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

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

RAPOWER-3, LLC, INTERNATIONAL  
AUTOMATED SYSTEMS, INC., LTB1,  
LLC, R. GREGORY SHEPARD, NELDON  
JOHNSON, and ROGER FREEBORN,

Defendants.

**PRESERVATION ORDER**

Case No. 2:15-cv-00828 DN-EJF

District Judge David Nuffer

Magistrate Judge Evelyn J. Furse

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This trial concluded June 23, 2018. An Interim Injunction was entered<sup>1</sup> but further relief will be ordered when full findings and conclusions are prepared and filed. To ensure that complete information is available to support such remedies as may be imposed,

IT IS HEREBY ORDERED that defendants, their officers, agents, employees, contractors and others engaged in defendants' operations shall take all necessary steps to ensure that all information pertaining to defendants' operations are preserved, including:

- a. suspend any information deletion or destruction policies;
- b. preserve all information pertaining to defendants' operations, whether in current use or in past use, in whatever form and wherever maintained, including in paper form or in a cloud or contract service, including without limitation financial records, databases, quickbooks or financial management software, customer records, order information, purchasing information, bank records, employee related data, and all

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<sup>1</sup> Initial Order and Injunction After Trial, [docket no. 413](#), filed June 22, 2018.

data created or collected by use of the websites www.rapower3.com and www.rapower3.net and www.iaus.com and any other website controlled by defendants which is used in relation to marketing of lenses;

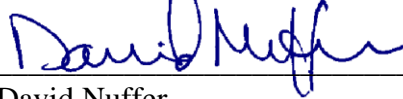
- c. on or before Monday July 2, file a listing of all such data, describing its location, dates of coverage, the persons responsible for maintenance of such data, including all persons with access to or authority over such data, the size of the data files or paper files;
- d. provide access to plaintiff and its agents on three days' notice to archive, back up or image such data;
- e. provide representatives for deposition as may be scheduled by plaintiff on seven days' notice.

Defendants shall notify all their officers, agents, employees, and contractors of this order by providing them a copy.

This order may be amended as need requires.

Dated June 27, 2018.

BY THE COURT:



David Nuffer  
United States District Judge