

FILED
U.S. DISTRICT COURT
2013 FEB 26 10 3: 36
DISTRICT OF UTAH
BY: _____
DEPUTY CLERK

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Attorneys for Court-Appointed Receiver R. Wayne Klein

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION**

<p>SECURITIES AND EXCHANGE COMMISSION,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>NATIONAL NOTE OF UTAH, LC, a Utah Limited Liability Company and WAYNE LaMAR PALMER, and individual,</p> <p style="text-align: right;">Defendants.</p>	<p>ORDER GRANTING RECEIVER'S EX PARTE MOTION AND MEMORANDUM IN SUPPORT OF ORDER APPROVING METHOD AND FORM OF PUBLICATION NOTICE OF SALE OF REAL PROPERTIES (ELKHORN RIDGE LOTS NOS. 4, 5 AND 48)</p> <p>2:12-cv-00591 BSJ</p> <p>The Honorable Bruce S. Jenkins</p>
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The matter before the Court is the *Receiver's Ex Parte Motion and Memorandum in Support of Order Approving Method and Form of Publication Notice of Sale of Real Properties (Elkhorn Ridge Lots Nos. 4, 5, and 48)* (the "Motion") filed by R. Wayne Klein, the Receiver

appointed in the above-captioned case (the “Receiver”). The Court has reviewed the Motion, and applicable law. Based thereon, and for good cause appearing,

IT IS HEREBY ORDERED that:

(1) The Motion is **GRANTED**.

(2) The methods and forms of the publication notice as set forth in the Motion are **APPROVED**. The following notices of the sale for the “Elkhorn Ridge Lot # 4,” “Elkhorn Ridge Lot #5” and “Elkhorn Ridge Lot # 48,” as defined in the Motion, shall be published in *The Idaho Enterprise*, a newspaper published in Malad City, Idaho, for a period of one (1) day at least ten (10) days before the entry of any Order approving the proposed sale:

R. Wayne Klein, Receiver for National Note of Utah, LC and its affiliated entities in the civil case styled as *Securities and Exchange Comm. v. National Note of Utah, LC et al.*, Civ. Case No. 2:12-cv-00591 (“Civil Case”), gives notice of his intent to sell through private sale, and free of all liens and interests, certain real property described as “Lot 4, Elkhorn Ridge Estates, according to the official plat thereof as recorded September 17, 2007 in Oneida County, Idaho, Recorder’s Office, as instrument number 141595.” The Receiver has accepted a cash offer of \$35,000.00, subject to approval by the U.S. District Court for the District of Utah in the Civil Case and higher and better offers as allowed pursuant to 28 U.S.C. § 2001. The Receiver has filed a motion seeking the District Court’s approval of the proposed sale. This motion for approval will come for a hearing before the Honorable Bruce S. Jenkins at 350 South Main Street, Salt Lake City, Utah on March 19, 2013 at 10:00 a.m. in Room 420. Any person objecting to the sale or wishing to submit a higher and better purchase offer, with such offer being at least 10% greater than the offer the Receiver has accepted, should present it in writing so that it is received no later than 10 days from the date of this notice to the Receiver’s counsel at: Dorsey & Whitney LLP, attn: Peggy Hunt, 136 South Main Street, Suite 1000, Salt Lake City, Utah 84101. Any objection to the sale should be filed with the Court at the above address before the hearing. Higher and better offers are invited.

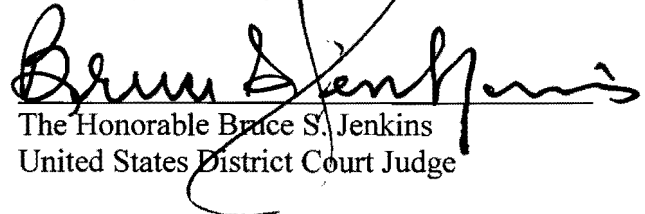
R. Wayne Klein, Receiver for National Note of Utah, LC and its affiliated entities in the civil case styled as *Securities and Exchange Comm. v. National Note of Utah, LC et al.*, Civ. Case No. 2:12-cv-00591 (“Civil Case”), gives notice of his intent to sell through private sale, and free of all liens and interests, certain real property described as “Lot 5, Elkhorn Ridge Estates, according to the official plat thereof as recorded September 17, 2007 in Oneida County, Idaho, Recorder’s Office, as instrument number 141595.” The Receiver has accepted a cash offer of \$80,000.00, subject to approval by the U.S. District

Court for the District of Utah in the Civil Case and higher and better offers as allowed pursuant to 28 U.S.C. § 2001. The Receiver has filed a motion seeking the District Court's approval of the proposed sale. This motion for approval will come for a hearing before the Honorable Bruce S. Jenkins at 350 South Main Street, Salt Lake City, Utah on March 19, 2013 at 10:00 a.m. in Room 420. Any person objecting to the sale or wishing to submit a higher and better purchase offer with such offer being at least 10% greater than the offer the Receiver has accepted, should present it in writing so that it is received no later than 10 days from the date of this notice to the Receiver's counsel at: Dorsey & Whitney LLP, attn: Peggy Hunt, 136 South Main Street, Suite 1000, Salt Lake City, Utah 84101. Any objection to the sale should be filed with the Court at the above address before the hearing. Higher and better offers are invited.

R. Wayne Klein, Receiver for National Note of Utah, LC and its affiliated entities in the civil case styled as *Securities and Exchange Comm. v. National Note of Utah, LC et al.*, Civ. Case No. 2:12-cv-00591 ("Civil Case"), gives notice of his intent to sell through private sale, and free of all liens and interests, certain real property described as "Lot 48, Elkhorn Ridge Estates, according to the official plat thereof as recorded September 17, 2007 in Oneida County, Idaho, Recorder's Office, as instrument number 141595." The Receiver has accepted a cash offer of \$80,000.00, subject to approval by the U.S. District Court for the District of Utah in the Civil Case and higher and better offers as allowed pursuant to 28 U.S.C. § 2001. The Receiver has filed a motion seeking the District Court's approval of the proposed sale. This motion for approval will come for a hearing before the Honorable Bruce S. Jenkins at 350 South Main Street, Salt Lake City, Utah on March 19, 2013 at 10:00 a.m. in Room 420. Any person objecting to the sale or wishing to submit a higher and better purchase offer, with such offer being at least 10% greater than the offer the Receiver has accepted, should present it in writing so that it is received no later than 10 days from the date of this notice to the Receiver's counsel at: Dorsey & Whitney LLP, attn: Peggy Hunt, 136 South Main Street, Suite 1000, Salt Lake City, Utah 84101. Any objection to the sale should be filed with the Court at the above address before the hearing. Higher and better offers are invited.

DATED this th26 day of February, 2013.

BY THE COURT:


The Honorable Bruce S. Jenkins
United States District Court Judge