

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF
AMERICA,) Deposition of:
)
Plaintiff,) ROBERT ROWBOTHAM
)
vs.)
) Time on record:
) 3 Hours, 31 Minutes
)
RAPOWER-3, LLC,)
INTERNATIONAL)
AUTOMATED SYSTEMS,)
INC., LTBI, LLC, R.) Case No. 2:15-cv-00828 DN
GREGORY SHEPARD, ELDON)
JOHNSON and ROGER)
FREEBORN,) Judge David Nuffer
)
Defendants.)

August 8, 2016 * 1:13 p.m. to 5:08 p.m.

Location: United States Attorney's Office
185 South State Street -- Suite 300
Salt Lake City, Utah

Reporter: Denise M. Thomas, CRR/RPR

**Plaintiff
Exhibit**

K

A P P E A R A N C E S

FOR THE PLAINTIFF:

Christopher R. Moran
Erin Healy-Gallagher
Erin R. Hines (Telephonically)
UNITED STATES DEPARTMENT OF JUSTICE
Trial Attorneys, Tax Division
P. O. Box 7328
Washington, D. C. 20044
Telephone: 202.307.0834 (Moran)
202.353.2452 (Healy-Gallagher)
Fax: 202.514.6770
E-mail: christopher.r.moran@usdoj.gov
erin.healygallagher@usdoj.gov

FOR THE DEFENDANTS RAPOWER3, LLC, INTERNATIONAL
AUTOMATED SYSTEMS, INC., LTB1, LLC, AND NELDON
JOHNSON:

Justin D. Heideman
HEIDEMAN & ASSOCIATES
Attorneys at Law
2696 No. University Avenue -- Suite 180
Provo, Utah 84604
Telephone: 801.472.7742
Fax: 801.374.1724
E-mail: jheideman@heidlaw.com
caustin@heidlaw.com
tsorenson@heidlaw.com

FOR THE DEFENDANTS R. GREGORY SHEPHERD AND ROGER
FREEBORN:

Donald S. Reay
MILLER, REAY & ASSOCIATES
Attorneys at Law
43 West 9000 South -- Suite B
Sandy, Utah 84070
Telephone: 801.999.8529
Fax: 801.206.0211
E-mail: donald@reaylaw.com

A P P E A R A N C E S (Continued)

FOR THE WITNESS:

James D. Gilson
CALLISTER NEBEKER & McCULLOUGH
Attorneys at Law
10 East South Temple -- Suite 900
Salt Lake City, Utah 84133
Telephone: 801.530.7325
Fax: 801.364.9127
E-mail: jgilson@cnmlaw.com

* * *

P R O C E E D I N G S

ROBERT ROWBOTHAM,
having been first duly sworn to tell the
truth, was examined and testified as follows:

MR. MORAN: Good afternoon, Mr. Rowbotham.
My name is Chris Moran. I'll be taking your
deposition today. I'm here on behalf of the
United States.

Could counsel please put your appearances
on the record, starting with Ms. Healy-Gallagher.

MS. HEALY-GALLAGHER: Erin Healy-Gallagher
also here on behalf of the United States.

MR. REAY: Donald Reay on behalf of
Greg Shepard and Roger Freeborn.

MR. HEIDEMAN: Justin Heideman on behalf
of the other Defendants.

MR. GILSON: James Gilson on behalf of the
witness, Mr. Rowbotham.

MR. MORAN: And we're also joined by
counsel for the United States, Ms. Erin Hines, who is
on the telephone.

1 BFS.

2 Q. What about solar lenses?

3 A. As a potential to benefit BFS if it works.

4 If you gave me more money that I could work with

5 kids, anybody that would deal with me from that

6 standpoint I would deal with positively, legally.

7 Q. So you expect that at some point your

8 solar lenses are going to generate money that will

9 help you deal with kids?

10 A. I would love to have that happen.

11 Q. Okay. Has it happened yet?

12 A. Well, it's happened to the extent that

13 I've got my money back and I'm still in business.

14 Q. And that's the money you've gotten from

15 the multilevel marketing?

16 A. Yes, sir.

17 Q. Have you ever been told that any

18 information you received from either RaPower3 or

19 International Automated Systems or Greg Shepard or

20 Neldon Johnson was confidential?

21 A. No.

22 Q. Have you ever been asked to sign a

23 nondisclosure agreement?

24 A. No.

25 MR. MORAN: I have no further questions at