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

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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

District Judge David Nuffer

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Pursuant to DUCivR 7-3, R. Wayne Klein, the Court-Appointed Receiver (the “Receiver”) of RaPower-3, LLC (“RaPower”), International Automated Systems, Inc. (“IAS”), and LTB1, LLC (“LTB1”) (collectively, the “Receivership Entities”), as well as certain of their subsidiaries and affiliates (“Related Entities”) and the assets of Neldon Johnson (“Johnson”) and R. Gregory Shepard (“Shepard”) (collectively “Receivership Defendants” or “Defendants”), respectfully requests that the Court render a decision on the pending Motion First Fee Application for October

31, 2018 to December 31, 2018.<sup>1</sup> In support of the request the Receiver submits the following:

1. On February 13, 2019 the Receiver filed his Motion First Fee Application for October 31, 2018 to December 31, 2018 asking the Court for approval to pay reasonable compensation and expense reimbursement from the receivership estate.<sup>2</sup>

2. No party filed an opposition or response to the Receiver's motion and the time to do so has expired.<sup>3</sup>

3. No party requested a hearing on this matter.

4. Counsel for the United States reviewed the Fee Application and informed the Receiver that it had no objection to the fees and expenses as requested.<sup>4</sup>

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

DATED this 1st day of March, 2019.

**PARR BROWN GEE & LOVELESS**

/s/ Michael S. Lehr  
Jonathan O. Hafen  
Michael S. Lehr  
*Attorneys for Receiver*

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<sup>1</sup> [Docket No. 571](#).

<sup>2</sup> See Corrected Receivership Order, filed November 1, 2018, [Docket No. 491](#), at ¶¶ 72-75.

<sup>3</sup> *Id.*, at ¶ 72.

<sup>4</sup> See [Docket No. 571](#), at ¶ 6.

**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 March 1st, 2019, which sent notice of the electronic filing to all counsel of record.

/s/ Michael S. Lehr