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*Attorneys for Court-Appointed Receiver 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 TENTH QUARTERLY  
STATUS REPORT**

*For the period January 1, 2021 to March  
31, 2021*

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

District Judge David Nuffer

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R. Wayne Klein, the Court-Appointed Receiver (the "Receiver") of RaPower-3, LLC ("RaPower"), International Automated Systems, Inc. ("IAS"), and LTB1, LLC ("LTB1"), as well as 13 subsidiaries and affiliates (collectively, the "Receivership Entities"), and the assets of Neldon Johnson ("Johnson") and R. Gregory Shepard ("Shepard") (collectively "Receivership Defendants"), hereby submits this Tenth Quarterly Status Report ("Report") for the period from January 1, 2021 to March 31, 2021 ("Reporting Period").

**Table of Contents**

I. Introduction and Background.....1

II. Asset Recovery, Settlements .....1

III. Real Properties, Disposition of Other Assets .....3

IV. Litigation .....10

V. Interference by Glenda Johnson, Others.....11

VI. Financial Operations of the Receivership Estate.....12

VII. Next Steps.....13

X. Conclusion.....14

## I. INTRODUCTION AND BACKGROUND

The Receivership Estate was created on October 31, 2018 with entry of the Court's *Receivership Order* ("Order"),<sup>1</sup> which, among other things, appointed the Receiver and continued a previously entered asset freeze.<sup>2</sup> A May 3, 2019 order expanded the Receivership Estate to include 13 additional affiliated entities ("Affiliated Entities").<sup>3</sup>

Significant developments during the Reporting Period include consummation of sales of nine real properties, obtaining summary judgment against numerous commission recipients, negotiation of additional settlement agreements, disposition of significant assets, the Court ruling that it would hold Glenda Johnson, Roger Hamblin, and Preston Olsen in contempt, and a distribution of \$7.5 million to the U.S. Treasury.

## II. ASSET RECOVERY, SETTLEMENTS

A. Interest in Greg Shepard Residence. On December 7, 2020, the Court ruled that Greg Shepard owns a one-half interest in his residence, ordered Diana Shepard to execute a deed for half interest in the home to the Receiver, and authorized the Receiver to sell the home.<sup>4</sup> The Shepards entered into an agreement with the Receiver whereby a third party promised to pay the Receivership the cash value of half the home's equity, which agreement the Court approved.<sup>5</sup> Pursuant to the agreement, the Receiver obtained two appraisals (with an average appraised value of \$595,000) and reached agreement with the Shepards that the estimated net equity in the

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<sup>1</sup> [Docket no. 490](#). A *Corrected Receivership Order* ("CRO"), which corrected formatting errors, was entered the following day. [Docket no. 491](#), filed November 1, 2018.

<sup>2</sup> *Memorandum Decision and Order Freezing Assets and to Appoint a Receiver*, [Docket no. 444](#), filed August 22, 2018.

<sup>3</sup> [Docket no. 636](#), filed May 3, 2019. The Court overruled objections to this order. [Docket no. 718](#), filed July 8, 2019. Defendants appealed this order, which appeal was dismissed.

<sup>4</sup> [Docket No. 1029](#), filed December 7, 2020.

<sup>5</sup> [Docket no. 1089](#), filed February 16, 2021.

home was \$252,075.86. Half the equity, \$126,037.93, was to be paid to the Receiver by March 31, 2021. On March 31, 2021, the Shepards assured the Receiver that the payment was forthcoming, but that payment would be delayed by a week. The Receiver agreed to extend the payment deadline by a week in exchange for an additional \$5,000.00 payment from the Shepards. After the new deadline expired on April 7, 2021 and a second extension expired on April 13, 2021, the Shepards still did not make the agreed-upon payments and agreed to vacate the home by May 3, 2021. More information about the Shepard home will be reported in the next status report.

B. Retirement and Bank Accounts of Randale Johnson. In response to the Court's order finding deficiencies in Randale Johnson's production of bank records,<sup>6</sup> Randale Johnson filed a certification that he had delivered a copy of the order freezing his account balances to Health Equity and America First Credit Union.<sup>7</sup> Both Randale and LaGrand Johnson have been providing copies of their account statements to the Receiver on a monthly basis. Based on the account statements being delivered, funds in the accounts are at the levels ordered by the Court.

C. Obtaining Vehicle Titles. For a significant number of the vehicles the Receiver recovered from Neldon and Glenda Johnson, no titles were delivered. In response to title applications (supported by photographs and inspection reports), the Utah Division of Motor Vehicles created and delivered to the Receiver new titles for eight of these vehicles. The DMV has indicated another three titles requests are being processed, leaving another four where the Receiver is awaiting responses.

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<sup>6</sup> [Docket no. 1057](#), filed December 29, 2020.

<sup>7</sup> [Docket no. 1066](#), filed January 19, 2021.

D. Settlements. The Receiver filed three motions to approve settlements, which have all been approved. The five settlements included in the approved Seventh Motion<sup>8</sup> will bring in \$60,800.00 when all required payments have been received. The five settlements included in the approved Eighth Motion<sup>9</sup> are expected to bring in \$246,986.23. The six settlements included in the approved Ninth Motion<sup>10</sup> are expected to deliver \$272,466.78. During the quarter, the Receiver received \$156,879.96 on these and previous settlement agreements. In light of the Court granting numerous of the Receiver's summary judgment motions, the Receiver anticipates additional settlements in the coming months.

### **III. REAL PROPERTIES, DISPOSITION OF OTHER ASSETS**

A. Turnover Order Properties: Sales Closed. Glenda Johnson turned over 14 properties to the Receiver in September 2020 pursuant to Court order.<sup>11</sup> As of the end of the Reporting Period, nine of these properties have been sold by the Receiver and the sales have closed. A tenth property was sold at auction and is awaiting closing. The Receiver has accepted offers on the remaining four properties and, after the end of the Reporting Period, received Court approval to sell those properties at auction. The property sales that closed during the quarter are:

1. Sherwood Shores Home in Millard County (Parcel No. DO-SS-136&137).

This home and three lots were appraised at \$377,000.00. After receiving an offer of \$377,000.00, the Receiver filed a motion seeking approval to sell the property at auction, with the \$377,000.00 offer constituting the opening bid at the auction.<sup>12</sup> The Court

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<sup>8</sup> [Docket no. 1059](#), filed January 4, 2021.

<sup>9</sup> [Docket no. 1089](#), filed February 16, 2021.

<sup>10</sup> [Docket no. 1111](#), filed March 26, 2011.

<sup>11</sup> [Docket no. 1007](#), filed September 15, 2020.

<sup>12</sup> [Docket no. 1031](#), filed December 8, 2020.

approved the sale of the property at auction and the language of the public notice to be given.<sup>13</sup> At an auction held on January 26, 2021, three bidders participated, driving the price up to \$507,000.00. The sale closed on February 8, 2021, with the Receivership receiving net sale proceeds of \$481,214.93.<sup>14</sup>

2. Payson Home in Utah County (Parcel No. 55:718:0006). The Receiver obtained three appraisals for this large home on five acres, with the average of the appraisals being \$925,000. The Receiver accepted an offer of \$950,000 and sought Court approval for a private sale.<sup>15</sup> At a hearing on February 9, 2021, the Receiver reported he had published notice of the proposed sale and no other bidders had made offers. The Court approved the sale.<sup>16</sup> The sale closed on February 12, 2021, with the Receivership receiving net sale proceeds of \$893,754.95.<sup>17</sup>

3. Payson Condominium in Utah County (Parcel No. 51:468:0132). Three appraisals were obtained for this condominium, with the average of the appraisals being \$202,000. The Receiver preliminarily accepted an offer of \$214,000 and sought Court approval for a private sale.<sup>18</sup> At a hearing on February 9, 2021, the Receiver reported that he had published notice of the proposed sale and that no other bidders had made offers. The Court approved the sale.<sup>19</sup> The sale closed on February 16, 2021, with the Receivership receiving net sale proceeds of \$199,721.28.<sup>20</sup>

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<sup>13</sup> [Docket no. 1048](#), filed December 23, 2020.

<sup>14</sup> See Receiver's Notice of Sale Results, [docket no. 1084](#), filed February 10, 2021.

<sup>15</sup> [Docket no. 1041](#), filed December 16, 2020.

<sup>16</sup> [Docket no. 1085](#), filed February 11, 2021.

<sup>17</sup> See Receiver's Notice of Sale Results, [docket no. 1095](#), filed February 25, 2021.

<sup>18</sup> [Docket no. 1053](#), filed December 29, 2020.

<sup>19</sup> [Docket no. 1086](#), filed February 11, 2021.

<sup>20</sup> See Receiver's Notice of Sale Results, [docket no. 1091](#), filed February 22, 2021.

4. 1,120-Acre Property in Millard County (Parcel No.'s 4805, 4806-A, 4806-B). This property is made up of three tax parcels of 160 acres, 640 acres, and 320 acres respectively. The appraised value for the three parcels was \$322,560. The Receiver accepted an offer of \$278,000 and filed a motion requesting Court approval for a public sale.<sup>21</sup> The Court approved the publication notice and the sale at auction.<sup>22</sup> After the publication period, no other bidders timely expressed an interest in bidding for the property so the Receiver canceled the scheduled auction. The sale closed on March 4, 2021 with the stalking horse bidder as buyer. The net sale proceeds to the Receivership were \$259,393.50.<sup>23</sup>

5. Abraham Home and Workshop in Millard County (Parcel No. HD-4606-2-1). This home and workshop on five acres were appraised at \$247,313. The Receiver accepted an offer of \$230,000 and sought Court approval for a public sale.<sup>24</sup> The Court approved the publication language and the sale of the property at auction.<sup>25</sup> Two additional bidders prequalified to bid and participated in the auction. The high bid was \$240,000, by the stalking horse bidder. The closing was delayed while the Receiver requested and obtained a corrected sale order containing an accurate legal description of the property. The sale closed on March 18, 2021. The net sale proceeds to the Receivership were \$218,992.83.<sup>26</sup>

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<sup>21</sup> [Docket no. 1035](#), filed December 11, 2020.

<sup>22</sup> [Docket no. 1052](#), filed December 29, 2020.

<sup>23</sup> See Receiver's Notice of Sale Results, [docket no. 1101](#), filed March 12, 2021.

<sup>24</sup> [Docket no. 1054](#), filed December 29, 2020.

<sup>25</sup> [Docket no. 1076](#), filed February 4, 2021.

<sup>26</sup> See Receiver's Notice of Sale Results, [docket no. 1114](#), filed April 9, 2021.

6. 67.5 Acres in Abraham, Millard County (Parcel No. HD-4606-2). The appraised value of this site—having scores of short solar towers—was \$18,563. The Receiver accepted an offer of \$24,000 and filed a motion for Court approval at a public sale.<sup>27</sup> The Court approved the publication notice and the sale of the property at auction.<sup>28</sup> After publication of notice, one additional bidder prequalified. At the auction, the high bid was \$27,000. The closing was delayed while the Receiver requested and obtained a corrected sale order with an accurate legal description of the property. The sale closed on March 23, 2021, producing \$24,986.76 in net sale proceeds.<sup>29</sup>

7. California Condominium in Newhall, California (Parcel No. 02842-027-174). The Receiver obtained three appraisals of this property, resulting in an average appraised value of \$375,000. The Receiver accepted an offer of \$381,000 and filed a motion for Court approval through a private sale.<sup>30</sup> The Court held a hearing on February 23, 2021 at which the Receiver reported that he had published notice of the proposed sale and that no other offers were received. The Court approved the sale.<sup>31</sup> The closing on the sale was delayed due to the Los Angeles County Recorder's significant backlog in recording the earlier transfer of title to the Receiver. The sale finally closed on March 25, 2021, with payment of \$354,921.44 in net sale proceeds to the Receiver.<sup>32</sup>

B. Pending Closing of 80-Acre Property in Millard County (Parcel No. HD-4648).

This property was appraised at \$24,000. The Receiver accepted an offer of \$26,000 and

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<sup>27</sup> [Docket no. 1024](#), filed November 12, 2020.

<sup>28</sup> [Docket no. 1028](#), filed December 1, 2020.

<sup>29</sup> See *Receiver Notice of Sale Results*, [docket no. 1115](#), filed April 9, 2021.

<sup>30</sup> [Docket no. 1071](#), filed January 28, 2021.

<sup>31</sup> [Docket no. 1094](#), filed February 24, 2021.

<sup>32</sup> See *Receiver Notice of Sale Results*, [docket no. 1113](#), filed March 30, 2021.



requested Court approval for a public sale at auction.<sup>33</sup> The Court approved the publication notice and sale at auction.<sup>34</sup> One additional bidder prequalified and participated in the auction. The high bid at the auction was \$35,000 by the new bidder. The sale did not close before the end of the Reporting Period. The results of this sale will be described in the next status report.

C. Properties with Pending Offers. There are four properties where the Receiver has preliminarily accepted offers and filed motions seeking approval of the proposed sales:

1. Oasis Warehouse in Millard County (Parcel No. DO-4568-1). The warehouse was appraised at \$325,280. The Receiver has preliminarily accepted an offer of \$300,000 and filed a motion seeking approval for a public sale.<sup>35</sup> The Receiver believes there will be at least one other bidder at the auction. The warehouse has been cleared of all equipment and materials except for approximately 68 pallets of Plaskolite-manufactured lenses. The Receiver notified Plaskolite of his intention to accept an offer of \$7,000 for the plastic unless Plaskolite took possession of the lenses. Plaskolite has indicated it intends to take possession of the lenses before the sale of the warehouse closes.

2. Purchase Option for 1,000 Acres in Millard County (Parcel No.'s HD-3511, HD-3511-1, MA-2662-B). These three parcels together have an appraised value of \$330,680. The Receiver previously accepted an offer to sell the 40-acre parcel (HD-3511-1),<sup>36</sup> but the buyer failed to close and forfeited his earnest money deposit. Subsequently, a company planning a photovoltaic solar farm expressed a desire to obtain purchase

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<sup>33</sup> [Docket no. 1047](#), filed December 23, 2021.

<sup>34</sup> [Docket no. 1064](#), filed January 13, 2021.

<sup>35</sup> [Docket no. 1112](#), filed March 30, 2021.

<sup>36</sup> [Docket no. 1023](#), filed November 9, 2020.

options for the three parcels. The established photovoltaic solar company offered to pay annual option fees for the property and pay \$1.5 million for the property if the purchase option is exercised. After consultation with the United States, the Receiver signed an initial agreement for the purchase option and filed a motion seeking Court approval of the option agreement.<sup>37</sup> After the Reporting Period, the Court approved the motion and the Receiver will hold a public auction to determine whether any other bidders are willing to pay a higher purchase price or better option terms. The Receiver has already received an inquiry from one other solar energy company about the property's potential for a photovoltaic solar farm.

D. Update on Hazardous Materials. In the Ninth Report, the Receiver described the discovery of containers of hazardous materials in a semi-truck trailer located on one of the properties. The Receiver is working with the local fire marshal, the state fire marshal, and a private hazardous waste company to dispose of the chemicals and clean up any contamination. The Receivership will be required to pay for the removal and disposition of the chemicals.

E. Greenbelt Rollback Notice. The Millard County Assessor determined that Glenda Johnson had improperly claimed that a 360-acre parcel in Delta (MA-2662-B) was devoted to agricultural use and issued a Greenbelt Roll Back Notice. The Receiver paid \$2,972.92 in in roll back property taxes on his property for the prior five years. The County Assessor informed the Receiver that this is likely the last roll back notice to be issued on Receivership Properties acquired from Glenda Johnson.

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<sup>37</sup> [Docket no. 1109](#), filed March 23, 2021.

F. Four Millard County Properties Titled in the Name of Glenda Johnson. There are four additional properties in Millard County titled in the name of Glenda Johnson that were not the subject of the Turnover Motion. Those properties are the subject of a separate lawsuit filed by the Receiver against Glenda Johnson, which litigation is ongoing.<sup>38</sup> As discussed below, due to her contemptuous interference with the Receivership, Glenda Johnson bears the burden of demonstrating that the funds used for her acquisition of these four properties came from sources other than Receivership Entities and Affiliated Entities.<sup>39</sup>

G. List of Properties in the Receivership Estate. Attached as Exhibit 1 is a table showing the status of all real properties in the Receivership Estate.

H. Disposition of Other Assets. In consultation with the United States, the Receiver took steps to dispose of two significant assets that were used to promote the tax fraud. The Receiver had the partially built turbine destroyed, so it could not be used in the promotion of any further or future frauds. The Receiver also has initiated a process to put all the intellectual property owned and claimed by Receivership Entities and Affiliated Entities in the public domain. This decision was prompted by several factors, including: i) the difficulty and expense of valuing the patents and other intellectual property, ii) concern over the need to pay renewal fees on patents of unknown value, iii) concern that if the intellectual property were sold at an auction, the intellectual property might be purchased by someone affiliated with Johnson or Shepard and used to continue promoting this or another solar scheme,<sup>40</sup> and iv) a determination that putting the claimed technology in the public domain is its best use. To the extent the

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<sup>38</sup> 2:19-cv-00625-DN-PK.

<sup>39</sup> Docket no. 1088, filed February 16, 2021; [docket no. 1116](#).

<sup>40</sup> This concern is illustrated by testimony from Roger Hamblin that he and Neldon Johnson are continuing to market the claimed technology to foreign entities. *See* deposition of Roger Hamblin, [docket no. 1055-1](#) at 150-156.

technology may have any value, that value will be available to all persons wanting to use it, which would benefit the economy as a whole. If the technology has no value, the Receivership will be spared the time and expense of attempting to value it and sell it.

I. Distributions to the United States, Department of Justice. On February 19, 2021, the Receiver paid to the Department of Justice \$8,899.98 in satisfaction of a fee award of the Court<sup>41</sup> and paid \$7,500,000.00 to the United States Treasury, as directed by paragraph 89(b) of the CRO.

#### IV. LITIGATION

A. Special Report on Status of Litigation. At the request of the Court, the Receiver filed a special report in February on the status of litigation (“Litigation Status Report”),<sup>42</sup> summarizing the status of settlements, summary judgment motions, default applications, and ongoing litigation. The Receiver will file similar reports every three months so long as significant litigation actions continue.

B. Summary Judgment Motions. The Court has issued docket text orders indicating it would grant summary judgment orders in approximately 25 of the recovery actions brought by the Receiver against persons who were paid commissions for soliciting others to send money to the fraud scheme. In anticipation that those proposed orders would be entered by the Court, the defendants in three of those cases entered into settlement agreements with the Receiver, which have been approved by the Court.<sup>43</sup> In the remaining 22 cases, the Receiver submitted proposed orders; nine orders and final judgments have been entered and 13 are awaiting Court action.

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<sup>41</sup> Docket no. 480, filed October 23, 2018.

<sup>42</sup> [Docket no. 1096](#), filed February 26, 2021.

<sup>43</sup> These are Bell Energy, Steven Chaston, and Kelvin Smith.

There are an additional five cases where the Receiver has filed summary judgment motions, which have not been ruled on.<sup>44</sup> In one of those (Aulds), a settlement agreement has been reached.

C. Other Recovery Actions. Another 18 recovery actions brought by the Receiver are in varying stages of discovery.

D. Neldon Johnson Appeal. On June 9, 2021, Neldon Johnson appealed the Court's denial of his motion to set aside the judgment.<sup>45</sup> That appeal is pending.

E. Glenda Johnson Lawsuit. A lawsuit that Glenda Johnson filed in 2020 against the Internal Revenue Service and others has been dismissed by Judge Nielson.<sup>46</sup>

#### V. INTERFERENCE BY GLENDA JOHNSON, OTHERS

A. Liens Improperly Filed Against Receivership Property. As noted in the Ninth Status Report, the Receiver filed a report and recommendation<sup>47</sup> and a motion for an order to show cause<sup>48</sup> relating to liens asserted by Glenda Johnson, Roger Hamblin, and Preston Olsen on Receivership properties. Glenda Johnson responded, opposing the show cause motion.<sup>49</sup> Hamblin and Olsen stipulated to findings of contempt and the factual bases underlying the show cause motion.<sup>50</sup> The Court issued a docket text order granting the Receiver's show cause motion and directing the Receiver to prepare a draft order.<sup>51</sup> The Receiver submitted a proposed order,

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<sup>44</sup> Newman, Lunn, Armand, Kontos, and Auld.

<sup>45</sup> [Docket no. 1081](#), filed February 9, 2021.

<sup>46</sup> Case no. 2:20-cv-0090, docket text order no. 19, filed February 16, 2021.

<sup>47</sup> [Docket no. 1055](#), filed December 29, 2020.

<sup>48</sup> [Docket no. 1056](#), filed December 29, 2020.

<sup>49</sup> [Docket no. 1073](#), filed January 29, 2021.

<sup>50</sup> [Docket no. 1072](#), filed January 29, 2021.

<sup>51</sup> Docket no. 1088, filed February 16, 2021.

after allowing opposing counsel to review the proposed submission.<sup>52</sup>After the close of the Reporting Period, the Court entered the order holding Glenda Johnson, Roger Hamblin, and Preston Olsen in civil contempt.

## **VI. FINANCIAL OPERATIONS OF THE RECEIVERSHIP ESTATE**

A. Receipts and Disbursements. The tables below show the amount and source of funds brought into the Receivership Estate during the quarter and categories of expenditures:

<b>Revenue into the Receivership Estate</b>	
<b>Source of Revenue</b>	<b>Amount In</b>
Real estate sale proceeds	\$2,437,765.69
Other asset sales	\$1,350.00
Settlement payments	\$156,879.95
Refunds (insurance & utilities)	\$4,714.81
Bank interest	\$92.09
<b>Total</b>	<b>\$2,600,802.54</b>

<b>Expenditures</b>	
<b>Type of Expenditure</b>	<b>Amount</b>
Real estate: appraisal, publication	\$5,518.98
Real estate: repairs, remodeling	\$7,374.94
Real estate: insurance	\$3,565.06
Real estate: utilities	\$4,209.52
Real estate: property taxes	\$2,972.92
Real estate: HOA dues	\$935.00
Litigation transcripts	\$1,254.75
Tax preparation (1099 forms)	\$916.98
Other operating expenses	\$351.00
<b>Total</b>	<b>\$27,099.15</b>

In February, the Receiver sent \$7,500,000.00 to the United States as a distribution towards the amount awarded by the Court. A separate payment of \$8,899.98 was sent to the Department of Justice in payment of an unsatisfied 2018 fee award.

<sup>52</sup> [Docket no. 1110](#), filed March 24, 2021.

With Court approval,<sup>53</sup> professional fees in the amount of \$140,733.86, covering the three-month period from October through December 2020, were paid during the quarter to the Receiver, his counsel, conflict counsel, and the forensic accountants.

B. Bank Account Balances. The following table shows the balance of funds in the Receivership bank accounts at Wells Fargo Bank as of March 31, 2021:

<b>Bank Account Balances</b>	
<b>Account</b>	<b>Amount</b>
Checking account	\$76,181.73
High yield savings <sup>54</sup>	\$1,300,459.01
<b>Total</b>	<b>\$1,376,640.74</b>

## **VII. NEXT STEPS**

The significant next steps in the Receivership will be:

A. Sell Real Properties. The Receiver expects to close soon on one property where an auction was already held. The Receiver will sell at auction four remaining properties for which the Court has recently approved holding auctions. He also will take possession and sell the Shepard home.

B. Additional Properties. There are four additional properties in Millard County still titled in the name of Glenda Johnson. The Court has required Glenda Johnson to demonstrate that non-Receivership Entity funds were used to purchase those properties or those properties will be deemed Receivership Property. When Glenda Johnson submits her response, the Receiver expects there to be motions or hearings regarding the source of funds. If the Court rules that

<sup>53</sup> [Docket no. 1108](#), filed March 23, 2021.

<sup>54</sup> This amount includes \$100,000 that the Turnover Order directed be preserved pending resolution of the Receiver's separate lawsuit against Glenda Johnson.

Receivership funds were used to acquire those properties, the Receiver will take control of those properties and market them.

C. Ongoing Litigation. The Court's granting of numerous summary judgment motions against recipients of sales commissions has significantly reduced the expected extent of future litigation. However, the remaining lawsuits against insiders and law firms are expected to be vigorously contested. Experts have been retained and depositions of the experts and the Receiver are scheduled. The Receiver has settled the one matter that still was under investigation, so he expects there will be no additional lawsuits needing to be filed, except to enforce settlement agreements. The Receiver will file the next litigation status report during the last half of May.

D. Assignment of Judgments. When the expected summary judgment orders are entered, the Receiver anticipates seeking Court approval to assign those judgments and others (including default judgments and stipulated judgments) to the United States.

E. Assist Other Government Agencies. With the consent of the United States, the Receiver expects to assist other government agencies that have requested information from the Receiver.

## VIII. CONCLUSION

Great strides were made during the Reporting Period. Nine property sales closed and a tenth is imminent. Auctions will be held for the remaining four properties controlled by the Receiver. Half interest in the Shepard home is property of the Receivership Estate and the home will be sold and the net sales proceeds divided with Shepard. Four more properties might become Receivership Assets. Significant advances were made in the litigation, with the Court's



indication it would grant summary judgment in most of the recovery actions against commission recipients. The Receiver submitted proposed findings and a proposed order relating to interference by Glenda Johnson, Roger Hamblin, and Preston Olsen. Numerous new settlement agreements have been reached and approved by the Court. Physical and intellectual property instruments of the fraud scheme are being disposed, including destruction of the claimed turbine prototype and actions to make the intellectual property publicly available.

Significant work remains, but the objectives of the Receivership are being steadily accomplished.

The Receiver certifies that the information in this Tenth Quarterly Status Report is accurate to the best of his knowledge.

  
Wayne Klein  
Receiver

DATED this 4<sup>th</sup> day of May 2021.

**PARR BROWN GEE & LOVELESS**

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

**CERTIFICATE OF SERVICE**

IT IS HEREBY CERTIFIED that service of the above **RECEIVER'S TENTH QUARTERLY STATUS REPORT** was electronically filed with the Clerk of the Court through the CM/ECF system on May 4th, 2021, which sent notice of the electronic filing to all counsel of record. Copies were also mailed to the following:

R. Gregory Shepard  
858 Clover Meadow Dr.  
Murray, Utah 84123

Neldon Johnson  
PO Box 95332  
South Jordan, UT 84095

*Pro se Defendants*

/s/ Michael S. Lehr