

Below is the Order of the Court.



Christopher M. Alston
U.S. Bankruptcy Judge

(Dated as of Entered on Docket date above)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re:

NORTHWEST TERRITORIAL MINT, LLC,

Debtor.

Case No. 16-11767-CMA

**FINAL ORDER APPROVING THE
WARN ACT CLAIMS
SETTLEMENT PURSUANT TO
FRBP 7023 AND FRBP 9019**

This MATTER having come before the Court on the Joint Motion of Mark Calvert (the "Trustee") on behalf of Northwest Territorial Mint, LLC (the "Debtor") and Brittany Konkel (for purposes of the Settlement only the "Class Claimant"), on her own behalf and on behalf of others similarly situated, and counsel for the Class Claimant (for purposes of the Settlement only the "Settlement Class Counsel"), pursuant to Section 105 of the Bankruptcy Code and Bankruptcy Rules 9019 and 7023 for the entry of an Order: (1) approving the Settlement Agreement (the "Settlement")¹ pursuant to Bankruptcy Rule 9019; (2) preliminarily approving the Settlement

¹ A copy of the Settlement Agreement is attached to the Joint Motion as Exhibit A. Unless otherwise defined herein, capitalized terms have the meanings provided in the Settlement Agreement.

Below is the Order of the Court.

1 pursuant to Bankruptcy Rule 7023; (3) certifying the Settlement Class for settlement purposes only,
2 including the appointment of Lankenau & Miller, LLP and The Gardner Firm, P.C. as Settlement
3 Class Counsel and Brittany Konkel as Settlement Class Representative; (4) approving the form and
4 manner of notice of the Settlement to the members of the Settlement Class (the “Class Notice”); (5)
5 scheduling a fairness hearing to consider final approval of the Settlement (the “Fairness Hearing”);
6 (6) finally approving the Settlement following the fairness hearing (the “Final Settlement Order”);
7 and (7) granting related relief (the “Joint Motion”), submitted by the Parties; the Court having
8 reviewed the Joint Motion and any objections thereto, and being fully advised; the Court finding
9 that: (a) the Court has jurisdiction over this matter pursuant to 28 USC § 1334, (b) this is a core
10 proceeding pursuant to 28 USC § 157(b)(2), (c) notice of the Joint Motion and the hearing thereon
11 was sufficient under the circumstances, and (d) the Court having reviewed the terms of the
12 Settlement; and the Court having determined that the legal and factual bases set forth in the Joint
13 Motion establish just cause for the relief granted herein; the Court having determined that the relief
14 sought in the Joint Motion is in the best interest of the Estate; and after due deliberations and
15 sufficient cause appearing therefore,
16

17
18 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

- 19 1. The Joint Motion is GRANTED.
- 20 2. All objections to the Joint Motion or the relief requested in the Joint Motion, if
21 any, that have not been withdrawn, waived or settled, and all reservations of rights in such
22 objections, if any, shall be and hereby are, OVERRULED in all respects on the merits and
23 denied.
24

Below is the Order of the Court.

1 Presented by:

2
3 K&L GATES LLP

4 /s/Michael J. Gearin

5 Michael J. Gearin, WSBA #20982
6 David C. Neu, WSBA #33143
7 Brian T. Peterson, WSBA #42088
8 Attorneys for Mark Calvert, Chapter 11 Trustee

9 THE GARDNER FIRM, P.C.

10 /s/ Mary E. Olsen

11 Mary E. Olsen, *pro hac vice*
12 182 St. Francis Street, Suite 103
13 Mobile, AL 36602
14 P: (251) 4348260
15 F: (251) 434-8259

16 LANKENAU & MILLER, LLP

17 Stuart J. Miller, *pro hac vice*
18 132 Nassau Street, Suite 1100
19 New York, NY 10038
20 P: (212) 581-5005
21 F: (212) 581-2122

22 *Attorneys for Class Claimant*
23
24
25
26