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*Attorneys for Defendants*

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

**DEFENDANTS' MOTION PURSUANT TO  
FED. R. CIV. P. 52(c)**

Judge David Nuffer

Magistrate Judge Evelyn J. Furse

Defendants RaPower-3, LLC, International Automated Systems, Inc., LTB1, LLC., R. Gregory Shepard, and Neldon Johnson (hereinafter collectively "Defendants") and as requested by the Court, respectfully submit the written argument read into the record following Plaintiff's resting of its case attached as exhibit hereto.

NELSON SNUFFER DAHLE & POULSEN

/s/ Denver C. Snuffer, Jr.

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Daniel B. Garriott

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **DEFENDANTS' MOTION PURSUANT TO FED. R. CIV. P. 52(c)** was sent to counsel for the United States in the manner described below.

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