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LTB1, and Neldon Johnson

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

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff,</p> <p>vs.</p> <p>RAPOWER-3, LLC, INTERNATIONAL AUTOMATED SYSTEMS, INC., LTB1, LLC, R. GREGORY SHEPARD, and NELDON JOHNSON,</p> <p>Defendants.</p>	<p>Civil No. 2:15-cv-00828-DN-EJF</p> <p>SECOND DECLARATION OF R. GREGORY SHEPARD IN RELATING TO COMPLIANCE VERIFICATION OF ECF Doc. 467</p> <p>Judge David Nuffer</p>
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Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. My name is R. Gregory Shepard and I make this declaration under oath and based on my personal knowledge.
2. I hereby certify that I am aware that Neldon P. Johnson on behalf of RaPower-3, LLC, International Automated Systems, Inc., and LTB1, LLC has complied with paragraph 11 of the Compliance Verifications of the Findings of Fact, Conclusions of Law and Order (ECF Doc. 467) and has submitted the information required to counsel for the United States via U.S. Post. The information is already known to Plaintiff and in its possession.

Notwithstanding, lists have been provided which include the name, mailing address, email address, telephone number, and taxpayer identification number, to the extent that information is known to or in the possession of Defendants.

3. Plaintiff is already in possession of all information requested under paragraph 12 of the Findings of Fact and Conclusions of Law, Certification requirements. It is my understanding that Neldon P. Johnson attempted to reproduce the list and have provided a copy of the list to Plaintiff's counsel. This information is not in my possession, custody, or control, and I do not have the ability to access it in any form, therefore I am relying upon Mr. Johnson's production of that information.
4. I have provided a list of persons or entities to whom I have referred customers for the preparation of federal tax returns related to a solar lens and/or any solar energy system or component to Plaintiff's counsel.
5. It is my understanding that Defendants Neldon Johnson, RaPower-3, LLC and International Automated Systems, Inc., have prepared a card to be mailed, via first-class mail to each known address of all persons or entities who have purchased any solar lens and/or any solar energy system or component. A copy of the card has been provided to Plaintiff's counsel. I understand that Defendants have contacted and obtained a bid from Alphagraphics to print and mail the cards. A copy of the bid has been provided to Plaintiff's counsel. Defendants' bank accounts have all been frozen. They have no ability to pay the fee to print and send the card without authorization from the Court and release of the necessary funds from the Receiver. Once that has been done, Defendants will pay to print and have the cards sent.
6. I have caused Matt Shepard to email the information required by Paragraph 14 to each known email address. Because each of the websites have already been taken down, a copy

of the Complaint and a copy of the Findings of Fact and Conclusions of Law were sent as attachments to the email with the following language: “Pursuant to the Order of the Court in United States of America v. RaPower-3, LLC, et al, Civil No. 2:15-cv-00828-DN, a copy of the Complaint and Findings of Fact and Conclusions of Law has been attached to this email.”

I declare under the penalty of perjury, that the foregoing is true and correct.

DATED this 29th day of November, 2018.

/s/ R. Gregory Shepard
R. Gregory Shepard
(Electronically signed with permission)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **SECOND DECLARATION OF R. GREGORY SHEPARD RELATING TO COMPLIANCE VERIFICATION OF ECF Doc. 467** was sent to counsel for the United States in the manner described below.

Erin Healy Gallagher
Erin R. Hines
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Sent via:
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 Electronic Service via Court's
CM/ECF filing program

/s/ Steven R. Paul
Attorneys for Defendants