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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., LTBI, LLC, R.)

GREGORY SHEPARD, NELDON)

JOHNSON and ROGER)

FREEBORN,)

Case No: 2:15-CV-828DN

Defendants,

BEFORE THE HONORABLE DAVID NUFFER

April 19, 2018

BENCH TRIAL
DAILY COPY

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Reported by:
KELLY BROWN HICKEN, RPR, RMR
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A P P E A R A N C E S

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1 Q. Did you talk at all about your testimony or the
2 facts underlying your testimony today with Mr. Jones
3 during the break?

4 A. No.

10:33:40 5 MS. HINES: Nothing further.

6 THE COURT: Any recross?

7 MR. SNUFFER: No, Your Honor. Thank you.

8 THE COURT: All right. You can step down.

9 Thank you.

10:33:48 10 May this witness be excused?

11 MS. HINES: Yes, Your Honor.

12 THE COURT: Mr. Snuffer.

13 MR. SNUFFER: Yes. I don't think she will need
14 to return.

10:33:57 15 THE COURT: Okay. Thank you. You're excused
16 from further testimony. Your next witness, then, will be?

17 MR. MORAN: Your Honor, the United States calls
18 Preston Olsen.

19 THE COURT: All right.

10:34:39 20 PRESTON OLSEN,
21 the witness hereinbefore named, being first duly cautioned
22 and sworn or affirmed to tell the truth, the whole truth,
23 and nothing but the truth, was examined and testified as
24 follows:

10:34:39 25 THE COURT: Would you state your full name and

1 A. Yes.

2 Q. All right. Then, after law school, you worked in
3 New York City for Cleary, Gottlieb?

4 A. That's correct.

10:43:28 5 Q. Okay. And at Clearly, Gottlieb you practiced in
6 the areas of securities and structured finance?

7 A. Yes.

8 Q. And then, in 2004 or 2005, you returned to the
9 Salt Lake City area, correct?

10:43:41 10 A. That's right.

11 Q. All right. So, when you came back to Salt Lake,
12 came back to Utah, you worked for the law firm Ballard,
13 Spahr?

14 A. Yes.

10:43:52 15 Q. And you're currently a partner at Ballard, Spahr?

16 A. I am not currently at Ballard, Spahr, but the
17 first -- maybe January 1 of last year, 2017, a group of us
18 joined another law firm. The name is Gilmore & Bell.

19 Q. Okay. When you gave your deposition --

10:44:15 20 A. I was a partner of Ballard, Spahr at that time.

21 Q. Okay. And that was in August of 2016, correct?

22 A. Correct, yes.

23 Q. And it sounds like, after that, you went to a new
24 law firm. What is it again?

10:44:27 25 A. Gilmore & Bell.