
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAPOWER-3, LLC, et al.,

Defendants.

**ORDER EXTENDING DEADLINE
FOR NELDON JOHNSON'S
DECLARATION**

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

District Judge David Nuffer

The Civil Contempt Order re: R. Gregory Shepard, Neldon Johnson, Glenda Johnson, LaGrand Johnson, and Randale Johnson (“Contempt Order”)¹ provides:

4. . . . If [Neldon Johnson] no longer possesses or controls documents responsive to paragraph 24 of the Corrected Receivership Order or paragraph 9, page 8, of the Affiliates Order, then Johnson shall submit a declaration that complies with paragraph 24 as follows:

a. No later than June 21, 2019, Johnson shall e-mail a word-processing version of his draft declaration to the court, the Receiver, and the United States, and shall file a copy of the draft on the docket in this case;

b. No later than June 28, 2019, the United States and the Receiver shall e-mail a word-processing redline version of the draft declaration to the court and counsel for Johnson, and shall file a copy of the redline draft on the docket in this case; and

c. No later than July 8, 2019, Johnson shall e-mail a word-processing version of his final declaration to the court, and shall file a copy of his final declaration on the docket in this case.

5. [Neldon] Johnson shall submit a declaration that complies with paragraph 26 of the Corrected Receivership Order as follows:

a. No later than June 21, 2019, Johnson shall e-mail a word-processing version of his draft declaration to the court, the Receiver, and the United States, and shall file a copy of the draft on the docket in this case;

b. No later than June 28, 2019, the United States and the Receiver shall e-mail a word-processing redline version of the draft

¹ [Docket no. 701](#), filed June 25, 2019.

declaration to the court and counsel for Johnson, and shall file a copy of the redline draft on the docket in this case; and

c. No later than July 8, 2019, Johnson shall e-mail a word-processing version of his final declaration to the court, and shall file a copy of his final declaration on the docket in this case.²

Since then, Defendant Neldon Johnson, through his attorney Edwin S. Wall, has filed a motion (the “Motion”)³ asking that these deadlines be extended by several weeks for “a number of factors,” which are outlined in the Motion.⁴ Based upon the representations of Johnson’s attorney and his diligent efforts to comply with the deadlines set forth in the Contempt Order, there is good cause for an extension.

ORDER

THEREFORE, IT IS HEREBY ORDERED that:

1. The Motion⁵ is GRANTED.
2. The June 21, 2019 deadlines in paragraphs 4.a and 5.a of the Contempt Order are extended to July 19, 2019.
3. The June 28, 2019 deadlines in paragraphs 4.b and 5.b of the Contempt Order are extended to July 26, 2019.

² *Id.* at 25-26.

³ Motion to Extend Deadline for Production of Declaration of Neldon Johnson, [docket no. 706](#), filed June 28, 2019; *see* Nelson Snuffer Response to Neldon Johnson’s Motion to Extend Deadline for Production of Declaration of Neldon Johnson, [docket no. 708](#), filed July 1, 2019; United States’ Response to Motion to Extend Deadline for Production of Declaration of Neldon Johnson, [docket no. 717](#), filed July 5, 2019.

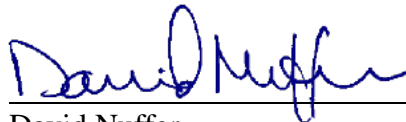
⁴ Motion, *supra* note 3, at 2-3.

⁵ [Docket no. 706](#), filed June 28, 2019.

4. The July 8, 2019 deadlines in paragraphs 4.c and 5.c of the Contempt Order are extended to August 2, 2019.

Signed July 19, 2019.

BY THE COURT:



David Nuffer
United States District Judge