
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAPOWER-3, LLC; INTERNATIONAL
AUTOMATED SYSTEMS, INC.; LTB1,
LLC; R. GREGORY SHEPARD; NELDON
JOHNSON; and ROGER FREEBORN,

Defendants.

**ORDER GRANTING RECEIVER'S
MOTION TO TRANSFER RELATED
CASES PURSUANT TO DUCivR 83-
2(g)**

Civil No. 2:15-cv-00828-DN
re related 2:19-cv-00530

District Judge David Nuffer

Before the court for decision is the Receiver's Motion to Transfer Related Cases Pursuant to [DUCivR 83-2\(g\)](#) ("Motion"),¹ filed by Wayne Klein, the Court-Appointed Receiver (the "Receiver"). Respondents LaGrand Johnson and Randale Johnson filed an opposing memorandum ("Opposition"),² and the Receiver filed a reply ("Reply")³ and requested that the matter be submitted for decision.⁴

DISCUSSION

The Receiver asks that certain related cases be transferred to this court, including the following:

R. Wayne Klein v. Steven Bowers, No. 2:19-cv-00530-TS-CMR⁵

¹ [Docket no. 736](#), filed July 31, 2019.

² [Docket no. 745](#), filed August 8, 2019.

³ [Docket no. 753](#), filed August 21, 2019.

⁴ [Docket no. 756](#), filed August 21, 2019.

⁵ The Motion misidentifies this case number as 2:15-cv-00530.

R. Wayne Klein v. Randale Johnson, No. 2:19-cv-00532⁶

R. Wayne Klein v. Matthew Shepard, No. 2:19-cv-00533⁷

R. Wayne Klein v. LaGrand T. Johnson, individually and as trustee of the Yotsuya Family Trust, No. 2:19-cv-00534⁸

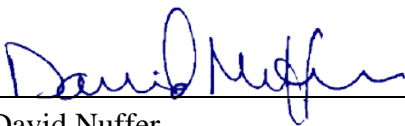
The cases naming as Defendants Randale Johnson, LaGrand T. Johnson, and Matthew Shepard have already been transferred to this court, so to that extent the Motion and the Opposition thereto are moot. Moreover, granting the requested transfers is appropriate for the reasons given by the Receiver, including primarily the common questions of law and fact involved in determining the fraudulent transfer claims in each of the above cases, as well as the interests in judicial efficiency and consistent outcomes. For these reasons,

IT IS HEREBY ORDERED that the Motion⁹ is GRANTED. The following related case must be transferred to this court:

R. Wayne Klein v. Steven Bowers, No. 2:19-cv-00530-TS-CMR

SIGNED this 17th day of October, 2019

BY THE COURT:



David Nuffer

United States District Judge

⁶ The Motion misidentifies this case number as 2:15-cv-00532.

⁷ The Motion misidentifies this case number as 2:15-cv-00533.

⁸ The Motion misidentifies this case number as 2:15-cv-00534.

⁹ [Docket no. 736](#), filed July 31, 2019.