

**MANNING CURTIS BRADSHAW
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Winsome Investment Trust, and the assets of Robert
J. Andres and Robert L. Holloway*

UNITED STATES DISTRICT COURT

DISTRICT OF UTAH

R. WAYNE KLEIN, the Court-Appointed
Receiver of U.S. Ventures LC, Winsome
Investment Trust, and the assets of Robert J.
Andres and Robert L. Holloway,

Plaintiff,

vs.

WINGS OVER THE WORLD MINISTRIES
and TERRY L. HARPER,

Defendants.

**OPPOSITION TO NOTICE OF "WRIT OF
DISCOVERY"—DEMAND TO CLARIFY
THE CHARACTER OF THE COURT'S
JURISDICTION**

Case No. 2:12-cv-00023-DN

District Judge David Nuffer

Pursuant to Rule 7 of the Federal Rules of Civil Procedure, Plaintiff R. Wayne Klein, the Court-Appointed Receiver (the "Receiver") of U.S. Ventures LC ("US Ventures"), Winsome Investment Trust ("Winsome"), and all of the assets of Robert J. Andres ("Andres") and Robert L. Holloway ("Holloway") (collectively, the "Receivership Defendants"), by and through his

undersigned counsel, respectfully submits this Opposition to Notice of "Writ of Discovery"—
Demand to Clarify the Character of the Court's Jurisdiction.

INTRODUCTION

Defendant Terry Harper ("Mr. Harper") has filed a brief (the "Motion") requesting "clarification" of the Court's jurisdiction and demanding that the Court answer questions regarding, inter alia, the creation of the Court and the oath of office taken by its magistrates and judges. The Court has already ruled that it has subject matter jurisdiction to hear this case, and that issue need not be revisited. With respect to personal jurisdiction, Mr. Harper has filed an answer, thereby waiving the defense of personal jurisdiction.

Further, numerous other judges in this district have ruled in cases brought by the Receiver in this receivership that this Court enjoys personal jurisdiction over out-of-state defendants such as Mr. Harper. This Court has also ruled in a separate proceeding that personal jurisdiction exists over a similarly-situated defendant in a case brought by the Receiver because the requirements for personal jurisdiction in a federal question case were met. Those requirements are also satisfied in this case, as discussed below, and therefore the Court has personal jurisdiction over Mr. Harper. Any other arguments that could be read into the Motion are irrelevant or without merit.

STATEMENT OF FACTS

The following facts are taken from the procedural history of this case and the receivership overseen by the Receiver.

1. The CFTC filed its lawsuit against the Receivership Defendants on January 24, 2011 (the "CFTC Action"). *See U.S. Commodity Futures Trading Commission v. U.S. Ventures, et al., Case No. 2:11-cv-00099 BSJ*, United States District Court, District of Utah, Judge Bruce S. Jenkins.

2. Both Holloway and Andres have been charged criminally in connection with their fraudulent activities in the United States District Court, District of Utah. *See* Indictments of Robert J. Andres and Robert L. Holloway, attached as [Exhibit 1](#).

3. On January 25, 2011, the Receiver was appointed in the CFTC Action. *See* Order Granting Plaintiff's *Ex Parte* Motion for Statutory Restraining Order, Expedited Discovery, Accounting, Order to Show Cause re Preliminary Injunction and Other Equitable Relief, Case No. 2:11-cv-00099 BSJ (the "Order"), attached as [Exhibit 2](#).

4. In the Order, the Court "directed and authorized" the Receiver to take exclusive control of US Ventures, Winsome, and the assets of Holloway and Andres. *Id.* ¶ 27(c).

5. The Receiver was also ordered to preserve and manage all receivership assets, and to "otherwise protect the interests of customers, clients, pool participants or investors" of US Ventures and Winsome by "[c]ollect[ing] money owed to the [Receivership Defendants]." *Id.* ¶ 27(e)-(h).

6. This Court gave the Receiver power to initiate lawsuits so he could "carry out his . . . duties pursuant to this Order or to recover payments made improperly by" US Ventures and Winsome. *Id.* ¶ 27(c), (i).

7. Since his appointment, the Receiver has filed approximately 86 lawsuits in the United States District Court for the District of Utah pursuant to this authority under the Order. *See* Declaration of R. Wayne Klein ("Klein Decl.") ¶ 6, attached as [Exhibit 3](#).

8. To obtain jurisdiction over the defendants in these various actions under 28 U.S.C. § 754, the Receiver filed Notices of Receivership in approximately 49 judicial districts to date. *See* [Ex. 3](#), Klein Decl. ¶ 5.

9. The Receiver filed a Notice of Receivership with the Southern District of California on February 3, 2013, including a copy of the complaint in the CFTC Action and the Order. *See* Notice of Receivership, attached as [Exhibit 4](#) (excluding exhibits thereto).

10. The Ponzi schemes perpetrated by the Receivership Defendants permeated the nation and world. [Ex. 3](#), Klein Decl. ¶ 7.

11. Were the Receiver required to litigate each individual lawsuit in the district where the defendant resided, he would not be able to proceed in a vast majority of cases. *Id.* ¶ 8.

12. The Receiver would be required to locate counsel in each jurisdiction, pay duplicative fees as the various attorneys are informed about the facts and law applicable to the cases, and incur other expenses contrary to the purposes of appointing an equity receivership, which is to return as much of the funds as possible to the scheme's innocent investors. *Id.* ¶ 9.

13. The Receiver filed this lawsuit against Mr. Harper and an entity with which he is affiliated, Wings Over the World Ministries, on January 9, 2012. *See* [Complaint, Doc. No. 2](#). Mr. Harper executed a waiver of the service of summons on March 13, 2012. *See* [Waiver of Service, Doc. No. 7](#).

ARGUMENT

I. THE COURT HAS ALREADY DETERMINED THAT IT HAS SUBJECT MATTER JURISDICTION.

Mr. Harper previously filed a Motion to Dismiss arguing that the Court lacked subject matter jurisdiction. [See Answer and Motion to Dismiss, Doc. No. 8](#). On May 23, 2013, the Court denied that motion. [See Memorandum Decision and Order, Doc. No. 19](#). The Court recognized that the Receiver was appointed by Judge Jenkins to "take control of the funds, assets, and property of the Receivership Defendants wherever situated," and that he "sued Mr. Harper in the Court of the Receiver's appointment . . . to accomplish the ends sought and directed by the suit in which the appointment was made" [Id. at 4](#) (quotation omitted). The Court properly found that, consistent with relevant law including 100 year old Supreme Court precedent, the Court "has jurisdiction of this case because this action is ancillary to the court's original subject-matter jurisdiction of the receivership." [Id.](#) Mr. Harper presents no reason why this finding should be revisited or in any way reconsidered. Thus, the Motion should be denied.

II. THE COURT HAS PERSONAL JURISDICTION OVER MR. HARPER.

Mr. Harper's Motion could be read to include an argument that the Court lacks personal jurisdiction over him. [See Motion at 3](#) ("THIS ENTIRE DOCUMENT exists and is presented for the sole purpose of **challenging any presumed jurisdiction** of this, court, over, or upon, this natural man"), [Doc. No. 37](#). Mr. Harper's contention is in error, for numerous reasons.

First, Mr. Harper has filed an answer. [See Answer and Motion to Dismiss, Doc. No. 8](#). The defense of lack of personal jurisdiction is a defense that may be waived, and Mr. Harper has waived that defense by filing an Answer. [See Fed. R. Civ. P. 12\(h\)](#).

Second, the question of whether this Court has personal jurisdiction over defendants in actions brought by the Receiver has been addressed many times by the judges of this District in this very receivership. In all instances, the Court has found that it has personal jurisdiction over the defendants.¹ This strong line of authority is consistent with prior rulings of the Court in other receiverships. [See, e.g., *Wing v. Apex Holding Co.*, Case No. 2:09-cv-22-DB, 2009 WL 2843343, at **3-4 \(D. Utah Aug. 27, 2009\).](#)

Third, should the Court consider the issue of personal jurisdiction anew, the Court would certainly find it enjoys personal jurisdiction over Mr. Harper. For a federal court to assert personal jurisdiction in a federal question case, (1) the applicable statute must confer jurisdiction by authorizing service of process on the defendant, and (2) the exercise of jurisdiction must comport with due process. [See *Peay v. BellSouth Medical Assistance Plan*, 205 F.3d 1206, 1209 \(10th Cir. 2000\).](#) In the Tenth Circuit, "[i]t is well-established that when . . . a federal statute provides the basis for jurisdiction, the constitutional limits of due process derive from the Fifth, rather than the Fourteenth, Amendment." [Id. at 1210](#) (quoting [Republic of Panama v. BCCI Holdings \(Luxembourg\) S.A.](#), 119 F.3d 935, 942 (11th Cir. 1997)).

¹ [See *Klein v. Cornelius*, Case No. 2:11-cv-1159-DK, 2012 WL 2261114, at *1 \(D. Utah June 15, 2012\)](#) (unpublished), attached as [Exhibit 5](#); [Klein v. Abdulkaki](#), Case No. 2:11-cv-00953-DK, 2012 WL 231757, at **2-5 (D. Utah June 18, 2012) (unpublished), attached as [Exhibit 6](#); [Klein v. Georges](#), Case No. 2:12-cv-00076-DN, 2012 WL 5844962, at **2-4 (D. Utah Nov. 18, 2012) (unpublished decision by Judge Nuffer), attached as [Exhibit 7](#); [Klein v. Widmark](#), Case No. 2:11-cv-1097-CW, 2013 WL 2902796, at **2-4 (D. Utah June 13, 2013) (unpublished), attached as [Exhibit 8](#).

A. The Federal Equity Receivership Statutes Provide for Nationwide Service of Process, and Therefore Defendant Was Served Pursuant to Rule 4.

For the Court to exercise personal jurisdiction over a defendant, the defendant must receive proper notice of the lawsuit. [*See Omni Capital Int'l Ltd. v. Rudolf Wolff & Co.*, 484 U.S. 97, 104-05 \(1987\)](#). Under § 754, federal receivers are given the authority to protect receivership "property, real, personal or mixed, situated in different districts" as long as the receiver "file[s] copies of the complaint and such order of appointment in the district court for each district in which property is located." [28 U.S.C. § 754](#). Additionally, § 1692 provides that in "proceedings in a district court where a receiver is appointed for property, real, personal, or mixed, situated in different districts, process may issue and be executed in any such district as if the property lay wholly within one district" [Id. § 1692](#). In the Tenth Circuit, it is beyond dispute that "[r]ead together, these Federal receiver statutes confer nationwide service of process." [Apex Holding Co.](#), 2009 WL 2843343, at *3.

Circuit courts have uniformly recognized that district courts may exercise personal jurisdiction over defendants who reside in other districts in receivership actions as long as the receiver timely files notices of receivership pursuant to 28 U.S.C. § 754 in the districts where the defendants reside. [See, e.g., Haile v. Henderson Nat'l Bank](#), 657 F.2d 816; [see also Terry v. Walker](#), 369 F. Supp. 2d 818, 819 (W.D. Va. 2005). In *Haile*, a receiver, who was appointed in an action pending in the Middle District of Tennessee, filed suit in that district against defendants who resided in Alabama. [Haile](#), 657 F.2d at 818-21. The defendants moved to dismiss the complaint for lack of personal jurisdiction. [Id. at 821](#). Based on the defendants' argument that they did not have the requisite minimum contacts with Tennessee for the court to exercise personal jurisdiction over them, the district court dismissed the complaint. [Id.](#) The receiver

appealed the district court's decision, and the Sixth Circuit reversed. [Id. at 822-24](#). According to the *Haile* court, the district court enjoyed personal jurisdiction over the Alabama defendants because the receiver had filed a copy of the order appointing him and a copy of the complaint in the Northern District of Alabama pursuant to 28 U.S.C. § 754. [Id.](#) The *Haile* court held that where personal jurisdiction is based on 28 U.S.C. § 754, the "minimum contacts" test of *International Shoe Co. v. Washington*, 326 U.S. 310 (1945), does not apply. [Id. at 826](#).

The procedural requirements for exercising personal jurisdiction over Mr. Harper have been satisfied in this case. Judge Jenkins appointed the Receiver on January 25, 2011. SOF ¶ 3. On February 3, 2011, the Receiver filed a Notice of Receivership, including a copy of the CFTC Complaint and the Order Appointing Receiver, with the Southern District of California, which encompasses San Diego, California, where Mr. Harper resides. SOF ¶ 9. Thus, the Receiver has complied with the procedural requirements of § 754 necessary to establish personal jurisdiction over Mr. Harper. Furthermore, Mr. Harper waived service of the summons and complaint. SOF ¶ 13. Thus, because §§ 754 and 1692 provide for nationwide service of process in this case, and Mr. Harper waived service, Mr. Harper received proper notice of this lawsuit, and the first element for establishing personal jurisdiction has been met.

B. A Constitutionally Sufficient Relationship Between Mr. Harper and This Forum Exists Because Mr. Harper Cannot Demonstrate that Litigation in this District Would Be so Gravely Difficult as to Infringe a Liberty Interest.

The second element for establishing personal jurisdiction in cases arising under federal law requires that there be a constitutionally sufficient relationship between the defendant and the forum. [See *Omni Capital*, 484 U.S. at 104-05](#). In this case, §§ 754 and 1692 provide the basis

for jurisdiction, and therefore the Fifth Amendment determines whether a constitutionally sufficient relationship exists between Mr. Harper and this forum. [See Peay, 205 F.3d at 1210.](#)

Personal jurisdiction is appropriate unless Mr. Harper can demonstrate that litigating in this forum is "gravely difficult." [Id.](#); [see also Wing v. Storms, Case No. 1:02-cv-127DAK, 2004 WL 724448, at *2 \(D. Utah Feb. 5, 2004\)](#) (unpublished) (noting that "[t]he burden is on Defendant" to demonstrate grave difficulty). To make this showing, Mr. Harper must demonstrate that his "liberty interests actually have been infringed." [Peay, 205 F.3d at 1212](#) (quotation omitted). The Tenth Circuit recognizes that "it is only in highly unusual cases that inconvenience will rise to a level of constitutional concern." [Id. at 1212-13](#) (quotation omitted).

In considering whether Mr. Harper has met his burden "of establishing constitutionally significant inconvenience," [Republic of Panama, 119 F.3d at 946](#), the Court should evaluate the following factors: "(1) defendant's contacts with the forum state, (2) inconvenience to the defendant, (3) judicial economy, (4) probable situs of discovery proceedings, [and] (5) nature of the regulated activity." [CGC Holding Co., LLC v. Hutchens, 824 F. Supp. 2d 1193, 1199 \(D. Colo. 2011\)](#) (citing [Peay, 204 F.3d at 1212](#)). In nationwide service of process cases, personal jurisdiction is presumed appropriate unless the defendant demonstrates, through these factors, that litigating in this forum is "so gravely difficult and inconvenient that she is unfairly at a severe disadvantage in comparison to her opponent." [Storms, 2004 WL 724448, at *2.](#)

Significantly, Judge Kimball recently applied this test in two cases that are analogous to the facts of this case and held that personal jurisdiction was proper. For example, in [Cornelius](#), the Receiver admitted that the defendants had no contacts with Utah. [See Cornelius, 2012 WL 2261114, at *1.](#) Nevertheless, Judge Kimball found that the Court had personal

jurisdiction under the Fifth Amendment because the defendants had not established grave inconvenience, judicial economy favored resolving all actions related to the Receivership Defendants in the same jurisdiction, the relevant records of the Receivership Defendants are now in Utah, discovery could take place by electronic means, and the nature of the activity at issue required a centralized forum. [See id. at **5-7](#); [see also Abdulbaki, 2012 WL 2317357, at **2-5](#) (holding personal jurisdiction proper where defendant had no contacts with Utah but other *Peay* factors favored litigating in Utah). This Court has also applied these same factors in a personal jurisdiction analysis in the *Georges* case cited above and found the Court had jurisdiction. [Georges, 2012 WL 5844962, at **2-4](#). All of these factors are also present here.

Mr. Harper may not have had direct contact with Utah; however, "the *Peay* analysis does not require 'minimum contacts'" with Utah; it is only one of the five elements to be considered. [CGC Holding Co., 2011 WL 5320988, at *8](#). The remaining *Peay* factors weigh sharply in favor of exercising jurisdiction. [See, e.g., id. at **8, 12](#) (denying motions to dismiss for lack of jurisdiction over four companies that the court assumed had no contacts with Colorado because other factors of *Peay* test supported exercise of jurisdiction).

Mr. Harper cannot establish that he would be gravely inconvenienced by litigating in this District. Simply residing in California is insufficient to meet this standard because "[i]n this age of instant communication . . . and modern transportation, the burdens of litigating in a distant forum have lessened." [Peay, 205 F.3d at 1213](#) (quotation and citation omitted). All of the written discovery can be completed electronically, pleadings can be served through the Court's ECF system or email, and when Mr. Harper must appear in court for pretrial hearings, the Receiver will consent to his appearance telephonically or he could locate an attorney to represent

him. [See *Brightway Adolescent Hosp. v. Hawaii Mgmt. Alliance Ass'n*, 139 F. Supp. 2d 1220, 1223 \(D. Utah 2001\)](#) ("[G]iven the practical considerations emanating from the realities of contemporary litigation, . . . any constitutional due process limitations upon a federal, extraterritorial (nationwide) service of process statute must be broadly defined."); [*In re Harwell*, 381 B.R. 885, 890 \(Bankr. D. Colo. 2008\)](#) ("Though the distance in terms of miles is long, the realities of communications technology and modern litigation practice substantially reduce the burden of the distance."). Thus, there "is no evidence or suggestion that [Mr. Harper] lacks the wherewithal to defend [himself] in [Utah] or that litigating in [Utah] will be more inconvenient than the inconvenience any party would experience from litigating outside its own state." [*First Am. Mortg. Inc. v. First Home Builders of Fla.*, Case No. 10-CV-0824, 2011 WL 4963924, at *4 \(D. Colo. Oct. 14, 2011\)](#). Accordingly, the inconvenience factor does not support a finding that this Court lacks personal jurisdiction over Mr. Harper.

Second, as the District of Utah has recognized in other receivership actions, "[j]udicial economy would be promoted by maintaining this litigation in Utah because it is an ancillary proceeding to the" CFTC Action. [*Storms*, 2004 WL 724448, at *2 \(D. Utah Feb. 5, 2004\)](#). Dispersing the various lawsuits brought by the Receiver to recover property belonging to the receivership would require litigation in scores of federal district courts, drastically increasing the judicial resources required to prosecute the receivership. [See *Abdulbaki*, 2012 WL 2317357, at *4](#) ("Additional judicial resources are used in order for multiple districts to become familiar with the facts, issues, and applicable law."). Indeed, the "provision for national service is made to facilitate judicial efficiency by permitting courts to manage claims concerning Receivership Property in a single forum." [*Terry v. June*, No. Civ. A. 303CV0052, 2003 WL 22125300, at *5](#)

[\(W.D. Va. Sept. 12, 2003\)](#) (unpublished). Thus, the judicial economy factor weighs heavily in favor of finding personal jurisdiction.

The remaining *Peay* factors also support a finding that this Court has personal jurisdiction. The probable situs of discovery will turn on financial records, which can be easily and instantaneously transmitted electronically. All of the records for the companies placed in receivership are now in Utah, at the Receiver's offices. Counsel and Mr. Harper can easily exchange documents and information. To the extent discovery may take place in California, such as depositions, the Receiver is willing to travel to California to depose Mr. Harper.

The final consideration looks to the "nature of the regulated activity." [Peay, 205 F.3d at 1212](#). The regulated activity in question is the administration of a receivership, which "by its nature, involves the resolution, in one centralized forum, of competing claims and interests arising from activities which may have occurred throughout the United States." [In re Harwell, 381 B.R. at 891](#) (stating that "the regulated activity in question is administration of a bankruptcy case" under final *Peay* factor). Therefore, Mr. Harper cannot establish that he would be so disadvantaged by litigating the case in this forum that the Fifth Amendment's due process requirement will be violated by the Court's exercise of personal jurisdiction over them.

C. There Is a Strong Federal Interest in Maintaining the Winsome Litigation in This District as the District That Established the Receivership.

Even if Mr. Harper had met his burden, jurisdiction is still proper in federal receivership cases in light of the heavy federal interests in litigating the receivership disputes in a single district. [See Cornelius, 2012 WL 2261114, at *7](#). This is because of the immense inconvenience and expense the Receiver would face if he were required to litigate each of the many related cases filed in separate jurisdictions throughout the country. [Id.](#) In a similar vein, Judge Kimball

recently held in two related cases that any burdens to the defendants were "relatively minimal and [were] outweighed by the federal interest in resolving all of these receivership disputes in a single district." *Id.*; [see also Abdulbaki, 2012 WL 2317357, at *5](#) ("Even if Defendant had met her burden, the federal interest in litigating this lawsuit in the District of Utah outweighs the burdens to Defendant."). The same analysis applies in this case.

As discussed above, the burdens on Mr. Harper are relatively minimal, are no greater than those faced by any other out-of-state litigant, and are outweighed by the federal interest in litigating this dispute in the District of Utah. Significantly, where "Congress has provided for nationwide service of process, courts should presume that nationwide personal jurisdiction is necessary to further congressional objectives." [Peay, 205 F.3d at 1213](#) (quoting [Republic of Panama, 199 F.3d at 948](#)).

Indeed, the Ponzi schemes perpetrated by the Receivership Defendants in this case permeated throughout the nation and world. SOF ¶ 10. To date, the Receiver has filed Notices of Receivership in at least 49 different judicial districts, and he has filed approximately 86 lawsuits in this forum based on ancillary jurisdiction of the CFTC Action. SOF ¶¶ 7-8. Were the Receiver required to litigate each individual lawsuit in the respective home districts of each defendant, he simply would not be able to proceed in a vast majority of the cases. SOF ¶ 11. It would require that he locate counsel in each jurisdiction, pay duplicative fees as the various attorneys are informed about the facts and law applicable to the cases, and incur other expenses which are contrary to the purposes of appointing an equity receivership, which is to return as much of the funds as possible to the innocent investors in the Ponzi scheme. SOF ¶ 12.

Given the presumption in favor of retaining jurisdiction in cases where Congress has provided for nationwide service of process, and this Court's specific interest in overseeing the litigation arising out of the appointment of the Receiver over Winsome, the federal interests in litigating this lawsuit in the District of Utah clearly outweigh whatever burdens may be placed on Mr. Harper. This Court, therefore, enjoys personal jurisdiction over Mr. Harper pursuant to the federal law applicable in federal equity receiverships, and the Receiver respectfully requests the Court to deny the Motion.

III. MR. HARPER'S REMAINING POINTS ARE WITHOUT MERIT.

Although they are difficult to discern, Mr. Harper raises some other points in the Motion, none of which are grounds for granting the Motion.

First, Mr. Harper challenges the "character of the jurisdiction" of the Court, and insists that it respond to questions by him about its legitimacy. [See Motion at 4-6](#). The Court is unquestionably legitimate and is exercising its constitutional and statutory powers in hearing this case. None of the authority cited by Mr. Harper allows him to challenge the Court's jurisdiction or powers in this manner, and the Motion should be denied in this respect.

Second, Mr. Harper appears to claim that because the Court is acting beyond its constitutional or jurisdictional authority, the doctrine of "unclean hands" mandates dismissal. [See Motion at 7-8](#). Setting aside that the doctrine of unclean hands is an affirmative defense to a cause of action and has nothing to do with the Court's authority, the contention is nevertheless baseless. As described above and as determined in the Court's prior Order finding it has subject matter jurisdiction over this case, the Court has not exceeded its jurisdiction. Thus, Mr. Harper's "unclean hands" contention is without merit and the Motion should be denied.

CONCLUSION

For the foregoing reasons, the Motion should be denied.

DATED this 26th day of July, 2013.

**MANNING CURTIS BRADSHAW
& BEDNAR LLC**

/s/ Aaron C. Garrett
David C. Castleberry
Aaron C. Garrett
*Attorneys for Plaintiff R. Wayne Klein, the
Court-Appointed Receiver of U.S. Ventures, LC,
Winsome Investment Trust, and the assets
of Robert J. Andres and Robert L. Holloway*

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **OPPOSITION TO NOTICE OF "WRIT OF DISCOVERY"—DEMAND TO CLARIFY THE CHARACTER OF THE COURT'S JURISDICTION** to be served in the method indicated below to the Defendant in this action this 26th day of July, 2013.

<input type="checkbox"/> HAND DELIVERY	Terry L. Harper
<input checked="" type="checkbox"/> U.S. MAIL	1450 Harbor Island Dr.
<input type="checkbox"/> OVERNIGHT MAIL	San Diego, CA 92101
<input type="checkbox"/> FAX TRANSMISSION	
<input type="checkbox"/> E-MAIL TRANSMISSION	
<input type="checkbox"/> USDC ECF NOTICE	

/s/ Aaron C. Garrett

LIST OF EXHIBITS

<u>Exhibit No.</u>	<u>Description</u>
1	Indictments of Robert Holloway and Robert Andres
2	Order Appointing Receiver
3	Declaration of R. Wayne Klein
4	Notice of Receivership (S.D. Cal.)
5	<i>Klein v. Cornelius</i> , Case No. 2:11-cv-1159-DK, 2012 WL 2261114 (D. Utah June 15, 2012)
6	<i>Klein v. Abdulbaki</i> , Case No. 2:11-cv-00953-DK, 2012 WL 231757 (D. Utah June 18, 2012)
7	<i>Klein v. Georges</i> , Case No. 2:12-cv-00076-DN, 2012 WL 5844962 (D. Utah Nov. 18, 2012)
8	<i>Klein v. Widmark</i> , Case No. 2:11-cv-1097-CW, 2013 WL 2902796 (D. Utah June 13, 2013)