JOHN W. HUBER, United States Attorney (#7226)

JOHN K. MANGUM, Assistant United States Attorney (#2072)

185 South State Street, Suite 300

Salt Lake City, Utah 84111

Telephone: (801) 524-5682

Email: john.mangum@usdoj.gov

ERIN HEALY GALLAGHER, pro hac vice

DC Bar No. 985670, erin.healygallagher@usdoj.gov

CHRISTOPHER R. MORAN, pro hac vice

NY Bar No. 5033832, christopher.r.moran@usdoj.gov

Trial Attorneys, Tax Division

U.S. Department of Justice

P.O. Box 7238

Ben Franklin Station

Washington, D.C. 20044

Telephone: (202) 353-2452

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RAPOWER-3, LLC, INTERNATIONAL AUTOMATED SYSTEMS, INC., LTB1, LLC, R. GREGORY SHEPARD, NELDON JOHNSON, and ROGER FREEBORN,

Defendants.

Civil No. 2:15-cv-00828 DN

UNITED STATES' EXHIBIT LIST FOR ITS BRIEF IN OPPOSITION TO THE MOTION TO BIFURCATE (ECF DOC. 90)

Judge David Nuffer Magistrate Judge Brooke C. Wells

Pl. Ex. Identifier	Description
A	Email correspondence from Gregory Shepard produced by a third-party customer dated July 19, 2012
В	Printout of www.rapower3.com: "Start Your Own RaPower3 [sic] Business" dated March 2, 2015
С	Printout of www.rapower3.com: "Start Your Own RaPower3 [sic] Business" dated May 1, 2014
D	Email correspondence from Gregory Shepard produced by a third-party customer dated February 19, 2016
Е	United States First Requests for the Production of Documents to Defendant Neldon Johnson
F	Excerpts from the Deposition of Frank F. Lunn
10	Letter from Gregory Shepard dated March 20, 2015, from IRS files
19	Printout of www.rapower3.com: "Your BIG and <i>Quick</i> Payout" dated March 2, 2015
25	Printout of www.rapower3.com: "Satisfying the IRS Depreciation Conditions" dated March 2, 2015
26	Printout of www.rapower3.com: "RaPower3 [sic] Basics" dated March 2, 2015
32	Email correspondence from Gregory Shepard produced by a third-party customer dated November 11, 2013
34	Printout of www.rapower3.com: "Your BIG and <i>Quick</i> Payout" dated May 1, 2014
35	Subpoena for the production of documents to Frank F. Lunn
89	Email correspondence from Gregory Shepard produced by a third-party customer dated January 17, 2014

Dated: October 3, 2016 Respectfully submitted,

/s/ Erin Healy Gallagher

ERIN HEALY GALLAGHER

DC Bar No. 985760

Email: erin.healygallagher@usdoj.gov

Telephone: (202) 353-2452 CHRISTOPHER R. MORAN New York Bar No. 5033832

Email: christopher.r.moran@usdoj.gov

Telephone: (202) 307-0834 Trial Attorneys, Tax Division U.S. Department of Justice

P.O. Box 7238

Ben Franklin Station Washington, D.C. 20044

FAX: (202) 514-6770

ATTORNEYS FOR THE UNITED STATES

CERTIFICATE OF SERVICE

I hereby certify that on October 3, 2016, the foregoing document was electronically filed with the Clerk of the Court through the CM/ECF system, which sent notice of the electronic filing to the following:

Justin D. Heideman
HEIDEMAN & ASSOCIATES
2696 North University Avenue, Suite 180
Provo, Utah 84604
jheideman@heidlaw.com
ATTORNEY FOR RAPOWER-3, LLC,
INTERNATIONAL AUTOMATED SYSTEMS, INC.,
LTB1, LLC, and NELDON JOHNSON

Donald S. Reay
MILLER, REAY & ASSOCIATES
donald@reaylaw.com
ATTORNEY FOR R. GREGORY SHEPARD
AND ROGER FREEBORN

/s/ Erin Healy Gallagher ERIN HEALY GALLAGHER Trial Attorney