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January 24, 2019

SENT VIA EMAIL ONLY: wklein@kleinutah.com

Wayne Klein
Receiver for RaPower-3, LLC, et al.
P.O. Box 1836
Salt Lake City, UT 84110

Re: USA v. RaPower, et al., US District Court Case No. 2:15-cv-00828-DN
Johnson Deposition Concerns

**Plaintiff
Exhibit**

938

Dear Wayne,

We submit this letter in response to your January 24, 2019 letter discussing the Johnsons and their actions relating to depositions and service of process.

The Johnsons are not under our control. We believed they would appear at their scheduled depositions and confirmed with them that they would appear before confirming that with you. Over time, however, they have become more and more difficult for us to assist. They thought our retainer would guarantee our availability to continue to represent him and the other Defendants, and when the request to unfreeze the retainer was denied, our client wanted us to stop doing any work related to the receivership.

Our client has not been able to pay anything since September. The retainer that was intended to allow us to represent them continues to be frozen. Our client has no means to pay and does not want to incur continuing legal expenses with frozen assets and no ability to pay. He wants our efforts to be focused on the 10th Circuit Court and the pending appeal.

We filed our Opening Brief and six volume Appendix on time this week. It was a very significant effort involving a great deal of legal time and costs. Just filing the paperwork (printing, binding, shipping) was approximately \$2,000.

While we have continued to try to help and encourage compliance with the Receivership Order, we have been instructed to stop working and billing for that work.

If Mr. Johnson is deposed, he expects to appear without legal counsel, because he does not have the means to pay for counsel. We are doing what we can, but we face challenges from both your end and the client's end. We certainly hope to help, and nothing we have done or are doing is intended to cause

Wayne Klein
January 24, 2019
Page 2

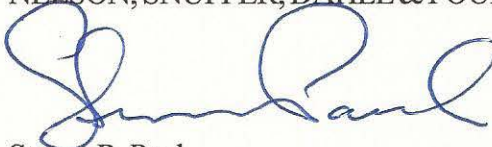
any delay, interference or disruption. Within the present circumstances, we are really at a loss to know how to best help this matter along.

We believe the financial audit you are presently undertaking will show that the retainer funds we hold do not originate with any of the Defendant parties. We also believe that once that is established, we will be paid. Therefore, we are expecting that our client's concerns about paying us will be resolved in their favor, eventually. However, right now our client is under financial distress and is acting consistent with that financial distress.

We can pass information along, but in the end we have no control and very little influence with the client.

Sincerely,

NELSON, SNUFFER, DAHLE & POULSEN, P.C.

A handwritten signature in blue ink, appearing to read "Steven R. Paul", written in a cursive style.

Steven R. Paul

SP/lr

cc. Neldon Johnson (via email)