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

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff,</p> <p>vs.</p> <p>RAPOWER-3, LLC, INTERNATIONAL AUTOMATED SYSTEMS, INC., LTB1, LLC, R. GREGORY SHEPARD, and NELDON JOHNSON,</p> <p>Defendants.</p>	<p>Civil No. 2:15-cv-00828-DN-EJF</p> <p><b>ORDER GRANTING STIPULATION REGARDING RETAINER FUNDS HELD IN NSDP’S CLIENT TRUST ACCOUNT</b></p> <p>Judge David Nuffer</p>
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The Court, having reviewed Receiver Wayne Klein, and Nelson, Snuffer, Dahle & Poulsen, P.C.’s (“NSDP”) Stipulation Regarding Retainer Funds Held in NSDP’s Client Trust Account (the “Stipulation”), hereby orders the following:

1. The Stipulation is granted.
2. NSDP shall transfer \$735,202.22, representing the balance in its retainer account that it received from the Affiliated Entity XSun Energy, to the Receiver within two days of the entry of this order.
3. NSDP shall be permitted to respond to the Receiver’s Affidavit of Non-Compliance within 30 days of the entry of this order.

4. The Receiver shall be permitted to submit a reply to NSDP's response within 14 days from the date NSDP response is filed.

5. The Receiver and NSDP preserve their respective rights, including, but not limited to, NSDP's position that it maintains a valid attorney's lien over the Retainer, despite surrendering possession of the Retainer under the term of the Parties stipulation to the Receiver.

APPROVED AS TO FORM:

PARR BROWN GEE & LOVELESS P.C.

*/s/ Michael S. Lehr (w/permission)*

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JONATHAN O. HAFEN

JEFFERY A. BALLS

MICHAEL S. LEHR

*Attorneys for Court-Appointed Receiver Wayne Klein*

DATED this \_\_\_\_ day of January, 2020.

BY THE COURT:

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DAVID NUFFER

*District Court Judge*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 17th day of January, 2020, I served the foregoing **ORDER GRANTING STIPULATION REGARDING RETAINER FUNDS HELD IN NSDP'S CLIENT TRUST ACCOUNT** to counsel of record signed up to receive ECF filings:

Jonathan O. Hafen  
Jeffery A. Balls  
Michael S. Lehr  
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*/s/ Nancy Paez*

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Nancy Paez