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Attorneys for Court-Appointed Receiver R. Wayne Klein

**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.

NOTICE OF NON-COMPLIANCE

Civil No. 2:15-cv-00828-DN

District Judge David Nuffer

Pursuant to the Court's Order re Affidavit of Non-Compliance against Glenda Johnson, dated May 5, 2020 (the "Order"),¹ if Glenda Johnson failed to dismiss the West Wings Lawsuit with prejudice within one day of the entry of the Order or failed to release the three liens on properties in Millard County, Utah; Payson, Utah; and Howard County, Texas within three days

¹ [Docket No. 920](#).

of the entry of the Order, a bench warrant would be issued for her arrest.²

On May 5, 2020, Glenda Johnson filed a Motion to Dismiss the West Wings Lawsuit with Prejudice.³ Although the West Wings Lawsuit has not been formally dismissed yet, the Receiver believes that so long as Glenda Johnson follows through with the Motion to Dismiss with Prejudice, she has complied with the Order as to the West Wings Lawsuit.

The Receiver, however, has received no information indicating that the liens on properties in Millard County, Payson, or Howard County have been released. In fact, the Receiver's investigation shows that the liens have not been released.⁴

The time for compliance has passed and Glenda Johnson has failed to release the liens as required under the Order.

DATED this 13th day of May, 2020.

PARR BROWN GEE & LOVELESS, P.C.

/s/ Michael S. Lehr _____

Jonathan O. Hafen

Michael S. Lehr

Attorneys for R. Wayne Klein, Receiver

² *Id.*, Order ¶ 4.

³ Motion to Dismiss with Prejudice, attached hereto as Exhibit A.

⁴ The Receiver checked the online records of Utah County, Millard County, and Howard County, Texas. *See e.g.*, Document Property Records Information on West Mountain property in Utah County, attached hereto as Exhibit B. The Receiver also called the Millard County Recorder's office to confirm that nothing has been recently filed by Glenda Johnson.

CERTIFICATE OF SERVICE

I hereby certify that the above **NOTICE OF NON-COMPLIANCE** was filed with the Court on this 13th day of May, 2020, and served via ECF on all parties who have requested notice in this case.

/s/ Michael S. Lehr
