

1 THE HONORABLE CHRISTOPHER M. ALSTON
2 Chapter 11

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

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10 In Re) No. 16-11767-CMA
11 NORTHWEST TERRITORIAL MINT,)
12 LLC,) NOTICE OF APPEAL FROM ORDER
13 Debtor.) ON TRUSTEE’S MOTION FOR ORDER
14) AUTHORIZING TRUSTEE TO
15) ASSUME AND REJECT CERTAIN
16) UNEXPIRED LEASES OF
NONRESIDENTIAL REAL PROPERTY
AND ENTER INTO NEW LEASE FOR
GREEN BAY, WISCONSIN

17 COMES NOW Gatewood-California, LLC, a landlord in the above-referenced case,
18 by and through its attorneys of record, and appeals pursuant to 28 U.S.C. § 158(a)(1), from a
19 final order of the bankruptcy court entitled “Order on Trustee’s Motion for Order
20 Authorizing Trustee to Assume and Reject Certain Unexpired Leases of Nonresidential Real
21 Property and Enter Into New Lease for Green Bay, Wisconsin” [ECF No. 895] entered in the
22 above-captioned case on February 3, 2017 (the “Order”). A copy of the Order is attached
23 hereto as Exhibit A.

24 The names of all parties to the Order appealed from and the names, addresses, and
25 telephone numbers of their respective attorneys are as follows:

26 Appellant: Gatewood-California, LLC

NOTICE OF APPEAL - 1
16-11767-CMA

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Appellant's Attorneys: Lane Powell PC
Attn: James B. Zack
1420 5th Avenue, Suite 4200
Seattle, WA 98101
Tel: (206) 223-7000

Appellee: Mark Calvert, Chapter 11 Trustee of
Northwest Territorial Mint, LLC

Appellee's Attorneys: K&L Gates LLP
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and Brian T. Petersen
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DATED: February 17, 2017

LANE POWELL PC

By /s/ James B. Zack
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EXHIBIT A

Below is the Order of the Court.



Christopher M. Alston
U.S. Bankruptcy Judge

(Dated as of Entered on Docket date above)

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Christopher M. Alston
Bankruptcy Judge
United States Courthouse
700 Stewart Street, Suite 6301
Seattle, WA 98101
206-370-5330

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re
Northwest Territorial Mint, LLC,

Chapter 11
Case No. 16-11767

Debtor.

ORDER ON TRUSTEE’S MOTION FOR ORDER
AUTHORIZING TRUSTEE TO ASSUME AND
REJECT CERTAIN UNEXPIRED LEASES OF
NONRESIDENTIAL REAL PROPERTY AND
ENTER INTO NEW LEASE FOR
GREEN BAY, WISCONSIN

This matter came before the Court on the Chapter 11 Trustee’s (“Trustee”) Motion for Order Authorizing Trustee to Assume and Reject Certain Unexpired Leases of Nonresidential Real Property and Enter into New Lease for Green Bay, Wisconsin (the “Motion”). The Court considered the Motion, the accompanying declarations, any objections and reply materials, the

Below is the Order of the Court.

1 arguments of counsel, and the pleadings and papers herein. The Court hereby finds and
2 concludes as follows:

- 3 1. Notice of the Motion was sufficient;
- 4 2. Good cause exists for approval of the Green Bay Lease and rejection of the
5 Springfield Lease;
- 6 3. The Trustee neither assumed the Auburn Lease nor waived the right to have the
7 Auburn Lease deemed rejected by operation of Section 365(d)(4) of Title 11 of the United States
8 Code; and
- 9 4. Additional findings of fact and conclusions of law stated on the record at the
10 hearing are incorporated by this reference.

11
12 Now therefore it is **ORDERED:**

- 13 1. The Trustee is authorized to enter into a new lease for its facility in Green Bay,
14 Wisconsin according to the terms stated in the letter of intent (“Letter of Intent”) attached as
15 Exhibit D to the Declaration of Mark Calvert filed in support of the Motion, or on terms
16 substantially similar to the terms set forth in the Letter of Intent;
 - 17 2. The Trustee is authorized to reject the Springfield Lease, as that term is defined in
18 the Motion, effective November 30, 2016.
 - 19 3. The deadline for the filing of proofs of claim based on the rejection of the
20 Springfield Lease shall be March 31, 2017.
 - 21 4. The Trustee’s request to assume the Auburn Lease, as that term is defined in the
22 Motion, is denied.
 - 23 5. Pursuant to section 365(d)(4) of title 11 of the United States Code, the Auburn
24 Lease is deemed rejected.
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Below is the Order of the Court.

1 6. The deadline for the filing of proofs of claim based on the rejection of the Auburn
2 Lease shall be March 31, 2017.

3 7. The Trustee shall serve a copy of this Order by mail on the landlord for the
4 Auburn Lease and the landlord for the Springfield Lease no later than five days after entry of this
5 Order.

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7 */// END OF ORDER ///*
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