

1 Michael J. Gearin, WSBA # 20982  
2 David C. Neu, WSBA # 33143  
3 Brian T. Peterson, WSBA # 42088  
4 K&L GATES LLP  
5 925 Fourth Avenue, Suite 2900  
6 Seattle, WA 98104-1158  
7 (206) 623-7580

Honorable Christopher M. Alston  
Chapter 11  
Hearing Location: Seattle, Rm. 7206  
Hearing Date: Friday, September 30, 2016  
Hearing Time: 9:30 a.m.

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

**DECLARATION OF DAVID C. NEU IN  
SUPPORT OF TRUSTEE'S REPLY TO  
RESPONSE TO TRUSTEE'S MOTION FOR  
ORDER HOLDING ROSS HANSEN IN  
CONTEMPT AND FOR AWARD OF  
SANCTIONS**

14 David C. Neu declares as follows:

- 15 1. I am an attorney with K&L Gates, LLP, counsel for the Chapter 11 Trustee, Mark  
16 Calvert (the "Trustee").  
17  
18 2. Since, June, 2016, I have communicated with counsel for Ross Hansen about his  
19 compliance with his obligations under the 2004 Order. In almost every instance, the response to my  
20 request that Mr. Hansen provide records has been the assertion that the Trustee already has the  
21 records, or the suggestion that the Trustee just subpoena them. It was not until the Trustee filed his  
22 Motion for Order Holding Ross Hansen in Contempt and for Award of Sanctions that Mr. Hansen,  
23 on September 14, 2016, provided two years of statements from his investment account maintained at  
24 R. J. O'Brien (the "Investment Account").  
25  
26 3. Upon obtaining the two years of statements for the Investment Account, which range  
from November, 2011 through 2013, I conducted my own search as to whether any earlier records

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TRUSTEE'S REPLY TO RESPONSE TO TRUSTEE'S  
MOTION FOR ORDER HOLDING ROSS HANSEN IN  
CONTEMPT AND FOR AWARD OF SANCTIONS - 1

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

1 are available. I was able to determine that a company called MF Global Holdings, LTD retained  
2 some of corporate records of M.F. Global, Inc. following its liquidation in 2011. Attached hereto as  
3 Exhibit A is my email exchange with M.F. Global Holdings LTD. in which it confirms that is has  
4 records that date from 2006 through 2011. Attached hereto as Exhibit B is my exchange with Mr.  
5 Hansen's counsel on the topic.

6 4. After the Trustee filed the Motion, I requested that Mr. Hansen authorize his  
7 accountant to release his tax returns to the Trustee. Mr. Hansen provided a tax return for 2010 and  
8 refused to provide any others, noting that the 2004 Order required Mr. Hansen to produce tax returns  
9 filed in 2010 and later. After my request that Mr. Hansen voluntarily provide the earlier returns was  
10 met with silence, I issued a subpoena to Mr. Hansen's account and obtained earlier tax returns.

11 5. The records that had been stored in Ross Hansen's office were moved to the offices  
12 of K&L Gates, and inventoried in August, 2016. The records contained two Investment Account  
13 statements from each of calendar years 2006, 2007, and 2008, and what appears to be a full set of  
14 statements from 2009. The records also contain one tax return for Mr. Hansen for the year of 2003.  
15 The records were made available to Ross Hansen, and his counsel reviewed them.

16 6. Mr. Hansen has not provided any statements from any credit card accounts which he  
17 might have maintained.

18 7. Attached hereto as Exhibit C is a page from Northwest Territorial Mint, LLC's 2009  
19 tax return which was provided to me by its accountant, Rhodes & Associates, PLLC.

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

22 EXECUTED this 27th day of September, 2016.

23  
24 /s/ David C. Neu

David C. Neu

25  
26  
DECLARATION OF DAVID C. NEU IN SUPPORT OF  
TRUSTEE'S REPLY TO RESPONSE TO TRUSTEE'S  
MOTION FOR ORDER HOLDING ROSS HANSEN IN  
CONTEMPT AND FOR AWARD OF SANCTIONS - 2

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SEATTLE, WASHINGTON 98104-1158  
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 September 27, 2016, 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.

Also on September 27, 2016, she caused the foregoing document to be mailed to the Debtor at the address listed below:

Northwest Territorial Mint LLC  
c/o Ross Hansen, Member  
P.O. Box 2148  
Auburn, WA 98071-2148

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 27th day of September, 2016 at Seattle, Washington.

/s/ Denise A. Evans  
Denise A. Evans

# EXHIBIT A

**Neu, David**

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**From:** Neu, David  
**Sent:** Tuesday, September 27, 2016 1:41 PM  
**To:** Neu, David  
**Subject:** FW: MF Global account statements

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**From:** MF Global Holdings Ltd., et al. [<mailto:MFGH@mfglobalholdings.com>]  
**Sent:** Thursday, September 22, 2016 12:08 PM  
**To:** Neu, David  
**Subject:** RE: MF Global account statements

We have statements from June, 2006 until bankruptcy (October, 2011) although the account did not trade in every month during that period.

Send us an authorization letter and we will pull the statements for you. (A scan of the letter is sufficient, no need for hardcopy).

Thanks,

Larry

---

Larry Poleshuck  
MF Global Holdings  
142 West 57<sup>th</sup> St, Suite 401  
New York, NY 10019  
Tel. 646-568-8112

s message in your possession, custody or control.

# EXHIBIT B

**Neu, David**

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**From:** Neu, David  
**Sent:** Tuesday, September 27, 2016 10:08 AM  
**To:** 'Powers, Ragan'  
**Subject:** RE: RE: MF Global account statements

Ragan - there are several statements missing. If Ross will just authorize the release by MF Global, per the email below, I will strike the hearing.

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**From:** Powers, Ragan [mailto:raganpowers@dwt.com]  
**Sent:** Monday, September 26, 2016 12:14 PM  
**To:** Neu, David  
**Subject:** RE: RE: MF Global account statements

David – why is this necessary? The account statements are in the boxes in your office; at least they were there a couple of weeks ago when I came down and looked at them.

**Ragan Powers** | Davis Wright Tremaine LLP  
1201 Third Avenue, Suite 2200 | Seattle, WA 98101  
Tel: (206) 757-8123 | Fax: (206) 757-7123  
Email: [raganpowers@dwt.com](mailto:raganpowers@dwt.com) | Website: [www.dwt.com](http://www.dwt.com)

Anchorage | Bellevue | Los Angeles | New York | Portland | San Francisco | Seattle | Shanghai | Washington, D.C.

---

**From:** Neu, David [mailto:david.neu@klgates.com]  
**Sent:** Thursday, September 22, 2016 12:34 PM  
**To:** Powers, Ragan  
**Subject:** Fwd: RE: MF Global account statements

Ragan please have Ross authorize the release of these statements.

----- Original Message -----  
From: "MF Global Holdings Ltd., et al." <[MFGH@mfglobalholdings.com](mailto:MFGH@mfglobalholdings.com)>  
Date: Thu, September 22, 2016 12:08 PM -0700  
To: "Neu, David" <[david.neu@klgates.com](mailto:david.neu@klgates.com)>  
Subject: RE: MF Global account statements

We have statements from June, 2006 until bankruptcy (October, 2011) although the account did not trade in every month during that period.

Send us an authorization letter and we will pull the statements for you. (A scan of the letter is sufficient, no need for hardcopy).

Thanks,

# EXHIBIT C

**SCHEDULE D**  
**(Form 1065)**

## Capital Gains and Losses

OMB No. 1545-0099

Department of the Treasury  
Internal Revenue Service

▶ Attach to Form 1065. ▶ See separate instructions.  
▶ Use Schedule D-1 to list additional transactions for lines 1 and 7.

# 2009

Name of partnership

Employer identification number

**NORTHWEST TERRITORIAL MINT, L.L.C.**

**Part I Short-Term Capital Gains and Losses - Assets Held One Year or Less**

(a) Description of property (Example: 100 shares of "Z" Co.)	(b) Date acquired (mo., day, yr.)	(c) Date sold (mo., day, yr.)	(d) Sales price	(e) Cost or other basis	(f) Gain or (loss) Subtract (e) from (d)
1 MF GLOBAL INC FUTURES	VARIOUS	VARIOUS			2,029,269.
MF GLOBAL INC FUTURES OPTIONS	VARIOUS	VARIOUS			<6,902.>

2 Enter short-term capital gain or (loss), if any, from Schedule D-1, line 2	2	
3 Short-term capital gain from installment sales from Form 6252, line 26 or 37	3	
4 Short-term capital gain (loss) from like-kind exchanges from Form 8824	4	
5 Partnership's share of net short-term capital gain (loss), including specially allocated short-term capital gains (losses), from other partnerships, estates, and trusts	5	
6 Net short-term capital gain or (loss). Combine lines 1 through 5 in column (f). Enter here and on Form 1065, Schedule K, line 8 or 11	6	2,022,367.

**Part II Long-Term Capital Gains and Losses - Assets Held More Than One Year**

(a) Description of property (Example: 100 shares of "Z" Co.)	(b) Date acquired (mo., day, yr.)	(c) Date sold (mo., day, yr.)	(d) Sales price	(e) Cost or other basis	(f) Gain or (loss) Subtract (e) from (d)
7					

8 Enter long-term gain or (loss), if any, from Schedule D-1, line 8	8	
9 Long-term capital gain from installment sales from Form 6252, line 26 or 37	9	
10 Long-term capital gain (loss) from like-kind exchanges from Form 8824	10	
11 Partnership's share of net long-term capital gain (loss), including specially allocated long-term capital gains (losses), from other partnerships, estates, and trusts	11	
12 Capital gain distributions	12	
13 Net long-term capital gain or (loss). Combine lines 7 through 12 in column (f). Enter here and on Form 1065, Schedule K, line 9a or 11	13	

LHA For Paperwork Reduction Act Notice, see the Instructions for Form 1065.

Schedule D (Form 1065) 2009