

---

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  
SECOND MOTION TO TRANSFER  
RELATED CASES PURSUANT TO  
DUCivR 83-2(g)**

Civil No. 2:15-cv-00828-DN  
re related 2:19-cv-00623, and  
2:19-cv-00625  
District Judge David Nuffer

---

Before the court for decision is the Receiver's Second Motion to Transfer Related Cases Pursuant to [DUCivR 83-2\(g\)](#) ("Motion"),<sup>1</sup> filed by Wayne Klein, the Court-Appointed Receiver (the "Receiver"). Respondent Glenda Johnson filed an opposing memorandum ("Opposition"),<sup>2</sup> and the Receiver filed a reply ("Reply").<sup>3</sup>

**DISCUSSION**

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

*R. Wayne Klein v. Ina Marie Newman*, No. 2:19-cv-00623-DBP

*R. Wayne Klein v. Glenda E. Johnson*, No. 2:19-cv-00625-JNP

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

---

<sup>1</sup> [Docket no. 763](#), filed September 10, 2019.

<sup>2</sup> [Docket no. 771](#), filed September 23, 2019.

<sup>3</sup> [Docket no. 782](#), filed October 7, 2019.

transfer claims in each of the above cases, as well as the interests in judicial efficiency and consistent outcomes. For these reasons,

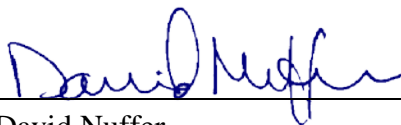
IT IS HEREBY ORDERED that the Motion<sup>4</sup> is GRANTED. The following related cases must be transferred to this court:

*R. Wayne Klein v. Ina Marie Newman*, No. 2:19-cv-00623-DBP

*R. Wayne Klein v. Glenda E. Johnson*, No. 2:19-cv-00625-JNP

SIGNED this 15th day of October, 2019

**BY THE COURT:**

A handwritten signature in blue ink, appearing to read "David Nuffer", is written over a horizontal line.

David Nuffer  
United States District Judge

---

<sup>4</sup> [Docket no. 763](#), filed September 10, 2019.