

# DRAFT

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IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF UTAH, CENTRAL DIVISION

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff,</p> <p>vs.</p> <p>RAPOWER-3, LLC, INTERNATIONAL AUTOMATED SYSTEMS, INC., LTB1, LLC, R. GREGORY SHEPARD, and NELDON JOHNSON,</p> <p>Defendants.</p>	<p>Civil No. 2:15-cv-00828-DN-EJF</p> <p><b>SECOND DECLARATION OF LAGRAND JOHNSON RELATING TO COMPLIANCE VERIFICATION OF ECF Doc. 491, ¶ 24</b></p> <p>Judge David Nuffer</p>
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Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. My name is LaGrand Johnson and I make this declaration under oath and based on my personal knowledge.
2. In compliance with paragraph 24 of the Receivership Order, ECF doc 491, I hereby state that I have provided all books, records, documents, accounts, stock certificates, intellectual property records, evidence of intellectual property rights, computer and electronic records, or other instruments and papers relating to the Receivership Defendants in my possession or control to the Receiver.

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3. At some point prior to 2012, I had access to, but not control of, certain books and records for one of the Receivership Defendants, (International Automated Systems, Inc., (IAS). Those records were always maintained in the corporate offices of IAS, which at that time was located in Salem, Utah.
4. In about July, 2012, the corporate offices of IAS, Inc. were raided by the Department of Justice, who confiscated all of those records. When they were returned, I saw boxes of records that were located at the new corporate offices in Oasis, Utah. I did not review them and I do not know what was returned. I assume they are still there.
5. Since July, 2012, I have been involved at some point or another with the preparation of financial statements for IAS, Inc. I was asked to provide financial data to accountants preparing 10Ks or 10Qs for the company, which I did. I did not retain those documents. I believe those documents remain in the possession and control of the accountant for IAS, Inc., Gary Peterson, but cannot confirm that as I have not seen them.
6. I do not recall specifically what those documents are, I was asked to transport them and provide copies of documents as requested. I have tried to reach Mr. Peterson to ask about the documents and have not had any return phone calls or emails.
7. Other than accounting documents I delivered to Mr. Peterson, I do not recall having any other corporate documents for IAS or RaPower in my physical possession outside of the corporate offices or places of business. My duties and services to the businesses did not require me to take documents with me or maintain records at my home. If documents were occasionally taken by me outside of the corporate offices or business facilities, I did not retain copies and either returned any I had taken or destroyed the copies when I finished whatever I had taken them for.

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8. I never had access to copies of bank records and do not recall ever being the named recipient of mail on behalf of IAS or RaPower.
9. The efforts I have made to retrieve documents ordered to be delivered from me is that I've searched my computers and my home for any documents that are responsive to the court's order and provided all that related to the court's order.
10. I have participated in meetings and conversations with Neldon Johnson during which production of documents to the Receiver has been discussed and believe that any documents that have ever been within my control are being dealt with between Neldon Johnson and his new counsel and the Receiver, this includes the documents that may be in the possession of Gary Peterson.
11. Other than those documents listed above, and provided to the Receiver, I do not have possession or control over any other category of information listed in paragraph 24 of the Receivership Order.

**I declare under the penalty of perjury, that the foregoing is true and correct.**

DATED this 21<sup>st</sup> day of June, 2019.

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LaGrand Johnson