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*Attorneys for Court-Appointed Receiver R. Wayne Klein*

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

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UNITED STATES OF AMERICA,

Plaintiff,

v.

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

Defendants.

**RECEIVER'S NOTICE OF SALE  
RESULTS**

**(Sherwood Drive, Delta, Utah Home)**

Civil No. 2:15-cv-00828-DN

District Judge David Nuffer

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R. Wayne Klein, the Court-Appointed Receiver (the "Receiver") for RaPower-3, LLC, International Automated Systems, and LTB1 (collectively, "RaPower"), and the assets of Neldon Johnson and R. Gregory Shepard, by and through his counsel, hereby files this *Receiver's Notice of Sale Results (Sherwood Drive, Delta, Utah Home)*. In support hereof, the Receiver states as follows:

1. On December 23, 2020, the Court entered an *Order Approving (1) Public Sale of Property Free and Clear of Interests, (2) Method and Form of Publication Notice, and (3)*

*Public Auction Procedures*<sup>1</sup> (the “Sale Order”), authorizing the public sale at auction of certain real property described as a home located at 490 S. West Sherwood Drive, located in Delta, Millard County, Utah (the “Property”), free and clear of interests.

2. The Receiver acquired the Property from Glenda Johnson as a result of the Turnover Order.<sup>2</sup> Upon taking possession, the Receiver changed the locks on the home, sold furniture in the home, and made some minor repairs to the home. The Receiver obtained insurance for the Property and has been paying the utilities for the home.

3. With approval of the Court,<sup>3</sup> the Receiver published notice of the proposed sale in the *Millard County Chronicle Progress*, a newspaper of general circulation in Millard County, Utah. The notice was published on December 30, 2020, January 6, 2021, January 13, 2021, and January 20, 2021. Notice of the publication is filed herewith. Notice of the auction also was provided on the Receiver’s website and via solicitations of potential real estate investors by electronic mail and regular mail.

4. Two other bidders prequalified to bid at the auction. One paid a bid deposit and signed an auction procedures agreement. The other submitted a backup offer and bid deposit through the listing broker.

5. The Property auction was held on January 26, 2021 at the Millard County Courthouse in Fillmore, Utah. The bidding started at the \$377,000 bid from the stalking horse bidder. At the conclusion of the auction, the Wade and Patricia Zimmerman Trust was the high bidder, agreeing to pay \$507,000. This was a \$130,000 increase from the amount of the stalking

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<sup>1</sup> [Docket no. 1048](#), filed December 23, 2020.

<sup>2</sup> [Docket no. 1007](#), filed September 15, 2020.

<sup>3</sup> [Docket no. 1048](#), filed December 23, 2020.

horse bid.

6. The sale of the Property to the high bidder closed on February 8, 2021. The following is a summary of the results of this sale.

Gross sales price	\$507,000.00
HOA dues	-\$150.62
2021 property taxes	-\$237.45
Settlement fee to title company	-\$250.00
Title insurance	-\$2,497.00
Bank wire fee	-\$30.00
Real estate commissions	<u>-\$22,620.00</u>
<b>Net Sale Proceeds at Closing</b>	<b>\$481,214.93</b>

**Additional Property Income and Expenses**

Furniture sale proceeds	\$9,517.00
Appraisals and publication costs <sup>4</sup>	-\$10,319.20
Repairs	-\$325.71
Utilities	-\$840.04
Insurance <sup>5</sup>	-\$1,414.00
Reimburse stalking horse bidder exp.	-\$1,320.00

7. The net proceeds from the sale have been deposited into the Receivership operating account.

DATED this 10<sup>th</sup> day of February, 2021.

**PARR BROWN GEE & LOVELESS**

/s/ Michael S. Lehr  
 Jonathan O. Hafen  
 Michael S. Lehr  
*Attorneys for Receiver*

<sup>4</sup> The \$10,000.00 appraisal cost was for 11 properties in Millard County.

<sup>5</sup> The Receiver expects approximately 75% of this amount to be refunded.

**CERTIFICATE OF SERVICE**

IT IS HEREBY CERTIFIED that service of the foregoing was electronically filed with the Clerk of the Court through the CM/ECF system on February 10, 2021, which sent notice of the electronic filing to all counsel of record.

/s/ Michael S. Lehr