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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

District Judge David Nuffer

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 for Protective Order.¹ In support of the request the Receiver submits the following:

1. On February 1, 2019, the law firm Nelson, Snuffer, Dahle & Poulsen, P.C. (“Nelson Snuffer”) filed a Motion for Protective Order on behalf of Defendants asking the Court for a protective order.²

2. The Receiver filed an opposition to the motion on February 12, 2019.³

3. No reply was filed and the time to do so has expired.

4. No party requested a hearing on this matter.

5. The motion is ripe, and the Receiver requests that the Court deny the motion, enforce the Corrected Receivership Order and require the production of documents as requested by the Receiver.⁴

DATED this 4th day of March, 2019.

PARR BROWN GEE & LOVELESS

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

¹ [Docket No. 562.](#)

² *Id.*

³ [Docket No. 570.](#)

⁴ *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 March 4th, 2019, which sent notice of the electronic filing to all counsel of record.

/s/ Michael S. Lehr