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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.

REQUEST TO SUBMIT FOR DECISION

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

District Judge David Nuffer

Pursuant to DUCivR 7-3, R. Wayne Klein, the Court-Appointed Receiver (the “Receiver”) hereby files this Request to Submit for Decision his Motion for Attorneys’ Fees,¹ and Plaintiff United States of America’s (“United States”) Motion for Attorney’ Fees² (collectively, the “Motions”). In support of the request the Receiver submits the following:

1. On June 25, 2019, the Court entered the Order of Contempt (“Order”) granting the

¹ [Docket No. 709](#), filed July 1, 2019.

² [Docket No. 707](#), filed July 1, 2019.

United States' Motion for Order to Show Cause.³

2. In the Order, the Court found Gregory Shepard, Neldon Johnson, Glenda Johnson, LaGrand Johnson, and Randale Johnson guilty of civil contempt of the Corrected Receivership Order.⁴

3. The Order held that Gregory Shepard, Neldon Johnson, Glenda Johnson, LaGrand Johnson, and Randale Johnson were "jointly and severally liable for the attorneys' fees and costs incurred by both the United States and the Receiver to enforce the Corrected Receivership Order and for all litigation related to the Motion, including the Receiver's fees."⁵

4. On July 1, 2019, the United States and the Receiver filed the Motions with the Court.⁶

5. No responses to the Motions were filed and the time to do so has expired.

6. The Receiver requests that the Court grant the Motions and order the relief requested therein.

DATED this 22nd day of July, 2019.

PARR BROWN GEE & LOVELESS

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

³ [Docket No. 701](#).

⁴ *Id.*

⁵ *Id.*, Order ¶ 11.

⁶ [Docket No. 707](#); [Docket No. 709](#).

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the above **REQUEST TO SUBMIT FOR DECISION** was electronically filed with the Clerk of the Court through the CM/ECF system on July 22, 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

/s/ Michael S. Lehr