

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

UNITED STATES OF AMERICA, )  
Plaintiff, )  
-vs- ) CIVIL NO.  
 ) 2:15-cv-00828 DN  
RaPOWER-3, LLC, INTERNATIONAL )  
AUTOMATED SYSTEMS, INC., LTB1, )  
LLC, R. GREGORY SHEPARD, NELDON )  
JOHNSON and ROGER FREEBORN, )  
Defendants.

Deposition of FRANK FREDERICK LUNN IV, taken at  
the instance of the Plaintiff, before Laurel A.  
Patkes, CSR #084-001340, on Monday, August 1, 2016  
at the hour of 9:00 a.m., at 318 S. Sixth Street,  
Springfield, Illinois, pursuant to notice.

**Plaintiff  
Exhibit**

A

A P P E A R A N C E S

U. S. DEPARTMENT OF JUSTICE, by  
ERIN HEALY GALLAGHER  
CHRISTOPHER R. MORAN  
ERIN R. HINES (present by phone)  
P.O. Box 7238  
Ben Franklin Station  
Washington, D.C. 20044  
erin.healygallagher@usdoj.gov  
(202)353-2452

appearing on behalf of the  
Plaintiff;

HEIDEMENT & ASSOCIATES, by  
JUSTIN D. HEIDEMAN  
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Suite 180  
Provo, Utah 84604  
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appearing on behalf of Defendants  
RaPower-3, LLC, International  
Automated Systems, Inc., LTB1,  
LLC and Neldon Johnson;

STOEL RIVES, LLP, by  
PAUL JONES  
4766 S. Holladay Boulevard  
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appearing on behalf of the  
Deponent.

1 governed by the Federal Rules of Civil Procedure and  
2 the local rules.

3 For purposes of the depositions that  
4 we have today and tomorrow, counsel, I'll be keeping  
5 the witness copy of the exhibits in the event that  
6 we use the same ones tomorrow.

7 After tomorrow's deposition, we'll  
8 send the exhibits with the court reporter to be made  
9 part of the deposition.

10 MR. JONES: No objection.

11 MS. HEALY GALLAGHER: Any other  
12 stipulations will be addressed as the need arises.

13  
14 FRANK FREDERICK LUNN IV  
15 called as a witness herein, having been first duly  
16 sworn on his oath, was examined and testified as  
17 follows:

18  
19 DIRECT EXAMINATION

20 BY MS. HEALY GALLAGHER:

21 Q. All right. Mr. Lunn, you were sworn  
22 in just a moment ago.

23 A. Yes.

24 Q. Would you please state your name and  
25 the city and state where you live for the record?

1 the website, and I think I purchased a system later  
2 that year. That's what I can recall at this time.

3 Q. Between the first meeting with  
4 Mr. Freeborn and the time that you purchased your  
5 first system, did you talk anymore to Mr. Zeleznik  
6 about RaPower-3?

7 A. I don't believe so.

8 Q. During that same time, did you hear  
9 anything more from Roger Freeborn about RaPower-3?

10 A. I don't recall.

11 Q. And during that time, did you hear  
12 from anyone else about RaPower-3?

13 A. I don't believe so.

14 Q. And, Mr. Lunn, you talked about your  
15 understanding from Mr. Freeborn that one way of  
16 generating income through RaPower-3 was leasing the  
17 lenses for the production of heat.

18 MR. JONES: Objection. Not a  
19 question.

20 Q. Was there any other way that  
21 Mr. Freeborn talked about being able to generate  
22 income through RaPower-3?

23 A. No.

24 Q. Did he talk at all about sponsoring  
25 other people to buy lenses through RaPower-3?

1           A.           Yes. So I would like to correct what  
2 I just said.

3                       Yes, there was a component of finding  
4 other, sponsoring other people into the purchase of  
5 the lenses.

6           Q.           And what did he tell you about that,  
7 if anything, that you can remember right now?

8           A.           I wasn't interested in that, so I  
9 didn't pay attention to that, so I don't recall.

10          Q.           You said you were not interested in  
11 that.

12                      Was that just at the time or have you  
13 never really been interested in sponsoring other  
14 people?

15          A.           That was not my concern.

16                      My focus was really on the technology  
17 and the feasibility of the ability to create  
18 electricity.

19          Q.           Okay. And was that true only at the  
20 beginning or has that been true over time until  
21 today?

22          A.           I have never actively marketed the  
23 RaPower-3 opportunity.

24          Q.           But have you sponsored people into  
25 RaPower-3?

1 A. Yes.

2 Q. Who were they?

3 A. Kahuna Builders.

4 Q. Who else?

5 A. That's all that I have sponsored into

6 RaPower-3.

7 Q. Have you sponsored in Tammy Cook?

8 A. Kahuna Builders sponsored in Tammy

9 Cook.

10 Q. Did Kahuna Builders sponsor in anyone

11 else?

12 A. Bryan Bauer.

13 Q. Anyone else?

14 A. No. Excuse me. Yes; myself.

15 Q. Can you explain that?

16 A. Yes.

17 So Kahuna NRG was the first purchase

18 of the lens, and Kahuna NRG sponsored Kahuna

19 Builders which sponsored myself as an individual,

20 Tammy Cook and Bryan Bauer.

21 Q. Okay. So let me make sure I

22 understand.

23 A. Yes.

24 Q. You said that you purchased one lens

25 at the very beginning, right?

1 do?

2 A. Kahuna Builders did have an  
3 operational component related to commercial  
4 construction and residential construction.

5 At this point, it holds ownership in  
6 other businesses. It does not have an operating  
7 component.

8 Q. So did or does Kahuna Builders have  
9 any other business activity around solar energy  
10 production?

11 A. Not at this time.

12 Q. You said that Kahuna Builders  
13 sponsored in you, Tammy Cook, and Bryan Bauer,  
14 correct?

15 A. That is correct.

16 Q. Any other people that Kahuna Builders  
17 sponsored in?

18 A. No.

19 Q. Any other entities that Kahuna  
20 Builders sponsored in?

21 A. No.

22 Q. How many lenses do you own?

23 A. 850 plus the one, the original one  
24 that I paid for through Kahuna NRG. I have them  
25 separated.

1 Q. How many lenses does Tammy Cook own?

2 A. I do not know.

3 Q. Bryan Bauer, how many lenses does he  
4 own?

5 A. I do not know.

6 MR. HEIDEMAN: Objection. Calls for  
7 speculation. Lacks foundation.

8 Q. Has Bryan Bauer sponsored anyone into  
9 RaPower-3?

10 A. I do not know.

11 Q. Has Tammy Cook sponsored anyone into  
12 RaPower-3?

13 A. I do not know.

14 Q. And so you personally as Frank Lunn,  
15 have you sponsored anyone into RaPower-3?

16 A. No, I have not.

17 Q. Mr. Lunn, just to be clear, you own  
18 850 lenses in your personal capacity, correct?

19 A. Correct.

20 Q. So not through another entity or  
21 business, right?

22 A. I own personally 850 lenses. That's  
23 all I own personally.

24 Q. Okay. And, Mr. Lunn, who is Tammy  
25 Cook?



1           A.           Tammy is a co-worker of mine, a  
2           business partner in several of the businesses.

3           Q.           And who is Bryan Bauer?

4           A.           Bryan was a business partner with the  
5           ATM business.

6           Q.           Okay. So you mentioned, Mr. Lunn,  
7           that Mr. Freeborn talked to you about leasing income  
8           for the lenses and the ability to generate income by  
9           sponsoring other people into RaPower-3, correct?

10          A.           That is correct.

11          Q.           What, if anything, did Mr. Freeborn  
12          tell you about the tax consequences of buying a  
13          lens?

14          A.           He shared that there might be tax  
15          benefits to this in addition to that as the  
16          government creates tax incentives for  
17          entrepreneurship in food production, housing, energy  
18          and job creation, and so this as part of the energy  
19          might have certain tax benefits as well but that I  
20          would need to check in with my own tax advisor.

21          Q.           Did Mr. Freeborn talk to you about  
22          bonuses at all?

23          A.           Yes.

24          Q.           What did he say about bonuses?

25          A.           That based on actual revenues created

1           Q.       I'm just trying to understand your  
2 prior answer.

3           A.       My answer would be speculative.

4           Q.       So you don't know why the bonus  
5 structure was in place?

6           A.       I do not, no.

7           Q.       So after your initial conversation  
8 with Roger Freeborn, did you have any -- from that  
9 day to this, what other conversations or meetings  
10 have you had with Roger Freeborn?

11          A.       I have spoken with Roger Freeborn on  
12 the phone I believe two or three times, but I don't  
13 recall when.

14                   One was to make arrangements that I  
15 could actually come to Salt Lake City to be able to  
16 see the technology for myself, and I don't recall  
17 what the other conversations may or may not have  
18 been.

19          Q.       Have you had any additional in-person  
20 meetings with Roger Freeborn?

21          A.       He was at the facility in Delta the  
22 first time that I went there, and I don't believe  
23 I've seen him since.

24          Q.       Did he speak on any topic at the  
25 first site visit that you attended?

1           A.       Not in a formal capacity to my  
2       recollection.

3           Q.       Have you spoken to Greg Shepard  
4       personally?

5           A.       Yes, I have.

6           Q.       Okay. When did you, if you can  
7       recall, when did you first interact with Greg  
8       Shepard?

9           A.       I don't recall the date, but it was  
10      at that first meeting in Salt Lake City.

11          Q.       So the first -- I'm sorry to  
12      interrupt, but the first site visit that you  
13      attended?

14          A.       Yes, that was the first time that I  
15      met Greg Shepard.

16                    I had corresponded with him briefly  
17      before to let him know of my interest in the  
18      technology and how I want it to work and that I was  
19      looking at it as an entrepreneurship endeavor.

20          Q.       Had you spoken to him on the phone  
21      before or was it by e-mail?

22          A.       Not before. It was just by e-mail.

23          Q.       Okay. So you met him at the first  
24      site visit?

25          A.       Yes.

1           Q.       Tell me about your first site visit;  
2       what was said, what did you do, what was the  
3       structure.

4           A.       It started as a, just an information  
5       gathering, and then it was basically just to present  
6       the technology and an overview, essentially  
7       everything that's on the website, and then there was  
8       a caravan to Delta which is about two hours away  
9       from where we were all staying, and then once we got  
10      to Delta, there was a tour of the different  
11      facilities at the time.

12                   That was my first of four visits so I  
13      was able to see changes there, but essentially, it  
14      was to explain where the different components were  
15      manufactured, what they were for, and how they fit  
16      into the system.

17           Q.       And tell me, about when do you recall  
18      that your first site visit was?

19           A.       It's a guess, but I would say 2010 I  
20      believe.

21           Q.       Was there a group of people?

22           A.       Yes.

23           Q.       About how many people would you say?

24           A.       I would say approximately 20.

25           Q.       Do you know, were these people

1 already customers of RaPower-3 or were they  
2 interested in it but hadn't maybe bought in yet? Do  
3 you have a sense of that?

4 A. I do not know.

5 Q. Did Greg Shepard speak, like informal  
6 remarks, at your first site visit?

7 A. I believe so.

8 Q. Okay. What did he say?

9 A. I don't recall other than just  
10 introducing the technology, and it was very similar  
11 to the information that was on the website,  
12 introducing the various components and what came  
13 together to create the systems.

14 Q. Did Greg Shepard talk about the tax  
15 benefits of buying in?

16 A. I believe that he did.

17 Q. About how much time did he spend on  
18 the tax benefits?

19 A. I would say an equal amount to the  
20 components, the various components, so probably  
21 maybe a fifth of the time.

22 Q. A fifth of the total time for your  
23 visit?

24 A. No, for the time that he was  
25 speaking.

1 Q. I see.

2 So help me understand.

3 So he talked to you about the tax  
4 benefits for about the same amount of time that he  
5 talked about the technology?

6 A. No. He talked about the components  
7 of the technology first and then talked about the  
8 specific lens purchase and then the network, the  
9 ability to sponsor other people in to purchase, and  
10 then the tax benefits that might be a possibility as  
11 well.

12 Q. And you mentioned that a lot of the  
13 information about the technology that he shared was  
14 very similar to what was on the website.

15 Was that also true for what he said  
16 about the tax benefits? Was it similar to what was  
17 on the website?

18 A. I believe so.

19 Q. When you went out for your first site  
20 visit, did you have to, for example, sign a  
21 nondisclosure agreement or a confidentiality  
22 agreement before you heard about or viewed the  
23 technology?

24 A. I don't recall.

25 Q. So you can't recall having to sign

1 a nondisclosure agreement, correct?

2 A. To my knowledge. I don't recall.

3 Q. Did you ever sign a nondisclosure  
4 agreement?

5 MR. HEIDEMAN: Objection. Asked and  
6 answered.

7 A. I don't recall; I don't.

8 Q. So to your knowledge, you are not  
9 bound by any confidentiality agreement, correct?

10 MR. HEIDEMAN: Objection. It  
11 misstates the testimony.

12 MR. JONES: Objection. Asked and  
13 answered.

14 A. To my knowledge, no.

15 MS. HEALY GALLAGHER: Could you read  
16 my question and his answer so I make sure I...

17 (The reporter read back the  
18 requested portion of the record.)

19 Q. So to your knowledge, sir, you are  
20 not bound by a confidentiality agreement, correct?

21 A. May I restate?

22 When I purchased the lenses, there  
23 were agreements that I signed there, and I do not  
24 recall whether there is confidentiality in there or  
25 not, so that's part of my -- and I have not reviewed

1 the contracts for the purchase of the lens and the  
2 use of the lens, so there may be confidentiality in  
3 there. I do not know.

4 So if I could restate the answer as I  
5 do not know.

6 Q. And so, Mr. Lunn, you mentioned that  
7 you have been out to visit the site in Delta four  
8 times, yes?

9 A. Yes.

10 Q. Real quick. Have you ever visited  
11 any other site than the one in Delta?

12 A. Could you be more specific?

13 Q. So what did you see when you went to  
14 Delta the first time?

15 A. I saw the large copper, it's massive,  
16 the size of this table, so approximately 18 feet  
17 long copper mold or copper, yes, I guess it would be  
18 the mold that would be used to be able to create the  
19 lenses, the Fresnel lenses; Fresnel, F-r-e-s-n-e-l,  
20 which is a specific refraction pattern to maximize  
21 the concentration of the light. So I was able to  
22 see that.

23 I was able to see the components of  
24 the towers, everything from the circular ring to the  
25 R&D parts where they were figuring out how to keep



1 the harmonic resonance from destroying the lenses  
2 because there's a lot of wind there. So they had to  
3 have special attachments and ways of bracketing each  
4 lens.

5 So there are a number of, although it  
6 looks very simple, there's a number of components to  
7 all of that that all have to be working together for  
8 this to be able to be a, not only a viable  
9 technology but one that could be quickly mass  
10 produced.

11 And that's what I was looking for in  
12 each subsequent visit, what was said versus what  
13 happened.

14 Q. So when you went to Delta on your  
15 first site visit, did you visit a manufacturing  
16 building?

17 A. Yes.

18 Q. And did you visit a plot of land  
19 where there were towers erected?

20 A. Yes.

21 Q. Did you visit any other specific  
22 place in Delta related to RaPower-3?

23 A. There were three I believe different  
24 buildings there, and I visited each of those at that  
25 time.

1           Q.       Okay. In your subsequent site visit,  
2 did you visit the same places?

3           A.       One was no longer there. They moved.  
4 It was on the outskirts of Delta originally and then  
5 it was moved. There was quite a bit more facility.  
6 I'm not entirely sure what was together versus what  
7 was separate.

8                   The land acreage where the towers  
9 were was the same, and there were some additional  
10 structures and facilities put on that land.

11          Q.       Okay. So four times you have visited  
12 Delta, Utah and seen the various places connected  
13 with RaPower-3, right?

14          A.       Yes.

15          Q.       Okay. Have you visited anyplace in  
16 the United States other than Delta, Utah to visit a  
17 site connected with RaPower-3?

18          A.       No.

19          Q.       During your first site visit, did you  
20 hear from Neldon Johnson?

21          A.       I do not recall. I know I met him  
22 but I don't recall him speaking or anything at that.

23          Q.       During your first site visit, did you  
24 hear I guess prepared remarks from anyone other than  
25 Greg Shepard or Nelson Johnson?

1           A.       Not to my knowledge.

2           Q.       On your first site visit, did you see  
3 any actual production of heat?

4           A.       I was able to feel production of heat  
5 through --

6           Q.       So tell me what you did. What did  
7 you --

8           A.       In one of the facilities, they had a  
9 Fresnel lens set up.

10          Q.       I'm sorry. Real quick, in a facility  
11 so in a building?

12          A.       Uh, yes.

13          Q.       Or was it outside?

14          A.       Well, it was outside, outside of a  
15 building.

16          Q.       Okay. And was the lens on a tower?

17          A.       No.

18          Q.       Okay. Please continue.

19          A.       The lens was merely held up.

20          Q.       By whom?

21          A.       I do not -- it wasn't somebody that I  
22 know.

23          Q.       But a person was holding a lens?

24          A.       A person was holding a lens and  
25 showing that you could put your hand in there and

1 (Witness nodded head up and  
2 down.)

3 Q. Yes?

4 A. Yes.

5 Q. And you also went out to the outdoor  
6 site that had towers, correct?

7 A. Correct.

8 Q. Okay. On your second site visit, did  
9 you see a demonstration of a lens producing heat?

10 A. Yes.

11 Q. What was that demonstration?

12 A. A demonstration of a single Fresnel  
13 lens being able to concentrate heat to a, like catch  
14 a log on fire, something like that.

15 Q. A log?

16 A. Or wood. Like a two by four maybe.

17 Q. And that was a single lens?

18 A. Yes.

19 Q. Did you see an array of lenses in  
20 operation to produce heat?

21 A. Not as a working production of heat.

22 Q. At your second site visit, did  
23 Mr. Shepard tell you that they were actually  
24 producing heat on a regular basis?

25 A. Not exactly.

1 produce electricity?

2 A. No.

3 Q. So when you went on your third site  
4 visit, you made another visit to Delta, Utah, right?

5 A. Right.

6 Q. And did you tour the manufacturing  
7 facility?

8 A. I did.

9 Q. And did you tour the outdoor site  
10 with the towers up in the air?

11 A. I did.

12 Q. Did you tour any other place in  
13 Delta?

14 A. No.

15 MR. HEIDEMAN: Objection. Vague.

16 A. It was just connected to those. I  
17 think there was additional building sites related to  
18 the same site that had just expanded.

19 Q. Sure.

20 On your tour, did you see any lens  
21 generate heat?

22 MR. HEIDEMAN: We're talking about  
23 the third tour, right?

24 MR. JONES: Yeah.

25 A. I believe I did. I mean, there was

1 two different instances. One was somebody holding  
2 up a lens that was not part of the tour. I think  
3 somebody was joking around and showing, it was like  
4 a practical joke, showing that even just this little  
5 lens here, and it was overcast, still created heat.  
6 That wasn't part of the tour.

7 And then on the tour itself I believe  
8 there was showing again the creation of heat.

9 Q. And how was the creation of heat  
10 demonstrated to you?

11 A. Through the use of a lens focused on  
12 an object.

13 Q. So was, again, one person holding up  
14 a lens?

15 A. I don't recall. It may have been in  
16 a bracket but not as part of a system.

17 Q. Okay. So on your third visit, you  
18 did not see a demonstration of an array of lenses  
19 focusing heat on a concentrator, correct?

20 A. Correct.

21 Q. So on your third site visit did you  
22 see a place for molten salt to hold the collected  
23 heat?

24 A. Yes.

25 Q. Tell me about that.

1           A.           There is a, it's a very simple, like  
2           a trailer looking thing, and it's the same place  
3           where the turbine is, and so as heat would  
4           be...there's a silver, kind of like one of those  
5           things you'd see in the garden. I don't know what  
6           you call it.

7           Q.           A reflective ball?

8           A.           A reflective ball, right, something  
9           like that, that had with it the ability to circulate  
10          the molten salt, and within that, the molten salt  
11          would go through insulated tubing and into a heat  
12          exchanger, and the heat exchanger was approximately  
13          ten feet or so, and that was where that heat would  
14          transfer to be able to create the heat for the steam  
15          to produce the turbine.

16          Q.           And the heat exchanger, you said it  
17          was about ten feet.

18                       Was it ten by ten?

19          A.           I would say probably ten by three,  
20          ten by four maybe.

21          Q.           And the heat exchanger is in a  
22          trailer?

23          A.           It was in a temporary which was used  
24          as a trailer or the trailer was used as a temporary  
25          holding, and that's where the heat exchanger and the

1 turbine was.

2 Q. Okay. Were they connected?

3 A. I believe so.

4 Q. Did you see the turbine working as a  
5 result of heat coming from the heat exchanger?

6 A. Not on that visit.

7 Q. Was the turbine connected to anything  
8 other than the heat exchanger?

9 A. I don't recall.

10 Q. How were the turbine and the heat  
11 exchanger connected?

12 A. I don't recall.

13 Q. On your third site visit, did you see  
14 a demonstration of a lens incorporated into any  
15 system that generated electricity?

16 A. No.

17 Q. All right. Let's talk about your  
18 fourth site visit.

19 Do you recall about when that was?

20 A. 2015 I believe.

21 Q. Tell me about the activities on your  
22 fourth site visit.

23 A. I skipped any of the other marketing  
24 meetings or anything like that and went directly to  
25 the site, and what I was looking for specifically



1           A.           Maybe a little less.

2           Q.           And do you know if they were all  
3 customers of RaPower-3 or were some perspective  
4 customers?

5           A.           I do not know.

6           Q.           On your fourth site visit in 2014,  
7 did you see a demonstration of a lens producing  
8 heat?

9           A.           No; actually, yes, I did.

10          Q.           And what was that demonstration?

11          A.           It was very similar to the ones  
12 before where it was just a lens being able to create  
13 heat against an object I believe.

14          Q.           So, Mr. Lunn, you've never seen a  
15 lens operate in an array to create heat that's then  
16 directed at a collector, is that right?

17          A.           That is correct.

18                       MR. JONES: Objection. Vague.

19          Q.           On your fourth site visit, did you  
20 see the heat exchanger again?

21          A.           Yes.

22          Q.           Where was it?

23          A.           Same vicinity.

24                       There was also another one on a  
25 trailer that was at a different part of the

1 facility.

2 Q. So were there now two heat  
3 exchangers?

4 A. At least.

5 Q. Okay. That you saw.

6 A. That I saw.

7 Q. How were the concentrators connected  
8 to the heat exchanger?

9 A. They were not for this tour.

10 Q. Were the heat exchangers both  
11 connected to turbines?

12 A. Yes.

13 Q. Did you see the turbines being  
14 powered with heat from the heat exchangers?

15 A. I do not recall.

16 Q. Do you know if the turbines were  
17 connected to anything other than the heat exchanger?

18 A. I do not know.

19 Q. So on your fourth site visit, who did  
20 you hear from on your fourth site visit?

21 A. Just Greg Shepard.

22 Q. Was Neldon Johnson there?

23 A. He was.

24 Q. Did he speak?

25 A. He did not speak in any official

1 Q. Okay. So is this e-mail the first  
2 contact you had with Greg Shepard yourself?

3 A. I believe so.

4 MS. HEALY GALLAGHER: Okay. Good.  
5 Thank you. That's all I need for that.

6 42, please.

7 (Plaintiff's Exhibit 42 was  
8 marked for identification.)

9 Q. Handing you what's been marked  
10 Plaintiff's Exhibit 42, I just have a couple  
11 questions basically about a couple features of this  
12 page more so than the content itself.

13 A. Okay.

14 Q. First off, in the upper left-hand  
15 corner underneath the RaPower-3 logo, there's FLUNN  
16 and then the number 4.

17 A. Yes.

18 Q. What does that number 4 mean?

19 A. I'm the IV, and so I believe that was  
20 my user name or my designation that I use.

21 Q. Okay. But then why is there a 1  
22 after your name immediately below that?

23 A. Because that's -- Frank F Lunn 1 was  
24 the Kahuna NRG purchase, and then below -- all the  
25 purchases I did would be designated as I believe

1 Frank F Lunn 3.

2 Q. Because in between you and Kahuna  
3 NRG...

4 A. There was Kahuna Builders.

5 Q. ...was Kahuna Builders.

6 A. Correct.

7 Q. So Kahuna Builders would have been  
8 Frank F Lunn 2?

9 A. I don't believe so because it had its  
10 own LLC, and I may be wrong on which one is the 1  
11 and which one is the -- because Frank F Lunn 1 might  
12 be my personal because these are my personal ones  
13 so...

14 Q. Okay. A question for you  
15 under...again, on the left-hand side, there's a  
16 notation there that says IRS info.

17 A. Yes.

18 Q. What's at that link?

19 A. I don't remember. I'm just assuming  
20 it's supporting information related to IRS  
21 information.

22 MS. HEALY GALLAGHER: Can we go off  
23 the record for a second?

24 (Recess taken.)

25 MS. HEALY GALLAGHER: Back on the

1 record.

2 Q. All right. Mr. Lunn, we're back on  
3 the record after a brief break.

4 A. Yes.

5 Q. Did you speak with anybody about the  
6 facts of this case during break?

7 A. I did not.

8 Q. Any answers that you'd like to  
9 supplement, clarify or amend?

10 A. No.

11 Q. All right. Let's take a look,  
12 please, at Plaintiff's Exhibit 42.

13 Over on the left-hand side, just to  
14 clarify what we were discussing, there's what looks  
15 like a link on that side of the page that says IRS  
16 info.

17 A. Yes.

18 Q. Did you ever click on that link?

19 A. I don't remember. I clicked on the  
20 IRS link on the website. I don't know if it's the  
21 same. I don't recall.

22 Q. Okay. Do you still have access to  
23 your RaPower-3 member office?

24 A. Yes.

25 Q. Have you produced all documents that

1 are available in your RaPower-3 member office?

2 A. I believe so.

3 MS. HEALY GALLAGHER: I'll put a note  
4 on the record. I may ask to follow up, Mr. Jones,  
5 about the documents at IRS info.

6 MR. JONES: Okay. I will put it on  
7 my note list here.

8 MS. HEALY GALLAGHER: Okay.

9 Q. Then if you could also take a look,  
10 please, Mr. Lunn, below that under genealogy. What  
11 does that mean to you?

12 A. That just shows how the things are  
13 ordered as far as who introduced me to RaPower-3 and  
14 then who I introduced, or Kahuna NRG introduced  
15 Kahuna Builders, and Kahuna Builders, etc.

16 Q. There are options there, view as grid  
17 or view as tree.

18 Do you see that?

19 A. Yes, I do.

20 MS. HEALY GALLAGHER: Okay. I'd also  
21 like to follow up with that to see the view of both  
22 of those things, please.

23 MR. JONES: Okay.

24 MS. HEALY GALLAGHER: Then let's take  
25 a look, please, at the...