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**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 “Receiver”) hereby files this Request to Submit for Decision two separate motions: (1) Receiver’s Fifth Motion for Approval to Consummate Settlements (“Fifth Settlement Motion”);¹ and (2) Receiver’s Motion for Court to Appoint Appraisers for Elk Ridge, Utah Property (“Expert Appraiser Motion”).²

In support of this request, the Receiver submits the following:

¹[Docket No. 898](#), filed March 30, 2020.

²[Docket No. 894](#), filed March 27, 2020.

I. Fifth Settlement Motion.

1. On March 30, 2020, the Receiver filed the Fifth Settlement Motion.³
2. No response or opposition to the Fifth Settlement Motion was filed and the time to do so has expired.
3. No hearing was requested on this matter.

II. Expert Appraiser Motion.

1. On March 27, 2020, the Receiver filed the Expert Appraiser Motion.⁴
2. No response or opposition to the Expert Appraiser Motion was filed and the time to do so has expired.
3. No hearing was requested on this matter.

CONCLUSION

The Fifth Settlement Motion and the Expert Appraiser Motion are ripe and the Receiver requests that the Court grant the unopposed motions.

DATED this 14th day of April, 2020.

PARR BROWN GEE & LOVELESS, P.C.

/s/ Jeffery A. Balls

Jonathan O. Hafen

Jeffery A. Balls

Michael Lehr

Attorneys for R. Wayne Klein, Receiver

³[Docket No. 898.](#)

⁴[Docket No. 894.](#)

CERTIFICATE OF SERVICE

I hereby certify that the above **REQUEST TO SUBMIT FOR DECISION** was filed with the Court on this 14th day of April, 2020 and served via ECF on all parties who have requested notice in this case.

/s/ Jeffery A. Balls