

United States Bankruptcy Court  
Eastern District of Washington

Waldron,  
Plaintiff

Adv. Proc. No. 19-80012-FPC

Carlson and Jane Doe 1,  
Defendant

**CERTIFICATE OF NOTICE**

District/off: 0980-2

User: notice  
Form ID: pdf002

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Jun 05, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 07, 2019.

pla +Mark D. Waldron, Law Offices of Mark D. Waldron, PLLC, 6711 Regents Blvd. W., Suite B,  
Tacoma, WA 98466-5421

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 07, 2019

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 5, 2019 at the address(es) listed below:

Benjamin J McDonnell on behalf of Defendant Clever Capital, LLC ben@pyklawyers.com,  
lauren@pyklawyers.com, eboudreau@pyklawyers.com  
Brian A. Walker on behalf of Defendant Jeffrey Field bwalker@omwlaw.com, kreynolds@omwlaw.com  
Dominique R Scalia on behalf of Interested Party Unsecured Creditors Committee of Giga Watt  
Inc. dscalia@lawdbs.com, paralegal@lawdbs.com  
Jason T Piskel on behalf of Defendant Clever Capital, LLC jtp@pyklawyers.com  
Pamela Marie Egan on behalf of Plaintiff Mark D. Waldron pegan@ckrlaw.com

TOTAL: 5

So Ordered.



*Frederick P. Corbit*

Dated: June 5th, 2019

Frederick P. Corbit  
Bankruptcy Judge

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

In re:  
  
GIGA WATT, Inc., a Washington  
corporation,  
  
Debtor.

Case No. 18-03197  
  
The Honorable Frederick P. Corbit  
  
Chapter 11

MARK D. WALDRON, in his  
capacity as the duly-appointed  
Chapter 11 Trustee,  
  
vs.  
  
DAVID M. CARLSON and JANE  
DOE 1, individually and on behalf of  
the marital estate, ENTERPRISE  
FOCUS, INC., a Washington  
corporation, CLEVER CAPITAL,  
LLC, a Washington limited liability  
company, JEFFREY FIELD, ROB  
TAVIS, and JANE DOES 2  
THROUGH 15

Adv. Pro. No. 19-80012  
  
**ORDER GRANTING  
PRELIMINARY INJUNCTION**

1 This matter came before the Court on May 23, 2019 (the “**Show Cause**  
2 **Hearing**”) pursuant to the (i) *Amended Order to Show Cause for Preliminary*  
3 *Injunction and Temporary Restraining Order*, entered in this proceeding on April  
4 30, 2019 [AP Docket No. 19], (ii) *Motion of the Chapter 11 Trustee for Order to*  
5 *Show Cause for Preliminary Injunction and Temporary Restraining Order*, filed  
6 on April 22, 2019, and (iii) *Verified Complaint for Avoidance and Recovery of*  
7 *Fraudulent Transfers and/or Preferential Transfers; Breach of Fiduciary Duty;*  
8 *Turnover; and Injunctive Relief; and the Chapter 11 Trustee’s Objections to*  
9 *Claims of David M. Carlson (Claims Nos. 318 and 319) and of Clever Capital*  
10 *LLC (Claim No. 320)* (the “**Verified Complaint**”), filed on April 22, 2019.

11 Pursuant to Federal Rule of Civil Procedure 7052, applicable herein by  
12 Federal Rule of Bankruptcy Procedure 7052, the Court’s oral ruling at the Show  
13 Cause Hearing constitutes its findings of fact and conclusions of law and such  
14 findings of fact and conclusions of law are incorporated herein by reference as if  
15 set forth fully herein.

16 Accordingly, it is hereby:

17 **ORDERED** that management and control of the Debtor’s business  
18 operations and interests located at 474 Highline Drive, Buildings A, B, C, H1, H2,  
19 East Wenatchee, Washington (the “**TNT Facility**”) are placed with Mark D.  
20 Waldon, in his official capacity as the duly-authorized trustee in this bankruptcy  
21 case (the “**Trustee**”).

22 **ORDERED** that (i) David M. Carlson, Clever Capital LLC, and Enterprise  
23 Focus, Inc., (ii) those who receive actual notice of this Order and are the officers,

1 agents, servants, employees of David M. Carlson, Clever Capital LLC and/or  
2 Enterprise Focus, Inc.; and (iii) those who receive actual notice of this Order and  
3 are in active concert or participation with David M. Carlson, Clever Capital LLC  
4 and/or Enterprise Focus, Inc., are enjoined during the pendency of this adversary  
5 proceeding from controlling, disposing of, transferring, encumbering or  
6 possessing the TNT Facility, including, without limitation (i) the leases pertaining  
7 to the TNT Facility, (ii) the *Interconnection and Service Agreement*, dated May  
8 14, 2018 between Public Utility District No. 1 of Douglas County and Giga Watt,  
9 Inc., and (iii) all personal property, whether tangible or intangible, used by the  
10 Debtor in its business operations that it has maintained at the TNT Facility,  
11 including, computers, cables, power strips, racks and infrastructure.

12       **ORDERED** that the parties shall cooperate to allow Mr. Carlson to remove  
13 from Building C at 464 Highline Drive, East Wenatchee, Washington, certain  
14 personal property belonging to Mr. Carlson, including a 2008 Toyota FJ Cruiser.

15                                    [*This Order follows on the next page.*]  
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