JOHN W. HUBER, United States Attorney (#7226)

JOHN K. MANGUM, Assistant United States Attorney (#2072)

185 South State Street, Suite 300

Salt Lake City, Utah 84111

Telephone: (801) 524-5682

Email: john.mangum@usdoj.gov

ERIN HEALY GALLAGHER, pro hac vice

DC Bar No. 985670, erin.healygallagher@usdoj.gov

ERIN R. HINES, pro hac vice

FL Bar No. 44175, erin.r.hines@usdoj.gov

CHRISTOPHER R. MORAN, pro hac vice

NY Bar No. 5033832, christopher.r.moran@usdoi.gov

Trial Attorneys, Tax Division

U.S. Department of Justice

P.O. Box 7238

Ben Franklin Station

Washington, D.C. 20044

Telephone: (202) 353-2452

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., LTB1, LLC, R. GREGORY SHEPARD, NELDON JOHNSON, and ROGER FREEBORN,

Defendants.

Civil No. 2:15-cv-00828 DN

UNITED STATES' INDEX OF EXHIBITS FOR MOTION TO COMPEL DEPOSITION TESTIMONY OF CODY BUCK, KEN OVESON and DAVID MANTYLA

> Judge David Nuffer Magistrate Judge Brooke C. Wells

In accordance with DUCiv R 5-2(d)(1), the United States provides an index of Exhibits to its Motion to Compel Deposition Testimony of Cody Buck, Ken Oveson, David Mantyla.

Plaintiff Exhibit #	Exhibit Title
87	Email from Greg Shepard, dated 4/17/2012
136	Email string between Preston Olsen, Matthew Shepard, Greg Shepard, and others, dated 10/29/09
214	Email from Roger Freeborn, dated 1/7/2013
221	Email from Roger Freeborn, dated 4/20/2011
244	Email from Greg Shepard, dated 2/23/2012
372	Email string between Ken Oveson and Greg Shepard dated 8/24/2009
373	Email string between Ken Oveson and Greg Shepard dated 8/25/2009
374	Email string between Ken Oveson and Greg Shepard dated 8/25/2009
376	Invoice dated 12/31/2008 from Mantyla McReynolds to Bigger Faster Stronger
377	Invoice dated 3/31/2009 from Mantyla McReynolds to Bigger Faster Stronger
381	Waiver of Tax Privilege, dated February 22, 2017, signed by Robert Rowbotham
383	Statement from Neldon Johnson dated 12/28/2010
384	Transcript of Cody Buck's February 15, 2017 deposition
385	Transcript of Ken Oveson's February 16, 2017 deposition
386	Transcript of David Mantyla's February 16, 2017 deposition

Dated: March 22, 2017

Respectfully submitted,

/s/ Christopher R. Moran

CHRISTOPHER R. MORAN

New York Bar No. 5033832

Email: christopher.r.moran@usdoj.gov

Telephone: (202) 307-0834 ERIN HEALY GALLAGHER

DC Bar No. 985760

Email: erin.healygallagher@usdoj.gov

Telephone: (202) 353-2452

ERIN R. HINES

FL Bar No. 985670

Email: erin.r.hines@usdoj.gov

Telephone: (202) 514-6619

Trial Attorneys, Tax Division

U.S. Department of Justice

P.O. Box 7238

Ben Franklin Station

Washington, D.C. 20044

FAX: (202) 514-6770

ATTORNEYS FOR THE

UNITED STATES

CERTIFICATE OF SERVICE

I hereby certify that on March 22, 2017, the foregoing document was conventionally filed under seal with the Clerk of the Court, in accordance with DUCivR 5-2(d) and ECF Doc. 135. Copies of this Motion to Compel Deposition Testimony are being mailed via Fedex to the following counsel of record:

Justin D. Heideman
HEIDEMAN & ASSOCIATES
2696 North University Avenue, Suite 180
Provo, Utah 84604
jheideman@heidlaw.com
ATTORNEY FOR RAPOWER-3, LLC,
INTERNATIONAL AUTOMATED SYSTEMS, INC.,
LTB1, LLC, and NELDON JOHNSON

Donald S. Reay
REAY LAW, PLLC
donald@reaylaw.com
ATTORNEY FOR R. GREGORY SHEPARD
AND ROGER FREEBORN

I further certify that I sent the foregoing document to counsel for Cody Buck, Ken Oveson, and David Mantyla via email (per agreement):

Eric G. Benson RAY QUINNEY & NEBEKER 36 South State Street Suite 1400 Salt Lake City, UT 84111 ebenson@rqn.com ATTORNEY FOR KEN OVESON

> /s/ Christopher R. Moran CHRISTOPHER R. MORAN Trial Attorney