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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RAPOWER-3, LLC, INTERNATIONAL
AUTOMATED SYSTEMS, INC., LTBI,
LLC, R. GREGORY SHEPARD, and
NELDON JOHNSON,

Defendants.

Civil No. 2:15-cv-00828-DN-EJF

**SECOND DECLARATION OF
LAGRAND JOHNSON RELATING TO
COMPLIANCE VERIFICATION OF
ECF Doc. 491, ¶ 24**

Judge David Nuffer

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. I submit this declaration to comply with paragraph 24 of the Receivership Order, ECF doc 491, and paragraph 9 of the Affiliates Order, ECF doc 636, (collectively “the Orders”).
3. 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.

4. 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.
5. 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.
6. 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.
7. 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.
8. 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. In or about December 2016 my duties and services to the businesses changed and my duties 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.

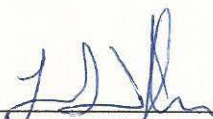
9. I haven't had access to IAS accounting or bank records since December, 2016, and do not recall ever being the named recipient of mail on behalf of IAS or RaPower. Even when I had access to banking records, I only had access at the corporate offices. Any records I created, reviewed or signed remained with the corporate records.
10. I do not now, nor have ever had, possession, access or control over "information" of or relating to any the "Affiliated Entities"ⁱⁱ including, but not limited to any books, records, documents, accounts stock certificates, intellectual property records, evidence of intellectual property rights, computer and electronic records, and other instruments or papers.
11. As no documents or records of the Affiliated Entities have ever been within my control, I have nothing to declare related to identification of records, the persons in control of the records or efforts by me to recover the records required by ¶24 or ¶9 of the Orders.
12. The efforts I have made to retrieve IAS documents to which I formerly had access or control, is that I've searched my computers and my home for any documents that are responsive to the court's order and provided to the Receiver all I found that related to the Orders.
 - a. Specifically, I have looked for corporate files or records, financial files or records, litigation files or records, information regarding payments received by me, IAS owned or controlled real estate, vehicles or equipment owned or controlled by IAS (or any Affiliated Entity), Contracts involving IAS (or any Affiliated Entity), tax

records for IAS, and any IAS documents signed by me (hereafter collectively "Records").

- b. Any Records that I could locate from my search have been delivered to the Receiver.
 - c. Any Records that I may have had access or control over were last known to me to be in the corporate offices and under the control or supervision of Neldon Johnson. I further understand that the court has tasked Neldon Johnson and his attorney Edwin Wall to document all of the Records in his possession. I have not been asked by Edwin Wall to provide any additional help in this task, but I understand he is actively working toward producing the information requested by the Orders to the Receiver.
 - d. All of the Records I am aware of have been delivered to the Receiver.
13. 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.
14. 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 the Orders.

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

DATED this 8th day of July, 2019.



LaGrand Johnson

ⁱ “Affiliated Entities” includes those defined by the Court in its Memorandum and Decision (ECF 636) as Solco I, LLC, XSun Energy, LLC, Cobblestone Centre, LC, LTB O&M, LLC, U-Check, Inc., DCL16BLT, Inc., DCL-16A, Inc., N.P. Johnson Family Limited Partnership, Solstice Enterprises, Inc., Black Night Enterprises, Inc., Starlight Holdings, Inc., Shepard Energy and Shepard Global, Inc.