

Honorable Christopher M. Alston
Chapter 11
Hearing Location: Room 7206
Hearing Date: September 2, 2016
Hearing Time: 9:30 a.m.
Response Date: August 26, 2016

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re:
NORTHWEST TERRITORIAL MINT, LLC,

Debtor.

Case No. 16-11767-CMA

DECLARATION OF RAGAN L. POWERS
IN SUPPORT OF RESPONSE TO
TRUSTEE'S MOTION FOR CONTEMPT

I Ragan L. Powers, hereby declare:

1. I am a partner at DWT and have personal knowledge of the matters set forth herein.
2. Attached hereto are copies of email correspondence between me and Mr. Neu related to the Trustee's requests with respect to the 2004 Order.
3. We have sent a request to R.J. O'Brien for account records in their possession for any accounts held by Mr. Hansen. I am advised that the response will take several weeks to process.

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 26th day of August, 2016

/s/ Ragan L. Powers
Ragan L. Powers

Powers, Ragan

From: Powers, Ragan
Sent: Thursday, July 21, 2016 12:09 PM
To: 'Neu, David'
Subject: RE: Ross Hansen bank statements

David:

Sorry for the delay in getting back to you.

My understanding is that Mr. Hansen does not have his personal bank statements, other than the ones that we provided. He believes that his bank statements were at Northwest Territorial Mint at the time he left. Mr. Hansen is not in a position to know at this time what happened to records that were left at the company. You might try asking Annette Trunkett or the legal department - copies of Mr. Hansen's bank statements may be found in those areas. You will recall that Mr. Calvert successfully resisted any effort by Mr. Hansen to go to the company's offices to identify records, whether supervised or not. You can always issue a subpoena to his bank.

On another matter, Mr. Hansen advises me that personal mail addressed to him (including health records) are not being forwarded to him. Please request that your client forward Mr. Hansen's personal mail to him.

Ragan Powers | Davis Wright Tremaine LLP
1201 Third Avenue, Suite 2200 | Seattle, WA 98101
Tel: (206) 757-8123 | Fax: (206) 757-7123
Email: raganpowers@dwt.com | Website: www.dwt.com

Anchorage | Bellevue | Los Angeles | New York | Portland | San Francisco | Seattle | Shanghai | Washington, D.C.

From: Neu, David [<mailto:david.neu@klgates.com>]
Sent: Thursday, July 21, 2016 11:51 AM
To: Powers, Ragan
Subject: RE: Ross Hansen bank statements

Ragan - I wanted to follow-up on this.

From: Neu, David
Sent: Monday, July 18, 2016 10:09 AM
To: 'raganpowers@dwt.com'
Subject: Ross Hansen bank statements

Ragan - I wanted to follow-up on the 2004 examination, as Ross has provided almost nothing in the way of documents based on his representation that they were all in his office. The Trustee has been through the office, and contrary to Mr. Hansen's representation, his bank statements are not there. Can you please have him provide bank statements from 2008 to the present.



David C. Neu

Partner
K&L Gates LLP
925 Fourth Ave
Suite 2900
Seattle, WA 98104
Phone: 206-623-7580
Fax: 206-370-6289
david.neu@klgates.com
www.klgates.com

This electronic message contains information from the law firm of K&L Gates LLP. The contents may be privileged and confidential and are intended for the use of the intended addressee(s) only. If you are not an intended addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please contact me at david.neu@klgates.com.

Powers, Ragan

From: Neu, David <david.neu@klgates.com>
Sent: Friday, July 22, 2016 10:31 AM
To: Powers, Ragan
Subject: Bank statements

Importance: High

Ragan - Annette Trunkett has located bank statements from January, 2010 through October, 2015. Please have Ross confirm that the Columbia Bank Account xxxxxx2976 is his only bank account, and whether he is able to request statements that pre-date 2010. Please confirm he will, as soon as possible, provide statements from October, 2015 to the present. As you know, for the purposes of FRCP 34, "possession, custody, or control" includes documents which a party has the legal right or ability to obtain the documents. I am happy to provide authority if needed.



David C. Neu
Partner
K&L Gates LLP
925 Fourth Ave
Suite 2900
Seattle, WA 98104
Phone: 206-623-7580
Fax: 206-370-6289
david.neu@klgates.com
www.klgates.com

This electronic message contains information from the law firm of K&L Gates LLP. The contents may be privileged and confidential and are intended for the use of the intended addressee(s) only. If you are not an intended addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please contact me at david.neu@klgates.com.

Powers, Ragan

From: Powers, Ragan
Sent: Tuesday, August 02, 2016 11:38 AM
To: 'Neu, David'
Subject: Hansen/NWTM Bank Records

David:

I did not get a chance to call you back yesterday afternoon.

Please provide me with a list of exactly what it is that you are asking for. My understanding from your earlier emails is that Ms. Trunkett located Mr. Hansen's bank account statements for 2010 through October 2015. Has she located any more of the statements? Please provide us with copies of what she located.

With respect to securities accounts, my understanding is that there were two. One was with MF Global. Information should be in both the accounting area and legal department. Because MF Global went under, the amount in that account was returned over time as part of its legal proceedings, and was tracked by the legal department. I am not sure how one would go about getting statements from MF Global at this point. My understanding is that the other account was with RJ O'Brien, and was used for a short time for some hedging activity, and has been closed for some time. I understand that the statements should be in the accounting area.

Feel free to give me a call.

Ragan Powers | Davis Wright Tremaine LLP
1201 Third Avenue, Suite 2200 | Seattle, WA 98101
Tel: (206) 757-8123 | Fax: (206) 757-7123
Email: raganpowers@dwt.com | Website: www.dwt.com

Anchorage | Bellevue | Los Angeles | New York | Portland | San Francisco | Seattle | Shanghai | Washington, D.C.

Powers, Ragan

From: Powers, Ragan
Sent: Thursday, August 04, 2016 4:07 PM
To: 'Neu, David'
Subject: Hansen documents

David:

Here is an update on your request for documents.

Mr. Hansen is arranging to get copies of the Columbia Bank statements. I will provide them to you when he provides them to me.

Apparently, obtaining records from RJ O'Brien requires an account number and/or the equivalent of a PIN, neither of which Mr. Hansen has. You might have someone look again in the file drawers in Mr. Hansen's office to see if they can find a statement with an account number.

Ragan Powers | Davis Wright Tremaine LLP

1201 Third Avenue, Suite 2200 | Seattle, WA 98101

Tel: (206) 757-8123 | Fax: (206) 757-7123

Email: raganpowers@dwt.com | Website: www.dwt.com

Anchorage | Bellevue | Los Angeles | New York | Portland | San Francisco | Seattle | Shanghai | Washington, D.C.

Powers, Ragan

From: Powers, Ragan
Sent: Monday, August 08, 2016 10:12 AM
To: 'Neu, David'
Subject: Hansen Bank statements
Attachments: 0007_001.pdf

David:

Attached are copies of Mr. Hansen's statements from Columbia Bank from October 2015 forward. They arrived Friday while we were in court. Please let me know if there is anything else you need with respect to Columbia Bank.

With respect to RJ O'Brien, my understanding is that they refused to discuss any accounts Mr. Hansen may have had with them because he did not have an account number or PIN to give them. We are happy to cooperate with you in getting access to information about the accounts, but someone needs to come up with an account number. I suggest again that a simpler and more efficient solution would be to either stipulate to a 2004 Order for both RJ O'Brien and MF Global, or for you to issue a subpoena (although there is no contested matter or adversary pending that would support a subpoena if the third party objects).

Let me know if you intend to move forward with your motion for sanctions. I do not believe it is well taken. However, if you do intend to proceed, please let me know what dates Ms. Trunkett is available for deposition next week, as we will want to better understand what has been done to locate these records.

Thanks.

Ragan Powers | Davis Wright Tremaine LLP
1201 Third Avenue, Suite 2200 | Seattle, WA 98101
Tel: (206) 757-8123 | Fax: (206) 757-7123
Email: raganpowers@dwt.com | Website: www.dwt.com

Anchorage | Bellevue | Los Angeles | New York | Portland | San Francisco | Seattle | Shanghai | Washington, D.C.