
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

v.

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

Defendants.

**ORDER GRANTING RECEIVER'S
SECOND MOTION TO TRANSFER
RELATED CASES PURSUANT TO
DUCivR 83-2(g)**

Civil No. 2:15-cv-00828-DN
re related 2:19-cv-00623, and
2:19-cv-00625
District Judge David Nuffer

Before the court for decision is the Receiver's Second Motion to Transfer Related Cases Pursuant to [DUCivR 83-2\(g\)](#) ("Motion"),¹ filed by Wayne Klein, the Court-Appointed Receiver (the "Receiver"). Respondent Glenda Johnson filed an opposing memorandum ("Opposition"),² and the Receiver filed a reply ("Reply").³

DISCUSSION

The Receiver asks that certain related cases be transferred to this court, including the following:

R. Wayne Klein v. Ina Marie Newman, No. 2:19-cv-00623-DBP

R. Wayne Klein v. Glenda E. Johnson, No. 2:19-cv-00625-JNP

Granting the requested transfers is appropriate for the reasons given by the Receiver, including primarily the common questions of law and fact involved in determining the fraudulent

¹ [Docket no. 763](#), filed September 10, 2019.

² [Docket no. 771](#), filed September 23, 2019.

³ [Docket no. 782](#), filed October 7, 2019.

transfer claims in each of the above cases, as well as the interests in judicial efficiency and consistent outcomes. For these reasons,

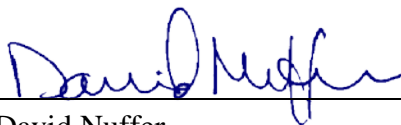
IT IS HEREBY ORDERED that the Motion⁴ is GRANTED. The following related cases must be transferred to this court:

R. Wayne Klein v. Ina Marie Newman, No. 2:19-cv-00623-DBP

R. Wayne Klein v. Glenda E. Johnson, No. 2:19-cv-00625-JNP

SIGNED this 15th day of October, 2019

BY THE COURT:

A handwritten signature in blue ink, appearing to read "David Nuffer", is written over a horizontal line.

David Nuffer
United States District Judge

⁴ [Docket no. 763](#), filed September 10, 2019.