

1 Michael J. Gearin, WSBA # 20982
David C. Neu, WSBA # 33143
2 Brian T. Peterson, WSBA # 42088
K&L GATES LLP
3 925 Fourth Avenue, Suite 2900
Seattle, WA 98104-1158
4 (206) 623-7580

Honorable Christopher M. Alston
Chapter 11
Ex Parte

5
6
7 UNITED STATES BANKRUPTCY COURT
8 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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

Case No. 16-11767-CMA

EX PARTE APPLICATION FOR
ORDER AUTHORIZING
EMPLOYMENT OF K&L GATES LLP
AS ATTORNEYS FOR TRUSTEE ON
AN INTERIM BASIS

13
14
15 Mark Calvert, the Chapter 11 Trustee (the “Trustee”), applies to the Court pursuant to 11
16 U.S.C. § 327 for authority to employ K&L Gates, LLP (“K&L Gates”) as attorneys for the Trustee.

17 In support of this application, the Trustee respectfully represents:

- 18 1. On April 1, 2016, the Debtor filed a voluntary bankruptcy petition under Chapter 11
19 of Title 11 of the United States Code.
- 20 2. An order approving the appointment of Mark Thomas Calvert as Chapter 11 Trustee
21 was entered on April 11, 2016.
- 22 3. The Trustee has selected K&L Gates to represent him as counsel in this case and in
23 all proceedings arising in this case.
- 24 4. K&L Gates has considerable experience in matters of this character, and its attorneys
25 are qualified to represent the Trustee in this case.
- 26

EX PARTE APPLICATION FOR ORDER AUTHORIZING
EMPLOYMENT OF K&L GATES LLP AS ATTORNEYS
FOR TRUSTEE ON AN INTERIM BASIS - 1

K:\2070561\00001\20892_MJG\20892P25AC

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

1 5. The professional services that K&L Gates will render include the following: assist the
2 Trustee in the investigation of the financial affairs of the Debtor; assist the Trustee in the liquidation
3 of assets of the bankruptcy estate; assist the Trustee in the formulation of a chapter 11 plan; legal
4 advice with respect to the investigation and prosecution of claims against third parties; evaluate and
5 resolve claims against the estate; prepare necessary pleadings in these proceedings; and perform all
6 other legal services for the Trustee that may be necessary.

7 6. K&L Gates will charge its usual hourly rates for any services rendered and will
8 request reimbursement of costs and expenses incurred by them in representation of the Trustee. The
9 following are likely to render the majority of legal services:

<u>Professional</u>	<u>Hourly Rate</u>
Michael Gearin	\$525.00
David Neu	\$430.00
Brian Peterson	\$335.00
Denise Evans, Paralegal	\$205.00

10 7. Based the Declaration of Michael Gearin filed concurrently herewith, the Trustee
11 believes that K&L Gates and its attorneys (a) do not hold or represent any interests adverse to the
12 interest of the Trustee, and (b) are disinterested persons within the meaning of 11 U.S.C. § 101. The
13 Trustee is aware of no conflict of interest between K&L Gates, and the debtor, creditors, any party in
14 interest, their respective attorneys and accounts, the United States Trustee, or any person employed
15 in the office of the United State Trustee other than as set forth in the Declaration of Michael Gearin.

16 8. K&L Gates represents no interest adverse to the estate in the matters upon which it is
17 to be retained, is not a creditor in this estate, does not claim a security interest in property of the
18 estate, and has not accepted any retainer in connection with the proposed engagement.

19 9. No notice to creditors or interested parties of this motion is necessary pursuant to 11
20 U.S.C. § 102(1) and Fed. R. Bankr. P. 2002.
21
22
23
24
25
26

EX PARTE APPLICATION FOR ORDER AUTHORIZING
EMPLOYMENT OF K&L GATES LLP AS ATTORNEYS
FOR TRUSTEE ON AN INTERIM BASIS - 2

K:\2070561\00001\20892_MJG\20892P25AC

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

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

10. This Application is supported by the Declaration of Michael Gearin filed herewith.
Based on the above, the Trustee prays for authorization to employ and appoint K&L Gates LLP and
its counsel on an interim basis.

DATED this 12th day of April, 2016.

K&L GATES LLP

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

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

CERTIFICATE OF SERVICE

The undersigned declares as follows:

That she is a paralegal in the law firm of K&L Gates LLP, and on April 12, 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.

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 12th day of April, 2016 at Seattle, Washington.

/s/ Denise A. Evans
Denise A. Evans