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IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF UTAH, CENTRAL DIVISION

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| <p>UNITED STATES OF AMERICA,</p> <p>Plaintiff,</p> <p>vs.</p> <p>RAPOWER-3, LLC, INTERNATIONAL<br/>AUTOMATED SYSTEMS, INC., LTB1,<br/>LLC, R. GREGORY SHEPARD,<br/>NELDON JOHNSON, and ROGER<br/>FREEBORN,</p> <p>Defendants.</p> | <p>Civil No. 2:15-cv-00828 DN</p> <p><b>REQUEST TO SUBMIT FOR<br/>DECISION:<br/>MOTION FOR ADDITIONAL<br/>SANCTIONS DUE TO CONTINUED<br/>CONTEMPT OF NELDON JOHNSON,<br/>GLENDA JOHNSON, LAGRAN<br/>JOHNSON, AND RANDALE JOHNSON</b></p> <p>Judge David Nuffer<br/>Magistrate Judge Evelyn J. Furse</p> |
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Pursuant to DUCivR 7-3, the United States respectfully submits for decision its pending motion for additional sanctions due to continued contempt of Neldon Johnson, Glenda Johnson, LaGrand Johnson, and Randale Johnson.<sup>1</sup> After numerous opportunities to comply, they continue to violate the Corrected Receivership Order and the Contempt Order.<sup>2</sup> In support of this request, we state the following:

1. On August 21, 2019, the United States filed its motion for additional sanctions due to continued contempt of Neldon Johnson, Glenda Johnson, LaGrand Johnson, and Randale Johnson.<sup>3</sup>
2. Neldon Johnson, through his attorney, opposed the motion on September 3, 2019.<sup>4</sup>
3. Glenda Johnson, LaGrand Johnson, and Randale Johnson, through their attorneys, opposed the motion on September 11, 2019.<sup>5</sup>
4. The United States replied on September 25, 2019.<sup>6</sup> The motion is ripe for decision.

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<sup>1</sup> ECF No. 754.

<sup>2</sup> *E.g.*, ECF No. 754, ECF No. 772.

<sup>3</sup> ECF No. 754.

<sup>4</sup> ECF No. 760.

<sup>5</sup> ECF No. 765.

<sup>6</sup> ECF No. 772.

5. Glenda Johnson, LaGrand Johnson, and Randale Johnson requested an evidentiary hearing.<sup>7</sup> Although the United States did not explicitly request a hearing in the motion, we join that request to maintain consistency with the Court's past practice on this issue. The Receiver authorized the United States to report that he also joins the request.

Dated: November 11, 2019

Respectfully submitted,

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<sup>7</sup> ECF No. 765 at 1.