

Jonathan O. Hafen (6096) (jhafen@parrbrown.com)  
Jeffery A. Balls (12437) (jballs@parrbrown.com)  
Michael S. Lehr (16496) (mlehr@parrbrown.com)  
**PARR BROWN GEE & LOVELESS, P.C.**  
101 South 200 East, Suite 700  
Salt Lake City, Utah 84111  
Telephone: (801) 532-7840

*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.

**NOTICE OF WITHDRAWAL OF  
DUPLICATE MOTION**

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

District Judge David Nuffer

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R. Wayne Klein, the Court-Appointed Receiver (the “Receiver”) of RaPower-3, LLC (“RaPower-3”), International Automated Systems, Inc. (“IAS”), and LTB1, LLC (“LTB1”) (collectively “Receivership Entities”), as well as certain affiliated subsidiaries and entities, and the assets of Neldon Johnson (“Johnson”) and R. Gregory Shepard (“Shepard”) (collectively “Receivership Defendants”), hereby withdraws the duplicate Tenth Motion for Approval to Consummate Settlements filed on July 1, 2021.<sup>1</sup> The duplicate entry was inadvertently filed.

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<sup>1</sup>Docket no. 1131.

The original Tenth Motion for Approval to Consummate Settlements was filed on June 30, 2021, and is the operative motion.<sup>2</sup>

DATED this 1<sup>st</sup> day of July, 2021.

**PARR BROWN GEE & LOVELESS, P.C.**

*/s/ Jeffery A. Balls*

Jonathan O. Hafen

Jeffery A. Balls

Michael Lehr

*Attorneys for R. Wayne Klein, Receiver*

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<sup>2</sup>Docket no. 1130.

**CERTIFICATE OF SERVICE**

I hereby certify that the above **NOTICE OF WITHDRAWAL OF DUPLICATE MOTION** was filed with the Court on this 1st day of July, 2021 and served via ECF on all parties who have requested notice in this case. Copies were also sent by mail to:

Neldon Johnson  
Post Office Box 95332  
South Jordan, UT 84095

R. Gregory Shepard  
858 Clover Meadow Drive  
Murray, UT 84123

*/s/ Wendy V. Tuckett*