

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-EJF

**ORDER ON MOTION TO COMPEL
TODD ANDERSON TO PRODUCE
DOCUMENTS**

Judge David Nuffer
Magistrate Evelyn J. Furse

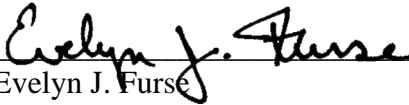
Upon consideration of the United States' motion to compel Todd Anderson to produce certain documents,¹ other papers related to that motion, and submissions by counsel at the hearing on the motion held on April 12, 2017, IT IS HEREBY ORDERED THAT:

1. The privilege log produced to the United States by counsel for Mr. Anderson does not contain sufficient information. No later than May 3, 2017, counsel for Neldon Johnson and RaPower-3, LLC, shall prepare and serve the United States with a revised privilege log consistent with the Federal Rules of Civil Procedure.
2. Mr. Anderson's deposition, which was scheduled for April 17, 2017, shall be postponed until further order of this Court.

¹ ECF Doc. 138.

3. The United States' motion to compel Mr. Anderson to produce certain documents is DENIED WITHOUT PREJUDICE. Before renewing a motion to compel documents from Mr. Anderson or seeking to take his deposition, counsel for the United States shall follow the procedures set forth in paragraph 3 through 7 of this Court's Order on the motion to compel deposition testimony of Kenneth Birrell, dated April 24, 2017.² If that procedure, the revised privilege log and, if needed, a meet-and-confer, do not resolve the parties' dispute about the production of specific documents, the United States may renew its motion to compel in full or in part.

DATED this 24th day of April, 2017.



Evelyn J. Furse
United States Magistrate Judge

² ECF Doc. 160.