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Honorable Christopher M. Alston
Chapter 11
Ex Parte

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6
7 UNITED STATES BANKRUPTCY COURT
8 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 In re:
10 NORTHWEST TERRITORIAL MINT, LLC,

Case No. 16-11767-CMA

11 *EX PARTE* MOTION FOR
12 EXAMINATION OF FREIGHT WAY,
13 INC. PURSUANT TO RULE 2004 AND
14 SUBPOENAS PURSUANT TO RULE
9016

15 Mark Calvert, Trustee for the Northwest Territorial Mint, LLC (“NWTM”), in the above-
16 captioned proceeding, by and through his attorneys, K&L Gates, LLP, moves the Court for entry of
17 an *ex parte* order for examination of Freight Way, Inc. (“Freight Way”), a long haul trucking
18 company, pursuant to Federal Rules of Bankruptcy Procedure 2004(b) and (c) and authority to serve
19 subpoenas pursuant to Federal Rule of Bankruptcy Procedure 9016 to certain third parties.

20 1. On April 1, 2016, NWTM filed a voluntary petition for relief under Chapter 11 of the
21 United States Bankruptcy Code.

22 2. On April 11, 2016, Mark Calvert (the “Trustee”) was appointed as the Chapter 11
23 Trustee of NWTM.

24 3. Since his appointment, the Trustee has been working to stabilize and maintain the
25 business operations of NWTM, as well as to investigate the assets and liabilities of the estate.
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EX PARTE MOTION FOR SUBPOENA
PURSUANT TO RULES 2004 AND 9016 - 1

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4. The Trustee believes, based on NWTM’s business records, that Freight Way transported goods on behalf of NWTM and/or its owner Ross Hansen, potentially as recently as mid-May, 2016. NWTM’s records do not, however, contain documents which would allow the Trustee to determine the nature and extent of the good transported by Freight Way.

8. The Trustee deems it essential to examine Freight Way and records and documents in its possession, custody or control as described in Exhibit A pursuant to Bankruptcy Rule 2004, relating to the acts, conduct, or property, to the liabilities and financial condition of NWTM, and to matters which may affect the administration of NWTM’s estate including the business relationship between Freight Way and NWTM and/or Ross Hansen, and the nature and destination of the goods which Freight Way transported.

9. In order to ensure that he obtains complete records, the Trustee also seeks authority to issue subpoenas pursuant to Rule 9016 to any third party that he identifies which may hold the records and documents described in Exhibit A.

10. In addition, the Trustee seeks an order that a representative of Freight Way appear for oral examination to give testimony regarding (i) the relationship between Freight Way and NWTM or Ross Hansen, and (ii) any other matter which may affect the administration of NWTM’s estate.

WHEREFORE, the Trustee respectfully requests that the court enter an order in substantially the form filed concurrently herewith.

DATED this 19th day of July, 2016.

K&L GATES LLP

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

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EXHIBIT A

DOCUMENTS TO BE PRODUCED

1. All documents referring-to, related-to, or evidencing agreements between Freight Way, Inc. and any of the following persons or entities:

- a. Ross B. Hansen
- b. Northwest Territorial Mint
- c. Medallic Art Company, Ltd.
- d. Medallic Art Company, LP
- e. Medallic Art Company, LLC

2. All documents referring-to, related-to, or evidencing any services provided by Freight Way, Inc. to any of the persons or entities listed in the proceeding request for production, including bills of lading, shipping manifests, or receipts.

3. All documents referring-to, related-to, or evidencing and communication between Freight Way, Inc. and any of the following persons or entities:

- a. Ross B. Hansen
- b. Northwest Territorial Mint
- c. Medallic Art Company, Ltd.
- d. Medallic Art Company, LP
- e. Medallic Art Company, LLC

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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 July 19, 2016, she caused the foregoing document to be filed electronically through the CM/ECF system which caused Registered Participants to be served by electronic means, as fully reflected on the Notice of Electronic Filing.

Also on July 19, 2016, she caused to be deposited in the mail of the United States of America, by first class postage prepaid, addressed envelopes containing copies of the foregoing document and mailed to the following addresses:

Freight Way, Inc. c/o Chris Meusy 4203 E. Broadway Ave., Spokane, WA 99202	
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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 19th day of July, 2016 at Seattle, Washington.

/s/ Denise A. Evans
Denise A. Evans