

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, March 16, 2018
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,
13 LLC,
14 Debtor.

Case No. 16-11767-CMA

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, CLAIMS, INTERESTS, AND
ENCUMBRANCES TO MEDALCRAFT MINT,
INC.

15 I, Mark Calvert, declare as follows:

16 1. I am the Chapter 11 Trustee of Northwest Territorial Mint, LLC ("NWTM" or
17 "Debtor") pursuant to the Court's order of appointment dated April 11, 2016. I am over eighteen
18 (18) years of age and I am competent in all ways to testify.

19 2. On February 16, 2018, I filed a Motion for Order Approving the Sale of Certain
20 Assets of the Debtor's Assets Free and Clear of all Liens, Claims, Interests, and Encumbrances to
21 MedalCraft Mint, Inc. (the "Medalcraft Sale Motion") (Dkt. 1457).

22 3. The hearing on the Medalcraft Sale Motion was held on March 9, 2018 and
23 subsequently continued to March 16, 2018. At the hearing, I sought the court's approval of the sale
24 to Medalcraft based upon my concerns that Mr. May could not satisfy essential noncash concerns
25 that I have regarding the treatment of customers, protection of customer intellectual property,
26

SECOND SUPPLEMENTAL DECLARATION OF MARK
CALVERT - 1

501141191 v1

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

1 protection of dies made for the benefit of customers, the involvement of Mr. Ross Hansen in the
2 business post closing, the interface between the Medalcraft Sale Motion and other sales negotiations
3 that are pending for other assets of the estate and other issues. At the hearing on the sale motion, the
4 court expressed concern regarding the auction process and afforded me an opportunity to explore
5 whether there was a basis to resume the auction or to otherwise address concerns regarding the
6 auction process.

7 4. After the March 9th hearing through my counsel, I engaged in dialog with Kristofer
8 Larson, counsel for Rodger May, in an effort to satisfy my concerns as to the viability of a bid by
9 Mr. May. Attached as Exhibit A is a record of the communications between Mr. Larson and my
10 counsel Mr. Gearin regarding the requests for information and responses.

11 5. As the written communications between counsel reflect, I have not been able to
12 obtain satisfactory answers to my questions regarding the expertise of the prospective buyer in the
13 custom minting business, the prospective buyer's ability to satisfy customer concerns, the ability of
14 the prospective purchaser to timely remove the assets from the Dayton location and a number of
15 other issues. For this reason, I have not entertained additional bids from either Mr. May or
16 Medalcraft, even though Mr. May has unilaterally and without invitation increased his offer to
17 \$1,250,000 in his last email.

18 6. After investigation, I have concluded that I can not entertain Mr. May as a viable
19 bidder. At the hearing on March 16th I intend to renew my request that the Court approve the sale of
20 the assets to Medalcraft Mint, Inc.

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

23 EXECUTED this 15th day of March, 2018, at Seattle, Washington.

24
25 /s/ Mark Calvert

26 Mark Calvert

SECOND SUPPLEMENTAL DECLARATION OF MARK
CALVERT - 2

501141191 v1

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

The undersigned declares as follows:

That she is a Paralegal in the law firm of K&L Gates LLP, and on March 15, 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 15th day of March, 2018 at Seattle, Washington.

/s/ Denise A. Lentz

Denise A. Lentz

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EXHIBIT A

-----Original Message-----

From: Kristofer Larson [<mailto:klarson@larsonlawfirmllc.com>]

Sent: Friday, March 09, 2018 4:21 PM

To: Gearin, Mike; Calvert, Mark (EXTERNAL)

Subject: NW mint auction

Gentlemen-

In order to evaluate the best way to move forward on this, please provide each and every thing that Minecraft has committed to do, and what proof that they submitted in support of their bids to support their assertions/the Trustee's requirements.

If there are things that I believe, as an officer of the court, that Mr. May, or one of his related companies, cannot do, I will advise at my earliest opportunity.

That being said, we no longer trust this process to be fair and don't want to bid in a vacuum without specific knowledge of what you require for a "highest and best" bid.

If Minecraft has committed itself, in a binding agreement, to provide specific services to customers, or anyone else, at your request, or otherwise, then please afford us the same courtesy and specify your requirements for a successful bidder so we can have a fair and equal opportunity to be the highest and best bidder.

Once you provide this information we will make a counter bid to the current bid of \$910,000. I assume that is still the bid but please confirm.

I trust that from now on everything will be handled, per the Judge's directive, with fairness, equality and transparency.

Thank you.

Kristofer

Sent from my iPhone

-----Original Message-----

From: Gearin, Mike

Sent: Monday, March 12, 2018 6:30 PM

To: Kristofer Larson (klarson@larsonlawfirmllc.com)

Cc: Mark Calvert (mark@casadecapitalgroup.com)

Subject: RE: NW mint auction [KLG-USW_Active01.FID52176]

Kristofer:

What you heard in court Friday was a continuation of the dialogue we opened with you last Wednesday, where the Trustee expressed his concerns regarding Mr. May's ability to protect customer interests in light of the fact that Mr. May does not have experience in the minting business and does not appear to have the ability to open a minting operation to service customers in the near term. The Trustee has other concerns as well, many of which were discussed at the hearing.

Medalcraft Mint is an operating privately owned mint based in Green Bay Wisconsin. It has operated since 1948. It manufactures die struck medals, medallions and other products for customers and has existing relationships with some customers of the Northwest Territorial Mint and its Medallic division. Medalcraft Mint has committed that it will work with the Medallic customer base and address their concerns regarding the servicing of orders and preservation of the artwork and dies created for their products. In light of the fact that approximately 75% of Medallic's business is based on orders fulfilled during the February to May timeframe, customers of Medallic and NWTM have urgent needs for fulfillment of orders. Medalcraft has existing production facilities, an employee base, management, and raw materials in place that allow it to readily fulfill these customer needs. Mr. May does not have experience in the minting business and does not appear to have the resources in place to quickly start such a business to timely service Medallic customers.

The Trustee expressed his concerns regarding the preservation of the customer dies and records. Medalcraft is capable of timely removing the purchased assets from the Dayton facility, and preserving and maintaining them for the benefit of the purchaser and the customer. Medalcraft is also capable of and has committed to protect the intellectual property rights of the customers of Medallic. Many customers who expressed acceptance of the proposal to sell company owned dies did so because they accepted that Medalcraft had the ability to preserve and protect the dies.

The Trustee also has also expressed his concerns regarding the potential impact on two other pending sales that he has negotiated. In one of those sales, Medalcraft has agreed to purchase the dies of the NWTM side of the business. If the present Medalcraft sale is not approved, we do not expect Medalcraft to proceed with the NWTM die purchase. The other sale, of the older Medallic dies and archives, contemplates that Medalcraft will remove, preserve and store the dies until the purchaser can take them into its possession. Medalcraft has committed to cooperate with the other purchaser regarding the segregation of the older dies and archives from the assets which are the subject of the

Medalcraft sale and to coordinate the preservation and retention of records which are relevant to both packages of assets.

We expressed our concerns regarding circumstances in which Mr. Hansen would have a role in the business. Mr. Hansen's involvement in the business is a critical impediment to any consideration that a buyer could satisfactorily treat its customers and creditors in the future and the Trustee will not be party to allowing customers and creditors to be mistreated again as they have been in prior business enterprises run by Mr. Hansen. You should be aware that the bankruptcy estate is party to a Consent Decree with the Equal Opportunity Commission ("EEOC") which was approved by the Federal District Court. The Consent Decree derived from a complaint filed by the EEOC stemming from Mr. Hansen's pre bankruptcy conduct relating to his management of NWTM. The Consent Decree grants an allowed unsecured claim to certain employee class members in the amount of \$750,000 and calls for ongoing injunctive and other relief. Under the Consent Decree, if Mr. Hansen is employed in any capacity by an entity that acquires any component of the Debtor's operations, the purchaser will be bound by the Consent Decree as a successor to NWTM. A copy of the Consent Decree is attached. Mr. Hansen is also the respondent with respect to Findings of Fact and Conclusions of Law and Final Order to Cease and Desist and to Impose Civil Penalties as to Bernard Ross Hansen a/k/a Ross B. Hansen (the "DFI Cease and Desist") under which Hansen is required to cease and desist from offering or selling commodities. A copy of the DFI Cease and Desist is attached.

The overall identity and makeup of the management team of the buyer is also important to the Trustee. The Trustee will want to know who will be involved in the business of the buyer and what level of experience that management team has in the minting industry.

We regret that we did not address these issues more clearly in advance of the auction and I can understand your client's frustration with a lack of understanding of nonmonetary issues that bear on the decision as to who is the successful bidder under the circumstance of this bankruptcy auction. We understand Mr. May's reluctance to engage in any further bidding until these issues are clarified. To that end, we wish to identify the issues that must be addressed before the Trustee entertains additional bids.

We request that Mr. May provide a detailed explanation as to how he will satisfy the following concerns:

- a. How will Mr. May ensure timely fulfillment of customer orders?
- b. How, when and to where will Mr. May remove, ship, store and preserve dies, archives and business records? What resources does Mr. May have to staff this removal and preservation effort?
- c. How will Mr. May protect the intellectual property rights of customers? In particular, will Mr. May commit that he will not use any customer die absent the express consent of the customer for which the die was fashioned?
- d. Will Mr. May cooperate with prospective purchasers of other assets regarding the segregation of assets and coordination of access to records? What is Mr. May prepared to do to accommodate for the potential loss of the Medalcraft offer to purchase the NWTM dies?
- e. Does Mr. May intend that Ross Hansen will have an ongoing role in business?
- f. What management team will be involved in the operations of the buyer post sale? We would want a list of names, roles and responsibilities of the management team as well as a disclosure of experience in the custom minting business for the anticipated management team?
- g. What efforts has Mr. May made to procure a location from which he will operate a minting business?

After we have received this information, we may have follow up questions. We request that Mr. May provide his response by Wednesday morning, March 14, 2018 after which the Trustee will discuss whether further bidding is beneficial.

Regards

Michael J. Gearin
K&L Gates LLP
925 Fourth Avenue, Suite 2900
Seattle, WA 98104
(206) 370-6666 Direct
(206) 940-2500 Mobile
Fax (206) 370-6067 Direct
michael.gearin@klgates.com
<http://www.klgates.com>

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To: Gearin, Mike; Calvert, Mark (EXTERNAL)
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If Minecraft has committed itself, in a binding agreement, to provide specific services to customers, or anyone else, at your request, or otherwise, then please afford us the same courtesy and specify your requirements for a successful bidder so we can have a fair and equal opportunity to be the highest and best bidder.

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I trust that from now on everything will be handled, per the Judge's directive, with fairness, equality and transparency.

Thank you.

Kristofer

Sent from my iPhone

1 states. NWTM is in the business of selling coins and medallions, including custom minted items, and storing precious
2 metals for its customers in its vaults. Until it filed for Chapter 11 bankruptcy in April 2016 (see Paragraphs 8-9), NWTM
3 was also in the business of selling precious metals to the general public, primarily through its website, at its Federal
4 Way store, and over the telephone.

5 2. Bernard Ross Hansen a/k/a Ross B. Hansen ("Hansen"), a Washington resident, was NWTM's only
6 owner and managing member. Hansen was also NWTM's President and CEO at all times until his resignation in April
7 2016, shortly after NWTM filed for Chapter 11 bankruptcy.

8 **Nature of the Offering**

9 3. For much of its history, NWTM sold precious metals in the form gold, silver, platinum, and palladium
10 coins and bullion to the general public. NWTM, through its bullion division, sold precious metals on its website,
11 www.nwtmint.com, over the telephone, and at its showroom in Federal Way, Washington. NWTM represented itself as
12 the largest private mint in the country and has claimed that it received over 10,000 bullion orders per year in recent
13 years. Until his resignation as President and CEO in April 2016, Hansen had full control of NWTM. As NWTM's
14 President, CEO, and sole owner and managing member, Hansen had control over its policies and business practices, as
15 well as its sales personnel.

16 4. The Commodity Transactions Act of Washington (the "Act") regulates the offer and sale of
17 commodities, such as precious metals, under commodity contracts. A commodity contract does not include any
18 commodity transaction where the seller is required to deliver the commodity to the buyer within 28 days after the
19 payment of good funds, and the seller actually does so. Any commodity transaction that takes longer than 28 days for
20 delivery will fall under the Act unless an exemption applies.

21 5. NWTM has had a long-standing and consistent practice of delaying the shipment of its customers'
22 precious metal orders and taking months to ship orders. NWTM's practice of delayed shipments led, in part, to the filing
23 of a Consumer Protection Act complaint against it by the Washington Attorney General's Office ("AGO") in February
24 2008. The AGO and NWTM settled the matter in September 2008 by entering into a consent decree that required
25 NWTM to, among other things, provide updates and refund opportunities to their customers should their orders be

1 delayed. NWTM was also prohibited from making any misrepresentations about its business, including regarding
2 delivery dates.

3 6. After the consent decree, NWTM continued to delay the shipment of precious metal orders and make
4 shipping-related misrepresentations to its customers. Though it noted that shipping delays were possible due to
5 inventory and other unspecified issues, NWTM represented on its website that its "policy" was to ship orders "promptly"
6 after payment (<http://bullion.nwtmint.com/buyingbullion.php>, accessed February 13, 2015). At or around the time that
7 many customers placed their orders, NWTM also provided those customers with a shipping window, generally 8-10
8 weeks after their payments cleared.

9 7. NWTM made these representations about its shipping policy despite consistently experiencing
10 widespread shipping delays. A sample of precious metal orders from April to September 2014 illustrates how common
11 shipping delays were at NWTM. During that period, NWTM fulfilled roughly 3,470 precious metal orders from
12 customers across the country. Of those, NWTM shipped around 2,430 orders, or 70%, more than 10 weeks after
13 customer payments cleared. NWTM shipped most of the orders within 3 to 6 months, but took even longer to ship many
14 other orders.

15 *2016 Bankruptcy Filing*

16 8. On April 1, 2016, NWTM, at Hansen's direction, filed for Chapter 11 bankruptcy. NWTM filed for
17 bankruptcy a month after judgments for \$25.5 million and \$12.5 million were entered against Hansen and NWTM,
18 respectively, in a defamation lawsuit. On April 11, 2016, the bankruptcy court appointed a Chapter 11 trustee to oversee
19 NWTM. Hansen resigned as NWTM's CEO and President the next day. The Chapter 11 trustee eventually closed
20 NWTM's bullion division, though NWTM is still currently operating.

21 9. To date, over 3,000 creditor claims totaling nearly \$72.5 million have been filed against NWTM in the
22 bankruptcy matter. A large number of the creditor claims, if not a majority, were filed by NWTM precious metal
23 customers who have not received the precious metals that they paid for. Many of these customers placed their orders in
24 the summer and fall of 2015, several months before the bankruptcy filing.

25 //

ENTRY OF FINDINGS OF FACT AND
CONCLUSIONS OF LAW AND FINAL
ORDER TO CEASE AND DESIST AND TO IMPOSE
CIVIL PENALTIES AS TO BERNARD ROSS
HANSEN a/k/a ROSS B. HANSEN

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DEPARTMENT OF FINANCIAL INSTITUTIONS
Securities Division
PO Box 9033
Olympia WA 98507-9033
360-902-8760

REGISTRATION STATUS

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10. NWTM is not currently registered with the Commodity Futures Trading Commission as a futures commission merchant or as a leverage transaction merchant, and is not currently registered with the Department of Financial Institutions as a commodities broker-dealer or commodities sales representative under the Commodity Transactions Act, and has not previously been so registered.

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11. Hansen is not currently registered with the Commodity Futures Trading Commission as a futures commission merchant or as a leverage transaction merchant, and is not currently registered with the Department of Financial Institutions as a commodities broker-dealer or commodities sales representative under the Commodity Transactions Act, and has not previously been so registered.

10
Based upon the above Tentative Findings of Fact, the following Conclusions of Law are made:

CONCLUSIONS OF LAW

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1. Precious metals in the form of silver, gold, platinum and palladium coins and bullion of the kind sold by Northwest Territorial Mint, LLC are a commodity as defined in RCW 21.30.010(9) and (17).

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2. The offer and or sale of the precious metals, as described above, constitutes the offer and/or sale of a commodity, commodity contract, or commodity option in the state of Washington as defined in RCW 21.30.010(10), (11), (14) and (15).

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3. The offer and/or sale of said commodity, commodity contract, or commodity option violated RCW 21.30.020 because the offer and/or sale was made by a person not exempt under RCW 21.30.030 and the transaction or contract was not exempt under RCW 21.30.040.

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4. Respondent Bernard Ross Hansen a/k/a Ross B. Hansen controlled Northwest Territorial Mint, LLC and its employees in his role as Northwest Territorial Mint, LLC's President, CEO, and sole owner and managing member. Pursuant to RCW 21.30.070, Bernard Ross Hansen a/k/a Ross B. Hansen is therefore liable for any violation of the Commodity Transactions Act committed by Northwest Territorial Mint, LLC and its employees, to the same extent as Northwest Territorial Mint, LLC or its employees.

1 5. Respondent, Bernard Ross Hansen a/k/a Ross B. Hansen, violated RCW 21.30.050 by offering or
2 selling said commodities, commodities contract, or commodities option while not registered under the Commodity
3 Futures Trading Commission as a futures commission merchant or as a leverage transaction merchant, and while not
4 registered as a commodities broker-dealer or commodities sales representative with the Department of Financial
5 Institutions under the Commodity Transactions Act.

6 6. The offer and/or sale of said commodities was made in violation of RCW 21.30.060 because
7 Respondent, Bernard Ross Hansen a/k/a Ross B. Hansen, in connection with the offer and sale of a commodity, made
8 untrue statements of material fact and/or omitted to state material facts necessary in order to make the statements made,
9 in light the circumstance under which they were made, not misleading.

10 **FINAL ORDER**

11 Based upon the foregoing:

12 IT IS HEREBY ORDERED that Respondent, Bernard Ross Hansen a/k/a Ross B. Hansen, and his agents and
13 employees each shall each cease and desist from offering or selling commodities as defined in RCW 21.30.010(9) in a
14 manner violating RCW 21.30.050, the registration section of the Commodity Transaction Act of Washington.

15 IT IS HEREBY ORDERED that Respondent, Bernard Ross Hansen a/k/a Ross B. Hansen, and his agents and
16 employees shall each cease and desist from violating RCW 21.30.060, the anti-fraud section of the Commodity
17 Transaction Act of Washington.

18 IT IS HEREBY ORDERED that Respondent, Bernard Ross Hansen a/k/a Ross B. Hansen, shall be liable for
19 and pay a civil penalty of \$10,000 pursuant to RCW 21.30.120.

20 This Order is entered pursuant to RCW 21.30.120 and is subject to the provisions of Chapter 34.05 RCW.

21 **WILLFUL VIOLATION**
22 **OF THIS ORDER IS A CRIMINAL OFFENSE.**

23 //
24 //
25 //

ENTRY OF FINDINGS OF FACT AND
CONCLUSIONS OF LAW AND FINAL
ORDER TO CEASE AND DESIST AND TO IMPOSE
CIVIL PENALTIES AS TO BERNARD ROSS
HANSEN a/k/a ROSS B. HANSEN

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SIGNED and ENTERED this 28th day of September, 2017.



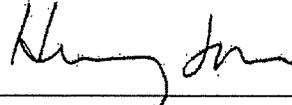
WILLIAM M. BEATTY
Securities Administrator

Approved by:



SUZANNE SARASON
Chief of Enforcement

Presented by:



HUONG LAM
Financial Legal Examiner

Reviewed by:



JACK MCCLELLAN
Financial Legal Examiner Supervisor

ENTRY OF FINDINGS OF FACT AND
CONCLUSIONS OF LAW AND FINAL
ORDER TO CEASE AND DESIST AND TO IMPOSE
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HANSEN a/k/a ROSS B. HANSEN

DEPARTMENT OF FINANCIAL INSTITUTIONS
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360-902-8760

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

v.

NORTHWEST TERRITORIAL MINT,
LLC,

Defendant.

CIVIL ACTION NO. 2:15-cv-01554-RSM

CONSENT DECREE AND ORDER
APPROVING

I. INTRODUCTION

1. This action originated when Patricia Hoffman (“Hoffman”) filed a charge of discrimination with the Equal Employment Opportunity Commission (“EEOC” or “Commission”). Hoffman alleged that Defendant Northwest Territorial Mint, LLC (“Defendant” or “NWTM”) through the actions of its owner and president Ross Hansen, discriminated against her in violation of Title VII of the Civil Rights Act of 1964, as amended, (“Title VII”), 42 U.S.C. § 2000e, *et seq.*, by subjecting her and a class of similarly aggrieved female employees to a

4846-1264-6444.1

CONSENT DECREE - Page 1 of 15 (2:15-cv-01554-RSM)

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
909 First Avenue, Suite 400
Seattle, Washington 98104-1061
Telephone: (206) 220-6883
Facsimile: (206) 220-6911
TDD: (206) 220-6882

1 hostile and abusive work environment based on their sex (Female), resulting in conditions so
2 intolerable that Ms. Hoffman was constructively discharged from her position.

3 2. On July 3, 2015, the EEOC issued a Letter of Determination with a finding of
4 reasonable cause to believe that Defendant violated Title VII regarding Hoffman and a class of
5 similarly aggrieved female employees. Thereafter, EEOC attempted to conciliate the charge and
6 conciliation was unsuccessful.

7 3. The Commission filed its Complaint on September 30, 2015, in the United States
8 District Court for the Western District of Washington. The Complaint alleges that Defendant
9 subjected Hoffman and a class of similarly aggrieved female employees (also referred to as
10 "EEOC Class" and "EEOC Class Member") to a hostile work environment based on their sex,
11 female, and constructively discharged Hoffman. The EEOC's class consisted of two other
12 similarly aggrieved females as of September 30, 2015, which the EEOC expected would increase
13 with additional discovery. The EEOC presently seeks relief for Hoffman and four other
14 similarly aggrieved females.
15

16 4. The parties want to conclude fully and finally all claims arising out of the EEOC's
17 Complaint and Ms. Hoffman's charge of discrimination filed with EEOC. The EEOC and
18 Defendant enter into this Consent Decree to further the objectives of equal employment
19 opportunity as set forth in Title VII.
20

21 5. On April 1, 2016, NWTM filed a voluntary petition under Chapter 11 of the
22 United States Bankruptcy Code in the United States Bankruptcy Court, Western District of
23 Washington (the "Bankruptcy Case") (Case No. 16-11767-CMA). Pursuant to 11 U.S.C. §
24 362(a)(4), this action was not subject to the automatic stay. *See* 11 U.S.C. § 362; *EEOC v.*
25

4846-1264-6444.1

CONSENT DECREE - Page 2 of 15 (2:15-cv-01554-RSM)

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1 *McLean Trucking Co.*, 834 F.2d 398 (4th Cir. 1987). On April 11, 2016, the Court appointed
2 Mark Calvert as the Chapter 11 Trustee pursuant to 11 U.S.C. § 1104.

3
4 6. Upon execution of this Consent Decree, the parties shall file a motion in the
5 Bankruptcy Court pursuant to 11 U.S.C. § 105 and Federal Rule of Bankruptcy Procedure 9019,
6 requesting an order approving the resolution of this lawsuit, including the allowance of the full
7 amount of the monetary relief provided to the EEOC's Class Members be allowed as a general
8 unsecured claim. The Bankruptcy Court's order, if issued, shall not become effective unless this
9 Court grants final approval of the Consent Decree. The EEOC will then file an amended proof
10 of claim against the Bankruptcy Estate after issuance of the Bankruptcy Court's order and this
11 Court's final approval of the Consent Decree.

12
13
14 **II. SETTLEMENT SCOPE**

15 7. This Consent Decree is the final and complete resolution of all allegations of
16 unlawful employment practices contained in Hoffman's discrimination charge, in the EEOC's
17 administrative determination, and in the EEOC's Complaint filed herein under Title VII on
18 behalf of Hoffman and EEOC Class Members Lauren Bailie, Judy Elder, Stephanie Seretis, and
19 Angela Boddy, including all claims by the EEOC and Defendant for attorney fees and costs.

20
21
22 **III. MONETARY RELIEF**

23 8. In settlement of this lawsuit, Hoffman and other EEOC Class Members shall have
24 an allowed general unsecured claim (the "Allowed General Unsecured Claim") in the total
25

4846-1264-6444.1

CONSENT DECREE - Page 3 of 15 (2:15-cv-01554-RSM)

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OPPORTUNITY COMMISSION
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Telephone: (206) 220-6883
Facsimile: (206) 220-6911
TDD: (206) 220-6882

1- amount of \$725,000.00 *in re Northwest Territorial Mint, L.L.C.*, Case No. 16-11767-CMA
2 (Bankr. W.D. Wa.), in specific amounts allocated by the EEOC below.

3
4 a. A claim in the amount of one-thousand-seven-hundred-and-seventy-six dollars
5 (\$1,776) as back pay from June 11, 2014 when she was constructively discharged to July 1, 2014
6 when she found alternative work, payable to Hoffman. Defendant will issue Hoffman an IRS
7 Form W-2 for the back pay described in this subpart (a).

8
9 b. A separate claim in the amount of one-hundred-forty-four-thousand, six-hundred-
10 and-forty-four-dollars-and eighty-cents (\$ 144,644.80) as compensatory damages payable to
11 Hoffman. Defendant will issue Hoffman an IRS Form 1099 for the payment described in this
12 subpart (b).

13 c. A separate claim in the amount of one-hundred-forty-four-thousand, six-hundred-
14 and-forty-four-dollars-and eighty-cents (\$ 144,644.80) as compensatory damages payable to
15 EEOC Class Member Lauren Bailie (“Bailie”). Defendant will issue Bailie an IRS Form 1099
16 for the payment described in this subpart (c).

17
18 d. A separate claim in the amount of one-hundred-forty-four-thousand, six-hundred-
19 and-forty-four-dollars-and eighty-cents (\$ 144,644.80) as compensatory damages payable to
20 EEOC Class Member Judy Elder (“Elder”). Defendant will issue Elder an IRS Form 1099 for
21 the payment described in this subpart (d).

22
23 e. A separate claim in the amount of one-hundred-forty-four-thousand, six-hundred-
24 and-forty-four-dollars-and eighty-cents (\$ 144,644.80) as compensatory damages payable to
25

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CONSENT DECREE - Page 4 of 15 (2:15-cv-01554-RSM)

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1 EEOC Class Member Stephanie Seretis (“Seretis”). Defendant will issue Seretis an IRS Form
2 1099 for the payment described in this subpart (e).

3 f. A separate claim in the amount of one-hundred-forty-four-thousand, six-hundred-
4 and-forty-four-dollars-and eighty-cents (\$ 144,644.80) as compensatory damages payable to
5 EEOC Class Member Angela Boddy (“Boddy”). Defendant will issue Boddy an IRS Form 1099
6 for the payment described in this subpart (f).

7 NWTM shall provide an accounting of deductions, including all taxes required by law,
8 from the foregoing payments to Hoffman and each of the EEOC Class Members listed above.
9 NWTM shall provide copies of the associated accounting to EEOC counsel via certified mail no
10 later than thirty (30) days after the final distribution to creditors made in the case *in re Northwest*
11 *Territorial Mint, L.L.C.*, Case No. 16-11767-CMA (Bankr. W.D. Wa.).

12
13 9. Defendant will not condition the receipt of monetary relief by requiring Hoffman,
14 Bailie or any other EEOC Class Member in this suit to: (a) maintain as confidential the facts
15 and/or allegations underlying her charge and complaint and the terms of this Decree; (b) waive
16 her statutory right to file a future charge with any government agency; (c) agree to a non-
17 disparagement and/or confidentiality agreement; or (d) release any claims beyond the Title VII
18 claims at issue in this action and which this Consent Decree resolves.

19
20
21 IV. INJUNCTIVE AND OTHER RELIEF

22 A. General Provisions

23 10. Defendant, Ross Hansen, its officers, agents, managers, and supervisors and all
24 human resource professionals who provide advice and assistance to the foregoing individuals are
25

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CONSENT DECREE - Page 5 of 15 (2:15-cv-01554-RSM)

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1 enjoined from engaging in practices which constitute harassment based on any employee's sex.

2 In recognition of its obligations under Title VII, Defendant shall institute the policies and
3 practices set forth below at all of its facilities and divisions in the state of Washington and
4 Dayton, Nevada, and any other facility or division that employs fifteen or more individuals in
5 one geographic location on or prior to July 1, 2016 collectively, the "Defendant's Operations")

6 **B. Anti-Discrimination Policies and Procedures**

7 11. Defendant shall carry out anti-discrimination policies, procedures and training for
8 all management personnel, supervisors and employees.

9 12. Within sixty (60) days of the date of entry of this Consent Decree, Defendant will
10 revise and submit the following to the EEOC for review and consideration: (a) a written equal
11 employment opportunity policy which defines harassment consistent with Title VII, prohibits
12 retaliation against any current or former employee for opposing any practice made unlawful by
13 Title VII and defines the responsibilities of managers and supervisors to enforce these policies;
14 (b) a harassment complaint and investigation procedure with a special emphasis on how an
15 employee may file a harassment complaint against the owner and/or President of NWTM, and
16 how such a complaint will be investigated and by whom, and how each investigation will be
17 documented; and (c) a personnel policy that holds managers and supervisors accountable if
18 he/she fails to report, investigate or stop harassment, including but not limited to disciplinary
19 action. The EEOC will notify Defendant of any concerns about the Defendant's policies within
20 thirty (30) days after receiving drafts of the foregoing policies, and agrees to work with
21 Defendant in good faith to resolve any concerns with the foregoing policies.
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1 After incorporating revisions to resolve any concerns raised by the EEOC to the
2 foregoing policies, Defendant will confirm that it has distributed a written copy of its most recent
3 EEO policies to its owner, managers, supervisors and employees no later than one-hundred-
4 twenty (120) days after entry of this Consent Decree.

5 C. Equal Employment Opportunity Training

6 13. Defendant shall provide annual EEO training to the owner, all of its managers,
7 supervisors, Human Resources staff, and all employees during the pendency of this Consent
8 Decree. This anti-discrimination training shall include, at a minimum, a discussion of federal
9 law prohibiting harassment, and a review of Defendant's EEO policies and updates or revisions
10 thereto. The training shall instruct attendees about how to identify harassment, the acceptable
11 avenues of complaint, and the steps Defendant will take to investigate any harassment complaint.
12 The training shall describe appropriate workplace civility standards in order to prevent hostile
13 work environments from arising. The training shall also describe bystander intervention
14 procedures so that all employees will know that they can report suspected hostile work
15 environments even if they are not subjected to them personally and without fear of retaliation for
16 doing so. Training materials and background information about the provider for the first year of
17 this Consent Decree must be submitted to the EEOC no later than sixty (60) days of the date of
18 entry of this Consent Decree to allow the EEOC the opportunity to comment on the training, and
19 for Defendant to revise the training materials accordingly. For each year of the Consent Decree
20 thereafter, Defendant will submit training materials and background information about the
21 provider to the EEOC at least thirty (30) days prior to the training session to allow the EEOC the
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CONSENT DECREE - Page 7 of 15 (2:15-cv-01554-RSM)

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1 opportunity to comment on the training, and for Defendant to revise the training materials
2 accordingly.

3 14. After incorporating revisions to resolve any concerns raised by the EEOC to the
4 foregoing training session, Defendant shall provide the EEO training noted in Paragraph 11 for
5 the first year of this Consent Decree to its owner, managers, supervisors and employees no later
6 than one-hundred-twenty (120) days after entry of this Consent Decree.

7 15. For the duration of this Consent Decree, Defendant shall notify the EEOC in
8 writing of the completion of the training seminars and shall specify the names and job titles of
9 Ross Hansen, managers, supervisors and employees who participated in and completed the
10 training. This information shall be provided as part of the annual report Defendant submits to
11 the EEOC.
12

13
14 D. Non-Disclosure of Information

15 16. Defendant shall not disclose any information or make reference to any charge of
16 discrimination or this lawsuit in responding to requests for information about Hoffman or any of
17 the EEOC's Class Members in this suit.
18

19
20 E. Policies Designed to Promote Accountability

21 17. Defendant agrees that it shall impose discipline, up to and including termination
22 of employment, upon any manager, supervisor or employee who harasses an NWTM employee
23 based on his/her sex, or fails to report, investigate or stop harassment about which he/she
24 becomes aware. Defendant also agrees to report any harassment complaint against Ross Hansen
25

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CONSENT DECREE - Page 8 of 15 (2:15-cv-01554-RSM)

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1 by any NWTM employee to the EEOC within thirty (30) days of receiving the complaint.
2 Defendant shall communicate this zero tolerance and accountability policy to Ross Hansen, all
3 managers, supervisors and employees within ten (10) days of the entry of the Consent Decree.

4 18. Defendant agrees that it shall advise Ross Hansen, all managers and supervisors
5 in writing within ten (10) days of the entry of the Consent Decree of their duty to ensure
6 compliance with anti-discrimination laws and the Company's EEO policy. In conducting
7 performance reviews, the Company shall hold each manager, and supervisor accountable for
8 EEO enforcement and compliance.
9

10
11 F. Reporting

12 19. Defendant shall report to the EEOC for the duration of this Consent Decree. The
13 first report shall be submitted twelve (12) months after the entry of this Consent Decree and
14 annually thereafter until the expiration of this Decree. The reports shall be in writing and
15 submitted on an annual basis during the four-year reporting period. The reporting period will run
16 from the date of the entry of this Consent Decree.
17

18 20. These annual reports shall contain the following information and attachments:

19 a. Certification that Defendant has:

- 20 1. Revised and maintained its written EEO policies and procedures and
21 annually distributed copies of its EEO policy as described in Paragraphs
22 11 and 12;
23 2. Complied with the training provisions enumerated in this Consent Decree
24 in Paragraphs 13-15;
25

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3. Reported any harassment complaint against Ross Hansen by any NWTM employee to the EEOC within thirty (30) days of receiving the complaint as required by Paragraph 17;
4. Continued to enforce policies and procedures to promote EEO accountability by managers and supervisors, as required by Paragraph 17-18; and
5. Complied with all other provisions of this Consent Decree.

b. Copies of the following documents shall be included with each annual report submitted to the Seattle Filed Office of the EEOC:

1. A copy of the Company's EEO policy and procedures developed and implemented in accordance with the provisions of this Consent Decree;
2. A summary of formal or informal discrimination complaints that allege harassment, if any, filed by any employee, and the resolution of each such complaint;
3. A sign-in sheet or list of the names and job titles of Ross Hansen, and each manager, supervisor and employee of the Defendant who completed EEO training and the dates the training was conducted during the previous reporting period.

21. If applicable, Defendant shall submit a statement with its report to the EEOC specifying the areas of noncompliance, the reason for the noncompliance, and the steps that were or shall be taken to bring the Company into compliance.

G. Posting

22. Defendant shall post a Notice to All Employees. This Notice is attached as Exhibit 1 to this Consent Decree. The Notice shall be posted on a centrally located bulletin board at each of Defendant's facilities and divisions in the state of Washington and Dayton, Nevada, and any other facility or division that employs fifteen or more individuals in one geographic location.

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CONSENT DECREE - Page 10 of 15 (2:15-cv-01554-RSM)

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V. SUCCESSOR LIABILITY

1
2 23. In accordance with Federal Rule of Bankruptcy Procedure 2002 Defendant shall
3 provide notice to the EEOC of any motion for an order authorizing the sale of any ownership
4 interest in any component of Defendant's operations to an individual and/or entity (including the
5 name of the individual and/or entity, a contact person, mailing address and telephone number).

6 24. This Consent Decree is binding upon, and shall inure to the benefit of the Parties
7 hereto , including any debtor under a confirmed plan of reorganization in the Reorganization
8 Cases (the "Reorganized Debtor"), and any trustee, examiner or receiver appointed in the
9 Bankruptcy Case.
10

11 25. Defendant further agrees that the terms of this Consent Decree are binding on any
12 individual, entity and/or successor after it acquires any ownership interest in any component of
13 Defendant's Operations after July 1, 2016 to the extent the following conditions are met: (a)
14 Ross Hansen owns, directly or indirectly, any part of the entity and/or successor, is an officer,
15 director, or board member of, or is employed in any capacity by the entity and/or successor that
16 acquires any ownership interest in any component of Defendant's Operations; and (b) if Ross
17 Hansen, in his individual capacity, directly or indirectly purchases the Defendant's Operations
18 (the "Bound Successors"). Defendant agrees that any Asset Purchase Agreement or similar
19 agreement entered into with any Bound Successor involving the purchase of any of the
20 Defendant's Operations contains an assumption of liabilities clause requiring compliance with
21 the terms of the Consent Decree.
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VI. ENFORCEMENT

26. If the EEOC determines that Defendant has not complied with the terms of this Consent Decree, the EEOC shall provide written notification of the alleged breach to Defendant. The EEOC shall not petition the Court for enforcement of this Consent Decree for at least twenty (20) days after providing written notification of the alleged breach. The 20-day period following the written notice shall be used by the EEOC and Defendant for good faith efforts to resolve the dispute.

VII. RETENTION OF JURISDICTION

27. The United States District Court for the Western District of Washington at Seattle shall retain jurisdiction over this matter for the duration of this Consent Decree.

VIII. DURATION AND TERMINATION

28. This Consent Decree shall be in effect for: (a) six (6) years from the date of the entry of the Decree if (i) Ross Hansen owns, directly or indirectly any part of the Reorganized Debtor, (ii) Ross Hansen owns, directly or indirectly, any part of an entity and/or successor that acquires any ownership interest in any component of Defendant's operations, or (iii) Ross Hansen is an officer, director, or board member of, or employed in any capacity by, the entity and/or successor that acquires any ownership interest in any component of Defendant's Operations; or (b) four (4) years from the date of entry of the Decree. If the EEOC petitions the Court for breach of this Consent Decree, and the Court finds Defendant to be in violation of the terms of the Consent Decree, the Court may extend the duration of this Consent Decree.

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CONSENT DECREE - Page 12 of 15 (2:15-cv-01554-RSM)

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Respectfully submitted this ____ day of _____, 2016.

BY: _____

ROBERTA L. STEELE
Regional Attorney

JOHN F. STANLEY
Supervisory Trial Attorney

MAY R. CHE
Senior Trial Attorney

DAMIEN A. LEE
Senior Trial Attorney

Attorneys for Plaintiff Equal Employment Opportunity Commission

BY: _____
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Attorneys for Defendant Northwest Territorial Mint, LL

BY: _____

Mark Calvert

4846-1264-6444.1

CONSENT DECREE - Page 13 of 15 (2:15-cv-01554-RSM)

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Chapter 11 Bankruptcy Trustee for
Northwest Territorial Mint, LLC

BY: _____

Michael J. Gearin
David C. Neu
Brian T. Petersen
K&L Gates, LLP
925 Fourth Avenue, Suite 2900
Seattle, WA 98104-1158

Attorneys for Chapter 11 Bankruptcy Trustee for Northwest Territorial Mint, LLC

4846-1264-6444.1

CONSENT DECREE - Page 14 of 15 (2:15-cv-01554-RSM)

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ORDER APPROVING CONSENT DECREE

The Court, having considered the foregoing stipulated agreement of the parties,
HEREBY ORDERS THAT the Consent Decree be, and the same hereby is, approved as the final
decree of this Court in full settlement of this action. This lawsuit is hereby dismissed with
prejudice and without costs or attorneys' fees. The Court retains jurisdiction of this matter for
purposes of enforcing the Consent Decree approved herein.

DATED this 31 day of January 2017.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

4846-1264-6444.1

CONSENT DECREE - Page 15 of 15 (2:15-cv-01554-RSM)

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TDD: (206) 220-6882

From: Gearin, Mike
Sent: Wednesday, March 14, 2018 1:01 PM
To: Kristofer Larson
Cc: Calvert, Mark (EXTERNAL)
Subject: Re: NW mint auction [KLG-USW_Active01.FID52176]

Kristofer: will we have a response from Mr. May? We will need to make a decision today regarding the auction.

----- Original Message -----

From: Kristofer Larson <klarson@larsonlawfirmllc.com>
Date: Tue, March 13, 2018 12:59 PM -0700
To: "Gearin, Mike" <Mike.Gearin@klgates.com>
CC: "Calvert, Mark (EXTERNAL)" <mark@cascadecapitalgroup.com>
Subject: Re: NW mint auction [KLG-USW_Active01.FID52176]

Thank you.

Sent from my iPhone

> On Mar 12, 2018, at 6:29 PM, Gearin, Mike <Mike.Gearin@klgates.com> wrote:

>

> Kristofer:

>

> What you heard in court Friday was a continuation of the dialogue we opened with you last Wednesday, where the Trustee expressed his concerns regarding Mr. May's ability to protect customer interests in light of the fact that Mr. May does not have experience in the minting business and does not appear to have the ability to open a minting operation to service customers in the near term. The Trustee has other concerns as well, many of which were discussed at the hearing.

>

> Medalcraft Mint is an operating privately owned mint based in Green Bay Wisconsin. It has operated since 1948. It manufactures die struck medals, medallions and other products for customers and has existing relationships with some customers of the Northwest Territorial Mint and its Medallic division. Medalcraft Mint has committed that it will work with the Medallic customer base and address their concerns regarding the servicing of orders and preservation of the artwork and dies created for their products. In light of the fact that approximately 75% of Medallic's business is based on orders fulfilled during the February to May timeframe, customers of Medallic and NWTM have urgent needs for fulfillment of orders. Medalcraft has existing production facilities, an employee base, management, and raw materials in place that allow it to readily fulfill these customer needs. Mr. May does not have experience in the minting business and does not appear to have the resources in place to quickly start such a business to timely service Medallic customers.

>

> The Trustee expressed his concerns regarding the preservation of the customer dies and records. Medalcraft is capable of timely removing the purchased assets from the Dayton facility, and preserving and maintaining them for the benefit of the purchaser and the customer. Medalcraft is also capable of and has committed to protect the intellectual property rights of the customers of Medallic. Many customers who expressed acceptance of the proposal to sell company owned dies did so because they accepted that Medalcraft had the ability to preserve and protect the dies.

>

> The Trustee also has also expressed his concerns regarding the potential impact on two other pending sales that he has

negotiated. In one of those sales, Medalcraft has agreed to purchase the dies of the NWTM side of the business. If the present Medalcraft sale is not approved, we do not expect Medalcraft to proceed with the NWTM die purchase. The other sale, of the older Medallic dies and archives, contemplates that Medalcraft will remove, preserve and store the dies until the purchaser can take them into its possession. Medalcraft has committed to cooperate with the other purchaser regarding the segregation of the older dies and archives from the assets which are the subject of the Medalcraft sale and to coordinate the preservation and retention of records which are relevant to both packages of assets.

>
> We expressed our concerns regarding circumstances in which Mr. Hansen would have a role in the business. Mr. Hansen's involvement in the business is a critical impediment to any consideration that a buyer could satisfactorily treat its customers and creditors in the future and the Trustee will not be party to allowing customers and creditors to be mistreated again as they have been in prior business enterprises run by Mr. Hansen. You should be aware that the bankruptcy estate is party to a Consent Decree with the Equal Opportunity Commission ("EEOC") which was approved by the Federal District Court. The Consent Decree derived from a complaint filed by the EEOC stemming from Mr. Hansen's pre bankruptcy conduct relating to his management of NWTM. The Consent Decree grants an allowed unsecured claim to certain employee class members in the amount of \$750,000 and calls for ongoing injunctive and other relief. Under the Consent Decree, if Mr. Hansen is employed in any capacity by an entity that acquires any component of the Debtor's operations, the purchaser will be bound by the Consent Decree as a successor to NWTM. A copy of the Consent Decree is attached. Mr. Hansen is also the respondent with respect to Findings of Fact and Conclusions of Law and Final Order to Cease and Desist and to Impose Civil Penalties as to Bernard Ross Hansen a/k/a Ross B. Hansen (the "DFI Cease and Desist") under which Hansen is required to cease and desist from offering or selling commodities. A copy of the DFI Cease and Desist is attached.

>
> The overall identity and makeup of the management team of the buyer is also important to the Trustee. The Trustee will want to know who will be involved in the business of the buyer and what level of experience that management team has in the minting industry.

>
> We regret that we did not address these issues more clearly in advance of the auction and I can understand your client's frustration with a lack of understanding of nonmonetary issues that bear on the decision as to who is the successful bidder under the circumstance of this bankruptcy auction. We understand Mr. May's reluctance to engage in any further bidding until these issues are clarified. To that end, we wish to identify the issues that must be addressed before the Trustee entertains additional bids.

>
> We request that Mr. May provide a detailed explanation as to how he will satisfy the following concerns:

- >
> a. How will Mr. May ensure timely fulfillment of customer orders?
>
> b. How, when and to where will Mr. May remove, ship, store and preserve dies, archives and business records? What resources does Mr. May have to staff this removal and preservation effort?
>
> c. How will Mr. May protect the intellectual property rights of customers? In particular, will Mr. May commit that he will not use any customer die absent the express consent of the customer for which the die was fashioned?
>
> d. Will Mr. May cooperate with prospective purchasers of other assets regarding the segregation of assets and coordination of access to records? What is Mr. May prepared to do to accommodate for the potential loss of the Medalcraft offer to purchase the NWTM dies?
>
> e. Does Mr. May intend that Ross Hansen will have an ongoing role in business?
>
> f. What management team will be involved in the operations of the buyer post sale? We would want a list of names, roles and responsibilities of the management team as well as a disclosure of experience in the custom minting business for the anticipated management team?
>
> g. What efforts has Mr. May made to procure a location from which he will operate a minting business?

>
> After we have received this information, we may have follow up questions. We request that Mr. May provide his response by Wednesday morning, March 14, 2018 after which the Trustee will discuss whether further bidding is beneficial.

>
> Regards

>
>
> Michael J. Gearin

> K&L Gates LLP
> 925 Fourth Avenue, Suite 2900
> Seattle, WA 98104
> (206) 370-6666 Direct
> (206) 940-2500 Mobile
> Fax (206) 370-6067 Direct
> michael.gearin@klgates.com
> <http://www.klgates.com>

> -----Original Message-----

> From: Kristofer Larson [<mailto:klarson@larsonlawfirmllc.com>]
> Sent: Friday, March 09, 2018 4:21 PM
> To: Gearin, Mike; Calvert, Mark (EXTERNAL)
> Subject: NW mint auction

> Gentlemen-

> In order to evaluate the best way to move forward on this, please provide each and every thing that Minecraft has committed to do, and what proof that they submitted in support of their bids to support their assertions/the Trustee's requirements.

> If there are things that I believe, as an officer of the court, that Mr. May, or one of his related companies, cannot do, I will advise at my earliest opportunity.

> That being said, we no longer trust this process to be fair and don't want to bid in a vacuum without specific knowledge of what you require for a "highest and best" bid.

> If Minecraft has committed itself, in a binding agreement, to provide specific services to customers, or anyone else, at your request, or otherwise, then please afford us the same courtesy and specify your requirements for a successful bidder so we can have a fair and equal opportunity to be the highest and best bidder.

> Once you provide this information we will make a counter bid to the current bid of \$910,000. I assume that is still the bid but please confirm.

> I trust that from now on everything will be handled, per the Judge's directive, with fairness, equality and transparency.

> Thank you.

> Kristofer

> Sent from my iPhone

> This electronic message contains information from the law firm of K&L Gates LLP. The contents may be privileged and confidential and are intended for the use of the intended addressee(s) only. If you are not an intended addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please contact me at Mike.Gearin@klgates.com<<mailto:Mike.Gearin@klgates.com>>.-5

> <DFI Entry of Findings of Fact and Conclusions.pdf>

> <EEOC vs. NWTM USDC Case 15-01554 Consent Decree and Order Approving.pdf>

From: Gearin, Mike
Sent: Wednesday, March 14, 2018 3:22 PM
To: 'Kristofer Larson'
Cc: Calvert, Mark (EXTERNAL)
Subject: RE: NW mint auction [KLG-USW_Active01.FID52176]

Kristofer: I did receive this. As we indicated in my email to you of Monday, the Trustee does not intend to entertain any additional bids until the issues raised in our Monday email are adequately addressed. We do need a response on these important considerations today.

Michael J. Gearin
K&L Gates LLP
925 Fourth Avenue, Suite 2900
Seattle, WA 98104
(206) 370-6666 Direct
(206) 940-2500 Mobile
Fax (206) 370-6067 Direct
michael.gearin@klgates.com
<http://www.klgates.com>

From: Kristofer Larson [<mailto:klarson@larsonlawfirmllc.com>]
Sent: Wednesday, March 14, 2018 2:47 PM
To: Gearin, Mike
Cc: Calvert, Mark (EXTERNAL)
Subject: Re: NW mint auction [KLG-USW_Active01.FID52176]

Afternoon.

I'm just confirming you received the below.

Thank you.

Kristofer

Sent from my iPhone

On Mar 14, 2018, at 1:23 PM, Kristofer Larson <klarson@larsonlawfirmllc.com> wrote:

Thanks Mike.

Mr. May and I working on providing documentary evidence of what he is capable of doing and the expertise his team has.

With that in mind, and with the understanding that the last bid is \$910,000 from Mr. Moran, we will rise our bid to \$950,000.

If I have the last bid incorrect please advise ASAP.

Thanks.

Kristofer

Sent from my iPhone

On Mar 14, 2018, at 1:01 PM, Gearin, Mike <Mike.Gearin@klgates.com> wrote:

Kristofer: will we have a response from Mr. May? We will need to make a decision today regarding the auction.

----- Original Message -----

From: Kristofer Larson <klarson@larsonlawfirmllc.com>

Date: Tue, March 13, 2018 12:59 PM -0700

To: "Gearin, Mike" <Mike.Gearin@klgates.com>

CC: "Calvert, Mark (EXTERNAL)" <mark@casadecapitalgroup.com>

Subject: Re: NW mint auction [KLG-USW_Active01.FID52176]

Thank you.

Sent from my iPhone

> On Mar 12, 2018, at 6:29 PM, Gearin, Mike <Mike.Gearin@klgates.com> wrote:

>

> Kristofer:

>

> What you heard in court Friday was a continuation of the dialogue we opened with you last Wednesday, where the Trustee expressed his concerns regarding Mr. May's ability to protect customer interests in light of the fact that Mr. May does not have experience in the minting business and does not appear to have the ability to open a minting operation to service customers in the near term. The Trustee has other concerns as well, many of which were discussed at the hearing.

>

> Medalcraft Mint is an operating privately owned mint based in Green Bay Wisconsin. It has operated since 1948. It manufactures die struck medals, medallions and other products for customers and has existing relationships with some customers of the Northwest Territorial Mint and its Medallic division. Medalcraft Mint has committed that it will work with the Medallic customer base and address their concerns regarding the servicing of orders and preservation of the artwork and dies created for their products. In light of the fact that approximately 75% of Medallic's business is based on orders fulfilled during the February to May timeframe, customers of Medallic and NWTM have urgent needs for fulfillment of orders. Medalcraft has existing production facilities, an employee base, management, and raw materials in place that allow it to readily fulfill these customer needs. Mr. May does not have experience in the minting business and does not appear to have the resources in place to quickly start such a business to timely service Medallic customers.

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> The Trustee expressed his concerns regarding the preservation of the customer dies and

records. Medalcraft is capable of timely removing the purchased assets from the Dayton facility, and preserving and maintaining them for the benefit of the purchaser and the customer. Medalcraft is also capable of and has committed to protect the intellectual property rights of the customers of Medallic. Many customers who expressed acceptance of the proposal to sell company owned dies did so because they accepted that Medalcraft had the ability to preserve and protect the dies.

>

> The Trustee also has also expressed his concerns regarding the potential impact on two other pending sales that he has negotiated. In one of those sales, Medalcraft has agreed to purchase the dies of the NWTM side of the business. If the present Medalcraft sale is not approved, we do not expect Medalcraft to proceed with the NWTM die purchase. The other sale, of the older Medallic dies and archives, contemplates that Medalcraft will remove, preserve and store the dies until the purchaser can take them into its possession. Medalcraft has committed to cooperate with the other purchaser regarding the segregation of the older dies and archives from the assets which are the subject of the Medalcraft sale and to coordinate the preservation and retention of records which are relevant to both packages of assets.

>

> We expressed our concerns regarding circumstances in which Mr. Hansen would have a role in the business. Mr. Hansen's involvement in the business is a critical impediment to any consideration that a buyer could satisfactorily treat its customers and creditors in the future and the Trustee will not be party to allowing customers and creditors to be mistreated again as they have been in prior business enterprises run by Mr. Hansen. You should be aware that the bankruptcy estate is party to a Consent Decree with the Equal Opportunity Commission ("EEOC") which was approved by the Federal District Court. The Consent Decree derived from a complaint filed by the EEOC stemming from Mr. Hansen's pre bankruptcy conduct relating to his management of NWTM. The Consent Decree grants an allowed unsecured claim to certain employee class members in the amount of \$750,000 and calls for ongoing injunctive and other relief. Under the Consent Decree, if Mr. Hansen is employed in any capacity by an entity that acquires any component of the Debtor's operations, the purchaser will be bound by the Consent Decree as a successor to NWTM. A copy of the Consent Decree is attached. Mr. Hansen is also the respondent with respect to Findings of Fact and Conclusions of Law and Final Order to Cease and Desist and to Impose Civil Penalties as to Bernard Ross Hansen a/k/a Ross B. Hansen (the "DFI Cease and Desist") under which Hansen is required to cease and desist from offering or selling commodities. A copy of the DFI Cease and Desist is attached.

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> The overall identity and makeup of the management team of the buyer is also important to the Trustee. The Trustee will want to know who will be involved in the business of the buyer and what level of experience that management team has in the minting industry.

>

> We regret that we did not address these issues more clearly in advance of the auction and I can understand your client's frustration with a lack of understanding of nonmonetary issues that bear on the decision as to who is the successful bidder under the circumstance of this bankruptcy auction. We understand Mr. May's reluctance to engage in any further bidding until these issues are clarified. To that end, we wish to identify the issues that must be addressed before the Trustee entertains additional bids.

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> We request that Mr. May provide a detailed explanation as to how he will satisfy the following concerns:

>

> a. How will Mr. May ensure timely fulfillment of customer orders?

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> b. How, when and to where will Mr. May remove, ship, store and preserve dies, archives and business records? What resources does Mr. May have to staff this removal and preservation effort?

>

> c. How will Mr. May protect the intellectual property rights of customers? In particular, will Mr. May commit that he will not use any customer die absent the express consent of the customer for which the die was fashioned?

>

> d. Will Mr. May cooperate with prospective purchasers of other assets regarding the segregation of assets and coordination of access to records? What is Mr. May prepared to do to

accommodate for the potential loss of the Medalcraft offer to purchase the NWTM dies?

>

> e. Does Mr. May intend that Ross Hansen will have an ongoing role in business?

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> f. What management team will be involved in the operations of the buyer post sale? We would want a list of names, roles and responsibilities of the management team as well as a disclosure of experience in the custom minting business for the anticipated management team?

>

> g. What efforts has Mr. May made to procure a location from which he will operate a minting business?

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> After we have received this information, we may have follow up questions. We request that Mr. May provide his response by Wednesday morning, March 14, 2018 after which the Trustee will discuss whether further bidding is beneficial.

>

> Regards

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>

> Michael J. Gearin

> K&L Gates LLP

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> I trust that from now on everything will be handled, per the Judge's directive, with fairness, equality and transparency.

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> Thank you.

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> Kristofer

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> Sent from my iPhone

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> This electronic message contains information from the law firm of K&L Gates LLP. The contents may be privileged and confidential and are intended for the use of the intended addressee(s) only. If you are not an intended addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please contact me at Mike.Gearin@klgates.com<<mailto:Mike.Gearin@klgates.com>>.-5

> <DFI Entry of Findings of Fact and Conclusions.pdf>

> <EEOC vs. NWTM USDC Case 15-01554 Consent Decree and Order Approving.pdf>

This electronic message contains information from the law firm of K&L Gates LLP. The contents may be privileged and confidential and are intended for the use of the intended addressee(s) only. If you are not an intended addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please contact me at Mike.Gearin@klgates.com.

From: Kristofer Larson [mailto:klarson@larsonlawfirmllc.com]
Sent: Wednesday, March 14, 2018 4:50 PM
To: Gearin, Mike
Cc: Calvert, Mark (EXTERNAL)
Subject: NW Mint - Rodger May's responses to the Trustee's Attorney's Questions

Mr. Gearin:

Please allow the following in response to the questions raised. I was unaware that you had set a time limit of Wednesday when you emailed me Monday afternoon. I apologize if any of this is unclear or there are typos. I reserve the right to update as necessary.

Background

Mr. May currently has net assets over \$260 Million. He is a shareholder in numerous companies and has sat on the Board of companies spanning many industries, from fishing to finance many thing in between.

He currently owns the rights to offshore gold mining leases in Nome, Alaska. The leases he holds mining rights in cover 16,0000 acres.

Mr. May owns successful businesses that operate in a number of industries, all of which depend on customers. He understands the importance of customer relationships very well. After looking at the NWTM and Medallic websites, it appears that orders are not being accepted through either website at the present time, so it is unclear whether you are asking about current orders or orders that customers may seek to place in the future. I understand that orders for the current graduation season would have been placed months ago, and it is unlikely that additional orders will be placed for this season. If the Trustee's concern is that some customers may want to place orders prior to the Medallic business being reopened, Mr. May will make the dies available to the customer with recommendations for other manufacturers that can meet their immediate needs.

Regarding customer intellectual property, Mr. May is not purchasing these assets with a view to disposing of them. He expects to be bound by the same contractual terms that you have negotiated with Metalcraft, and the same terms that Judge Alston has indicated will be contained in the sale order.

In my email last Friday, I invited you to share information necessary to evaluate the other potential sales and the other issues raised by the Trustee. If you provide us with the details of the proposed transactions, including price, assets purchased, and other terms of sale, Mr. May will consider purchasing the assets on the same or better terms. While Mr. May was not in a position to evaluate the purchase of all assets and the building in Nevada lease in a 24 hour period, he will consider purchases of the remaining assets. If you provide me the details of those transactions as negotiated with the other parties, Mr. May will respond.

Mr. Hansen

Mr. Hansen was the individual who brought this auction to Mr. May's attention.

Mr. Hansen is not a business partner of Mr. May's.

Mr. Hansen is not a fellow shareholder in any businesses with Mr. May.

Mr. Hansen is not an employee of Mr. May's.

Mr. Hansen is only involved at this state of the proceedings because the Trustee refused to return communications from Fred Holabird in 2017. Mr. Holabird is a shareholder, as well as manager, of Gold Leaf Placer, LLC – Mr. May's Gold placer mining company that owns the leases in Nome, Alaska.

If the Trustee is looking for an expert in this area and one who has handled large-scale operations, Mr. Holabird would be perfect. Mr. Holabird, besides testifying in Federal Court as an expert witness, has successfully ran large scale terra firma gold mine operations as well as large-scale business dealing with collectible Americana, culminating with the marketing of the Atocha treasure at Caesar's Palace Hotel and Casino. His most recent projects include the Treasure of the SS Central America, a ship that sunk in 1857 with tons of gold on board. The ship has been recovered and was the subject of a Discovery Channel documentary.

Mr. Holabird also resides in Reno, Nevada.

Mr. Hansen wouldn't be brought up in any capacity whatsoever if the Trustee had returned Mr. Holabird's attempts at communication in 2017.

Responses to Questions

Mr. May has the following responses to your specific questions. We do trust that the judge's requirement that this auction appear "fair and proper" and actually be "fair and proper" is being fulfilled in that you are asking the same questions to Medalcraft within the same timeframe.

"We request that Mr. May provide a detailed explanation as to how he will satisfy the following concerns:

- a. How will Mr. May ensure timely fulfillment of customer orders?

Answer: Mr. Holabird, Mr. May's preferred manager of this project, has numerous contacts throughout the industry and would be able to coordinate the custom fulfillment of customer's order or make the customers' dies available to them, with the customer choosing which option to take. Mr. May is well aware of the importance of satisfied customers. He has been satisfying customers for over 35 years.

- b. How, when and to where will Mr. May remove, ship, store and preserve dies, archives and business records? What resources does Mr. May have to staff this removal and preservation effort?

Answer: Mr. May expects to remove the Medallic Assets shortly after closing and certainly before the facility is returned to the landlord. He expects to move them to a location in Nevada, although his current plans may change if he buys other assets from the estate or from third parties. He clearly has the resources to engage appropriate equipment moving services and to

preserve the dies in a professional and appropriate manner. As noted, above, Fred Holabird resides in Reno, Nevada.

- c. How will Mr. May protect the intellectual property rights of customers? In particular, will Mr. May commit that he will not use any customer die absent the express consent of the customer for which the die was fashioned?

Mr. May understands that the Medallic dies generally contain artwork designed for specific customers, and that in most cases the artwork is property of the customers. He also understands that the Bankruptcy Court intends to prohibit the buyer from using dies without the IP owners' consent. Mr. May will comply with those requirements. Mr. May understands that as a practical matter that the dies are only useful if a customer with rights to the artwork order product using them.

- d. Will Mr. May cooperate with prospective purchasers of other assets regarding the segregation of assets and coordination of access to records? What is Mr. May prepared to do to accommodate for the potential loss of the Medalcraft offer to purchase the NWTM dies?

Answer: As for the first part of the question, I am not sure what you are asking. As for the NWTM dies, Mr. May is willing to consider purchasing all of NWTM's assets, including the dies, and the remaining Medallic dies and assets. Please provide us with a list of the assets remaining, and the offers that you have received for each group of assets. Mr. May will respond quickly.

- e. Does Mr. May intend that Ross Hansen will have an ongoing role in business?

Answer: Mr. Hansen's role in the company going forward has not been determined, but it would never be more than that of a consultant. As noted above, this wouldn't be an issue if the Trustee would have communicated with Mr. Holabird in 2017.

- f. What management team will be involved in the operations of the buyer post sale? We would want a list of names, roles and responsibilities of the management team as well as a disclosure of experience in the custom minting business for the anticipated management team?

Answer: Mr. May does not believe it is appropriate for the Trustee to require him to identify who his employees will be. Mr. May has run a number of successful businesses, and will make appropriate staffing decisions to protect his interests, which may include employees from other businesses he owns, former NWTM employees, and third parties. Mr. Fred Holabird's credentials will be provided upon request, but I can assure you, they are impeccable. Please confirm in writing that you are requiring the same information from Medalcraft.

- g. What efforts has Mr. May made to procure a location from which he will operate a minting business?

Answer: A location for the Medallic assets has been identified in Nevada. If Mr. May purchases additional assets, the business may require a larger location in Nevada or Washington. As noted, Fred Holabird resides in Reno, Nevada and is an expert in this area."

Since the Court re-opened the Auction pursuant to his ruling last Friday, as noted earlier, Mr. May raises his bid to \$950,000. Please confirm that you haven't gone back to Medalcraft again without getting a response from Mr. May.

I look forward to working with you to conclude a purchase by Mr. May of the Metalcraft and other assets.

Sincerely,

Kristofer A. Larson
Larson Law Firm, LLC
701 5th Ave., Suite 4200
Seattle, WA 98104
206.713.2084
www.larsonlawfirmllc.com

From: Gearin, Mike
Sent: Wednesday, March 14, 2018 9:23 PM
To: 'Kristofer Larson'
Cc: Calvert, Mark (EXTERNAL)
Subject: RE: NW Mint - Rodger May's responses to the Trustee's Attorney's Questions [KLG-USW_Active01.FID52176]

Kristofer:

Thank you for this response. Unfortunately, the response does not adequately address the issues that the Trustee raised in our email to you of Monday afternoon. If anything, it heightens the Trustee's concerns that the interests of customers and creditors can be served through a sale of the assets to Mr. May.

While we appreciate that Mr. May has financial resources, you provide no basis for concluding that he has any expertise in the custom minting business or any present capabilities in that industry. The response does not provide a concrete solution for supporting the immediate needs of customers. The fact that there are no present orders being fulfilled by the estate is the cause of the need for a solution to customer needs, not an indicator that there are no such needs. The suggestion that Mr. May would make dies available and recommend other manufacturers to fulfill customer needs is vague and inadequate.

The response likewise provides no meaningful response to the Trustee's concerns regarding the intended post closing management of the buyer or its facilities. While Mr. Holabird may have expertise in the mining industry, he does not appear to have any expertise in the minting industry. I do not at all understand the references to Mr. Holabird's attempts to reach the Trustee sometime in 2017 and why that would be relevant. The Trustee has no recollection of Mr. Holabird or any communication with him in which he expressed interest in purchasing the estate's assets. The Trustee has responded to an enormous number of parties who have expressed interest in purchasing assets. But whether Mr. Holabird sought to contact the Trustee in 2017 or not, there is no existing management in place with Mr. May that would provide the level of expertise necessary to address the customer concerns and concerns regarding the preservation of the company's dies.

Your response appears to confirm that Mr. May intends to retain Mr. Hansen in some role going forward with the business. I do not see any acknowledgement in the response to the fact that, if Mr. Hansen is involved, Mr. May would be a successor in interest to the estate with respect to the EEOC Consent Decree. Is Mr. May aware that Mr. Hansen has contacted former employees of the debtor telling them that he's "back in business" and representing that he will be "running the mint within the week"?

Your response does not reflect that Mr. May has any concrete location in place for the delivery of the assets and is indefinite as to when Mr. May will remove the assets after closing. The Trustee does not know when he will surrender possession of the Dayton leased premises at this point. Depending on Industrial Assets' disposition of the assets they purchased, the lease could be surrendered soon and the Trustee needs certainty that a buyer will be capable of immediately removing the purchased assets from the facility.

We understand that Mr. May might be interested in bidding on other assets of the estate. The question we were asking was whether if he were the buyer of the Medalcraft Sale assets and he was not the successful bidder for other assets if Mr. May would cooperate with other purchasers to segregate the assets in a way that preserved value for the estate. We do not see that the response addresses that question.

Absent additional information responsive to the Trustee's articulated concerns, the Trustee sees no reason to entertain additional bids from either party. If you have additional information to provide, please do so no later than noon tomorrow.

Sincerely,

Mike Gearin

From: Kristofer Larson [mailto:klarson@larsonlawfirmllc.com]
Sent: Wednesday, March 14, 2018 4:51 PM
To: Gearin, Mike; Calvert, Mark (EXTERNAL)
Cc: 'Kristofer Larson'
Subject: FW: NW Mint - Rodger May's responses to the Trustee's Attorney's Questions
Importance: High

Please confirm receipt.

From: Kristofer Larson <klarson@larsonlawfirmllc.com>
Sent: Wednesday, March 14, 2018 4:50 PM
To: 'Gearin, Mike' <Mike.Gearin@klgates.com>
Cc: 'Calvert, Mark (EXTERNAL)' <mark@casadecapitalgroup.com>
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From: Kristofer Larson [mailto:klarson@larsonlawfirmllc.com]
Sent: Thursday, March 15, 2018 11:21 AM
To: Gearin, Mike
Cc: Calvert, Mark (EXTERNAL)
Subject: RE: NW Mint - Rodger May's responses to the Trustee's Attorney's Questions [KLG-USW_Active01.FID52176]

Mike-

Your presumption that Mr. Holabird has no expertise in the minting industry is incorrect. In fact, he is the president of TAMS (Token and Medal Society). Here is a link to their site: <http://www.tokenandmedal.org>

As I am sure you and Mr. Calvert are aware, TAMS is the oldest and largest token and medal collector group in the world.

Mr. Holabird has also written 8 articles on Numismatics. In fact, in 2004 he received the Raymond Award from the American Numismatic Association in 2004 for the most outstanding paper in the field of numismatic science.

Mr. Holabird knows Rob Vugteveen, former employee of NWTM. In fact, a few years prior to NWTM filing bankruptcy, Mr. Vugteveen recommended bringing Mr. Holabird in as COO of NWTM. His recommendation was not followed.

Shortly after NWTM filed Bankruptcy, Mr. Vugteveen, contacted Mr. Holabird again because of Mr. Holabird's expertise in the minting industry. Mr. Holabird then contacted the Trustee. The Trustee didn't respond to him.

In addition, since you appear to not be complying with the Court's Order and allowing a re-opened auction that is fair and proper, I will inform the Court of the herculean efforts we have undertaken to answer your questions and apparently "re-qualify" Mr. May as a bidder even though there is no court requirement to do so.

Lastly, I will also inform the court that Mr. May is willing to raise his bid \$1,250,000.

Thank you.

Kristofer

From: Gearin, Mike <Mike.Gearin@klgates.com>
Sent: Wednesday, March 14, 2018 9:23 PM
To: Kristofer Larson <klarson@larsonlawfirmllc.com>
Cc: Calvert, Mark (EXTERNAL) <mark@casadecapitalgroup.com>
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Your response appears to confirm that Mr. May intends to retain Mr. Hansen in some role going forward with the business. I do not see any acknowledgement in the response to the fact that, if Mr. Hansen is involved, Mr. May would be a successor in interest to the estate with respect to the EEOC Consent Decree. Is Mr. May aware that Mr. Hansen has contacted former employees of the debtor telling them that he's "back in business" and representing that he will be "running the mint within the week"?

Your response does not reflect that Mr. May has any concrete location in place for the delivery of the assets and is indefinite as to when Mr. May will remove the assets after closing. The Trustee does not know when he will surrender possession of the Dayton leased premises at this point. Depending on Industrial Assets' disposition of the assets they purchased, the lease could be surrendered soon and the Trustee needs certainty that a buyer will be capable of immediately removing the purchased assets from the facility.

We understand that Mr. May might be interested in bidding on other assets of the estate. The question we were asking was whether if he were the buyer of the Medalcraft Sale assets and he was not the successful bidder for other assets if Mr. May would cooperate with other purchasers to segregate the assets in a way that preserved value for the estate. We do not see that the response addresses that question.

Absent additional information responsive to the Trustee's articulated concerns, the Trustee sees no reason to entertain additional bids from either party. If you have additional information to provide, please do so no later than noon tomorrow.

Sincerely,

Mike Gearin

From: Kristofer Larson [<mailto:klarson@larsonlawfirmllc.com>]
Sent: Wednesday, March 14, 2018 4:51 PM
To: Gearin, Mike; Calvert, Mark (EXTERNAL)

Cc: 'Kristofer Larson'
Subject: FW: NW Mint - Rodger May's responses to the Trustee's Attorney's Questions
Importance: High

Please confirm receipt.

From: Kristofer Larson <klarson@larsonlawfirmllc.com>
Sent: Wednesday, March 14, 2018 4:50 PM
To: 'Gearin, Mike' <Mike.Gearin@klgates.com>
Cc: 'Calvert, Mark (EXTERNAL)' <mark@cascadecapitalgroup.com>
Subject: NW Mint - Rodger May's responses to the Trustee's Attorney's Questions

Mr. Gearin:

Please allow the following in response to the questions raised. I was unaware that you had set a time limit of Wednesday when you emailed me Monday afternoon. I apologize if any of this is unclear or there are typos. I reserve the right to update as necessary.

Background

Mr. May currently has net assets over \$260 Million. He is a shareholder in numerous companies and has sat on the Board of companies spanning many industries, from fishing to finance many thing in between.

He currently owns the rights to offshore gold mining leases in Nome, Alaska. The leases he holds mining rights in cover 16,0000 acres.

Mr. May owns successful businesses that operate in a number of industries, all of which depend on customers. He understands the importance of customer relationships very well. After looking at the NWTM and Medallic websites, it appears that orders are not being accepted through either website at the present time, so it is unclear whether you are asking about current orders or orders that customers may seek to place in the future. I understand that orders for the current graduation season would have been placed months ago, and it is unlikely that additional orders will be placed for this season. If the Trustee's concern is that some customers may want to place orders prior to the Medallic business being reopened, Mr. May will make the dies available to the customer with recommendations for other manufacturers that can meet their immediate needs.

Regarding customer intellectual property, Mr. May is not purchasing these assets with a view to disposing of them. He expects to be bound by the same contractual terms that you have negotiated with Metalcraft, and the same terms that Judge Alston has indicated will be contained in the sale order.

In my email last Friday, I invited you to share information necessary to evaluate the other potential sales and the other issues raised by the Trustee. If you provide us with the details of the proposed transactions, including price, assets purchased, and other terms of sale, Mr. May will consider purchasing the assets on the same or better terms. While Mr. May was not in a position to evaluate the purchase of all assets and the building in Nevada lease in a 24 hour period, he will consider purchases of the remaining assets. If you provide me the details of those transactions as negotiated with the other parties, Mr. May will respond.

Mr. Hansen

Mr. Hansen was the individual who brought this auction to Mr. May's attention.

Mr. Hansen is not a business partner of Mr. May's.

Mr. Hansen is not a fellow shareholder in any businesses with Mr. May.

Mr. Hansen is not an employee of Mr. May's.

Mr. Hansen is only involved at this state of the proceedings because the Trustee refused to return communications from Fred Holabird in 2017. Mr. Holabird is a shareholder, as well as manager, of Gold Leaf Placer, LLC – Mr. May's Gold placer mining company that owns the leases in Nome, Alaska.

If the Trustee is looking for an expert in this area and one who has handled large-scale operations, Mr. Holabird would be perfect. Mr. Holabird, besides testifying in Federal Court as an expert witness, has successfully ran large scale terra firma gold mine operations as well as large-scale business dealing with collectible Americana, culminating with the marketing of the Atocha treasure at Caesar's Palace Hotel and Casino. His most recent projects include the Treasure of the SS Central America, a ship that sunk in 1857 with tons of gold on board. The ship has been recovered and was the subject of a Discovery Channel documentary.

Mr. Holabird also resides in Reno, Nevada.

Mr. Hansen wouldn't be brought up in any capacity whatsoever if the Trustee had returned Mr. Holabird's attempts at communication in 2017.

Responses to Questions

Mr. May has the following responses to your specific questions. We do trust that the judge's requirement that this auction appear "fair and proper" and actually be "fair and proper" is being fulfilled in that you are asking the same questions to Medalcraft within the same timeframe.

"We request that Mr. May provide a detailed explanation as to how he will satisfy the following concerns:

- a. How will Mr. May ensure timely fulfillment of customer orders?

Answer: Mr. Holabird, Mr. May's preferred manager of this project, has numerous contacts throughout the industry and would be able to coordinate the custom fulfillment of customer's order or make the customers' dies available to them, with the customer choosing which option to take. Mr. May is well aware of the importance of satisfied customers. He has been satisfying customers for over 35 years.

- b. How, when and to where will Mr. May remove, ship, store and preserve dies, archives and business records? What resources does Mr. May have to staff this removal and preservation effort?

Answer: Mr. May expects to remove the Medallic Assets shortly after closing and certainly before the facility is returned to the landlord. He expects to move them to a location in Nevada, although his current plans may change if he buys other assets from the estate or from third parties. He clearly has the resources to engage appropriate equipment moving services and to preserve the dies in a professional and appropriate manner. As noted, above, Fred Holabird resides in Reno, Nevada.

- c. How will Mr. May protect the intellectual property rights of customers? In particular, will Mr.

May commit that he will not use any customer die absent the express consent of the customer for which the die was fashioned?

Mr. May understands that the Medallic dies generally contain artwork designed for specific customers, and that in most cases the artwork is property of the customers. He also understands that the Bankruptcy Court intends to prohibit the buyer from using dies without the IP owners' consent. Mr. May will comply with those requirements. Mr. May understands that as a practical matter that the dies are only useful if a customer with rights to the artwork order product using them.

d. Will Mr. May cooperate with prospective purchasers of other assets regarding the segregation of assets and coordination of access to records? What is Mr. May prepared to do to accommodate for the potential loss of the Medalcraft offer to purchase the NWTM dies?

Answer: As for the first part of the question, I am not sure what you are asking. As for the NWTM dies, Mr. May is willing to consider purchasing all of NWTM's assets, including the dies, and the remaining Medallic dies and assets. Please provide us with a list of the assets remaining, and the offers that you have received for each group of assets. Mr. May will respond quickly.

e. Does Mr. May intend that Ross Hansen will have an ongoing role in business?

Answer: Mr. Hansen's role in the company going forward has not been determined, but it would never be more than that of a consultant. As noted above, this wouldn't be an issue if the Trustee would have communicated with Mr. Holabird in 2017.

f. What management team will be involved in the operations of the buyer post sale? We would want a list of names, roles and responsibilities of the management team as well as a disclosure of experience in the custom minting business for the anticipated management team?

Answer: Mr. May does not believe it is appropriate for the Trustee to require him to identify who his employees will be. Mr. May has run a number of successful businesses, and will make appropriate staffing decisions to protect his interests, which may include employees from other businesses he owns, former NWTM employees, and third parties. Mr. Fred Holabird's credentials will be provided upon request, but I can assure you, they are impeccable. Please confirm in writing that you are requiring the same information from Medalcraft.

g. What efforts has Mr. May made to procure a location from which he will operate a minting business?

Answer: A location for the Medallic assets has been identified in Nevada. If Mr. May purchases additional assets, the business may require a larger location in Nevada or Washington. As noted, Fred Holabird resides in Reno, Nevada and is an expert in this area."

Since the Court re-opened the Auction pursuant to his ruling last Friday, as noted earlier, Mr. May raises his bid to \$950,000. Please confirm that you haven't gone back to Medalcraft again without getting a response from Mr. May.

I look forward to working with you to conclude a purchase by Mr. May of the Metalcraft and other assets.

Sincerely,

Kristofer A. Larson
Larson Law Firm, LLC
701 5th Ave., Suite 4200
Seattle, WA 98104
206.713.2084
www.larsonlawfirmllc.com

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Fred N. Holabird, Mining Geologist and Manager
701 Gold Run Ct.
Reno, NV 89511
775-852-8822, 775-851-0837
fred@holabird.org

2017

Career Summary

Current

Manager of Gold Leaf Placer, holder of 15,600 acres of off-shore gold ground at Nome, Alaska formerly held by Anglo-DeBeers.

The company leases ground to mining entities that can produce 10,000 oz/yr or more.

President, owner of Holabird Western Americana Collections, LLC, (HWAC) a private auction and sales firm. Produce auctions of approximately \$1 million each, three to four times per year, in all areas related to Americana, especially related to precious metals and mining history in America.

Owner, Holabird Mining, Environmental and Historical Consulting, a private consulting firm. This firm actively consults on all levels of mining issues in America for major companies and law firms, particularly for production, exploration and environmental issues.

Overview

The Company (HWAC) has been a leader in marketing and making new collectors, especially after the market crash of 2008-2009. Our catalogs, often 400pp and more, offer a unique educational approach to collecting. Collecting genres in which we've sold world-class collections include: Western Native American, Railroadiana, numismatics, philately, especially historic postal covers, gold, ore specimens, ingots, western art, tokens, antiquarian photography, maps, rare western history books and much more.

While this company was formally formed in 1983, it became a primary focus of development in 1997 after the precious metals crash.

Today, Holabird continues to split his time between mining consulting and the Americana business.

Current Consulting Projects

The Company actively consults on large scale projects related to Americana for major entities. This includes inventory, inventory management, museum guide for a major museum; consulting on large scale treasures – in 2016 this list includes the SS Central America gold treasure; the SS Islander gold

treasure and others. Very active in consulting issues relating to gold/precious metal projects: mineral title (Nevada); mining & environmental problems (Western USA); CERCLA properties and issues. Just completed major report for large scale law firm on a major CERCLA issue in the West. Currently consulting with a Nevada mining company on corporate issues.

Manage Reno Office

Active Consulting Gold Projects

- a. SS Central America. Consultant since 2000. Very active in 2016 on the second recovery period. Major report.
- b. SS Islander, Alaska gold treasure project
- c. Off-shore Gold Mining at Nome, 16,500 acres
- d. CERCLA, two different major Western mining districts.
- e. Management of the Kelly Mine Cleanup, Randsburg, Cal.
- f. Commissioned to write and manage a Georgia Gold Rush project involving written work on the financial and mining history of the Georgia Gold Rush. First book published 2010, "Gold at Pigeon Roost".
- g. Commissioned to write definitive treatise on American precious metal ingots. Manuscript due 2015.
- h. Kelly Mine, Randsburg, Cal. Exploration planning, data evaluation.
- i. Precious metal recovery from brines. Site specific. New breakthrough technology.
- j. Consultant to the largest major gold nugget Collection in the World.

Active Consulting Projects

- a. China's largest privately held "Heritage" Jade Collection; a treasure on the scale of the SSCA
- b. China Space Collectibles Collection. Launch date, November, 2015
- c. China Agarwood Collection.
- d. Appraiser for the Nevada State Museum, Nevada Museum of Art for traveling exhibits

Holabird Western Americana (HWAC)

Manage all operations. Staff of seven. Auctions, sales, appraisals of major collections. This company is the top of the Western Americana market, and is actively involved in the advanced marketing of goods through new technological advances in the internet auction business. We specialize in all things that are part of the West, and are expanding at a rapid rate. Our new firearms collection just landed part of the Custer Family Collection of guns and ephemera. Publication of auction catalogs, active internet sales, world-class cross marketing that is creating new collectors in dozens of collecting fields.

Other

- Regular presentation (and subsequent publication) of professional papers at professional conferences.

- Teach classes on aspects of mining history, mining geology, metals, environmental aspects of the mining business, etc. at professional seminars.
- Work and communicate regularly with staff regarding all business matters to keep our company on the cutting edge. Weekly organizational meetings.

2006-2014 President of Holabird-Kagin Americana, Reno.

- Managed all activities and production of the company.
- Produced catalogs of rare western Americana for sale, in the range of \$1.0 million to \$13 million.
- Special Consultant to the Carson Nugget Casino to sell their large gold specimen collection, September, 2010.
- Appraisal of important collections - both private, corporate and public institutional.
- 2007, 2012 appraisals for the Union Bank of California and Rio Tinto (US Borax Collection) were highlights, among other multi-million dollar collections.

1998-2006 CEO of Holabird Associates.

Two Companies:

A. Holabird Mining, Environmental & Historical.

Consulting to the private sector, Government, legal and mining industries regarding any and all matters related to earth science, technical, environmental, logistical or economic matters. Actively involved in mine/mill site problem solving, title work, investigations, property and/or site appraisals and asset conversion. Considered a leading expert in precious metals fingerprinting. Regularly teach adult education classes and present professional papers on an invitation basis on different aspects of mining, environmental issues, metals fingerprinting, the gold business or mining history. Regularly lead field trips on the Comstock, occasionally leading field trips to Cripple Creek, the Mother Lode country, Dahlonega Georgia, and soon the North Carolina gold belt. Currently retained to write the encyclopedia of precious metal ingots. Currently retained to write a treatise on the Georgia gold rush in comparison the California gold rush and how both compare or apply themselves today. Regularly perform preliminary feasibility studies of various projects.

B. Holabird Americana.

Sales of historical Americana related to mining history. The office uses the latest in computer technology to produce a maximum effect product through a team effort with minimal staff. Use of time and financial budgets are imperative. The company produces (in-house) four live, and eight internet-only auctions per year. Detailed catalogs, extensive research, numerous papers on mining subjects. Annual sales over the past five years about \$1.1 to \$3 Million. Supervised staff of four to eight. Created the market from the ground floor, now the leading seller in America of western Americana. This company was developed as a revenue source when metals prices were depressed. We used the same staff.

Other Recent Special Projects:

1. **Developing technology through metals fingerprinting.** Advanced work and published papers on precious metal fingerprinting theory and practice has led to international press coverage. I have published many papers in a variety of fields relating to mining.
2. **Nome Off-Shore Mining.** Consultant to, and partner of purchase of approximately 26,500 acres of off-shore gold leases formerly held by Anglo-Ashanti. Purchased 2016. This major gold deposit has potential for greater than 1 million ounces of gold and a 20 year mine life.
3. **Complex, major CERCLA study** completed 2016 for Union Bank. Area under Confidentiality.
4. **Silver in brine.** Special project developed over the past decade for a unique location. Metallurgical testing and recovery techniques designed by McClelland Labs, Reno. Currently in test recovery stages.
5. **Kelly Mine, Randsburg, Cal.** Managing EPA/BLM CERCLA arsenic cleanup, involving complex issues. Liability releases, precious metals heap leach, permitting.
6. **Negotiation.** I regularly participate as a lead negotiator in many technical geoscience projects, generally negotiating for and with law firms.
7. **SS Central America Project.** Mathematic, statistical, and monetary evaluation to determine what might be missing in a \$200+ million treasure. Consulted on business practices of gold rush bankers and the gold business. Divided the treasure between litigants of the SS Central America, the largest gold treasure of the 20th century. Consultant to the Federal Court in Virginia and later to a consortium of seven insurance companies on this project. A second recovery made in 2014 resulted in a major report by Holabird in 2016, under Confidentiality Agreement.
8. **SS Republic, \$80 million treasure c2004.** Consultant to insurance carriers. Given 11 days to find. Team management, stealth investigation, agency negotiation and report writing skills out what was on that ship as it sat on the bottom of the ocean since 1865.
9. **Homestake Mine, Lead, SD.** Consultant to Royalty holder. Understanding royalty issues, long range planning, land status, title issues, applied science and engineering in conjunction with economics.
10. **El Jiggs Ranch.** Consultant to owner of largest privately held ranch in the Carlin gold trend, Nevada. Investigation, team management, applied science, problem definition.
11. **Consultant to the Navy** on Fairview, Nevada mining district, town site, mines and mills. Observation and discussions involving recognition and practical solutions of technical problems at a sensitive Naval weapons site.
12. **Union Bank of California.** Complete appraisal of entire historical museum and collection, 2008, 2012, 2016. Construction and implementation of detailed inventory system of the collection.
13. **US Park Service, Death Valley.** Complete appraisal of Pacific Coast Borax archive for Rio Tinto Minerals and the Park Service. 2008

14. Major Research project of the **Georgia Gold Rush**, 2009-2010. Publication of numerous papers, book, and presentation of work at symposiums.

15. Mexico Jade. Asked to consult on major find of Mexico jade objects, 2017.

16. Consulting on, and preparation of major paper on the science of the 1792 US Half Disme, America's first silver coinage. Intensive thorough scientific study of what was used, where it came from, with an added paper on the misuse of XRF by the numismatic community. 2017.

Both companies routinely deal with sensitive, private, proprietary issues. We have changed the way certain disciplines do business in the world today, and are careful to protect confidentiality and corporate vision, vis a vie *intellectual property*.

Director, Nevada Gold and Casinos, Inc., a public company. c1987-1996.

Converted mining properties in Black Hawk, Colorado to gaming. Consolidated a massive land package near Black Hawk for possible large-scale employee housing for the gaming industry. Managed and directed a major cleanup on a CERCLA Superfund Site consisting of several hundred acres of mill tails, mine dumps and old inactive mines in preparation for a casino project, now Black Hawk's largest hotel casino, the Isle of Capri. Completed the cleanup project for 15% of the Federal projected costs. Involved innovative, new concepts presented to and approved by the EPA and CDPHE. Worked closely with EPA, USGS and CDPHE on issues of acid mine drainage, tailings impoundment and issues relating to mine dump geochemistry.

Vice president, Operations and Director of American Eagle Resources, Inc. Reno, Nevada. c1988-1992. Publicly held company.

Principal responsibilities:

1. Management of US offices and open pit gold/silver mine operations
2. Security and Exchange Commission filings and reporting
3. Asset conversion
4. Mine Management, Flowery open pit gold mine. Responsible for discovery of Adriatic orebody.
5. Project management. Multiple advanced exploration projects.
6. Environmental. Permitting, cleanups, etc. Ran the first cyanide cleanup in Nevada. Worked closely with Nevada DEP on a cyanide spill that was the result of a flood at the site of a bankrupt mining operation. Cyanide permeated an aquifer within a few hundred feet of the Carson River, mandating emergency action. Performed first mercury cleanup in Nevada. Worked closely with the EPA San Francisco office on the emerging science of mercury geochemistry. Converted mine waste to saleable aggregate. Involved many Federal, State and local permits, public meetings, all performed by FH.
7. Shareholder and broker relations. Compliance Officer.
8. Forward planning. Gold sales. Contracts. Finance.
9. Developed reserves and ore modeling at Bruner in central Nevada, later a producing open pit mine.
10. Education. Published papers, lectures, mine tours, direct classes.

1983-1988 President, Columbus Industries, Inc., a public company, and Columbus Mines, Inc., a wholly owned subsidiary. Sold the company in 1988.

Gold Bar Mine

Directly responsible for the discovery, reserve definition, and production of the Gold Bar Mine, Nye County, Nevada, a 2,500 ton per day heap leach gold operation. This was the first mine legally permitted in a United States National Monument which involved extensive Federal negotiations. Sold the mine in 1987. Explored, discovered and developed a million ounce gold reserve at Rhyolite, five miles from Gold Bar. Explored and developed reserves at Pioneer (10 miles from Rhyolite) which were uneconomic.

Subsidiary

Developed subsidiary in western historical goods, culminating in the promotion and auction of Mel Fisher's Atocha, a 1622 wrecked Spanish Galleon, the first sale of its kind in America. I made the deal with Mel Fisher, Caesar's Palace, and Butterfield. Also sold major manuscript collection through Butterfield's, 1987.

1980-1982. Combined Metals Production Co.

Precious metals project and production geologist for Combined Metals Reduction Co., Nevada. Mine geologist at the Moho Mine in Esmeralda County (underground). Mine geologist at the May Lundy Mine, Mono County (The property failed my feasibility study.) Directed more than a dozen exploration and drilling projects in Nevada, California and Texas. Readied several properties for production to feed the Castleton Mill at Pioche. (Market failure, projects closed.) Part of a team that was responsible for feeding the Company mill. We studied, mapped, analyzed insitu ore deposits, mine dumps and tailings for easily extractable ore to feed the mill. This led to a detailed understanding of mill tailings and mine dump geochemistry across the west.

1978-1980. Lacana Mining Inc.

Uranium project geologist for Lacana, US. Directed or worked on more than two dozen different exploration projects in Nevada, California, Oregon and Texas. Uranium market collapsed in 1980 after Three Mile Island. We were in process of drilling out an economic deposit in California.

1976-1978. Cities Service Minerals Corp.

Base metals geologist for Cities Service Minerals, Nevada. Worked in Nevada and California, mostly near Yerington and Battle Mountain. Cities sold their mining division in 1978, becoming the first major to dispose of their mining interests.

Education: BA, Geology, Humboldt State University, California, 1976. A five year program. Almost minors: mathematics, literature. I took 188 units of Geology, virtually every Geology course offered over five years except one. Today, my degree is shown as a "BS". My certificate says "BA".

Advanced Education: More than 40 professional seminars and classes on a variety of topics. Lectured at more than a dozen professional seminars. Chaired the Environmental Sessions of the Annual Society of Mining Engineers in Denver, 1998. Received the Raymond Award from the American Numismatic Association in 2004 for the most outstanding paper in the field of numismatic science. Presented a paper on metals fingerprinting at the American Academy of Forensic Science in 2004 that was featured on the cover of New Science Magazine (London).

Published more than 185 Papers and Professional Papers presented or published at/in national symposiums, industry publications, trade publications. More than five dozen on topics ranging from metals fingerprinting, mine production, mining, geology, environmental cleanups, mining history, numismatics, ingots, bullion, scripophily, coins, pioneer coinage, money, gaming.

Board of Director, partial list over the past 20 years: Directorate, Keck Museum, Mackay School of Mines, Reno, Nevada 2000-2004. Nevada Gold & Casinos, Inc. (registered with the Nevada Gaming Commission); American Eagle Resources, Inc.; Columbus Mines, Inc.; Pacific Gold, Inc. Current (2017) President of the Token and Medal Society, the oldest and largest token and medal collector group in the world. Past Director of Silver State Striders, a nearly thousand member northern Nevada running and walking group; past Board member, Federation of Historical Bottle Collectors; national association formed for the advancement of study of historical bottles, 2000-2006;

Activities: Active exerciser. Completed about 100 marathons, including Boston four times. Ran numerous 50 mile trail runs, Western States 100 mile trail run, Donner Lake Triathlon, Pyramid triathlon, among others. Active biker, walker, swimmer. Exceptionally active in art, history and nature. Visited perhaps 1000 different museums worldwide. Have run trails in about a dozen different countries. Born 1953, Pasadena, California.

FRED N. HOLABIRD, PARTIAL LIST OF PUBLICATIONS AND OTHER ACTIVITIES

Fred N. Holabird, as of December, 2015

List of Publications

Journal or Magazine Articles

1. Nevada Historical Society Quarterly
 - a. Eastern Nevada Historical Society, 2 papers
2. Nevada Magazine
 - a. 2 articles
3. History of Finance Journal, New York
 - a. 2 articles
4. ATCO
 - a. Article on Elburz tokens
5. TAMS
 - a. Alaska article, award winner
6. Numismatist (Journal)
 - a. 2 articles, one an award winner
7. Coin World
 - a. 4 articles
8. Coin Age
 - a. 1 article
9. Coin Dealer Newsletter
 - a. 2 articles
10. Holabird Auction Catalogs
 - a. More than two dozen professional papers
11. American Numismatic Association Technical Journal
 - a. Two articles.

Articles in Books

Garbani, Arizona Mines, preface and foreword
Polak, Antique Bottles, chapter and foreword of 2 different editions

Books

1. Nevada Bottle Book, 1981
2. Coins of the Comstock, 2008
3. Gold at Pigeon Roost, 2012
4. Nevada History Through Glass, Volume 1, 2014
5. Ghost Towns and Medicines; Nevada History Through Glass; Volume 2, 2016
6. The Tombstone Museum. 2012
7. The Western Blob Soda Collection. 2013
8. Totheroh California Fractional Gold Collection. 2012
9. Rush for Gold, 2008
10. The George Armstrong Custer Indian Capture Carbine. January, 2016
11. The George Armstrong Custer Indian Capture Carbine- Interpreting the Brass Tack and Other Patterns. May, 2016
12. American Precious Metal Ingots (in works)

FRED N. HOLABIRD, PARTIAL LIST OF PUBLICATIONS AND OTHER ACTIVITIES

13. The Georgia Gold Rush (in works)
14. The Private Gold Coins of the SS Central America (in works)
15. Western Assayers (in works)
16. The Grosh Brothers Papers (in works)
17. The History of the Metallurgy of Gold: Mankind's first man-made gold artifacts (in works)

Auction Catalogs

About 100 since 1983. Many are standard reference material today.

Fixed Price Catalogs

About 15 since 1983.

Lectures - This is a Partial List. I openly admit I've given so many, I've forgotten some!

American Academy of Forensic Science.

Gold and Silver Metals Fingerprinting

Geology Society of Nevada Symposium.

Responsibility for Actions

Society of Mining Engineers (co-chair, Environmental Section, Denver)

Mercury Cleanup at Dayton, Nevada

Waste Rock and Mill Tails Cleanup at Black Hawk, Colorado

National Mining Fraud Symposium (Law Enforcement Only, held every four years)

Historic Mine Fraud Via Mail

Mine Securities Fraud Versus Mine Exploration

Geologic Society of Nevada, Key Note Speaker, Annual event

SS Central America Treasure; an ore deposit on the ocean floor

Financial History Museum Symposiums (New York, Strasburg, PA))

Fremont and the California Gold Rush

The Effect of Mining on American Financial History

The History of Early Western Mining Through Share Certificates

US Grant and Mining at Panamint City, California

Others

MENSA

Key note speaker, annual event, Reno. George Hearst as the First Exploration

Geologist

SS Republic Treasure

University of Nevada/Fourth Ward School Lecture series

Mercury on the Carson River as part of V&T RR Seminar

Comstock Saloons: They Didn't Just Drink Soda Water

Comstock geology. A first hand lesson and construction of a three dimensional

model

Comstock Mining history: field trip and class

Satellite Mining Districts of the Comstock

Philadelphia Union League

The SS Central America Treasure

Some Unlikely Rare Valuable Collectibles

American Numismatic Association

Pioneer Minor Coinage (week class)

**FRED N. HOLABIRD, PARTIAL LIST OF PUBLICATIONS AND OTHER
ACTIVITIES**

Precious Metal Ingots: The Good Bad & the Ugly
Metals Fingerprinting and Ingots
An African American Silver Ingot from Treasure Hill
John Little Moffat: from the Georgia to California Gold Rushes
Gold Rush Geology – Platinum in California Gold Ingots
Colorado Mining history and Numismatics
Reed Mine Field Trip, North Carolina
Gold at Pigeon Roost
History of Good-For Trade Mirrors
SS Central America Treasure
Thinking Outside the Box- Remove the Blinders in Research (2016)

Two other classes

Westerners

Reno. George Hearst and the Comstock
San Francisco. (don't remember topic)

Autrey Museum (Los Angeles)

The Bullfrog Mining District and Death Valley Mining History

Nevada Historical Society

The Grosh Brothers Papers
Nevada Bottles and their Histories

Gold Hill Lecture series

George Hearst
Grosh Brothers Papers
Nevada Bottles
Precious Metal Ingots of Nevada
Sam Clemens and Unionville
The Gold/silver Rush to Alpine County
SS Central America Story

Dahlongega Historical Society (informal)

Gold at Pigeon Roost

Federation of Historical Bottle Collectors, annual meeting

Financial performance of rare bottles

WESTS (Western Token Society)

Three different presentations

Sacramento Historical Society

Washington Nugget Story

OLLI

New Technology in the Auction Business
The SS Central America Story

Public Television

Sutro Tunnel
Death Valley Mining History
Verdi Train Robbery
National Geographic – metals fingerprinting

National Paper Money Symposium, Chicago

The Reavis Arizona Land Fraud, Largest in American History

Caesar's Palace, Las Vegas 1987

The Mel Fisher Atocha Treasure

FRED N. HOLABIRD, PARTIAL LIST OF PUBLICATIONS AND OTHER ACTIVITIES

Reno Coin Club

- SS Central America treasure
- SS Republic Treasure
- The Auction Business
- Alaska Gold Rush Treasure, 2015
- Atocha treasure

Carson City Coin Symposium

- Metal Chemistry and fingerprinting of Carson City Coins
- Comstock Field Trip

Nevada State Museum

- Mine to Mint
- Chemistry and fingerprinting of Carson City Minted Coins
- Historical Ingots of the Comstock

Reno Rotary

- SS Central America Treasure

Truckee-Tahoe Rotary

- SS Central America Treasure

Reno Lions Club

- Collecting Western Americana

Reno Sertoma

- SS Central America Treasure

Appraisal Clinics

- Murphy's California (5 times)
- Fourth Ward School Museum, Virginia City (2 times)
- Douglas County Museum, Gardnerville, NV. (2 times)
- Washoe County Library, Reno (2 times)
- Other Reno clinics for charity (about 5)
- Churchill County, Fallon, NV. (2 times)
- Nevada Historical Society
- OLLI, Reno

Significant Mining Projects (under my management)

- Gold Bar, Nye County, Nevada. Open pit mine, concept to production
- Flowery Mine, Storey County, Nevada (Comstock). Cleanup, exploration, development, 2 open pits, one was mine from concept to production.
- Bruner, Nye County, Nevada. Ore reserve delineation, planning.
- Rhyolite, Tramp Mine and surrounds. 1 million oz Au reserve. Concept to development. Sold to Barrick, who made an open pit.
- Hillsboro, New Mexico. Concept and development of significant placer deposit, mines after I left.

Significant Major Environmental Cleanups (Under my management. Each had major reports.)

- Dayton, Nevada mercury cleanup of mill tails. First mercury cleanup in America.
- Dayton, Nevada. Cyanide polluted aquifer cleanup. Took over failed project, designed new recovery/cleanup plan with Ed Jucevic, implemented successfully. First underground cyanide cleanup in America.
- Black Hawk, Colorado. Major cleanup of mill site from Floatation tails in Lake Gulch and sulfide waste dumps in Black Hawk to make way for Isle of Capris Casino.

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Significant Race Director Events (FH as Race Director)

Reno Marathon.
Silver State Marathon (2 times)
Silver State 50-50 (50k, 50 mile) championship endurance race. (2x)
Western States 100 mile trail run Forest Hill Aid Station (the most important, complicated and largest station on this famous race) (3 times)

List of Professional Articles. The following list is comprised of 165 different professional papers published in our catalogs. Circulation varied from a low of about 2,000 to a high of about 4,500, plus internet exposure. Each is approximately 1500 words or more, typical of any journal or magazine submission. The larger articles are peer reviewed. A number of these publications became the subject of public lectures. These titles may differ slightly from the original, as their placement within the publications often precludes some of the information given here. Since they are all my own creations, I take license to alter titles to make them more meaningful for the purposes of this list. This is a partial list from 1999 to approximately 2012. A complete list has never been prepared. The latest work in production is "The George Armstrong Custer Indian Capture Carbine", a 44pp typescript by Fred Holabird and R.L. Wilson, due in January, 2016.

Interestingly, if a list were made of published essays over 500 words, there would be thousands of listings.

Major Categories:

California Gold Rush

"Gold Rush Emigration, 1849", May 13, 2006, p62
"Gambling and Gold Mining Letter, 1852"; Auction #43, November 12, 2005; p57-8

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Art. "J. Howard Martin, The Prospector Painter, 1853-1919"; Dec. 14, 2002 sale; p84-97
Art. "Currier & Ives" (Western Prints); The Golden West Auction, March 11, 2011; p240-242
Art. "Grafton T. Brown Birdseye View of Virginia City, 1864"; Nov. 24, 2009 auction; p34-37

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Artifacts. "MM Frederick Silver Flatware Collection, 1872"; Auction 20, May 10, 2003; p113
Artifacts. "Black Bart Wanted Poster, 1882"; Dec. 13, 2003; p33-34
Artifacts. "Mathey Gold Nugget Watch, Dawson"; The Golden West Auction, March 11, 2011; p239

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- Artifacts. "Native Sons of the Golden West Badges"; Auction 9, Volume 1: California... and Other Western States, May 19, 2001, p92-100
- Artifacts. "Nevada Territorial and State Bonds"; Alexandra Tillson Filer Collection, Part II, June 3, 2000; p5-6
- Artifacts. "Pearson's Soda Works, Cal & Nevada"; Mining, Minerals & Mayhem, June 28, 2011; p81-82
- Artifacts. "Pikes Peak Broadside, 1858"; Alexandra Tillson Filer Collection, Part II, June 3, 2000; p117
- Artifacts. "The Anaconda Corporate Seal Collection"; Alexandra Tillson Filer Collection, Part II, June 3, 2000; p171-177
- Artifacts. "The Brunton Compass"; Alexandra Tillson Filer Collection, Part II, June 3, 2000; p143
- Artifacts. "USS Winfield Scott Original Ship's Bell"; Auction #43, November 12, 2005; p65
- Artifacts. "The Earp Family Portrait"; 2012 Hot August Auction, August 17, 2012; p38-41
- Artifacts. "The Gottchalk American Ore Specimen Collection"; Mining, Minerals & Mayhem, June 28, 2011; p347-348
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- Artifacts. "Washington Nugget"; The Golden West Auction, March 11, 2011; p282-289
- Artifacts. "Wells Fargo Medals"; Auction 9, Volume 1: California... and Other Western States, May 19, 2001, p107-108
- Artifacts. "Western Mining Stock Certificates. A Collector's and Historian's Treasure Chest"; Alexandra Tillson Filer Collection, Part I, Feb. 26, 2000; p135-137
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- Artifacts. Colorado Silver Railroad Passes; Bonanza Auction, October 29, 2010; p141-142
- Artifacts. "F.F. Muller, Druggist, Elko, Nevada"; Sale 31, Sept 4, 2004; pp43-44
- Artifacts. "The Clemens Owl Bottle Collection"; Mining, Minerals & Mayhem, June 28, 2011; p12-14

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- Autograph. "The Fabulous Ruth Disney Archive"; 2011 Grand Finale, Nov. 30, 2011; p70-72
- Autograph. "Pat Garrett Signed Certificate"; May 13, 2006, p79

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- Biographies. "Alexander B. Stewart, Pioneer Druggist of California and Nevada"; Mining, Minerals & Mayhem, June 28, 2011; p64-65

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- Biographies. "Bank of California"; The Golden West Auction, March 11, 2011; p181-183
- Biographies. "Chinese in California"; The Golden West Auction, March 11, 2011; p261-2
- Biographies. "Fred's Top Ten List of Mining Men"; Alexandra Tillson Filer Collection, Part II, June 3, 2000; p102
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- Biographies. "Henry Marvin Yerington"; The Golden West Auction, March 11, 2011; p300-301
- Biographies. "Important Comstock Figures"; Alexandra Tillson Filer Collection, Part II, June 3, 2000; p76-82
- Biographies. "John C. Fremont and the Mariposa Estate"; Alexandra Tillson Filer Collection, Part I, Feb. 26, 2000; p85-92
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