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**IN THE FOURTH JUDICIAL DISTRICT COURT, STATE OF UTAH  
MILLARD COUNTY, FILLMORE DEPARTMENT**

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INTERNATIONAL AUTOMATED  
SYSTEMS, INC., a Utah Corporation;  
RAPOWER-3, LLC, a Utah Limited Liability  
Company; NELDON JOHNSON, an  
individual; and GLENDA JOHNSON, an  
individual,

Plaintiffs,

vs.

MILLARD COUNTY, a political subdivision  
of the State of Utah; RICHARD  
WADDINGHAM, Millard County Attorney;  
and John Does I through X,

Defendants.

**REQUEST TO SUBMIT FOR DECISION  
(Defendants' Motion to Dismiss)**

Civil No. 140700016  
Judge Jennifer A. Brown

**HEARING REQUESTED**

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Millard County and Richard Waddingham (“Defendants”) request that their Motion to Dismiss be submitted to the Court for decision. Defendants filed their Motion to Dismiss on February 1, 2016. Plaintiffs filed their Memorandum in Opposition on February 22, 2016. Defendants filed their Reply Memorandum on March 2, 2016. Briefing is now complete and the

matter is ready for a decision. Defendants request a hearing and respectfully request that the hearing be held telephonically.

DATED March 2, 2016.

**DUNN & DUNN, P.C.**

/s/ Kathleen M. Liuzzi  
Kathleen M. Liuzzi  
Susan Black Dunn  
*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I certify that on March 2, 2016, I served foregoing **REQUEST TO SUBMIT FOR DECISION (Defendants' Motion to Dismiss)** by ECF filing and email to the following:

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