

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, NELDON JOHNSON, and ROGER FREEBORN,</p> <p>Defendants.</p>	<p>Civil No. 2:15-cv-00828 DN</p> <p>ORDER GRANTING THE UNITED STATES' MOTION FOR PRODUCTION OF BANK AND RETIREMENT ACCOUNT RECORDS OF LAGRAND JOHNSON AND RANDALE JOHNSON AND FOR ADDITIONAL RELIEF</p> <p>Judge David Nuffer</p>
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For the reasons stated in the United States' motion for production of account records, and the factual findings made from the bench in the hearing held in this matter on February 25 2020,

IT IS HEREBY ORDERED THAT:

1. Counsel for LaGrand Johnson and Randale Johnson shall immediately deliver this order to LaGrand and Randale Johnson. No later than three business days from the date of this order, LaGrand and Randale Johnson shall file, through counsel, an acknowledgment that they received a copy of this order.
2. The payment of \$200,000 to LaGrand Johnson, made on October 5, 2018, is subject to the Asset Freeze entered in this case.
 - a. Therefore, LaGrand Johnson's bank and retirement accounts are subject to the Asset Freeze, for amounts therein up to \$200,000 total.

- b. If the balances in these accounts are greater than \$200,000 in the aggregate, LaGrand Johnson may request that the Receiver authorize a financial institution holding those accounts to release from the freeze amounts that exceed \$200,000. The Receiver is empowered to authorize such a release.
3. The payment of \$200,000 to Randale Johnson, made on October 5, 2018, is subject to the Asset Freeze entered in this case.
 - a. Therefore, Randale Johnson's bank and retirement accounts are subject to the Asset Freeze, for amounts therein up to \$200,000 total.
 - b. If the balances in these accounts are greater than \$200,000 in the aggregate, Randale Johnson may request that the Receiver authorize a financial institution holding those accounts to release from the freeze amounts that exceed \$200,000. The Receiver is empowered to authorize such a release.
4. No later than seven days from the date of this order, LaGrand Johnson and Randale Johnson shall file a declaration, under penalty of perjury, that they have delivered this order to all financial institutions necessary to effect the freeze on their accounts.
 - a. They shall include in the declaration the balance in each account as of February 25, 2020.
 - b. They shall attach account records showing the account balances as of February 25, 2020, and documents showing any withdrawals or transfers from any of those accounts on or after February 25, 2020.
5. No later than 14 days from the date of this order, LaGrand Johnson and Randale Johnson shall deliver to the Receiver all statements from any bank, investment, and retirement

account they own, have signature authority over, and/or exercise other authority over and all documents showing the source of funds for deposits into those accounts. For every monthly account statement they receive after the date of this order, LaGrand Johnson and Randale Johnson shall deliver such statements to the Receiver no later than the tenth day of each month.

6. No later than 21 days from the date of this order, the Receiver shall file with the Court a declaration stating whether LaGrand Johnson and Randale Johnson have complied with this order. The Receiver's declaration will carry significant weight in this Court's evaluation of whether they have complied or coercive incarceration is required to enforce their compliance. If the latter, LaGrand Johnson and Randale Johnson are warned that a bench warrant will promptly issue for their arrest.

Dated: _____.

BY THE COURT
