
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAPOWER-3, LLC, et al.,

Defendants.

**ORDER GRANTING MOTION
REGARDING PUBLIC SALE OF
SAN BERNARDINO PROPERTY**

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

District Judge David Nuffer

R. Wayne Klein, the court-appointed receiver (“Receiver”), filed a motion (the “Motion”)¹ regarding the public sale of certain property (the “Property”) located in San Bernardino County, California, identified as parcel no. 0541131080000 and described as follows:

W 1/2 W 1/2 E 1/2 W 1/2 SEC 33 TP 11N R 4E EX PTN LYING S OF N
LI HGWY 91 AND EX COM AT NW COR E 1/2 W 1/2 SD SEC TH S
3874.72 FT ALG W LI SD E 1/2 W 1/2 TH N 61 DEG 16 MIN 00
SECONDS E 375.96 FT TO E LI W 1/2 W 1/2 E 1/2 W 1/2 SD SEC TH N
3697.59 FT TH W 331.2 FT M/L TO POB 6.2 AC M/L.

No opposition has been filed in response to the Motion, and the deadline to do so has now expired. For good cause appearing,

IT IS HEREBY ORDERED that the Motion is GRANTED.

IT IS FURTHER HEREBY ORDERED that:

1. The sale of the Property free and clear of interests as set forth in the Motion to the proposed buyer or a higher and better offeror at auction is APPROVED.

¹ Receiver’s Motion Requesting Order Approving (1) Public Sale of Property Free and Clear of Interests, (2) Method and Form of Publication Notice, and (3) Public Auction Procedures, [docket no. 610](#), filed April 18, 2019/

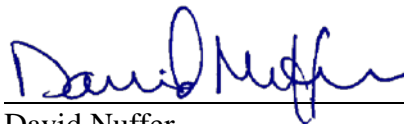
2. The method and form of the publication notice as set forth in the Motion are APPROVED. The following notice shall be published in the *County Legal Reporter*, a newspaper of general circulation throughout San Bernardino County, California, once a week for a period of four weeks prior to the public sale:

R. Wayne Klein, the court-appointed receiver (“Receiver”) for RaPower-3 LLC, International Automated Systems Inc., and LTB1 LLC, as well as certain of their subsidiaries and affiliates, and the assets of Neldon Johnson and R. Gregory Shepard, in the civil case (“Case”) styled *United States v. RaPower-3, LLC*, No. 2:15-cv-00828-DN (D. Utah) gives notice of his intent to sell certain real property (“Property”) located in San Bernardino County, CA, with parcel number 0541131080000, through a public auction (“Auction”) to the highest bidder payable in lawful money of the United States on _____, 2019, at __:__ __.m. at the San Bernardino county courthouse, 47 W. 3rd St., San Bernardino, CA, or as may be continued from time to time by the Receiver. The Property will be sold at the Auction free and clear of all interests, “as is,” with no representations or warranties. The Receiver has accepted an initial bid of \$3,500 to act as the opening “Stalking Horse Bid” at Auction. Only “Qualified Bidders” may participate in the Auction. To be a Qualified Bidder, you must comply with the “Auction Procedures” that have been approved in the Case, which Auction Procedures may be obtained upon request made to attorney Michael S. Lehr, Parr Brown Gee & Loveless, 101 S. 200 E., Ste. 700, Salt Lake City, UT 84111, mlehr@parrbrown.com.

3. The Auction Procedures described in the Motion and attached to the Motion as “Exhibit B” are APPROVED.

Signed May 23, 2019.

BY THE COURT:



David Nuffer
United States District Judge