

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

DECLARATION OF PACIFICORP

Judge David Nuffer
Magistrate Judge Brooke C. Wells

I, Patrick Cannon, declare, under the penalty of perjury, that:

1. I am employed by PacifiCorp (“the Company”) with legal offices located at 825 NE Multnomah Street, Suite 1800, Portland, Oregon 97221.
2. My official title is Senior Counsel.
3. I am the custodian of records or other qualified individual and, by reason of my position, am authorized and qualified to make this declaration. I am familiar with the record keeping practices of the Company.
4. The documents with the Bates numbers PAC00014 - PAC00346, PAC00348 - PAC00415, PAC00417- PAC00477, PAC00479 - PAC01720, PAC01722 - PAC02378, PAC02380 - PAC02405, PAC02407 - PAC02425 and the native files on the disc marked Plaintiff’s Exhibit 198 (161107 PacifiCorp queue.xlsx, 20161005_OATT master.PDF, and tsr_queue.xlsx) are:

- a. true copies of original records of the Company; or
 - b. true copies of records created by a third party and integrated into the records of the Company. The Company relied on the accuracy of the records created by the third party to conduct its work, and integrated the third-party records into its own records.
5. The records identified above in paragraph 4 were:
- a. made at or near the time of the occurrence(s) or event(s) of the matters set forth therein;
 - b. made by someone with knowledge of the occurrence(s) or event(s), or from information transmitted by a person with such knowledge;
 - c. were kept and maintained in the course of the regularly conducted business activities of the Company; and
 - d. it was/is the regular practice of the Company to make and/or keep such records.

Pursuant to the provisions of 28 U.S.C. Section 1746, I declare under penalty of perjury that the foregoing declaration is true and correct.

Executed on this 19th day of January, 2017.

Signature:



Printed Name:

Patrick Cannon

Title:

Senior Counsel

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