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Honorable Christopher M. Alston
Chapter 11
Ex Parte

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7 UNITED STATES BANKRUPTCY COURT
8 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 In re:
10 NORTHWEST TERRITORIAL MINT, LLC,
11 Debtor.

Case No. 16-11767-CMA

12 *EX PARTE* MOTION FOR ORDER
ESTABLISHING DEADLINE FOR
13 FILING APPLICATIONS FOR
PAYMENT OF ADMINISTRATIVE
CLAIMS AGAINST THE DEBTOR
14 (For Claims Arising on or before 7/31/18)

15 Mark Calvert, the Chapter 11 Trustee (the “Trustee”), submits this *Ex Parte* Motion for
16 Order Establishing Deadline for Filing Applications for Payment of Administrative Claims Against
17 the Debtor (the “Administrative Claims Bar Date”). In support of this Motion, the Trustee states as
18 follows:

- 19 1. On April 1, 2016, Northwest Territorial Mint, LLC (“NWTM” or “Debtor”) filed a
20 voluntary bankruptcy petition under Chapter 11 of Title 11 of the United States Code.
21 2. The Court appointed Mark Thomas Calvert as Chapter 11 Trustee on April 11, 2016.
22 3. The Trustee has liquidated the majority of the assets of the estate. The estate is
23 administratively insolvent, and is the Trustee is prepared to address the resolution of administrative
24 claims in the course of his administration of the case.
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EX PARTE MOTION FOR ORDER ESTABLISHING
DEADLINE FOR FILING APPLICATIONS FOR
PAYMENT OF ADMINISTRATIVE CLAIMS AGAINST
THE DEBTOR - 1
501717510 v7

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1 4. The Trustee proposes that the Court establish a deadline by which all holders of
2 administrative claims under 11 U.S.C. § 503(b) arising on or before July 31, 2018 must file an
3 application for payment of such administrative claims. The Trustee requests that such deadline be
4 October 1, 2018 (the “Administrative Claims Bar Date”). Separately, the Trustee intends to file a
5 motion to address the process for resolving disputed claims of employees under the Worker
6 Adjustment and Retraining Notification Act (“WARN Act”). The Trustee proposes that the bar date
7 for administrative claims of employees solely under the WARN Act will be November 15, 2018 (the
8 “WARN Act Administrative Claims Bar Date”). The bar date for all other administrative claims of
9 employees would be the October 1, 2018 Administrative Claims Bar Date.

10 5. The Trustee proposes to provide notice of the Administrative Claims Bar Date to the
11 following individuals and entities: (i) all parties who have requested special notice in this case; (ii)
12 the United States Trustee; (iii) relevant taxing authorities; (iv) all vendors with whom the estate has
13 conducted business on a postpetition basis as reflected on vendor and payable records of the estate;
14 (v) landlords of the estate who leased spaced to the estate on a postpetition basis; (vi) any employees
15 of the Debtor who were employed by the estate on a postpetition basis; (vii) customers of the
16 Debtor’s custom minting business who placed postpetition orders as reflected in the estate’s
17 records¹; and (viii) the members of the Official Unsecured Creditors Committee and its counsel.

18 6. The Trustee requests that the Administrative Claims Bar Date not apply to the
19 following: (i) professionals retained in this case whose employment has been approved pursuant to
20 11 U.S.C. § 327; (ii) any person or entity that has already properly filed an application for allowance
21 of an administrative claim; and (iii) any administrative claims arising after the July 31, 2018.

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25 ¹ Customers will be notified by email or mail based on the customer contact information in the
26 company’s records.

1 7. The proposed form of notice regarding the Administrative Claims Bar Date is
2 attached hereto as Exhibit A (the "Notice"). The Trustee proposes to file and mail the Notice no later
3 than August 15, 2018.

4 WHEREFORE, the Trustee respectfully requests that the Court enter the order substantially
5 in the form submitted contemporaneously with the Motion (i) establishing the Administrative Claims
6 Bar Date, (ii) approving the form of Notice and manner of notice in accordance with the relief
7 requested in the Motion, and (iii) granting the Trustee such other and further relief as the Court
8 deems just and proper.

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10 DATED this 7th day of August, 2018.

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12 K&L GATES LLP

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14 By /s/ Michael J. Gearin
15 Michael J. Gearin, WSBA #20982
16 David C. Neu, WSBA #33143
17 Brian T. Peterson, WSBA #42088
18 Attorneys for Mark Calvert, Chapter 11 Trustee

1 **CERTIFICATE OF SERVICE**

2 The undersigned declares as follows:

3 That she is a Paralegal in the law firm of K&L Gates LLP, and on August 7, 2018, she
4 caused the foregoing document to be filed electronically through the CM/ECF system which caused
5 Registered Participants to be served by electronic means, as fully reflected on the Notice of
6 Electronic Filing.

7 Also on August 7, 2018, she caused the foregoing document to be placed in the mail to the
8 Parties at the addresses listed below:

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

13 I declare under penalty of perjury under the laws of the State of Washington and the United
14 States that the foregoing is true and correct.

15 Executed on the 7th day of August, 2018 at Seattle, Washington.

16 /s/ Denise A. Lentz
17 Denise A. Lentz

EXHIBIT A

1 Michael J. Gearin, WSBA # 20982
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Honorable Christopher M. Alston
Chapter 11

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7 UNITED STATES BANKRUPTCY COURT
8 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 In re:
10
11 NORTHWEST TERRITORIAL MINT, LLC,
12 Debtor.

Case No. 16-11767-CMA

**NOTICE OF ENTRY OF BAR DATE
ORDER ESTABLISHING DEADLINE
FOR FILING APPLICATION FOR
PAYMENT OF ADMINISTRATIVE
CLAIMS AGAINST THE DEBTOR**
(For Claims Arising on or before 7/31/18)

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15 **PLEASE TAKE NOTICE THAT:**

16 The United States Bankruptcy Court for the Western District of Washington, (the
17 “**Bankruptcy Court**”) has entered an Order (the “**Bar Date Order**”) establishing the deadline (the
18 “**Administrative Claims Bar Date**”) by which certain holders of administrative claims under
19 11 U.S.C. § 503(b), arising on or after April 1, 2016 and on or before July 31, 2018, must file an
application for payment of administrative claims (the “**Administrative Claim Application**”) in the
above-captioned chapter 11 case (the “**Bankruptcy Case**”).

20 The **Bar Date Order** also established the deadline (the “**WARN Act Administrative**
21 **Claims Bar Date**”) by which employees who are holders of administrative claims under 11 U.S.C. §
22 503(b), arising on or after April 1, 2016 and on or before July 31, 2018, under the Worker
Adjustment and Retraining Notification Act (“**WARN Act**”) must file an application for payment of
23 administrative claims (the “**WARN Act Administrative Claim Application**”) in the Bankruptcy
Case.

24 You should **not** file an Administrative Claim Application if you do not have an
25 administrative claim under 11 U.S.C. § 503(b) against the bankruptcy estate. The fact that you
received this Notice does not necessarily mean that you have an administrative claim or that either

26 NOTICE OF ENTRY OF BAR DATE ORDER
ESTABLISHING DEADLINE FOR FILING
APPLICATION FOR PAYMENT OF ADMINISTRATIVE
CLAIMS AGAINST THE DEBTOR - 1
501715412 v5

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1 the Trustee or the Bankruptcy Court believe that you have an administrative claim. For purposes of
2 the Bar Date Order and this Notice, the term “administrative claim” means any type of claim set
3 forth in 11 U.S.C. § 503(b); **provided, however, that the following individuals shall not be**
4 **barred by the Administrative Claims Bar Date: (a) holders of claims of professionals retained**
5 **in the Bankruptcy Case for professional fees and expenses, including the Chapter 11 Trustee**
6 **and his professionals appointed in the Bankruptcy Case; and (b) holders of claims arising after**
7 **July 31, 2018.**

8 Pursuant to the Bar Date Order, and except as otherwise provided herein, each person or
9 entity (including, without limitation, each individual, partnership, joint venture, corporation, limited
10 liability company, estate, trust, or governmental unit) that holds or asserts an administrative claim
11 against the estate for the relevant time period must file an Administrative Claim Application so that
12 it is actually received by the Bankruptcy Court on or before the Administrative Claims Bar Date set
13 forth below. The Administrative Claim Application must be filed via CM/ECF or sent, by first class
14 mail, to the Court, 700 Stewart Street, Seattle, WA, 98101, and a copy delivered to counsel for the
15 Trustee at the following address:

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Michael J. Gearin
David C. Neu
Brian T. Peterson
K&L Gates, LLP
925 Fourth Avenue, Suite 2900
Seattle, Washington 98104

Except as otherwise provided herein, each person or entity holding or asserting an
administrative claim under 11 U.S.C. § 503(b) against the estate must file an Administrative
Claim Application so that it is actually received by the Bankruptcy Court on or before
October 1, 2018.

Pursuant to the Bar Date Order, employees who assert administrative claims against the
bankruptcy estate under 11 U.S.C. § 503(b), arising on or before July 31, 2018 under the Worker
Adjustment and Retraining Notification Act (“WARN Act”) must file a WARN Act Administrative
Claim Application before the WARN Act Administrative Claims Bar Date set forth below. Such
application must be filed via CM/ECF or sent, by first class mail, to the Court, 700 Stewart Street,
Seattle, WA, 98101, and a copy delivered to counsel for the Trustee at the following address:

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Brian T. Peterson
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Any employee holding or asserting an administrative claim under 11 U.S.C. § 503(b)
against the estate based upon the WARN Act must file a WARN Act Administrative Claim

NOTICE OF ENTRY OF BAR DATE ORDER
ESTABLISHING DEADLINE FOR FILING
APPLICATION FOR PAYMENT OF ADMINISTRATIVE
CLAIMS AGAINST THE DEBTOR - 2
501715412 v5

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1 **Application so that it is actually received by the Bankruptcy Court on or before November 15,**
2 **2018. The bar date for all other administrative claims of employees other than WARN Act**
3 **Claims is the October 1, 2018 Administrative Claims Bar Date referenced above.**

4 The following persons and entities need NOT file an Administrative Claim Application by
5 the Administrative Claims Bar Date:

- 6 a) Professionals retained in the Bankruptcy Case for fees and expenses incurred in
7 relation to the Bankruptcy Case;
- 8 b) Any person or entity that has already properly filed an Administrative Claim
9 Application with the Debtor or the Bankruptcy Court; and
- 10 c) Administrative Claims arising after July 31, 2018.

11 Any person or entity that is required to file a timely Administrative Claim Application or a
12 WARN Act Administrative Claim Application and who fails to do so on or before the
13 Administrative Claims Bar Date or the WARN Act Administrative Claims Bar Date, as applicable,
14 shall be forever barred, estopped, and enjoined from asserting such claim (or filing a claim or
15 application for payment of administrative claim with respect thereto) against the bankruptcy estate.
16 **In accordance with 11 U.S.C § 503(b), requests for payment of an administrative claim must be**
17 **made by separate request for payment and will not be deemed proper if made by a proof of**
18 **claim.**

19 The Trustee reserves the right to dispute, or to assert offsets or defenses against, any
20 administrative claim filed, as to the nature, amount, liability, classification, or otherwise. Nothing
21 contained in this Notice shall preclude the Trustee from objecting to any Administrative Claim
22 Application on any grounds.

23 You may wish to consult an attorney regarding questions concerning this Notice, including
24 the completion of an Administrative Claim Application.

25 Dated: August 7, 2018

26 K&L GATES LLP

By /s/ Michael J. Gearin

Michael J. Gearin, WSBA #20982

David C. Neu, WSBA #33143

Brian T. Peterson, WSBA #42088

Attorneys for Mark Calvert, Chapter 11 Trustee

NOTICE OF ENTRY OF BAR DATE ORDER
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CLAIMS AGAINST THE DEBTOR - 3
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