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FILED  
U.S. DISTRICT COURT  
2014 MAR 14 A 10:41  
DISTRICT OF UTAH  
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Attorneys for Court-Appointed Receiver R. Wayne Klein

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

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| <p>SECURITIES AND EXCHANGE COMMISSION,</p> <p>Plaintiff,</p> <p>v.</p> <p>NATIONAL NOTE OF UTAH, LC, a Utah Limited Liability Company and WAYNE LaMAR PALMER, and individual,</p> <p>Defendants.</p> | <p><b>ORDER GRANTING RECEIVER'S SEVENTH MOTION AND MEMORANDUM IN SUPPORT REQUESTING ORDER APPROVING SETTLEMENT AGREEMENTS</b></p> <p><b>(Dale Himmer; Dan Ainsworth; 106<sup>th</sup> Southtowne Hotel Management, L.C.; Charles W. Elliott; Carla Whitehouse; Ashley Nielsen; and the Estate of Leo Pavich)</b></p> <p>2:12-cv-00591 BSJ</p> <p>The Honorable Bruce S. Jenkins</p> |
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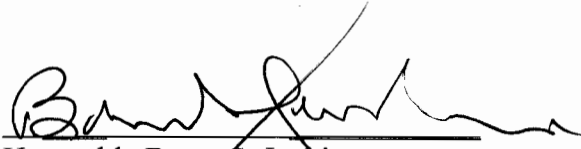
The matter before the Court is the *Receiver's Seventh Motion and Memorandum in Support Requesting Order Approving Settlement Agreements (Dale Himmer; Dan Ainsworth; 106th Southtowne Hotel Management, L.C.; Charles W. Elliott; Carla Whitehouse; Ashley Nielsen; and the Estate of Leo Pavich)* (the "Motion") filed by R. Wayne Klein, the Court-Appointed Receiver (the "Receiver") in the above captioned case. The Court has reviewed the Motion, the *Declaration of R. Wayne Klein, Receiver* (the "Receiver Declaration"), all other

papers filed related thereto, and applicable law. Based thereon, and for good cause appearing, **IT IS HEREBY ORDERED** that:

- (1) The Motion is **GRANTED**;
- (2) The Settlement Agreement and Release with Dale Himmer, as set forth in the Motion, is **APPROVED**;
- (3) The Settlement Agreement and Release with Dan Ainsworth, as set forth in the Motion, is **APPROVED**;
- (4) The Settlement Agreement and Release with 106<sup>th</sup> Southtowne Hotel Management, L.C., as set forth in the Motion, is **APPROVED**;
- (5) The Settlement Agreement and Release with Charles W. Elliott, as set forth in the Motion, is **APPROVED**;
- (6) The Settlement Agreement and Release with Carla Whitehouse, as set forth in the Motion, is **APPROVED**;
- (7) The Settlement Agreement and Release with Ashley Nielsen, as set forth in the Motion, is **APPROVED**; and
- (8) The Settlement Agreement and Release with the Estate of Leo Pavich, as set forth in the Motion, is **APPROVED**.

DATED this 13<sup>th</sup> day of March, 2014

**BY THE COURT:**

  
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Honorable Bruce S. Jenkins  
U.S. District Court Judge