

Denver C. Snuffer, Jr. (#3032) denversnuffer@gmail.com

Steven R. Paul (#7423) spaul@nsdplaw.com

Daniel B. Garriott (#9444) dbgarrriott@msn.com

Joshua D. Egan (#15593) Joshua.d.egan@gmail.com

NELSON, SNUFFER, DAHLE & POULSEN

10885 South State Street

Sandy, Utah 84070

Telephone: (801) 576-1400

Facsimile: (801) 576-1960

Attorneys for Defendants

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, NELDON JOHNSON, and ROGER FREEBORN,</p> <p>Defendants.</p>	<p>Civil No. 2:15-cv-00828-DN-EJF</p> <p>DECLARATION OF NELDON JOHNSON IN SUPPORT OF MOTION FOR LIMITED RELIEF FROM ASSET FREEZE ORDER (Doc. 444)</p> <p>Judge David Nuffer Magistrate Judge Evelyn J. Furse</p>
---	---

Pursuant to 28 U.S.C. §1746, Defendant Neldon Johnson hereby declares and states as follows:

1. My name is Neldon P. Johnson and I make this declaration under oath and based on my personal knowledge in support of my motion to lift the asset freeze order over the bank account that receives my federal social security payment (“SSI”).
2. I receive \$1,386.00 per month in SSI under Title 42 of the United States Code.

3. This SSI is directly deposited into account with Bank of American Fork (Acct. No. ****233). See Exhibit 1 attached hereto.
4. No other funds from any other source are deposited into this account.
5. On August 29, 2018, Bank of American Fork made these funds unavailable to me after receiving notice of the asset freeze order.
6. Around September 10, 2018, I learned that Bank of American Fork had received a copy of the Memorandum Decision and Order Freezing Assets and to Appoint a Receiver [Doc. 444] and Bank of American Fork proceeded to freeze the assets in this account.
7. The total amount to that date of SSI that is frozen is \$4,358.18. (See Exhibit 1).

Dated this 4th day of December, 2018.

/s/ Neldon P. Johnson
Neldon P. Johnson
(electronically signed with permission)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent to counsel for the United States in the manner described below.

Erin Healy Gallagher
Erin R. Hines
Christopher R. Moran
US Dept. of Justice
P.O. Box 7238
Ben Franklin Station
Washington, DC 20044
Attorneys for USA

Sent via:
 Mail
 Hand Delivery
 Email: erin.healygallagher@usdoj.gov
erin.r.hines@usdoj.gov
christopher.r.moran@usdoj.gov
 Electronic Service via Utah Court's e-filing program

Wayne Klein, Receiver
P.O. Box 1836
Salt Lake City, Utah 84110

Sent via:
 Mail
 Hand Delivery
 Email: wklein@kleinutah.com
 Electronic Service via Utah Court's e-filing program

/s/ Steven R. Paul
Attorneys for Defendants

EXHIBIT 1



Bank of American Fork
 A Division of People's Intermountain Bank
 P.O. Box 307, American Fork, UT 84003

Date 9/10/18
 Primary Account

Page 1



NELDON JOHNSON
 GLENDA E JOHNSON
 2730 W 4000 S
 OASIS UT 84624-9703

Check out your new interest rate! On most deposit accounts, we have increased the interest rates. For more information, contact a customer representative at 800-815-BANK or www.pi.bank.

CHECKING ACCOUNT(S)

CheckSmart Senior(55 & Older)				0
Account Number	[REDACTED]	Statement Dates	8/08/18 thru	9/10/18
Previous Balance	2,972.18	Days in the Statement Period		34
1 Deposits/Credits	1,386.00	Average Ledger Balance		2,121.11
1 Checks/Debits	4,358.18	Average Collected Bal.		2,121.11
Other Fees	.00			
Interest Amount	.00			
Present Balance	.00			

DEPOSITS AND OTHER INCREASES TO CHECKING

Date	Description	Amount
8/22	SSA TREAS 310 9101736147PPD XXSOC SEC NELDON P JOHNSON	1,386.00

OTHER DECREASES TO CHECKING

Date	Description	Amount
8/29	FREZZE ORDER ON ACCT #6209233 CIVIL #2:15-CV-00828 DN EJF	4,358.18-

DAILY BALANCE SUMMARY

Date	Balance	Date	Balance	Date	Balance
8/08	2,972.18	8/22	4,358.18	8/29	.00

*Government closed account.
 This account was for neldon
 Social Security check only!!
 Took \$4,358.18*

