letter Objection Filed by Igor Lachter	1/29/19	2009
Letter Objection Filed by Tim Tait	1/29/19	2010
Letter Objection Filed by Matthew Staley	1/29/19	2011
Consolidated Supplemental Reply in Support of Fee Applications of Trustee and Trustee's Professionals	1/29/19	2014
Declaration of Michael J. Gearin in Support of Consolidated Supplemental Reply in Support of Fee Applications of Trustee and Trustee's Professionals	1/29/19	2015
Supplemental Reply Declaration of Mark Calvert in Support of Fee Applications of Chapter 11 Trustee and Trustee's Professionals	1/29/19	2016
Supplemental Declaration to Docket #1999 in Direct Response to Docket #1979	1/30/19	2017
Letter Objection Filed by Colleen Radtke	2/5/19	2024
Letter Objection Filed by Andres Jacob	2/5/19	2025
Monthly Financial Report for Corporate or Partnership Debtor (December 2018)	2/14/19	2027
Second Supplemental Declaration of Mark D. Northrup in Support of Final Application for Payment of Fees and Reimbursement of Expenses of Counsel for the Official Unsecured Creditors' Committee (Miller Nash Graham & Dunn LLP)	3/4/19	2035
Second Supplemental Declaration of Michael J. Gearin in Support of Consolidated Supplemental Reply in Support of Fee Applications of Trustee and Trustee's Professionals	3/4/19	2036
Second Supplemental Reply Declaration of Mark Calvert in Support of Fee Applications of Chapter 11 Trustee and Trustee's Professionals	3/4/19	2037
Letter from Judge Alston to Michael J. Gearin	3/5/19	2038
Third Supplemental Reply Declaration of Mark Calvert in Support of Fee Applications of Chapter 11 Trustee and	3/7/19	2039

FOGARTY LAW GROUP PLLC 1001 4th Avenue, Suite 3200 Seattle, WA 98154 Telephone: (206) 441-0172 Facsimile: (206) 826-9405

Case 16-11767-CMA Doc 2206 Filed 01/15/20 Ent. 01/15/20 10:53:12 Pg. 21 of 38

1	Item	Filing/Entry Date	Docket No. ¹
2	Trustee's Professionals		
3	Letter to Judge Alston Filed by William Hanson	3/8/19	2040
4 5	Response to Docket Filings 2035, 2036, 2037 and Sworn Declaration in Response to Questions Asked by the Court	3/8/19	2041
6	on February 1, 2019	3/11/19	2043
7	Supplemental Submission in Support of Fee Applications of Professionals		
8	Motion to Authorize Liquidation of Seized Property and Distribution of Proceeds to Trustee	3/12/19	2044
9	Monthly Financial Report for the period of <i>January</i> , 2019	3/14/19	2053
10	Monthly Financial Report for the period of <i>February</i> 2019	3/18/19	2055
11 12	Fourth Supplemental Reply Declaration of Mark Calvert in Support of Fee Applications of Chapter 11 Trustee and	3/25/19	2063
13	Trustee's Professionals Monthly Financial Report for the period of <i>March 2019</i>	04/03/19	2071
14	Letter from Mark Calvert to Judge Alston	5/1/19	2083
15	Monthly Financial Report for Corporate or Partnership Debtor (April 2019)	05/14/19	2086
16 17	Monthly Financial Report for Corporate or Partnership Debtor (May 2019)	07/03/19	2091
18	Monthly Financial Report for Corporate or Partnership Debtor (June 2019)	7/16/19	2092
19	Monthly Financial Report for Corporate or Partnership Debtor (July 2019)	08/22/19	2101
20	Monthly Financial Report for Corporate or Partnership Debtor (August 2019)	10/02/19	2116
21	Order on Fee Applications of Trustee, Cascade Capital Group, LLC, K&L Gates, and Miller Nash Graham &	10/11/19	2118
22	Dunn	10/25/10	2141
23 24	Trustee Counsel's Motion to Alter or Amend Findings of Fact and Conclusions of Law in Order on Fee Applications	10/25/19	2141
25	Declaration of Michael J. Gearin in Support of Trustee Counsel's Motion to Alter and Amend Findings of Fact	10/25/19	2142
26	and Conclusions of Law in Order on Fee Applications		

STATEMENT OF ISSUES AND

DESIGNATION OF RECORD - 22

27

28

FOGARTY LAW GROUP PLLC 1001 4th Avenue, Suite 3200 Seattle, WA 98154 Telephone: (206) 441-0172 Facsimile: (206) 826-9405

Facsimile: (206) 826-9405

- 1			
1	Item	Filing/Entry Date	Docket No. ¹
2	Declaration of Rachel M. Tausend in Support of Trustee	10/25/19	2143
3	Counsel's Motion to Alter and Amend Findings of Fact		
	and Conclusions of Law in Order on Fee Applications		
4	Notice of Hearing on Trustee Counsel's Motion to Alter	10/25/19	2144
5	and Amend Findings of Fact and Conclusions of Law in Order on Fee Applications		
6	Joinder in Trustee Counsel's Motion to Alter and Amend	10/25/19	2145
	Findings of Fact and Conclusions of Law in Order on Fee Applications		
7	Monthly Financial Report for the period of September	10/30/19	2149
8	2019		
9	Monthly Financial Report for the period of <i>October</i> 2019.	11/18/19	2174
10	Reply in Support of Trustee Counsel's Motion to Alter and Amend Findings of Fact and Conclusions of Law in	11/19/19	2176
11	Order on Fee Applications		
12	Order on Motion to Alter and Amend Findings of Fact	12/18/19	2182
12	and Conclusions of Law in Order on Fee Applications		
13	Notice of Appeal From Order on Fee Applications of Trustee, Cascade Capital Group, LLC, K&L Gates, and	1/2/20	2184
14	Miller Nash Graham & Dunn [Dkt. No. 2118]; and Order		
	on Motion to Alter or Amend Findings of Fact and		
15	Conclusions of Law in Order on Fee Applications [Dkt. No. 2182]		
16	Certificate of Service	1/2/20	2185
17			
	Amended Notice of Appeal From Order on Fee	1/3/20	2186
18	Applications of Trustee, Cascade Capital Group, LLC, K&L Gates, and Miller Nash Graham & Dunn [Dkt. No.		
19	2118]; and Order on Motion to Alter or Amend Findings		
20	of Fact and Conclusions of Law in Order on Fee		
	Applications [Dkt. No. 2182]	1/2/20	2107
21	Certificate of Service	1/3/20	2187
22	Hearing Transcripts ²	Filing/Entry Date	Docket No. ³
23			

24

25

26

27

28

² Separately set out, but also included in the above designation.

Unless otherwise indicated, all references herein to "Docket No." shall be to the docket maintained for the above-captioned bankruptcy case.

1	Transcript of the Hearing Held on May 6, 2016	10/4/16	765
2	Transcript of the Hearing Held on May 20, 2016	6/9/19	398
3	Transcript of the Hearing Held on May 27, 2016	5/31/16	358
4			
5	Transcript of the Hearing Held on June 22, 2016	9/1/16	660
6	Transcript of the Hearing Held on July 6, 2016	9/1/16	661
7	Transcript of the Hearing Held on July 8, 2016	8/9/16	594
8	Transcript of the Hearing Held on September 16, 2016	10/25/16	791
9	Transcript of the Hearing Held on January 20, 2017	3/22/17	956
10			
11	Transcript of the Hearing Held on February 3, 2017 (Ruling Only)	2/23/17	915
12	Transcript of the Hearing Held on April 28, 2017	7/18/17	1134
13	Transcript of the Hearing Held on July 26, 2017 (Closing Statement of Mr. Wyant)	10/24/19	2139
14	Transcript of the Hearing Held on July 26, 2017 (Excerpts of Testimony of Mark Calvert)	11/4/19	2156
15	Transcript of the Hearing Held on May 2, 2017	11/5/19	2158
16			
17	Transcript of the Hearing Held on June 30, 2017	11/18/19	2170
18	Transcript of the Hearing Held on July 25, 2017	11/18/19	2171
19	Transcript of the Hearing Held on February 3, 2017	Ordered	Ordered
20	Transcript of the Hearing Held on June 2, 2017	Ordered	Ordered
21	Transcript of the Hearing Held on June 23, 2017	Ordered	Ordered
22	T '4 C4 H ' H 11 O 4 1 (2017	0.1.1	0.1.1
23	Transcript of the Hearing Held on October 6, 2017	Ordered	Ordered
24	Transcript of the Hearing Held on January 26, 2018	Ordered	Ordered
25	Transcript of the Hearing Held on February 9, 2018	Ordered	Ordered
26			

STATEMENT OF ISSUES AND **DESIGNATION OF RECORD - 24**

Transcript of the Hearing Held on February 23, 2018	Ordered	Ordered
Transcript of the Hearing Held on December 7, 2018	Ordered	Ordered
Transcript of the Hearing Held on February 1, 2019	Ordered	Ordered
Transcript of the Hearing Held on March 13, 2019	Ordered	Ordered
Transcript of the Hearing Held on November 22, 2019	Ordered	Ordered

8 MEDALLIC ART COMPANY LLC, et al. v. MARK CALVERT, et al. (Adversary Proceeding - Case No. 16-01196-CMA) 9 Docket No.4 Filing/Entry Date **Item** 10 Complaint 08/12/16 1 Notice Regarding Final Adjudication And Consent 08/12/16 2 Summons And Notice Of Pretrial Conference 08/15/16 3 12 Notice Of Appearance. Filed By Michael J Gearin On 08/18/16 4 Behalf Of Mark Calvert, Ch. 11 Trustee Acceptance Of Service Michael Gearin Accepting Service 08/22/16 5 14 For Defendant Defendant's Answer To Complaint Affirmative Defenses, 09/14/16 6 15 And Counterclaims To Complaint For Declaratory, Injunctive And Other Relief, Counterclaim Notice Regarding Final Adjudication And Consent 09/14/16 17 Answer To Counterclaims 10/05/16 8 **Mediation Certification** 10/12/16 9 18 10/17/16 10 **Mediation Certification** 19 Amended Reply To Counterclaims 10/18/16 11 Jury Demand 10/18/16 12 20 Statement Errata 10/18/16 13 Trustee's Motion For Summary Judgment On Dayton 10/20/16 14 21 Lease Ownership Rights With Notice Of Hearing 10/20/16 Notice Of Hearing On Trustee's Motion For Summary 15 Judgment On Dayton Lease Ownership Rights 23 Declaration Of Mark Calvert In Support Of Trustee's 10/20/16 16 Motion For Summary Judgment On Dayton Lease 24 Ownership Rights

26

27

28

25

1

2

3

4

5

6

7

STATEMENT OF ISSUES AND DESIGNATION OF RECORD - 25

⁴ Designated Items in Adv. No. 16-01196-CMA (Bankr. W.D. Wash.)

1	MEDALLIC ART COMPANY LLC, et al. v. MARK CALVERT, et al. (Adversary Proceeding - Case No. 16-01196-CMA)		
2	Item	Filing/Entry Date	Docket No.4
3	Declaration Of Connie Hoff In Support Of Trustee's	10/20/16	17
4	Motion For Summary Judgment On Dayton Lease Ownership Rights		
5	Declaration Of Tod Mcdonald In Support Of Trustee's	10/20/16	18
6	Motion For Summary Judgment On Dayton Lease Ownership Rights		
7	Declaration Of David C Neu In Support Of Trustee's Motion For Summary Judgment On Dayton Lease Ownership Rights	10/20/16	19
9	Declaration Of Annette Trunkett In Support Of Trustee's Motion For Summary Judgment On Dayton Lease Ownership Rights	10/20/16	20
10 11	Notice Of Amended/Continued Hearing Of Trustee's Motion For Summary Judgment On Dayton Lease	10/26/16	21
12	Ownership Rights Plaintiffs Motion To Withdraw The Reference	11/10/16	22
13	Declaration Of Edwin K Sato In Support Of Motion For Withdrawal Of Reference	11/10/16	23
14 15	Declaration Of Ross Hansen In Support Of Motion To Withdraw Reference And In Opposition To Trustee's Motions To Assume Dayton Nevada Lease And For Summary Judgment	11/10/16	24
16	Trustee's Motion To Bifurcate Trial With Notice Of	11/10/16	25
17	Hearing Notice Of Hearing Of Trustee's Motion To Bifurcate Trial	11/10/16	26
18 19	Plaintiff's Memorandum In Opposition To Trustee's Motion For Summary Judgment On Dayton Lease Ownership Rights	11/17/16	27
$_{20}$	Declaration Of Richard Bressler	11/17/16	28
_ `	Declaration Of Frederick Mendoza	11/17/16	29
21 22	Declaration Of Andrea D. Orth Re Fed.R.Civ. Pro. 56(D) And Necessity Of Discovery To Fully Respond To Trustee's Motions	11/17/16	30
23	Plaintiff's Memorandum In Opposition To Trustee's Motion To Bifurcate Trial	11/22/16	31
24	Trustee's Objection To Motion For Withdrawal Of Reference	11/25/16	32
25 26	Reply In Support Of Trustee's Motion For Summary Judgment On Dayton Lease Ownership Rights	11/28/16	33

27

28

FOGARTY LAW GROUP PLLC 1001 4th Avenue, Suite 3200 Seattle, WA 98154 Telephone: (206) 441-0172 Facsimile: (206) 826-9405

Case 16-11767-CMA Doc 2206 Filed 01/15/20 Ent. 01/15/20 10:53:12 Pg. 26 of 38

1	MEDALLIC ART COMPANY LLC, et al. v. MARK CALVERT, et al. (Adversary Proceeding - Case No. 16-01196-CMA)		
2	Item	Filing/Entry Date	Docket No.4
3	Declaration Of Michael J. Gearin In Support Of Trustee's	11/28/16	34
4	Reply In Support Of Trustee's Motion For Summary Judgment On Dayton Lease Ownership Rights		
5	Trustee's Reply In Support Of Motion To Bifurcate Trial	11/28/16	35
6	Plaintiffs Reply In Support Of Motion For Withdrawal Of Reference	11/30/16	36
7	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	12/05/16	37
8	ORDER Denying Trustee's Motion For Summary Judgment On Dayton Lease Ownership Rights	12/07/16	38
9	Transcript Regarding Hearing Held 12/01/2016 RE: Motion To Dismiss	12/07/16	39
11	Supplemental Memorandum In Opposition To Trustee's Motion To Bifurcate Trial	12/09/16	40
12	Supplemental Memorandum In Support Of Trustee's Motion To Bifurcate Trial	12/09/16	41
13	Transmittal Of Bankruptcy Matters To The U.S. District Court. USDC Case # 2:16cv-1895JCC	12/12/16	42
14	Supplemental Response To (In Opposition) Trustee's Motion To Bifurcate Trial	12/13/16	43
15	Supplemental Reply Brief In Support Of Bifurcation Motion	12/13/16	44
16	BNC Certificate Of Notice-Related Document 42	12/14/16	45
17	Transmittal Of Bankruptcy Matters To The U.S. District Court USDC Case # 2:16cv-1895JCC	12/16/16	46
18	BNC Certificate Of Notice-Related Document 46	12/18/16	47
19	ORDER Granting Motion To Bifurcate Trial	12/22/16	48
20	Letter To And Subject: The Honorable Christopher M. Alston Re: Availability Of Counsel And Scheduling	01/09/17	49
_	Notice Of Trial And ORDER Setting Deadlines	01/13/17	50
21	ORDER Denying Motion To The Withdraw Reference Re: USDC Case # 16-01895JCC	02/13/17	51
23	Letter To And Subject: Letter To Judge Alston Regarding Status Conference	02/17/17	52
24	Letter From Attorney To Judge: Alston. Filed By Thomas N. Bucknell On Behalf Of Medallic Art Company LLC	02/21/17	53
25	Letter Setting Status Conference From Chambers To: Plaintiffs Counsel, Defendant's Counsel	02/21/17	54
26	Declaration Of Non-Service Of Subpoena	03/09/17	55

27

28

MEDALLIC ART COMPANY LLC, et al. v. MARK CALVERT, et al. (Adversary Proceeding - Case No. 16-01196-CMA)		et al.
Item	Filing/Entry Date	Docket No.4
Trustee's Motion To Exclude Plaintiff's Untimely Exp	pert 03/21/01	56
Witness With Notice Of Hearing		
Notice Of Hearing On Trustee's Motion To Exclude Plaintiffs Untimely Expert Witness	03/21/17	57
Declaration Of Christopher M. Wyant In Support Of Trustee's Motion To Exclude Plaintiff's Untimely Exp	03/21/17	58
Witness	CIT	
First Amended Notice Of Trial And ORDER Setting Deadlines	03/21/17	59
2 0000000	pel 03/23/17	60
Plaintiffs Motion Motion To Turnover Property, Comp Discovery, Clarify Court Order And Continue Trial Ar		00
Pre-Trial Dates With Notice Of Hearing	02/22/17	(1
Notice Of Hearing On Plaintiff's Motion To Turnover Property, Compel Discovery, Clarify Court Order And Continue Trial And Pre-Trial Dates	03/23/17	61
Declaration Of Andrea D. Orth Re Medallic Art Comp	any 03/23/17	62
LLC's Motion To Turnover Property, Compel Discover Clarify Court Order And Continue Trial And Pre-Trial	ery,	02
Dates		
Objection Of The Official Unsecured Creditors'	03/31/17	63
Committee To Medallic Art Company LLC's Motion Continue Trial And Pre-Trial Dates	Го	
Declaration Of Christopher Wyant In Support Of	03/31/17	64
Trustee's Response To Medallic Art Company LLC's Motion To Turnover Property, Compel Discovery, Cla	rify,	
Court Order And Continue Trial And Pre-Trial Dates		
Trustee's Response To Medallic Art Company LLC's	03/31/17	65
Motion To Turnover Property, Compel Discovery, Cla	rify	
Court Order And Continue Trial And Pre-Trial Dates		
Objection Opposition To Trustee's Motion To Exclude Expert Witness	03/31/17	66
Declaration Of Andrea D. Orth In Support Of Medallic		67
Art Company LLC's Opposition To Trustee's Motion Exclude Expert Witness	То	
Supplemental Declaration Of Christopher Wyant In	04/03/17	68
Support Of Trustee's Reply To MACLLC's Opposition To Motion To Exclude Plaintiffs Untimely Expert Wit		
Supplemental Declaration Of Christopher Wyant In	04/03/17	69
Support Of Trustee's Reply To MACLLC's Opposition To Motion To Exclude Plaintiffs Untimely Expert Wit		
<u> </u>		1

27

28

1 2	MEDALLIC ART COMPANY LLC, et al. v. MARK CALVERT, et al. (Adversary Proceeding - Case No. 16-01196-CMA)		
$\begin{bmatrix} 2 \\ 3 \end{bmatrix}$	Item	Filing/Entry Date	Docket No.4
3	Reply In Support Of Motion To Turnover Property,	04/03/17	70
4	Compel Discovery, Clarify Court Order And Continue Trial And Pre-Trial Dates		
5	Second Amended Notice Of Trial And ORDER Setting Deadlines	04/05/17	71
6	Motion To Dismiss Adversary Case With Notice Of Hearing	04/12/17	72
7 8	Motion To Shorten Time And Set Hearing Upon Motion For Voluntary Dismissal, And Requesting Telephonic	04/12/17	73
9	Status Conference Received UNSIGNED Order Forwarded To Chambers For	04/12/17	74
10	Judge's Signature	04/12/17	
11	Trustee's Response To Preliminary Response To Medallic Art Company LLC's Motion For Voluntary Dismissal		75
12	Ex Parte ORDER Granting Motion Shortening Time And Setting Hearing Upon Voluntary Dismissal	04/13/17	76
13	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	04/18/17	77
14	ORDER Granting Motion Dismissing Plaintiff's Claims And Defenses And Striking Trial Date	04/19/17	78
15	Notice Of Presentation Of Order. Description: Final Judgment Against Medallic Art Company LLC	04/25/17	79
16	Proof Of Service	04/26/17	80
17 18	Letter From Attorney To Judge: Requesting Telephonic Appearance. Filed By Alan D Smith On Behalf Of Robert And Connie Hoff	04/27/17	81
10	Response To Notice Of Presentation Of Judgment	04/27/17	82
- 1	Letter From Chambers To Alan D Smith Re: Telephonic	04/28/17	83
20	Appearance Reply In Support Of Notice Of Presentation Of Judgment	04/28/17	84
21	Statement Of Dayton Landlord Re Assumption Of Lease And Related Matters	04/28/17	85
22	Final JUDGMENT. Judgement For Defendant On First Counterclaim	05/03/17	86
23	Transcript Of Hearing On 05/02/2017	11/04/19	87

MARK CALVERT V. DIANE ERDMAN (Adversary Proceeding - Case No. 16-01217-CMA)

STATEMENT OF ISSUES AND DESIGNATION OF RECORD - 29

24

25

26

27

28

FOGARTY LAW GROUP PLLC 1001 4th Avenue, Suite 3200 Seattle, WA 98154 Telephone: (206) 441-0172 Facsimile: (206) 826-9405

Case 16-11767-CMA Doc 2206 Filed 01/15/20 Ent. 01/15/20 10:53:12 Pg. 29 of 38

1	Item	Filing/Entry Date	Docket No. ⁵
2	Complaint	9/9/16	1
3	Summons And Notice Of Pretrial Conference	9/12/16	2
4	Amend Complaint	9/12/16	3
5	Motion For Prejudgment Writ Of Attachment With Notice	9/13/16	4
6 7	Of Hearing Declaration Of Mark Calvert In Support Of Motion For Prejudgment Writ Of Attachment	9/13/16	5
8	Declaration Of David C. Neu In Support Of Motion For Prejudgment Writ Of Attachment	9/13/16	6
9	Notice Of Hearing Of Motion For Prejudgment Writ Of Attachment	9/13/16	7
10	Acceptance Of Service By Daniel Bugbee On Behalf Of Diane Erdmann	9/15/16	8
11 12	Acceptance Of Service By Daniel Bugbee On Behalf Of Diane Erdmann	9/15/16	9
13	Notice Regarding Final Adjudication And Consent	9/15/16	10
14	Notice Of Appearance By Daniel J Bugbee Of DBS Law On Behalf Of Diane Erdman	9/29/16	11
15	Defendant's Response To Trustee's Motion For Prejudgment Writ Of Attachment	9/29/16	12
16	Motion To Dismiss Adversary Case With Notice Of Hearing	10/21/16	13
17	Mediation Certification	11/16/16	14
18	Trustee's Response To Motion To Dismiss Adversary	11/23/16	15
19	Case Defendant's Reply In Support Of Motion To Dismiss	11/28/16	16
20	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	12/2/16	17
21 22	LODGED ORDER Submitted But Not Entered	12/5/16	18
23	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	12/5/16	19
24	ORDER On Defendant's Motion To Dismiss	12/6/16	20
25		<u> </u>	

27

28

STATEMENT OF ISSUES AND DESIGNATION OF RECORD - 30

⁵ Designated Items in Adv. No. 16-01217-CMA (Bankr. W.D. Wash.)

1	MARK CALVERT V. DIANE ERDMAN (Adversary Proceeding - Case No. 16-01217-CMA)		
2	, , , , , , , , , , , , , , , , , , ,	,	5
3	Item	Filing/Entry Date	Docket No. ⁵
4	Letter To And Subject: Correction To Order Signature	12/7/16	21
5	Transcript Regarding Hearing Held 12/01/2016 Re: Motion For Summary Judgment	12/7/16	22
6	Amend Complaint	12/23/16	23
7	Letter From Chambers To Counsel Setting Status Conference	1/3/17	24
8	BNC Certificate Of Notice-Related Document 24	1/5/17	25
9	Defendant's Motion To Dismiss Adversary Case Re Second Amended Complaint With Notice Of Hearing	1/6/17	26
11	Response To Defendant's Motion To Dismiss Adversary Case Re Second Amended Complaint	1/26/17	27
12	Reply In Support Of Motion To Dismiss Second Amended Complaint	1/30/17	28
13	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	2/8/17	29
14	ORDER Denying Defendant's Motion To Dismiss Second Amended Complaint	2/10/17	30
15	Answer To Complaint	2/15/17	31
16	Notice Of Trial And ORDER Setting Deadlines	2/17/17	32
17 18	Letter To And Subject: Judge Alston Re Continuance Of Trial Date	3/22/17	33
19	Stipulation Appointing Program Mediator	3/22/17	34
20	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	3/22/17	35
21	ORDER Appointing Mediator And Assignment To The Honorable Thomas T Glover Mediation Program	3/23/17	36
22	Notice Of Unavailability	3/27/17	37
23	First Amended Notice Of Trial And ORDER Setting Deadlines	4/14/17	38
24	BNC Certificate Of Notice-Related Document 38	4/16/17	39
25	Motion To Withdraw As Attorney With Notice Of	5/1/17	40
26	Hearing		

27

28

FOGARTY LAW GROUP PLLC 1001 4th Avenue, Suite 3200 Seattle, WA 98154 Telephone: (206) 441-0172 Facsimile: (206) 826-9405

Case 16-11767-CMA Doc 2206 Filed 01/15/20 Ent. 01/15/20 10:53:12 Pg. 31 of 38

1	MARK CALVERT V. DIANE ERDMAN (Adversary Proceeding - Case No. 16-01217-CMA)		
2	Item	Filing/Entry Date	Docket No. ⁵
4	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	5/19/17	41
5	Declaration Of No Objection	5/19/17	42
6	Submitted But Not Entered-Related Document 40	5/19/17	43
7	Declaration In Support Of Motion To Withdraw	5/19/17	44
8	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	5/19/17	45
9	ORDER Granting Motion To Withdraw As Counsel For Diane Erdmann	5/23/17	46
10 11	Notice Of Appearance Filed By Thomas P Quinlan III On Behalf Of Diane Erdman	7/14/17	47
12	Transcript Regarding Hearing Held 12/01/2016 RE: Argument Only	7/18/17	48
13	Transcript Regarding Hearing Held 02/02/2017	7/18/17	49
14	Stipulation By And Between Trustee And Diane Erdmann	7/18/17	50
15	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	7/18/17	51
16	Stipulated Protective Order	7/20/17	52
17 18	Trustee's Motion To Compel Disclosure And Discovery Pursuant To Fed. R. Civ. P. 37 With Notice Of Hearing	7/31/17	53
19	Declaration Of David C. Neu In Support Of Trustee's Motion To Compel Disclosure And Discovery Pursuant To Fed. R. Civ. P. 37	7/31/17	54
20	Notice Of Hearing On Trustee's Motion To Compel Disclosure And Discovery Pursuant To Fed. R. Civ. P. 37	7/31/17	55
22	Motion Motion For Protective Order And Extension Of Time With Notice Of Hearing	8/11/17	56
23	Motion For Order Shortening Time With Notice Of Hearing	8/11/17	57
24	Trustee's Response To Motion For Protective Order And Extension Of Time	8/17/17	58
25	Declaration Of Diane Erdmann	8/17/17	59
26			

27

28

FOGARTY LAW GROUP PLLC 1001 4th Avenue, Suite 3200 Seattle, WA 98154 Telephone: (206) 441-0172 Facsimile: (206) 826-9405

Case 16-11767-CMA Doc 2206 Filed 01/15/20 Ent. 01/15/20 10:53:12 Pg. 32 of 38

1 2	MARK CALVERT V. DIANE ERDMAN (Adversary Proceeding - Case No. 16-01217-CMA)		
3	Item	Filing/Entry Date	Docket No. ⁵
4	Trustee's Reply In Support Of Trustee's Motion To Compel Disclosure And Discovery Pursuant To Fed. R. Civ. P. 37	8/21/17	60
5 6	Declaration Of David C. Neu In Support Of Reply To Trustee's Motion To Compel Disclosure And Discovery Pursuant To Fed. R. Civ. P. 37	8/21/17	61
7	Trustee's Motion For Prejudgment Writ Of Attachment With Notice Of Hearing	9/1/17	62
9	Notice Of Hearing On Trustee's Motion For Prejudgment Writ Of Attachment	9/1/17	63
10	Declaration Of David C. Neu In Support Of Trustee's Motion For Prejudgment Writ Of Attachment	9/1/17	64
11	Declaration Of Mark Calvert In Support Of Trustee's Motion For Prejudgment Writ Of Attachment	9/1/17	65
12	Defendant's Response To Trustee's Motion For Pre- Judgment Writ Of Attachment	9/15/17	66
14	Declaration Of Diane Erdmann	9/15/17	67
15	Reply In Support Of Trustee's Motion For Prejudgment Writ Of Attachment	9/19/17	68
16	ORDER Denying Motion For Order Shortening Time	9/25/17	69
17	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	9/25/17	70
18	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	9/25/17	71
19	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	9/26/17	72
21	ORDER Re: Defendant's Motion For Protective Order And For Extension Of Time	9/26/17	73
22	ORDER Granting Trustee's Motion To Compel Disclosure And Discovery Pursuant To Fed. R. Civ. P. 37	9/26/17	74
23	Order Compelling Mediation	9/26/17	75
24	Statement Pretrial Disclosures	12/22/17	76
2526	Motion To Withdraw As Attorney With Notice Of Hearing	12/28/17	77

27

28

FOGARTY LAW GROUP PLLC 1001 4th Avenue, Suite 3200 Seattle, WA 98154 Telephone: (206) 441-0172 Facsimile: (206) 826-9405

Case 16-11767-CMA Doc 2206 Filed 01/15/20 Ent. 01/15/20 10:53:12 Pg. 33 of 38

1	MARK CALVERT V. DIANE ERDMAN (Adversary Proceeding - Case No. 16-01217-CMA)		
2 3	Item	Filing/Entry Date	Docket No. ⁵
4	Letter From Chambers To Counsel Setting Status Conference	1/10/18	78
5	Defendant's Response To Motion To Withdraw As Attorney For Defendant	1/11/18	79
6	BNC Certificate Of Notice-Related Document 78	1/12/18	80
7	Letter From Attorney To Judge: Re: Request For Telephonic Appearance	1/17/18	81
8	Letter From Chambers To Thomas P. Quinlan III Granting Telephonic Appearance	1/18/18	82
10	Letter From Attorney To Judge: Filed By Thomas P Quinlan III On Behalf Of Diane Erdman	1/19/18	83
11	Letter From Chambers To: Thomas P. Quinlan III	1/22/18	84
12	Brief Plaintiff's Trial Brief	1/22/18	85
13	ORDER Denying Motion To Withdraw As Attorney For Defendant	1/23/18	86
14	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	1/23/18	87
15	Pretrial ORDER	1/24/18	88
16 17	Letter From Attorney To Judge: Re Request For Projector At Trial	1/24/18	89
18	Brief Defendant's Trial Brief	1/26/18	90
19	Brief Plaintiff's Reply Trial Brief	1/29/18	91
20	Memorandum	2/5/18	92
21	Plaintiff's Memorandum In Support Of Objection To Defendant's Motion To Amend	2/5/18	93
22	Motion To Withdraw As Attorney For Defendant Diane Erdmann With Notice Of Hearing	2/14/18	94
23	Declaration Of No Objection	3/9/18	95
24	Received UNSIGNED Order Forwarded To Chambers For	3/15/18	96
25	Judge's Signature Memorandum Decision	3/28/18	97
26			

28

FOGARTY LAW GROUP PLLC 1001 4th Avenue, Suite 3200 Seattle, WA 98154 Telephone: (206) 441-0172 Facsimile: (206) 826-9405

Case 16-11767-CMA Doc 2206 Filed 01/15/20 Ent. 01/15/20 10:53:12 Pg. 34 of 38

1 2	MARK CALVERT V. DIANE ERDMAN (Adversary Proceeding - Case No. 16-01217-CMA)		
3	Item	Filing/Entry Date	Docket No. ⁵
4	Judgment	3/28/18	98
5	ORDER Granting Leave To Withdraw As Attorney	3/28/18	99
6	Pro Hac Vice Application For Attorney Allen Lichtenstein	4/17/18	100
7	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	4/17/18	101
8	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	4/17/18	102
9	ORDER On Pro Hac Vice Application. Attorney Allen Lichtenstein For Diane Erdman	4/17/18	103
11	Defendant's Motion For Order To Shorten Time	4/18/18	104
12	Defendant's Motion For Discretionary Extension Of Time For Filing Notice Of Appeal With Notice Of Hearing	4/18/18	105
13	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	4/18/18	106
14	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	4/18/18	107
15	ORDER To Shorten Time	4/18/18	108
16	Submitted But Not Entered-Related Document 105	4/18/18	109
17	Declaration Of No Objection	4/25/18	110
18 19	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	4/26/18	111
20	Submitted But Not Entered-Related Document 108	4/26/18	112
21	Letter To And Subject: Request For Phone Appearance	4/26/18	113
22	ORDER Denying Motion For Discretionary Extension Of Time To File Notice Of Appeal	4/27/18	114
23	Notice Of Appeal And Statement Of Election	5/10/18	115
24	WAW Internal Appeal #: 18-S004. Bankruptcy Case #: 16-11767. Adversary Case #: 16-01217	5/11/18	116
25 26	Sent To BNC For Mailing To Allen Lichtenstein Re: Internal Appeal #18-S004	5/11/18	117
-			

27

28

FOGARTY LAW GROUP PLLC 1001 4th Avenue, Suite 3200 Seattle, WA 98154 Telephone: (206) 441-0172 Facsimile: (206) 826-9405

Case 16-11767-CMA Doc 2206 Filed 01/15/20 Ent. 01/15/20 10:53:12 Pg. 35 of 38

1	MARK CALVERT V. DIANE ERDMAN (Adversary Proceeding - Case No. 16-01217-CMA)		
2 3	Item	Filing/Entry Date	Docket No. ⁵
4	BNC Certificate Of Notice-Related Document 117	5/13/18	118
5	Withdrawal And Substitution Of Attorney. Involvement Of Deirdre Glynn Levin Terminated	5/17/18	119
6 7	Designation Of Contents For Inclusion In Record On Appeal Re: BK Internal Appeal No: 18-S004 BAP Appeal No: Or USDC Appeal No. WW-18-1127	5/24/18	120
8	Transcript Regarding Hearing Held 04/26/2018	6/14/18	121
9	Amendment To Designation Of Record And Statement Of Issues. BK Internal Appeal No: 18-S004 BAP Appeal No. WW-18	7/11/18	122
11	Certificate Of Readiness Transmitted To BAP	7/12/18	123
12	Memorandum From BAP Regarding Appeal: BK Internal Appeal Number 18-S004, BAP Appeal Number WW-18- 1127-Bkuta. Decision: REVERSE	11/27/18	124
13 14	Mandate From BAP: RE: WAW Internal Appeal Number #18-S004; BAP No. WW-18-1127-Bkut	1/4/19	125
15	Close Appeal	2/14/19	126
16	Motion To Authorize Execution Upon Interest Of Diane Erdmann In Seized Property With Notice Of Hearing	3/12/19	127
17 18	Declaration Of Mark Calvert In Support Of Motion To Approve Settlement With Bradley Cohen Regarding Seized Personal Property	3/12/19	128
19	Withdrawal Of Document	3/12/19	129
20	Declaration Of Mark Calvert In Support Of Motion To Authorize Execution Upon Interest Of Diane Erdmann In Seized Property	3/12/19	130
21 22	Notice Of Hearing On Motion To Authorize Execution Upon Interest Of Diane Erdmann In Seized Property	3/12/19	131
23	Proof Of Service . Filed By David C Neu On Behalf Of Mark Calvert	3/28/19	132
24	Declaration Of No Objection	4/5/19	133
25 26	Received UNSIGNED Order Forwarded To Chambers For Judge's Signature	4/5/19	134

27

28

FOGARTY LAW GROUP PLLC 1001 4th Avenue, Suite 3200 Seattle, WA 98154 Telephone: (206) 441-0172 Facsimile: (206) 826-9405

Case 16-11767-CMA Doc 2206 Filed 01/15/20 Ent. 01/15/20 10:53:12 Pg. 36 of 38

1 2	MARK CALVERT V. DIANE ERDMAN (Adversary Proceeding - Case No. 16-01217-CMA)		
3	Item	Filing/Entry Date	Docket No. ⁵
4	Submitted But Not Entered-Related Document 127	4/8/19	135
5	PDF With Attached Audio File. Court Date & Time [4/11/2019 1:32:27 PM]	4/12/19	136
6	Letter From Attorney To Judge: Requesting Permission To Appear Telephonically	4/16/19	137
7 8	Letter From Chambers To Counsel Re: Requesting Permission To Appear Telephonically	4/17/19	138
9	PDF With Attached Audio File. Court Date & Time [4/19/2019 10:12:36 AM]	4/30/19	139

Appellant reserves the right to designate additional items for inclusion in the record and/or restate issues presented on appeal, including without limitation, the right to designate additional items or restate issues, if any relief is granted or denied subsequent to the filing of this designation that affects the Fee Order, 7052 Order, and/or related documents. For items designated, the designation includes all documents referenced with the particular docket number including, without limitation, all statements, appendices, exhibits, attachments, declarations, and affidavits related thereto.

CERTIFICATION REGARDING TRANSCRIPTS

Pursuant to Rule 8009(b)(1) of the Federal Rules of Bankruptcy Procedure, Appellant hereby certifies that he has ordered the above indicated transcripts of such parts of the proceedings not already on file, a letter confirming the order of which is attached hereto as **Exhibit A.**

STATEMENT OF ISSUES AND DESIGNATION OF RECORD - 37

FOGARTY LAW GROUP PLLC 1001 4th Avenue, Suite 3200 Seattle, WA 98154 Telephone: (206) 441-0172 Facsimile: (206) 826-9405

Case 16-11767-CMA Doc 2206 Filed 01/15/20 Ent. 01/15/20 10:53:12 Pg. 37 of 38

1	DATED: January 15, 2020	/s/ Paul E. Fogarty
2	21122. Vallacity 10, 2020	Paul E. Fogarty, WSBA # 26929
3		Paul E. Fogarty, WSBA # 26929 FOGARTY LAW GROUP PLLC 1001 4 th Avenue, Suite 3200
		Seattle, WA 98154 (206) 441-0172
4		
5		Attorney for Mark Calvert
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27	CTATEMENT OF ICCLIED AND	FOGARTY LAW GROUP PLLC
28	STATEMENT OF ISSUES AND DESIGNATION OF RECORD - 38	1001 4th Avenue, Suite 3200 Seattle, WA 98154 Telephone: (206) 441-0172 Facsimile: (206) 826-9405

Case 16-11767-CMA Doc 2206 Filed 01/15/20 Ent. 01/15/20 10:53:12 Pg. 38 of 38

EXHIBIT A

Ahearn & Associates, Inc.

January 13, 2019

Re: Northwest Territorial Mint, debtor; Case Number 16-11767

To Whom it May Concern:

The following transcripts have been ordered by KTBS Law LLP, in connection with an appeal in the above case:

- 02/03/17
- 06/02/17
- 06/23/17
- 10/06/17
- 01/26/18
- 02/09/18
- 02/23/18
- 12/07/18
- 02/01/19
- 03/13/19
- 11/22/19

Sincerely,
Shari L. Wheeler
Ahearn & Associates, Inc.
24138 SE 261st Place
Maple Valley, Washington 98038