David E. Leta (1937)
Jeffrey D. Tuttle (14500)
SNELL & WILMER L.L.P.
15 W. South Temple, Suite 1200

15 W. South Temple, Suite 1200 Salt Lake City, UT 84101

Telephone: (801) 257-1900 Facsimile: (801) 257-1800 Email: <u>dleta@swlaw.com</u> <u>jtuttle@swlaw.com</u>

Proposed Counsel for RaPower-3, LLC

## IN THE UNITED STATES BANKRUPTCY COURT DISTRICT OF UTAH, CENTRAL DIVISION

In re **RAPOWER-3**, **LLC**,

Debtor.

Bankruptcy Case No. 18-24865

(Chapter 11)

Judge Kevin R. Anderson

## EX PARTE MOTION FOR ORDER SHORTENING TIME AND SETTING EXPEDITED OBJECTION DEADLINE ON DEBTOR'S MOTION TO DISMISS BANKRUPTCY CASE

Pursuant to Local Rule 9013, Debtor RaPower-3, LLC ("**Debtor**") hereby moves (this "**Motion**") this Court, *ex parte*, to shorten the time to object to its *Motion to Dismiss* (the "**Underlying Motion**"). In support of this Motion, Debtor respectfully represents as follows:

Debtor submits that the expedited relief sought herein is necessary so that the Underlying Motion can be heard at the same time as other matters before this Court in the above-captioned bankruptcy case. September 3, 2018 would be the regular objection deadline but that date falls on a national holiday. In light of the shortened time for objecting on a business day when the Court is open, Debtor brings this Motion and states that the relief requested herein is appropriate.

Case 18-24865 Doc 46 Filed 08/17/18 Entered 08/17/18 16:44:55 Desc Main Document Page 2 of 3

WHEREFORE, having shown good cause, Debtor respectfully moves the Court to shorten the time to object to the Underlying Motion to **August 31, 2018 at 4:00 p.m. prevailing mountain time** and the hearing on the Underlying Motion will be set for **September 4, 2018 at 1:00 prevailing mountain time**.

DATED this 17<sup>th</sup> day of August, 2018.

**SNELL & WILMER L.L.P.** 

/s/ Jeff Tuttle

David E. Leta Jeff D. Tuttle

Proposed Counsel for RaPower-3, LLC

## CERTIFICATE OF SERVICE – BY NOTICE OF ELECTRONIC FILING (CM/ECF)

I hereby certify that on the 17<sup>th</sup> day of August, 2018, I electronically filed the foregoing document with the United States Bankruptcy Court for the District of Utah by using the Court's CM/ECF system. I further certify that the parties of record in this case, as identified below, are listed as registered CM/ECF users and will be served through the CM/ECF system:

- Erin Healy Gallagher erin.healygallagher@usdoj.gov, Russell.S.Clarke@usdoj.gov
- Erin R. Hines erin.r.hines@usdoj.gov, Central.Taxcivil@usdoj.gov
- David E. Leta dleta@swlaw.com, wkalawaia@swlaw.com;csmart@swlaw.com
- John K. Mangum john.mangum@usdoj.gov, valerie.maxwell@usdoj.gov
- Christopher R. Moran christopher.r.moran@usdoj.gov, central.taxcivil@usdoj.gov
- John T. Morgan tr john.t.morgan@usdoj.gov, James.Gee@usdoj.gov;Lindsey.Huston@usdoj.gov;Suzanne.Verhaal@usdoj.gov
- Jeff D. Tuttle jtuttle@swlaw.com, jpollard@swlaw.com;docket\_slc@swlaw.com
- United States Trustee USTPRegion19.SK.ECF@usdoj.gov

/s/ Joyce Kyle	