

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON**

FILED
2016 MAY 23 AM 9:51

M. L. ARCHER, CLK
U.S. BANKRUPTCY COURT
W.D. OF WASH. AT SEATTLE
FED. CLK.

<p>In re</p> <p>NORTHWEST TERRITORIAL MINT LLC (debtor) EIN 30-143641</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>The Honorable Christopher Alston Presiding</p> <p>CHAPTER 11</p> <p>No. 16-11767-CMA</p> <p>OBJECTION TO DISCHARGE OF CERTIAN ASSETS IN THE DEBTORS CONTROL AND MOTION FOR AN ORDER COMPELLING TRUSTEE TO COMPLY</p>
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Now comes, Rayburn D. Pollard Jr., (claimant no. 464) by and through Pro-Se representation, who objects to the debtors discharge of claimants personal property from the instant Bankruptcy proceeding and respectfully moves this honorable Court to issue an order to Mark Calvert (Trustee) to comply with the wishes of the claimant. The claimant asserts, and the U.S. Supreme Court held, that Pro-Se filings should be liberally construed and held to less stringent standards than those more formal filings drafted by lawyers. *Haines v. Kerner*, 404 U.S. 519-521 (1972)

History

- 1). During tax years, 2009, 2010, 2011, and 2013, the claimant entered good faith commitments with the Debtor to produce four coining die set(s), one each, respectively per year. (see attached exhibits)
- 2). The dies were produced, paid in full, and “archived” at the mint for convenience, to avoid shipping back and forth when orders are required. These dies have been used many times to produce coins exclusively for the Claimant.
- 3). On April 1st 2016 the Debtor filed the instant bankruptcy proceeding, prompting the claimant to file proof of claim #464, to preserve his right to contest.
- 4). Subsequently, the claimant requested, by e-mail, that the Trustee, relinquish possession of his

property and ship to him so he may continue producing his designs at another mint.

5). The trustee asserts that the dies are subject to the instant Bankruptcy action and refuses to ship his dies.

ARGUMENT

The Claimant contends that having paid \$4500.00 (see exhibits 2,4,6,8) for his dies, he owns this res free and clear, he is the rightful owner, and his property is inappropriately deemed subject to the Debtors bankruptcy. The claimant submits that his property is beyond the scope of the instant bankruptcy in so much as it is not the subject of any current or existing order on the books, and that the order was fulfilled long ago, and his dies are simply being stored at the mint.

The invoices attached, clearly and unambiguously stipulate : "Not shipped, archived @ NWTM facility" (see exhibits 1,3,5,7)

The only contact that the claimant has ever had with the debtor , during their seven year relationship, was with their representative, Marty Colwell, from the custom minting dept. Marty Colwell assured him that the mint does not have the authority to use his dies except only at the exclusive behest of the claimant. Therefore, the debtor would be in breach of said agreement and subject themselves to additional civil action if they use them in any other manner.

The claimant contends debtor has not submitted a claim for the dies in question and discharge of the monetary value of third party property is not proper fodder for debtors relief.

This objection is limited to the die(s) portion of his claim and an additional adversarial motion, or complaint, will be executed for the bullion portion of claim 464.

CONCLUSION

WHEREFORE, the claimant prays that this honorable Court deny any and all claims submitted for the amounts that reflect the values of dies owned by third parties archived at the mint, including the claimants own, and issue an order to the Trustee compelling him to comply with the wishes of the claimants in regard to possession of said property, and any such other relief as the Court may deem appropriate..

Dated This 19th day of May, 2016

Respectfully submitted,



Rayburn D. Pollard Jr. Pro-Se

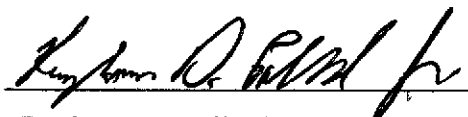
3115 W. Ann St. Peoria, Il. 61605

CERTIFICATE OF SERVICE

I, Rayburn D. Pollard Jr. Pro Se, do hereby certify that a true copy of the attached document was caused to be sent by regular mail, to the parties listed below, by depositing with the U.S. Post Office in Peoria Illinois at State Street, with the proper postage affixed.

I swear under the penalty of perjury that the foregoing statements are true and correct.

Executed this 19th day of May, 2016



Rayburn D. Pollard Jr.

3115 W, Ann St.

Peoria, Illinois 61605

To:

Clerk of the Bankruptcy Court:

700 Stewart St. Suite 6301

Seattle, Washington, 98101

To:

Atty for the trustee:

K&L Gates LLP

925 Forth Ave. Suite 2900

Seattle Washington 98104-1158

To:

Atty for the Debtor:

Tracy Law Group

720 Olive Way, Suite 1000

Seattle Washington 98101



NORTHWEST TERRITORIAL MINT LLC

PO Box 2148 Auburn, WA 98071
1307 W VALLEY HWY N STE 101
Auburn, WA 98001
Phone: 800-344-6468
Fax: 253-735-2210

Invoice

Sold Ray Pollard
To: 3115 West Ann St.
Peoria, IL 61605
United States

Ship Ray Pollard
To: 3115 West Ann St.
Peoria, IL 61605
United States

Invoice Number:	139517	Salesman:	Marty Colwell
Invoice Date:	04/15/09	Terms:	Payable On Receipt
Customer:	POLLARDRAY	Packing List:	139517
Order No:	139702		

<u>Item</u>	<u>Quantity</u>	<u>Description</u>	<u>Revision</u>	<u>Unit Price</u>	<u>Amount</u>
1	1	B 3 97 - Coining die , Liberty Leaf shipped, archived at NWT Mint	not	\$750.00 / EA	\$750.00
2	1	B 3 98 - Coining die, text archived at NWT Mint	not shipped,	\$500.00 / EA	\$500.00
Sub-total:					\$1,250.00
Sales Tax:					\$0.00
Shipping Charges:					\$0.00
Invoice Total:					\$1,250.00
Paid To Date:					\$0.00
Balance Due:					\$1,250.00

*pd ✓ # 2537
PERSONAL ACCOUNT*

EXHIBIT 1

Check Image

COPY

Bus. Date 04/21/2009 Bk Num 602 Seq. Num 2506-00 Check Acct. Num 2537 Tran Code 12398292 Amount 0 1250.00 - USD FRB-ABA 271183701

RAYBURN D. POLLARD, JR. 70-0370/2711 2537
 LIC. P46372459251 012398292
 3115 W ANN ST.
 PEORIA, IL 61605 DATE 4-16-09

PAY TO THE ORDER OF NORTHWEST TERRITORIAL MINT \$1,250.00
 ONE THOUSAND, TWO HUNDRED - FIFTY ⁰⁰/₁₀₀ DOLLARS

CEFCU
 P.O. Box 1715, Peoria, IL 61606-1715
 MEMO QUOTE: 25014

271183701 01 2398292 2537

Ray D. Pollard

Pay to the Order of
 Banner Bank WA
 3233371076
 PAY TO THE ORDER OF ONLY
 BANNER BANK
 Northwest Territorial Mint
 3233371076
 FEDERAL SA ONLY
 NORTHWEST TERRITORIAL MINT
 5500919041

Electronic Endorsements

EXHIBIT 2



NORTHWEST TERRITORIAL MINT LLC

Invoice

Sold Ray Pollard
 To: 3115 West Ann St.
 Peoria, IL 61605
 United States

Ship Ray Pollard
 To: 3115 West Ann St.
 Peoria, IL 61605
 United States

Invoice Number:	254333	Salesman:	Marty Colwell
Invoice Date:	12/22/10	Terms:	Payable On Receipt
Customer:	POLLARDRAY	Packing List:	254333
Order No:	243849		

12-20-10-Rec'd ck# 2573 \$1,250.00 LJP


Item	Quantity	Description	Revision	Unit Price	Amount
1	1	J 12 84 - 3D Custom Coining Die: Ray Pollard - Silver Indica / NOT SHIPPED, TO BE ARCHIVED @ NWTM FACILITY		\$750.00 / EA	\$750.00
2	1	J 12 85 - 2D Custom Coining Die: Ray Pollard - Abraham Lincoln (Indica) / NOT SHIPPED, TO BE ARCHIVED @ NWTM FACILITY		\$500.00 / EA	\$500.00

Sub-total: \$1,250.00
 Sales Tax: \$0.00
 Shipped Via Fed Ex ground shipment: \$0.00

Invoice Total: \$1,250.00
 Paid To Date: -\$1,250.00

PA ✓ \$2573


EXHIBIT 3


COPY 


Check Image

Bus. Date 12/21/2010 Blk Num 702 Seq. Num 1978-00 Check 2573 Acct. Num 12398292 Tran Code 0 Amount 1250.00 FRB-ABA 271183701

RAYBURN D. POLLARD, JR. 70-6370/2711 2573
 LIC P48372459251 012398292
 3115 W ANN ST.
 PEORIA, IL 61605
 DATE 10-15-2010

PAY TO THE ORDER OF NORTHWEST TERRITORIAL MINT \$1,250.⁰⁰
~~ONE THOUSAND TWO HUNDRED FIFTY~~ ⁰⁰ ~~TWO~~ DOLLARS 
 ELECTRONIC PRESENTATION

 **CEFCU**
 P.O. Box 1715, Peoria, IL 61656-1715

MEMO SILVER INDICA AGE LINE DISCS 

⑆ 271183701 ⑆ 01 2398292 2573

Pay to the Order of
 Banner Bank WA
 323371076
 For Deposit Only
 Northwest Territorial Mint
 5500010041

Electronic Endorsements

EXHIBIT 4



NORTHWEST TERRITORIAL MINT LLC

dba MEDALLIC ART COMPANY

80 Airpark Vista Blvd.

Dayton, NV 89403

Phone: 775-246-6000

Fax: 775-246-6006

Invoice

Sold Ray Pollard

To: 3115 West Ann St.

Peoria, IL 61605

United States

Ship Ray Pollard

To: 3115 West Ann St.

Peoria, IL 61605

United States

Invoice Number:	267582	Salesman:	Marty Colwell
Invoice Date:	02/24/11	Terms:	Credit Card
Customer:	POLLARDRAY	Packing List:	267582
Order No:	258138		

DIE ORDER ONLY

<u>Item</u>	<u>Quantity</u>	<u>Description</u>	<u>Revision</u>	<u>Unit Price</u>	<u>Amount</u>
1	1	J 14 5 - 3D Custom Coining Die / 39mm: Ray Pollard - Christian Flag (We Say Merry Christmas) / NOT SHIPPED, TO BE ARCHIVED @ NWTM FACILITY		\$750.00 / EA	\$750.00
Sub-total:					\$750.00
Sales Tax:					\$0.00
Shipping Charges:					\$0.00
Invoice Total:					\$750.00
Paid To Date:					-\$750.00
Balance Due:					\$0.00

pd credit CARD

EXHIBIT 5

Print Receipt

Receipt

Northwest Territorial Mint -in house
1307 W. Valley Hwy North
Auburn WA 98001
2538337780

Description:

Transaction Date: 2/24/2011 8:42:54 AM
Transaction ID: 8007858
Transaction Status: Approved
Authorization Code: 09270C
Type : SALE
Card Number: XXXX8755
Amount: \$962.99
Invoice: 258138 &247802

Customer ID: POLLARDRAY

Billing Information

Ray Pollard Jr.

3115 West Ann St.
Peoria IL
61605
309-472-8171

Shipping Information**Customer Notes:**

[CLOSE THIS WINDOW](#) [PRINT](#) [E-MAIL THIS RECEIPT](#)

EXHIBIT 6



NORTHWEST TERRITORIAL MINT LLC

Invoice

Sold Ray Pollard
To: 3115 West Ann St.
Peoria, IL 61605
United States

Ship Ray Pollard
To: 3115 West Ann St.
Peoria, IL 61605
United States

Invoice Number:	477575	Salesman:	Marty Colwell
Invoice Date:	07/22/13	Terms:	Payable On Receipt
Customer:	POLLARDRAY	Packing List:	477575
Order No:	458550		

07-15-13 Rec'd ck \$1,250.00

<u>Item</u>	<u>Quantity</u>	<u>Description</u>	<u>Revision</u>	<u>Unit Price</u>	<u>Amount</u>
1	1	L 3 90 - 3D Custom Coining Die (39mm): Liberty Leaf / Ruderalis NOT SHIPPED, TO BE ARCHIVED @ NWTM FACILITY		\$750.00 / EA	\$750.00
2	1	L 3 91 - 2D Custom Coining Die (39mm): Thomas Paine / One Silver Ruderalis NOT SHIPPED, TO BE ARCHIVED @ NWTM FACILITY		\$500.00 / EA	\$500.00


Sub-total:	\$1,250.00
Sales Tax:	\$0.00
Shipped Via DIES - DO NOT SHIP:	\$0.00
Invoice Total:	\$1,250.00
Paid To Date:	-\$1,250.00
Balance Due:	\$0.00

pd ✓ 1024

EXHIBIT 7

Check image



Bus. Date 07/16/2013 Blk Num 701 Seq. Num 2942-00 Check 1024 Acct. Num 812251219 Tran Code 0 Amount 1250.00 FRB-ABA USD 271183701

COPY 

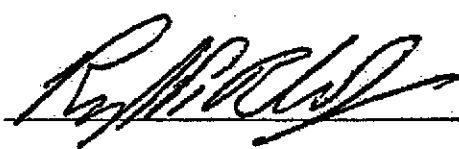
LIBERTY METALS & MACHINING 04/11 70-8370/2711 1024

DATE 7-10-13


PAY TO THE ORDER OF NORTHWEST TERRITORIAL MINT \$ 1,250.⁰⁰

ONE THOUSAND TWO HUNDRED - FIFTY ⁰⁰/₁₀₀ DOLLARS  

CEFCU
P.O. Box 1715, Peoria, IL 61656-1715

MEMO RUDERALIS DIE 

⑆27183701⑆ 08 12251219 1024



Endorsements the Order of
Banner Bank WA
323371076
For Deposit Only
Northwest Territorial Mint
5500010041

Electronic Endorsements

EXHIBIT 8