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

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff,</p> <p>vs.</p> <p>RAPOWER-3, LLC, INTERNATIONAL AUTOMATED SYSTEMS, INC., LTB1, LLC, R. GREGORY SHEPARD, NELDON JOHNSON, and ROGER FREEBORN,</p> <p>Defendants.</p>	<p>Civil No. 2:15-cv-00828 DN-DAO</p> <p><b>UNITED STATES' CONSENT MOTION TO EXTEND TIME</b></p> <p>Judge David Nuffer</p> <p>Magistrate Judge Daphne A. Oberg</p>
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Pursuant to Fed. R. Civ. P. 6(b)(1)(A) and DUCivR 7-1(b)(3)(B), the United States respectfully requests an extension of time until September 17, 2021, to respond to the Motion to Intervene.<sup>1</sup>

The United States' response is currently due on August 19.<sup>2</sup> But good cause exists for the requested extension in the interests of resolving the motion on its merits. *See Rachel v. Troutt*, 820 F.3d 390, 394 (10th Cir. 2016). In spite of diligent work to date, careful evaluation of the issues presented in the motion, along with other time-sensitive matters on undersigned counsel's docket and the continued demands of the ongoing and changing pandemic, require more time to respond than the two weeks provided by the Local Rules. This is the United States' first request to extend this deadline. It is not made for purposes of undue delay and the extension will not affect any other deadlines in this case. The proposed intervenors, Preston and Elizabeth Olsen, will not be prejudiced by the extension. Their counsel consents to this extension.

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<sup>1</sup> ECF No. 1143.

<sup>2</sup> DUCivR 7-1(b)(3)(B).

Therefore, the United States requests that the Court extend the deadline for the United States to respond to the Motion to Intervene to September 17, 2021.

Dated: August 17, 2021

Respectfully submitted,

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**ATTORNEYS FOR THE  
UNITED STATES**

**CERTIFICATE OF SERVICE**

I hereby certify that on August 17, 2021, the foregoing UNITED STATES' CONSENT MOTION TO EXTEND TIME was electronically filed with the Clerk of the Court through the CM/ECF system, which sent notice of the electronic filing to all counsel of record.

I also certify that, on the same date, I served the same documents by first-class mail upon:

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/s/ Erin Healy Gallagher  
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