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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.

**JOINT NOTICE OF INTENT TO
RESPOND REGARDING
DECLARATIONS OF GLENDA
JOHNSON, LAGRAN JOHNSON, AND
RANDALE JOHNSON**

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

The Honorable David Nuffer

Plaintiff United States of America (“United States”) and Court-Appointed Receiver R. Wayne Klein (“Receiver”) hereby submit this Joint Notice of Intent to Respond Regarding Declarations of Glenda Johnson, LaGrand Johnson and Randale Johnson¹ (collectively, the “Johnsons”).

The Receiver and the United States believe the Johnsons’ declarations still fail to satisfy

¹ ECF Nos. 714-716.

their obligations under the Corrected Receivership Order and subsequent orders of this Court.² However, the Receiver and the United States believe that it will best serve the interests of efficiency and conservation of resources for the Court and the Receivership to comment on the adequacy of the Johnsons' declarations after Neldon Johnson files his final declarations³ so that all may be evaluated at once. Therefore, unless the Court orders otherwise, the Receiver and the United States intend to submit comments on all the declarations after Neldon Johnson's final declarations are received.

DATED this 12th day of July, 2019.

PARR BROWN GEE & LOVELESS

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

UNITED STATES OF AMERICA

/s/ Erin Healy Gallagher
Erin Healy Gallagher
Attorney for the United States
(Signed by Filing Attorney with permission)

² *E.g.*, ECF No. 491 ¶ 24; ECF No. 701 at 27-29; ECF No. 705-1.

³ *See* ECF No. 701 at 25-26; ECF No. 706; ECF No. 717.

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the above **JOINT NOTICE OF NON-COMPLIANCE REGARDING DECLARATIONS OF GLENDA JOHNSON, LAGRAN JOHNSON, AND RANDALE JOHNSON** was electronically filed with the Clerk of the Court through the CM/ECF system on July 12th, 2019, which sent notice of the electronic filing to all counsel of record.

IT IS FURTHER CERTIFIED that, on the same date, by U.S. Mail, first-class, postage pre-paid, I caused to be served the same documents upon the following persons:

R. Gregory Shepard
858 Clover Meadow Dr.
Murray, Utah 84123

Pro se Defendant

/s/ Michael S. Lehr