

**CIRCUIT MEDIATION OFFICE  
UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT**

BYRON WHITE UNITED STATES COURTHOUSE  
1823 STOUT STREET  
DENVER, COLORADO 80257

**DAVID W. AEMMER**  
CHIEF CIRCUIT MEDIATOR

TELEPHONE 303-844-6017  
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**KYLE ANN SCHULTZ**  
CIRCUIT MEDIATOR

September 17, 2018

Steven Richard Paul, Esq.  
Nelson, Snuffer, Dahle & Poulsen, P.C.  
10885 South State Street  
Sandy, UT 84070

Clint Carpenter, Esq.  
U.S. Department of Justice  
Tax Division, Appellate Section  
P.O. Box 502  
Washington, DC 20044

RE: No. 18-4119 – United States of America v. RaPower-3, LLC, et al.

**MEDIATION CONFERENCE NOTICE**

Dear Counsel:

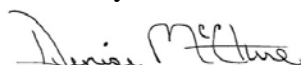
Pursuant to Rule 33.1, Rules of the Tenth Circuit, a **TELEPHONE** mediation conference has been scheduled in this case on **Tuesday, September 25, 2018 at 2:00 PM, MOUNTAIN TIME**. This office will initiate the telephone conference. Please allow at least two hours for the conference. *Participation in the conference by cell phone is not permitted.*

The purposes of the conference are to explore any possibilities for settlement and to resolve procedural problems. Counsel are expected to have consulted with their clients prior to the conference and to have as much authority as feasible regarding settlement and case management matters.

Counsel addressed above are tentatively identified to be the attorney with primary responsibility for this case. Our goal, however, is to secure the participation of the attorney on whose judgment the clients rely when making decisions about settlement. Counsel are required to complete the attached **Mediation Contact Form within four business days of the date of this notice**.

Please contact this office **BY TELEPHONE IMMEDIATELY** if you need to have the conference rescheduled because of an unavoidable conflict.

Sincerely,



Denise McClure  
Conference Administrator

**CONFIDENTIAL MEDIATION CONTACT INFORMATION**

**FOR MEDIATION OFFICE REVIEW ONLY**

***Submit this form directly to the Mediation Office.***

Return by e-mail to CA10\_CMO@ca10.uscourts.gov or fax (303-844-6437)  
to the attention of Denise McClure, Conference Administrator.

**Case No.:** \_\_\_\_\_ **Case Name:** \_\_\_\_\_

1. Please identify your client(s) and provide contact information for each attorney who will participate in the mediation conference. If more than one attorney is involved, the attorney with the most direct relationship with the client is required to participate in the conference and should be listed as Lead Mediation Counsel below.

**Client Names(s):**  Appellant  Appellee  Other Details: \_\_\_\_\_

**Lead Mediation Counsel:**

Name: \_\_\_\_\_  
 Firm Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Telephone\*: \_\_\_\_\_  
 E-mail: \_\_\_\_\_

**Other counsel who will participate on behalf of your client:**

Name: \_\_\_\_\_  
 Firm Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Telephone\*: \_\_\_\_\_  
 E-mail: \_\_\_\_\_

**Other counsel who will participate on behalf of your client:**

Name: \_\_\_\_\_  
 Firm Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Telephone\*: \_\_\_\_\_  
 E-mail: \_\_\_\_\_

2. Please complete the below information only if your client or client representative (**identify title**) will participate in the mediation conference. If your client or client representative is participating from a different telephone number than lead counsel, please list the telephone number.

Name: \_\_\_\_\_  
 Telephone\*: \_\_\_\_\_

\*The mediator will call all mediation participants. Please provide the best **direct number** at which each participant can be reached. You are reminded that cell phones are not permitted.