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

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<p>UNITED STATES OF AMERICA,</p> <p style="text-align: center;">Plaintiff, Counterclaim Defendant</p> <p>v.</p> <p>RAPOWER-3, LLC, et al.,</p> <p style="text-align: center;">Defendant.</p>	<p style="text-align: center;"><b>MOTION TO CONTINUE HEARING ON UNITED STATES' RENEWED MOTION TO COMPEL TODD ANDERSON TO PRODUCE DOCUMENTS</b></p> <p style="text-align: center;">Case No.: 2:15-cv-00828-DN-EJF</p>
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Pursuant to DUCivR 7-1(a)(2)(B), non-party Todd Anderson moves to continue the June 15, 2017 hearing as to the United States' Renewed Motion to Compel Todd Anderson to Produce Documents (Doc. 163).

**PRECISE RELIEF REQUESTED AND GROUNDS**

1. The Court has scheduled a hearing on the United States' Renewed Motion to Compel Todd Anderson to Produce Documents (Doc. 163) ("Anderson Motion") for June 15, 2017.

Hearings on other motions are scheduled to be heard at the same time. Anderson requests that the hearing be continued to the following week as to the Anderson Motion only, or to such other day and time that the Court and parties have available (e.g., the undersigned is available June 19, 20, 21(afternoon), and 23 the following week). The hearing on the other motions may proceed as originally scheduled, but Anderson requests that the hearing on the Anderson Motion be continued.

2. Counsel for Todd Anderson, the undersigned Byron G. Martin, has long been scheduled to be out of town June 14 through 17 due to commitments relating to a multiple-day youth group trip, and his participation therein is being relied upon by the youth and other leaders involved in the activity.

3. Attorney Stuart H. Schultz, also an attorney with Strong & Hanni, was involved as counsel for Mr. Anderson previously on this case, but was not allowed to continue as counsel due to the insurance carrier's policy on multiple partners assigned to a case and has not been involved in and is not familiar with any of the recent proceedings.

4. Attorney Axel Trumbo, an associate attorney at Strong & Hanni, might be brought up to speed prior to the hearing but only at significant extra expense and only with the insurance carrier's approval, and more importantly, Mr. Trumbo has a deposition scheduled for 9:00 a.m. on June 15 and therefore could not attend the hearing at that time in any event.

5. Under the circumstances, there is good cause to continue the hearing as to the Anderson Motion only and to reschedule the hearing to the next earliest and available time the week of June 19 or thereafter. It is not practical for Anderson to have counsel at the hearing as scheduled, and there is no significant prejudice to the United States if a short continuance is

granted as to the Anderson Motion only.

DATED this 7th day of June, 2017.

**STRONG & HANNI**

*/s/ Byron G. Martin*

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Byron G. Martin  
*Attorneys for Todd Anderson*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 7th day of June, 2017 a true and correct copy of the foregoing  
**MOTION TO CONTINUE HEARING ON UNITED STATES RENEWED MOTION TO  
COMPEL TODD ANDERSON TO PRODUCE DOCUMENTS**

was served by the method indicated below, to the following:

Erin Healy Gallagher	(X)	Electronic Filing
Erin R. Hines	( )	U. S. Mail, Postage Prepaid
Christopher R. Moran	( )	Hand Delivered
John K. Mangum	( )	Overnight Mail
<i>Attorneys for Plaintiff USA</i>	( )	Email
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