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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., LTBI,
LLC, R. GREGORY SHEPARD,
NELDON JOHNSON, and ROGER
FREEBORN,

Defendants.

Civil No. 2:15-cv-00828 DN

MEMORANDUM OF COSTS

Judge David Nuffer
Magistrate Judge Evelyn J. Furse

The United States, by and through its undersigned counsel, and pursuant to DUCivR 54-2 and the Judgment of this Court,¹ hereby submits this Memorandum of Costs and it respectfully submits the following:

1. On October 4, 2018, this Court entered an order that, among other things, awarded the United States “its costs and expenses incurred in this suit.”²

2. Pursuant to Local Rule 54-2, a Verification of Costs, Declaration of Erin Healy Gallagher, is attached.

3. The Verification of Costs and its attached Plaintiff’s Exhibit 925 itemize and describe the costs; provide invoices for the costs; and verify payment of the costs. The Verification of Costs is incorporated here by reference.

4. As the Verification of Costs shows, during this litigation the United States incurred \$49,823.01 in fees for printed or electronically recorded transcripts.³

5. The United States is entitled to recover these costs pursuant to 28 U.S.C. § 1920(2).

¹ ECF No. 467; ECF No. 468.

² ECF No. 467 at 138.

³ Healy Gallagher Decl. ¶¶ 2-5; *id.* Pl. Ex. 925.

Dated: October 18, 2018

Respectfully submitted,

/s/ Erin Healy Gallagher

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**ATTORNEYS FOR THE
UNITED STATES**

CERTIFICATE OF SERVICE

I hereby certify that on October 18, 2018 the foregoing MEMORANDUM OF COSTS and its supporting documents were electronically filed with the Clerk of the Court through the CM/ECF system, which sent notice of the electronic filing to all counsel of record.

/s/ Erin Healy Gallagher _____
ERIN HEALY GALLAGHER
Trial Attorney