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**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION**

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<p>R. WAYNE KLEIN, as Receiver,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>GLEND A. JOHNSON, an individual,</p> <p style="text-align: center;">Defendants.</p>	<p style="text-align: center;"><b>STIPULATION AND JOINT MOTION TO AMEND SCHEDULING ORDER</b></p> <p style="text-align: center;">Civil No. 2:19-cv-00625-DN-PK</p> <p style="text-align: center;">District Judge David Nuffer</p> <p style="text-align: center;">Magistrate Judge Paul Kohler</p>
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Pursuant to Rules 6, 7(b), and 16(b)(4) of the *Federal Rules of Civil Procedure* and DUCivR 7-1, Plaintiff R. Wayne Klein, the Court-Appointed Receiver of RaPower-3, LLC (“RaPower”), International Automated Systems Inc. (“IAS”), LTB1 LLC (“LTB1”), their subsidiaries and affiliates,<sup>1</sup> and the assets of Neldon Johnson (“Johnson”) and R. Gregory Shepard (“Shepard”),<sup>2</sup> (the “Receiver”) and defendant Glenda E. Johnson (“Defendant”); collectively with the Receiver, the “Parties”), by and through their undersigned counsel, stipulate

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<sup>1</sup> Collectively, unless stated otherwise, RaPower, IAS, LTB1, and all subsidiaries and affiliated entities are referred to herein as “Receivership Entities.” The subsidiaries and affiliated entities are: Solco I, LLC (“Solco”); XSun Energy, LLC (“XSun”); Cobblestone Centre, LC (“Cobblestone”); LTB O&M, LLC; U-Check, Inc.; DCL16BLT, Inc.; DCL-16A, Inc.; N.P. Johnson Family Limited Partnership (“NPJFLP”); Solstice Enterprises, Inc. (“Solstice”); Black Night Enterprises, Inc. (“Black Night”); Starlite Holdings, Inc. (“Starlite”); Shepard Energy; and Shepard Global, Inc (“Shepard Global”).

<sup>2</sup> Collectively, RaPower, IAS, LTB1, Shepard, and Johnson are referred to herein as “Receivership Defendants.”

to extend discovery and other deadlines set forth in the *Scheduling Order* [Dkt. No. 13] (“current scheduling order”) and hereby respectfully jointly request that the Court amend the current scheduling order and enter the proposed *Stipulated Amended Scheduling Order*, attached hereto as “Exhibit A.” This is the first request made by the Parties to extend discovery deadlines.

The Receiver has a motion for turnover and transfer of real property controlled by Defendant pending in Case No. 2:15-cv-00828 [Dkt. No. 757]. The Parties request the Court extend the deadline for the Parties to amend pleadings to 30 days after the Court rules on the Receiver’s motion for turnover and transfer of real property, and adjust all other deadlines accordingly. Good cause exists for this stipulation and joint motion. Depending on the resolution of the pending motion for turnover and transfer of real property, the Receiver may need to amend the pleadings in this case to add additional properties the Receiver is currently seeking in that motion. To enable the Receiver to do this, if necessary, and to allow discovery to be conducted on those potential claims, the Parties seek the requested extension.

RESPECTFULLY SUBMITTED THIS 26<sup>th</sup> day of February, 2020.

PARR BROWN GEE & LOVELESS

/s/ Jeffery A. Balls

Jeffery A. Balls  
*Attorneys for Plaintiffs*

NELSON SNUFFER DAHLE & POULSEN, PC

/s/ Steven R. Paul

Steven R. Paul  
(electronic signature added pursuant to permission  
received from counsel via email)  
*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 26<sup>th</sup> day of February, 2020, a true and correct copy of the foregoing **STIPULATION AND JOINT MOTION TO AMEND SCHEDULING ORDER** was filed via the CM/ECF system, which notified the following:

Denver C. Snuffer, Jr.  
Steven R. Paul  
Daniel B. Garriott  
NELSON, SNUFFER, DAHLE & POULSEN  
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/s/ Jeffery A. Balls\_\_\_\_\_