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Attorneys for Court-Appointed Receiver R. Wayne Klein

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAPOWER-3, LLC; INTERNATIONAL
AUTOMATED SYSTEMS, INC.; LTB1,
LLC; R. GREGORY SHEPARD; NELDON
JOHNSON; and ROGER FREEBORN,

Defendants.

REQUEST TO SUBMIT FOR DECISION

Civil No. 2:15-cv-00828-DN

District Judge David Nuffer

Pursuant to DUCivR 7-3, R. Wayne Klein, the Court-Appointed Receiver (the “Receiver¹”) hereby files this Request to Submit for Decision his Motion for Order to Show Cause Why Pacific Stock Transfer Company (“PSTC”) Should Not Be Held in Civil Contempt for Violating the Corrected Receivership Order,² and Plaintiff United States of America’s (“United States”) Motion for Order to Show Cause Why Neldon Johnson, R. Gregory Shepard, Glenda

¹ As defined in [Docket No. 576](#), filed on February 19, 2019.

² *Id.*

Johnson, LaGrand Johnson, Randale Johnson (collectively, the “Johnsons”) Should not be Held in Civil Contempt for Violating the Corrected Receivership Order³ (each an “OSC Motion”, collectively, the “OSC Motions”). In support of the request the Receiver submits the following:

1. On January 29, 2019, the United States filed their OSC Motion.⁴ Similarly, on February 19, 2019, the Receiver filed his OSC Motion.⁵
2. On March 5, 2019, the Court ordered:⁶
 - a. The OSC Motions were taken under advisement;
 - b. The United States and the Receiver served copies of the Court’s order and the relevant OSC Motion on the Johnsons and PSTC by March 15, 2019.
 - c. The Johnsons and PSTC had until March 29, 2019 to file any response to the OSC Motions.
 - d. An evidentiary hearing on the OSC Motions was set for April 26, 2019 at 9:30 a.m.
3. The United States served copies of the Court’s order and the relevant OSC Motion upon the Johnsons on March 7, 2019.⁷
4. The Receiver served copies of the Court’s order and the relevant OSC Motion upon PSTC on March 8, 2019.⁸
5. No response was filed by the Johnsons or PSTC and the time to do so has expired.
6. The Receiver requests that the Court grant the OSC Motions and order the relief

³ [Docket No. 559](#), filed on January 29, 2019.

⁴ *Id.*

⁵ [Docket No. 576](#).

⁶ [Docket No. 588](#).

⁷ [Docket No. 594](#), filed March 13, 2019.

⁸ [Docket No. 595](#), filed March 13, 2019.

requested therein at the April 26, 2019 hearing.

DATED this 8th day of April, 2019.

PARR BROWN GEE & LOVELESS

/s/ Michael S. Lehr
Jonathan O. Hafen
Michael S. Lehr
Attorneys for Receiver

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the above **REQUEST TO SUBMIT FOR DECISION** was electronically filed with the Clerk of the Court through the CM/ECF system on April 8th, 2019, which sent notice of the electronic filing to all counsel of record.

IT IS FURTHER CERTIFIED that, on the same date, by U.S. Mail, first-class, postage pre-paid, I caused to be served the same documents upon the following persons:

Neldon Johnson
2730 W 4000 South,
Oasis, UT 84624

R. Gregory Shepard
858 Clover Meadow Dr.
Murray, Utah 84123

Pro se Defendants

Pacific Stock Transfer Company
6725 Via Austi Parkway, Suite 300
Las Vegas, NV 89119

Glenda Johnson
11404 S 5825 West, WEST MOUNTAIN, UT 84651; and
2730 W 4000 South, Oasis, UT 84624

LaGrand Johnson
1904 W 960 N, Provo, UT 84604; and
1309 N 550 W Pleasant Grove, UT 84062

Randale Johnson
2730 W 4000 South, Oasis, UT 84624

Respondents

/s/ Michael S. Lehr