
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAPOWER-3, LLC; INTERNATIONAL
AUTOMATED SYSTEMS, INC.; LTBI,
LLC; R. GREGORY SHEPARD; NELDON
JOHNSON; and ROGER FREEBORN,

Defendants.

**ORDER GRANTING RECEIVER’S
MOTION REQUESTING ORDER
APPROVING (1) PUBLIC SALE OF
PROPERTY FREE AND CLEAR OF
INTERESTS, (2) METHOD AND FORM
OF PUBLICATION NOTICE, AND (3)
PUBLIC AUCTION PROCEDURES
(DOC. NO. 1140)**

**(Shepard Home, 858 W. Clover Meadow
Drive, Murray, UT)**

Before the Court is Receiver’s Motion Requesting Order Approving (1) Public Sale of Property Free and Clear of Interests, (2) Method and Form of Publication Notice, and (3) Public Auction Procedures, (Doc. No. 1140), related to the sale of certain real property located in Murray, Salt Lake County, Utah (the “Property”), identified by parcel number 21-11-278-006-0000 and described as follows:

The following tract of land in Salt Lake County, State of Utah, to wit: Lot 112 Misty Meadows Subdivision No. 2, according to the official plat thereof recorded in the office of the county recorder, county of Salt Lake, State of Utah.

The Receiver is seeking (1) authorization to sell the Property at public sale to the highest and best offeror, free and clear of all interests (after satisfying an existing mortgage on the Property), (2) approval of the form and method of publication notice, and (3) approval of the proposed auction procedures. The motion also describes how the Net Sale Proceeds will be divided between the Receiver and the Diana C. Shepard Revocable Trust. No opposition to the motion was filed.

Based on the motion and attached exhibits, and for good cause appearing, the court GRANTS the motion and ORDERS:

1. The sale of the Property free and clear of interests as set forth in the motion to the proposed buyer or a higher and better offeror at auction is APPROVED, including the Receiver's proposed allocation of the Net Sale Proceeds.

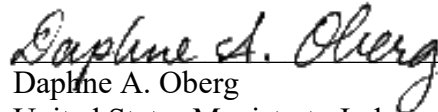
2. The method and form of the publication notice as set forth in the motion are APPROVED. The following notice shall be published in the Salt Lake Tribute, a newspaper of general circulation throughout Salt Lake County, Utah, once a week for a period of four weeks prior to the public sale:

R. Wayne Klein, the court-appointed receiver ("Receiver") for RaPower-3, LLC, International Automated Systems, Inc., and LTB1, LLC, as well as certain of their subsidiaries and affiliates, and the assets of Neldon Johnson and R. Gregory Shepard, in the civil case ("Case") styled *United States v. RaPower-3, LLC*, No. 2:15-cv-00828-DN (D. Utah) gives notice of his intent to sell certain real property ("Property") constituting a home located in Murray, Salt Lake County, UT, with an address of 858 West Clover Meadow Drive, Murray, UT 84123 and parcel number 21-11-278-006-0000 through a public auction ("Auction") to the highest bidder payable in lawful money of the United States on _____, 2021, at ____:____.m. at the Property, 858 West Clover Meadow Drive, Murray, UT, or as may be continued from time to time by the Receiver. The Property will be sold at the Auction free and clear of all interests, "as is," with no representations or warranties. The Receiver has accepted an initial bid of \$660,009.00 to act as the opening "Stalking Horse Bid" at Auction. Only "Qualified Bidders" may participate in the Auction. To be a Qualified Bidder, you must, at least five business days before the Auction, comply with the "Auction Procedures" that have been approved in the Case, which Auction Procedures may be obtained upon request made to attorney Michael S. Lehr, Parr Brown Gee & Loveless, 101 S. 200 E., Ste. 700, Salt Lake City, Utah 84111, mlehr@parrbrown.com.

3. The Auction Procedures described in the Motion and attached to the Motion as Exhibit C are APPROVED.

DATED this 13th day of August, 2021.

BY THE COURT:



Daphne A. Oberg
United States Magistrate Judge