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Proposed Attorneys for Court-Appointed Receiver Wayne Klein

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

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

Defendants.

**MOTION FOR ORDER AUTHORIZING
RECEIVER TO EMPLOY ATTORNEYS**

Civil No. 2:15-cv-00828-DN

The Honorable David Nuffer

Wayne Klein, the Court-Appointed Receiver (the “Receiver”) of RaPower-3 LLC (“RaPower-3”), Neldon Johnson, International Automated Systems Inc. (“IAS”), LTB1 LLC (“LTB1”), and R. Gregory Shepard, together with any and all subsidiaries and affiliated entities, including but not limited to, SOLCO I, LLC; XSun Energy, LLC; Cobblestone Centre, LC; DCL-16A, Inc.; DCL16BLT, Inc.; LTB O&M, LLC; N.P. Johnson Family Limited Partnership; Shepard Energy; Shepard Global, Inc.; Solstice Enterprises; Black Night Enterprises; and

Starlight Enterprises, respectfully requests that the Court authorize him to engage the law firm of Parr Brown Gee & Loveless, P.C. (“Parr Brown”) as counsel for the receivership estate. In support hereof, the Receiver states as follows:

1. On October 31, 2018, the Court entered the Receivership Order [Docket No. 490]. Paragraph C(f) of the Receivership Order authorizes the Receiver to employ “attorneys” to assist in the administration of the receivership, and section N of the Receivership Order requires Court approval to engage such professionals.

2. The Receiver requests by this Motion an Order authorizing him to engage Parr Brown as counsel to advise and assist him in performing his duties on behalf of the receivership estate as of the date of the entry of the Receivership Order appointing the Receiver—October 31, 2018.

3. Prior to his appointment, the Receiver communicated his intention to the Court to hire one of three law firms as counsel. Based on the Receiver’s evaluation of proposals from the three law firms, the Receiver is recommending the appointment of Parr Brown as counsel for the Receivership. Parr Brown has agreed to discount their standard rates by 10% with the discounted rates for the attorneys listed in the caption of this Motion ranging from \$333 to \$198 per hour. The compensation of Parr Brown will be overseen by the Court pursuant to section N of the Receivership Order.

5. Parr Brown agrees that it will abide by the Receivership Order and all applicable law in seeking compensation and reimbursement of expenses in this case.

Accordingly, the Receiver hereby requests that the Court grant this Motion and authorize the Receiver’s engagement of Parr Brown as described above.

A proposed Order is submitted herewith.

DATED this 2nd day of November, 2018.

PARR BROWN GEE & LOVELESS

/s/ Jonathan O. Hafen

Jonathan O. Hafen

Joseph M.R. Covey

Cynthia Love

Michael S. Lehr

Proposed Attorneys for Receiver

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the above **MOTION FOR ORDER AUTHORIZING RECEIVER TO EMPLOY ATTORNEYS** was electronically filed with the Clerk of the Court through the CM/ECF system on November 2, 2018, which sent notice of the electronic filing to all counsel of record and by hard copy of the same being delivered via U.S. Mail, postage prepaid, to the following:

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