

*Order Prepared By:*  
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IN THE THIRD DISTRICT COURT, SALT LAKE COUNTY  
STATE OF UTAH

<p>A. DAVID BARNES, M.D., P.C., Plaintiff, vs. FFCF INVESTORS, LLC, et al. Defendants.</p>	<p><i>Judge (11/11)</i></p> <p><b>ORDER TO SHOW CAUSE</b></p> <p>Case No. 080922273</p> <p>Judge: Denise P. Lindberg</p>
<p>FFCF INVESTORS, LLC, Plaintiff, vs. RICHARD SMITH, et al. Defendants.</p>	

TO: Defendant Richard Smith:

Based upon the Motion for Order to Show Cause, the Declaration of Wayne Klein, other

pleadings on file in this matter, and good cause appearing:


YOU ARE HEREBY ORDERED TO APPEAR before the above-entitled Court, on the 2<sup>nd</sup> day of December, 2009 at 9:00 a.m., and to then and there show cause, if there be any, why you should not be held in criminal and civil contempt of the Court for violating the Order Compelling Deposition of Richard Smith issued by this Court on October 1, 2009. You should bring with you the documents requested by the Receiver's subpoena and as required by paragraph 2 of the Court's October 1, 2009 Order Compelling Deposition.

No written response to the Motion and Order to Show Cause is required. The first appearance shall not be the evidentiary hearing, but shall be for the purpose of determining whether you contest the allegations by the Receiver, whether an evidentiary hearing is necessary, and the specific issues to be resolved through an evidentiary hearing. If the Receiver's request is granted, sanctions for contempt include, but are not limited to, a fine of \$1,000 or less and a jail commitment of 30 days or less.

If you fail to obey this order, the Court may issue a warrant for your arrest or a criminal summons.

DATED this 9 day of November, 2009.

BY THE COURT:

  
HONORABLE DENISE P. LINDBERG  
Third District Court Judge

