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**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.

REQUEST TO SUBMIT FOR DECISION

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

The Honorable David Nuffer

Pursuant to DUCivR 7-3, the Court-Appointed Receiver R. Wayne Klein (“Receiver”) of RaPower-3, LLC, International Automated Systems, Inc., and LTB1, LLC (collectively “RaPower-3”), as well as certain subsidiaries and entities affiliated with RaPower-3 and the assets of Neldon Johnson (“Johnson”) and R. Gregory Shepard (“Shepard”), respectfully requests that the Court render a decision on the pending Motion for Order Releasing Properties from

Receivership Estate.¹ In support of the request the Receiver submits the following:

1. On December 7, 2018 the Receiver filed his Motion for Order Releasing Properties from Receivership Estate asking the Court to release four properties that the Receiver has determined should not be assets of the Receivership Estate.²

2. No party filed an opposition to the Receiver's motion.

3. No party requested a hearing on this matter.

4. The motion is ripe, and the Receiver requests that the Court enter the Receiver's proposed order granting the motion.

DATED this 26th day of December, 2018.

PARR BROWN GEE & LOVELESS

/s/ Michael S. Lehr

Jonathan O. Hafen

Joseph M.R. Covey

Cynthia Love

Michael S. Lehr

Attorneys for Receiver

¹ Docket No. 536.

² *Id.*

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the above **REQUEST TO SUBMIT FOR DECISION** was electronically filed with the Clerk of the Court through the CM/ECF system on December 26th, 2018, which sent notice of the electronic filing to all counsel of record.

/s/ Michael S. Lehr