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Attorneys for Court-Appointed Receiver Wayne Klein

**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.

**STIPULATED MOTION TO EXTEND
TIME TO FILE A REPLY TO GLENDA
JOHNSON'S RESPONSE TO THE
MOTION FOR ORDER DIRECTING
TURNOVER AND TRANSFER OF
REAL PROPERTIES TITLED IN THE
NAME OF GLENDA JOHNSON AND
FUNDS IN ACCOUNTS CONTROLLED
BY GLENDA JOHNSON**

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

The Honorable David Nuffer

Pursuant to Fed. R. Civ. P. 6(b)(1)(A), the Receiver hereby files this stipulated motion to extend time to reply to Glenda Johnson's response to the Receiver's motion for Order Directing Turnover and Transfer of Real Properties Titled in the Name of Glenda Johnson and Funds in Accounts Controlled by Glenda Johnson¹ to November 15, 2019.

¹ [Docket No. 757](#), filed August 30, 2019.

Good cause exists for the extension due to the numerous litigation demands of the Receivership. Under the discovery rule, the Receiver has a one year period to file the majority of the actions seeking to recover receivership property. The Receiver was appointed receiver on October 31, 2018. Thus, under the discovery rule, the deadline for filing a majority of the actions is October 31, 2019. The Receiver has filed many claw back lawsuits in the last month and will file many more before October 31.

Good cause also exists because the Receiver's investigation into Receivership Defendants and their affiliated entities was delayed by Receivership Defendants and other interested parties contemptuous behavior.² Thus, the Receiver has been forced to complete a significant amount of work in a short time period.

Counsel for the United States and Glenda Johnson have consented by email to the extension of time the Receiver seeks in this motion. Therefore, based on the foregoing, the Court should grant this motion and extend time for the Receiver to reply to November 15, 2019.

DATED this 21st day of October, 2019.

PARR BROWN GEE & LOVELESS, P.C.

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

² Order of Contempt, [Docket No. 701](#), filed

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing was electronically filed with the Clerk of the Court through the CM/ECF system on October 21, 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