Peggy Hunt (Utah State Bar No. 6060) Chris Martinez (Utah State Bar No. 11152) Jeffrey M. Armington (Utah State Bar No. 14050) **DORSEY & WHITNEY LLP** 136 South Main Street, Suite 1000 Salt Lake City, UT 84101-1685 Telephone: (801) 933-7360 Facsimile: (801) 933-7373 Email: <u>hunt.peggy@dorsey.com</u> <u>martinez.chris@dorsey.com</u> <u>armington.jeff@dorsey.com</u>

Attorneys for Court-Appointed Receiver R. Wayne Klein

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

R. WAYNE KLEIN, as Receiver,	
Plaintiff,	COMPLAINT
v. TERRY STALLMAN, a Nevada resident, and JOHN DOES 1 through 5,	(Ancillary to Case No. 2:12-cv-00591) Civil No
Defendants.	

R. Wayne Klein, the Court-Appointed Receiver (the "<u>Receiver</u>" or "<u>Plaintiff</u>") of National Note of Utah, LC ("<u>National Note</u>"), its subsidiaries and affiliates (collectively, unless otherwise stated, National Note and all subsidiaries and affiliated entities are referred to herein as "<u>NNU</u>"), and the assets of Wayne LaMar Palmer ("<u>Palmer</u>"), in the case styled as *Securities and Exchange Commission v. National Note of Utah, LC et al.*, Case No. 2:12-cv-00591 (D. Utah) (Jenkins, J.) (the "<u>SEC Civil Enforcement Case</u>"), hereby files this Complaint against Terry Stallman ("<u>Stallman</u>") and John Does 1-5 ("<u>Defendant Does</u>") (collectively, "<u>Defendants</u>"), and states, alleges and avers as follows:

#### STATEMENT OF THE CASE

1. NNU was operated as an enterprise with all of the characteristics of a Ponzi scheme through which money was solicited from investors.<sup>1</sup> Upon information and belief, Stallman was an NNU investor who received monies from NNU, and the Receiver seeks to avoid the transfers and/or recover the value of the transfers from Defendants for the benefit of the receivership estate established in the SEC Civil Enforcement Case discussed in greater detail below. Additionally, the Receiver seeks a declaration that Defendant has no valid interest in real property of the Receivership Estate.

#### **PARTIES**

2. Pursuant to an Order Appointing Receiver and Staying Litigation entered on June 25, 2012 in the SEC Civil Enforcement Case (the "<u>Receivership Order</u>"),<sup>2</sup> Plaintiff is the duly-appointed Receiver for National Note and Palmer "together with any and all subsidiaries and affiliated entities of National Note and Palmer...."<sup>3</sup>

3. Upon information and belief, Stallman is a resident of or is domiciled in in the State of Nevada.

4. Upon information and belief, Defendant John Does currently unknown parties who have received monies or property from NNU, or are persons to whom Stallman has transferred monies or property received from NNU.

<sup>&</sup>lt;sup>1</sup> See SEC Civil Enforcement Case, Docket No. 1 (Complaint).

<sup>&</sup>lt;sup>2</sup> SEC Civil Enforcement Case, Docket No. 9.

<sup>&</sup>lt;sup>3</sup> *Id.* (Receivership Order, pp. 1-2).

#### JURSIDICTION AND VENUE

- 5. Subject matter jurisdiction is proper in this Court pursuant to 28 U.S.C. §1367.
- 6. The Court has personal jurisdiction over Defendant.
- 7. Venue is proper in this Court pursuant to 28 U.S.C. § 754.

#### **FACTS**

#### The Ponzi Scheme

8. Since at least 1994 until the commencement of the SEC Civil Enforcement Case, NNU raised capital by soliciting investors to purchase promissory notes, which typically promised to pay interest at a rate of interest above market rates.

9. Upon information and belief, investors understood that they were investing in an enterprise that, among other things, bought and sold mortgage notes, underwrote and made loans, or bought and sold real estate assets through National Note, or one of many affiliated entities subject to the Receivership Order, all of which are referred to herein collectively as "<u>NNU</u>."

10. Typically, investment funds were deposited in a commingled bank account controlled by NNU. NNU would then transfer such investor funds to another bank account (the "<u>Investor Account</u>").

11. Monies on deposit in the Investor Account were commingled, and transfers to investors by NNU were made from the commingled funds on deposit in that Investor Account.

12. At all times relevant hereto, NNU was insolvent.

#### **Defendant's Investment and the Transfers**

13. On or about 2004, Stallman commenced investing with NNU. A history of Stallman's investment(s) is attached hereto as <u>Exhibit A.</u>

#### Case 2:13-cv-00409-DN Document 2 Filed 06/06/13 Page 4 of 14

14. Stallman paid NNU cash in the total amount of \$99,433.07 on or about 2004,2005, 2006, and 2009 (the "<u>Principal Cash Investment</u>").

15. As set forth on <u>Exhibit A</u>, NNU transferred a total of \$110,146.09 in cash to Stallman (the "<u>Total Transfers</u>").

16. Of the Total Transfers, \$10,713.02 is an amount that is over and above Stallman's Principal Cash Investment (the "<u>False Profit Transfers</u>") (collectively, the Total Transfers and the False Profit Transfers are the "<u>Transfers</u>").<sup>4</sup>

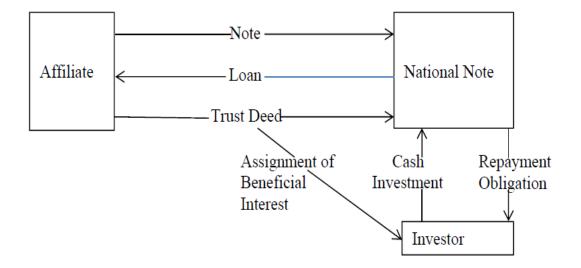
#### National Note's Investment Scheme

17. National Note represented to investors that their investment in National Note would be secured by real property. National Note did not own real property sufficient to secure these investments. Accordingly, National Note devised a scheme pursuant to which National Note would purport to grant security to investors, when in truth, National Note would take investors' money and give them no security in return. National Note's scheme was as follows.

18. First, National Note would lend money to an affiliated entity (the "<u>Affiliate</u>"). The Affiliate would execute a promissory note, pursuant to which it agreed to repay the loan to National Note (the "<u>Affiliate Note</u>"). The <u>Affiliate Note</u> would then be secured by a Trust Deed executed by the Affiliate in favor of National Note (the "<u>Affiliate Trust Deed</u>").

19. National Note then solicited money from investors by promising that their investment would be secured by Assignments of Beneficial Interest in Trust Deed (the "<u>ABIs</u>"). The ABIs purported to assign National Note's "right, title and interest" in the Affiliate Trust Deed. National Note did not assign its interest in the Affiliate Note to the investors. The

<sup>4</sup> See Exh. A.



following diagram shows National Note's scheme:

20. The investors purportedly received an assignment of National Note's secured interest in real property. This secured interest gave National Note the right to foreclose on the underlying real property if the Affiliate defaulted on the Affiliate Note. If, however, the Affiliate never defaulted and the Affiliate Note was paid, the Affiliate Trust Deed was cancelled and the secured interest disappeared.

21. The Affiliate was not a party to any of the ABIs and there was no privity of contract between the Affiliate and the investors. Accordingly, there was no contract pursuant to which the Affiliate was obligated to pay the Affiliate Note payments to the investors instead of National Note. Moreover, the ABI did not assign National Note's rights under the Affiliate Note to the investors. Accordingly, the ABI did not give the Investor the right to demand payment under the Affiliate Note.

22. The end result of this scheme was that the investors received no security at all. If National Note breached its agreement with the investor, the investor had no foreclosure rights as

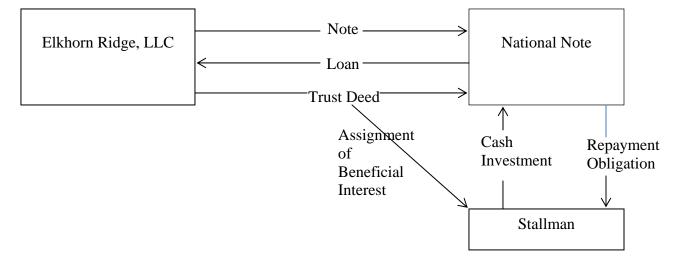
#### Case 2:13-cv-00409-DN Document 2 Filed 06/06/13 Page 6 of 14

a result of the assignment of National Note's interest in the Affiliate Deed of Trust, because the Affiliate Deed of Trust was security for the Affiliate Note, not the agreement between National Note and the investors.

#### **Stallman Invests with National Note**

23. A portion of Stallman's investment with National Note was documented in a Promissory Note, dated January 16, 2006 (the "Stallman Note").

24. Consistent with the financing scheme outlined above, the Stallman Note was not secured by a deed of trust. Instead, on January 4, 2008, National Note executed an Assignment of Beneficial Interest in Trust Deed in favor of Stallman (the "<u>Stallman ABI</u>"). The Stallman ABI purported to assign National Note's interest in a Trust Deed for real property in Malad, Idaho - specifically Lot 11 of the Elkhorn Ridge Estates ("<u>Elkhorn Lot 11</u>"). This Trust Deed was executed by Elkhorn Ridge, LLC in favor of National Note (the "<u>NNU Lot 11 Trust Deed</u>"). The NNU Lot 11 Trust Deed was security for a purported loan between National Note and Elkhorn Ridge, LLC (the "<u>NNU Lot 11 Note</u>"). National Note did not assign its beneficial interest in the NNU Lot 11 Note to Stallman. The following diagram illustrates the transactions:



#### Case 2:13-cv-00409-DN Document 2 Filed 06/06/13 Page 7 of 14

26. National Note did not execute a trust deed for Elkhorn Lot 11 in favor of Stallman. Moreover, Elkhorn Ridge, LLC is not a party to the Stallman ABI. Indeed, there is no privity of contract between Elkhorn Ridge, LLC and Stallman. Finally, the Stallman ABI did not assign National Note's rights under the NNU Lot 11 Note to Stallman. Accordingly, the Stallman ABI did not give Stallman the right to demand payment under the NNU Lot 11 Note.

27. All that Stallman purported to receive through the Stallman ABI was an assignment of National Note's security interest in the NNU Lot 11 Trust Deed. National Note's security interest merely gave National Note the right to foreclose on Elkhorn Lot 11 if Elkhorn Ridge, LLC defaulted on the NNU Lot 11 Note. If, however, Elkhorn Ridge, LLC never defaulted and the NNU Lot 11 Note was paid, the NNU Lot 11 Trust Deed was cancelled and the secured interest disappeared, regardless of whether National Note honored the Stallman Note.

28. Conversely, the Stallman ABI gave Stallman no right to foreclose on Elkhorn Lot 11, had National Note defaulted on the Stallman Note. This is because the NNU Lot 11 Trust Deed did not secure the Stallman Note. Accordingly, as a matter of law and fact, the Stallman ABI gave no security to Stallman. The Stallman Note was nothing more than an unsecured note.

#### The SEC Civil Case and the Receiver's Appointment

29. On June 25, 2012, the SEC Civil Enforcement Case was filed, alleging that NNU is a Ponzi scheme, and seeking, among other things, orders (a) restraining and enjoining NNU and Palmer from continuing to violate federal securities laws, (b) freezing assets and prohibiting NNU from transferring, changing, wasting, dissipating, converting, concealing, or otherwise disposing of assets, (c) prohibiting NNU from destroying, mutilating, concealing, transferring, altering, or otherwise disposing of NNU's books and records, (d) imposing civil money penalties

#### Case 2:13-cv-00409-DN Document 2 Filed 06/06/13 Page 8 of 14

against NNU and Palmer, and (e) requiring the disgorgement by NNU and Palmer of all illgotten gains received by them pursuant to the scheme.<sup>5</sup>

30. Also on June 25, 2012, as a result of the filing of the SEC Civil Enforcement Action, the Court entered a Temporary Restraining Order and Order to Show Cause against the defendants<sup>6</sup> and the Receivership Order appointing the Receiver.<sup>7</sup> Since that time, both National Note and Palmer have stipulated to a Preliminary Injunction Order that prohibits National Note and Palmer from committing any further acts in furtherance of the Ponzi scheme and that prohibits National Note and Palmer from withdrawing, transferring, selling, buying, pledging, encumbering, assigning, dissipating, concealing, or otherwise disposing of any of their assets.<sup>8</sup>

31. On or about May 21, 2013, the Court entered an Order authorizing the Receiver to commence legal proceedings for the benefit of and on behalf of the receivership estate.<sup>9</sup>

#### FIRST CLAIM FOR RELIEF

(Avoidance of Fraudulent Transfers Under Utah Code Ann. §§ 25-6-5(1)(a) and 25-6-8)

32. The Receiver re-alleges and incorporates herein by reference each of the preceding allegations as if set forth completely herein.

33. NNU was engaged in an enterprise with all of the characteristics of a Ponzi scheme.

34. NNU made the Transfers to Stallman in furtherance of the Ponzi scheme.

<sup>&</sup>lt;sup>5</sup> SEC Civil Enforcement Case, Docket No. 1 (Complaint).

<sup>&</sup>lt;sup>6</sup> *Id.*, Docket No. 7.

<sup>&</sup>lt;sup>7</sup> *Id.*, Docket No. 9.

<sup>&</sup>lt;sup>8</sup> *Id.*, Docket Nos. 45 and 46.

<sup>&</sup>lt;sup>9</sup> *Id.*, Docket No. 315.

#### Case 2:13-cv-00409-DN Document 2 Filed 06/06/13 Page 9 of 14

35. At all relevant times hereto, NNU had at least one creditor.

36. The Transfers were made and any obligations to Stallman were incurred with actual intent to hinder, delay or defraud a creditor of NNU.

37. Pursuant to Utah Code Ann. §§ 25-6-5(1)(a) and 25-6-8, the Receiver may avoid and recover the Transfers to Stallman, or in the event such Transfers were transferred, from the Defendant Does.

38. Alternatively, to the extent that Stallman took in good faith and for a reasonably equivalent value, the Receiver may avoid and recover the False Profit Transfers from Stallman, or in the event such False Profit Transfers were transferred, from the Defendant Does.

#### SECOND CLAIM FOR RELIEF

(Avoidance of Fraudulent Transfers Under Utah Code Ann. §§ 25-6-5(1)(b) and 25-6-8)

39. The Receiver re-alleges and incorporates herein by reference each of the preceding allegations as if set forth completely herein.

40. NNU was engaged in an enterprise that has all of the characteristics of a Ponzi scheme.

41. NNU made the Transfers to Stallman in furtherance of the Ponzi scheme.

42. At all relevant times hereto, NNU had at least one creditor.

43. The Transfers were made or the obligations to Stallman were incurred by NNU without receiving a reasonably equivalent value in exchange for the Transfers or obligations.

44. At the time the Transfers were made, NNU (a) was engaged or was about to be engaged in a business or transaction for which the remaining assets of NNU were unreasonably small in relation to the business or transaction; or (b) intended to incur, or believed or reasonably

#### Case 2:13-cv-00409-DN Document 2 Filed 06/06/13 Page 10 of 14

should have believed that it would incur, debts beyond its ability to pay as such debts became due.

45. Pursuant to Utah Code Ann. §§ 25-6-5(1)(b) and 25-6-8, the Receiver may avoid and recover the Transfers to Stallman, or in the event such Transfers were transferred, from the Defendant Does.

46. Alternatively, to the extent that Stallman took in good faith and for a reasonably equivalent value, the Receiver may avoid and recover the False Profit Transfers from Stallman, or in the event such Transfers were transferred, from the Defendant Does.

#### **THIRD CLAIM FOR RELIEF**

(Avoidance of Fraudulent Transfers Under Utah Code Ann. §§ 25-6-6(1) and 25-6-8)

47. The Receiver re-alleges and incorporates herein by reference each of the preceding allegations as if set forth completely herein.

48. NNU was engaged in a Ponzi scheme.

49. NNU made the Transfers to Stallman in furtherance of the Ponzi scheme.

50. NNU had at least one creditor at the time that the Transfers were made or the obligation to Stallman was incurred.

51. The Transfers were made or the obligation to Stallman was incurred by NNU without NNU receiving a reasonably equivalent value in exchange for the Transfer or obligation.

52. NNU was insolvent at the time the Transfers were made or the obligation was incurred, or became insolvent as a result of the Transfers or the obligation incurred.

53. Pursuant to Utah Code Ann. §§ 25-6-6(1) and 25-6-8, the Receiver may avoid and recover the Transfers to Stallman, or in the event such Transfers were transferred, from the

Defendant Does.

54. Alternatively, to the extent that Stallman took in good faith and for a reasonably equivalent value, the Receiver may avoid and recover the False Profit Transfers from Stallman, or in the event such Transfers were transferred, from the Defendant Does.

# FOURTH CLAIM FOR RELIEF

(Constructive Trust)

55. The Receiver re-alleges and incorporates herein by reference each of the preceding allegations as if set forth completely herein.

56. The Transfers to Defendants were comprised of property of NNU and were made by NNU in furtherance of the Ponzi scheme.

57. Allowing Defendants to retain the Transfers would unjustly enrich Defendants and would be inequitable.

58. The Transfers can be traced to wrongful behavior.

59. An injustice would result if Defendants was allowed to keep the Transfers.

60. A constructive trust for the benefit of the receivership estate must be imposed for the benefit of the receivership estate in the amount of the Transfers made by NNU to Defendants, or in the alternative if Stallman acted in good faith, for the False Profit Transfers.

#### FIFTH CLAIM FOR RELIEF

(Unjust Enrichment)

61. The Receiver re-alleges and incorporates herein by reference each of the preceding allegations as if set forth completely herein.

62. The Transfers to Defendants were comprised of property of NNU and were made by NNU in furtherance of the Ponzi scheme.

63. The Transfers conferred a benefit upon Defendants.

64. The Defendants knowingly benefitted from the Transfers.

65. Allowing Defendants to retain the Transfers would unjustly enrich Defendants and would be inequitable.

66. Absent return of the Transfers, the receivership estate will be damaged by

Defendants' unjust enrichment and may have no adequate remedy at law.

67. Defendants must disgorge the amount of the Transfers, or if Stallman acted in

good faith, the False Profit Transfers, for the benefit of the receivership estate.

#### SIXTH CLAIM FOR RELIEF

(Disgorgement)

68. The Receiver re-alleges and incorporates herein by reference each of the preceding allegations as if set forth completely herein.

69. The Transfers were made as part of and in furtherance of a Ponzi scheme.

70. The Transfers were ill-gotten by Defendants.

71. Defendants have no claim to the Transfers made by NNU, or derivatively, from NNU's investors.

72. All Transfers made to Defendants, or if Stallman acted in good faith, the False

Profit Transfers, should be disgorged to the Receiver for the benefit of the receivership estate.

#### **SEVENTH CLAIM FOR RELIEF**

(Declaratory Judgment)

73. The Receiver incorporates by reference herein all previous paragraphs of this Complaint.

74. An actual controversy has arisen between the Receiver and Stallman regarding the enforceability of the Stallman ABI.

75. The Receiver is entitled to a declaratory judgment that:

a. The Stallman ABI is invalid and never gave Stallman any security for his investment with National Note.

76. A judicial declaration is necessary and appropriate at this time under the

circumstances in order that the respective rights and duties of the parties may be determined.

#### PRAYER FOR RELIEF

WHEREFORE, the Receiver prays for Judgment against Defendants as follows:

A. Pursuant to the Receiver's First Claim for Relief, judgment against Defendants avoiding the Transfers under Utah Code Ann. §§ 25-6-5(a)(1) and 25-6-8, and permitting Plaintiff's recovery of the value of the Transfers in the total amount of \$110,146.09, or alternatively, the amount of the False Profit Transfers, in the total amount of \$10,713.02.

B. Pursuant to the Receiver's Second Claim for Relief, judgment against Defendants avoiding the Transfers under Utah Code Ann. §§ 25-6-5(a)(2) and 25-6-8, and permitting Plaintiff's recovery of the value of the Transfers in the total amount of \$110,146.09, or alternatively, the amount of the False Profit Transfers, in the total amount of \$10,713.02.

C. Pursuant to the Receiver's Third Claim for Relief, judgment against Defendants avoiding the Transfers under Utah Code Ann. §§ 25-6-6(1) and 25-6-8, and permitting Plaintiff's recovery of the value of the Transfers in the total amount of \$110,146.09, or alternatively, the amount of the False Profit Transfers, in the total amount of \$10,713.02.

D. Pursuant to the Receiver's Fourth Claim for Relief, judgment against Defendants

#### Case 2:13-cv-00409-DN Document 2 Filed 06/06/13 Page 14 of 14

imposing a constructive trust for the benefit of the receivership estate on any and all Transfers, or alternatively, all False Profit Transfers.

E. Pursuant to the Receiver's Fifth Claim for Relief, judgment against Defendants for unjust enrichment, and requiring Defendant to disgorge the Transfers in the total amount of \$110,146.09, or alternatively, the amount of the False Profit Transfers, in the total amount of \$10,713.02.

F. Pursuant to the Receiver's Sixth Claim for Relief, entry of an Order requiring Defendants to disgorge the Transfers in the total amount of \$110,146.09, or alternatively, the amount of the False Profit Transfers, in the total amount of \$10,713.02.

G. Pursuant to the Receiver's Seventh Claim for Relief, entry of an Order and Judgment declaring that:

a. The Stallman ABI is invalid and never gave Stallman any security for his loan to National Note.

H. Judgment for pre-judgment interest, costs, and fees, including reasonable

attorney's fees, as may be allowed by law.

I. For such other and further relief as the Court deems just and proper.
 DATED this 6<sup>th</sup> day of June, 2013.

#### **DORSEY & WHITNEY LLP**

/s/ Peggy Hunt Peggy Hunt Chris Martinez Jeffrey M. Armington Attorneys for Receiver

# EXHIBIT A

#### Case 2:13-cv-00409-DN Document 2-1 Filed 06/06/13 Page 2 of 17

#### National Note of Utah, LC

1549 West 7800 South West Jordan, UT 84088 801-566-7337 Julie@nationalnote.com

#### Reference

Stallman TS04-0326-PY NNU Printed 02/13/13 Period of 01/01/90 - 12/31/12

Internal	report:	Do no	t mail to	this	address!

Stallman, Terry 210 Elizabeth Lane Dayton, NV 89403

#### O: 775 781-4755

Regular p Escrow p Service fe Total pmt:	mt: e:	600.00 0.00 0.00 600.00	Int rate: Int calc: Pmt type: 1099 NSF fee:	12.000 12.000 Fixed T USRule 365 M 25.00	Rem pmts: Per diem: Next due: Arrears:	29/ 29 19.73 12/01/11 7956.00	Orig bal: Orig date: Maturity:		23500.00 03/26/04 04/01/14
Ord/Day/L Total if lat	Fee: 1/15	12.00 612.00	Reminder: MATURITY DATE	04/01/14	Arredis.	7956.00			
Pay Date	Due/Type	Amount	RetCap/Ref	Income	DiscEarn	Basis	Payme Escrow	nt/Balan Late	ce Svc
03/26/04		0.00	0.00	0.00	0.00	23500.00	0.00	0.00	0.00
05/01/04	05/01/04 R	278.14	0.00 12004	0.01 278.13 AI	0.00	23500.00	0.00	0.00	0.00
05/01/04	Р	0.00	0.00 12004	278.13	0.00	23500.00	0.00	0.00	0.00
05/01/04	Р	-278.14	-278.14 ADD2PRIN	0.00	0.00	23778.14	0.00	0.00	0.00
06/01/04	06/01/04 R	237.78	0.00 12109	0.01 237.77 Al	0.00	23778.14	0.00	0.00	0.00
06/01/04	Р	0.00	0.00 12109	237.77	0.00	23778.14	0.00	0.00	0.00
06/01/04	Р	-237.78	-237.78 ADD2PRIN	0.00	0.00	24015.92	0.00	0.00	0.00
07/01/04	07/01/04 R	240.16	12237	0.01 240.15 Al	0.00	24015.92	0.00	0.00	0.00
07/01/04	Р	0.00	12237	240.15	0.00	24015.92	0.00	0.00	0.00
07/01/04	Р	-240.16	-240.16 ADD2PRIN	0.00	0.00	24256.08	0.00	0.00	0.00
08/01/04	08/01/04 R	242.56	0.00 12368	0.01 242.55 Al	0.00	24256.08	0.00	0.00	0.00
08/01/04	Р	0.00	0.00 12368	242.55	0.00	24256.08	0.00	0.00	0.00
08/01/04	Р	-242.56	-242.56 ADD2PRIN	0.00	0.00	24498.64	0.00	0.00	0.00
09/01/04	09/01/04 R	244.99	0.00 12508	0.01 244.98 Al	0.00	24498.64	0.00	0.00	0.00
09/01/04	Р	0.00	0.00 12508	244.98	0.00	24498.64	0.00	0.00	0.00
09/01/04	Р	-244.99	-244.99 ADD2PRIN	0.00	0.00	24743.63	0.00	0.00	0.00
10/01/04	10/01/04 R	247.44	0.00 12655	0.01 247.43 Al	0.00	24743.63	0.00	0.00	0.00
10/01/04	Р	0.00	0.00 12655	247.43	0.00	24743.63	0.00	0.00	0.00
10/01/04	Р	-247.44	-247.44 ADD2PRIN	0.00	0.00	24991.07	0.00	0.00	0.00

#### Additional information

Terry Stallman # 139

#### Case 2:13-cv-00409-DN Document 2-1 Filed 06/06/13 Page 3 of 17

Reference

#### National Note of Utah, LC

1549 West 7800 South West Jordan, UT 84088 801-566-7337 Julie@nationalnote.com

Stallman TS04-0326	5-PY NNU	Page 2
Printed 02/13/13	Period of 01/01/90 -	- 12/31/12

Pay Date	Due/Type	Amount	RetCap/Ref	Income	DiscEarn	Basis	Payme Escrow	nt/Balance Late	Svo
11/01/04	11/01/04 R	249.91	0.00 12813	0.01 249.90 Ai	0.00	24991.07	0.00	0.00	0.00
11/01/04	Р	0.00	0.00 12813	249.90	0.00	24991.07	0.00	0.00	0.00
11/01/04	Р	-249.91	-249.91 ADD2PRIN	0.00	0.00	25240.98	0.00	0.00	0.00
12/01/04	12/01/04 R	252.41	0.00 12970	0.01 252.40 Al	0.00	25240.98	0.00	0.00	0.00
12/01/04	Р	0.00	0.00 12970	252.40	0.00	25240.98	0.00	0.00	0.00
12/01/04	Р	-252.41	-252.41 ADD2PRIN	0.00	0.00	25493.39	0.00	0.00	0.00
Annual Tot	al:	1993.39	-1993.39	1993.39	0.00		0.00	0.00	0.00
Escrow Pa	id Out:						0.00		
01/01/05	01/01/05 R	254.93	0.00 13145	0.01 254.92 Al	0.00	25493.39	0.00	0.00	0.00
01/01/05	Р	0.00	0.00 13145	254.92	0.00	25493.39	0.00	0.00	0.00
01/01/05	Р	-254.93	-254.93 ADD2PRIN	0.00	0.00	25748.32	0.00	0.00	0.00
02/01/05	02/01/05 R	257.48	0.00 13313	0.01 257.47 Al	0.00	25748.32	0.00	0.00	0.00
02/01/05	Р	0.00	0.00 13313	257.47	0.00	25748.32	0.00	0.00	0.00
02/01/05	P	-257.48	-257.48 ADD2PRIN	0.00	0.00	26005.80	0.00	0.00	0.00
03/01/05	03/01/05 R	260.06	0.00 13493	0.01 260.05 Al	0.00	26005.80	0.00	0.00	0.00
03/01/05	Р	0.00	0.00 13493	260.05	0.00	26005.80	0.00	0.00	0.00
03/01/05	Р	-260.06	-260.06 ADD2PRIN	0.00	0.00	26265.86	0.00	0.00	0.00
03/10/05	Р	-32000.00	-32000.00 ADD2PRIN	0.00 77.72 Al	0.00	58265.86	0.00	0.00	0.00
04/01/05	04/01/05 R	499.15	0.00 13692	0.01 499.14 Al	0.00	58265.86	0.00	0.00	0.00
04/01/05	Р	0.00	0.00 13692	499.14	0.00	58265.86	0.00	0.00	0.00
04/01/05	Р	-499.15	-499.15 ADD2PRIN	0.00	0.00	58765.01	0.00	0.00	0.00
05/01/05	05/01/05 R	587.65	0.00 13900	0.01 587.64 Al	0.00	58765.01	0.00	0.00	0.00
05/01/05	P	0.00	0.00 13900	587.64	0.00	58765.01	0.00	0.00	0.00
05/01/05	Ρ	-587.65	-587.65 ADD2PRIN	0.00	0.00	59352.66	0.00	0.00	0.00
06/01/05	06/01/05 R	593.53	0.00 14121	0.01 593.52 Al	0.00	59352.66	0.00	0.00	0.00

#### Case 2:13-cv-00409-DN Document 2-1 Filed 06/06/13 Page 4 of 17

Reference

#### National Note of Utah, LC

1549 West 7800 South West Jordan, UT 84088 801-566-7337 Julie@nationalnote.com

#### **Investment Pay History**

 Stallman TS04-0326-PY NNU
 Page 3

 Printed 02/13/13
 Period of 01/01/90 - 12/31/12

Pay Date	Due/Type	Amount	RetCap/Ref	Income	DiscEarn	Basis	Payme Escrow	nt/Balance - Late	Svc
06/01/05		> 0.00	0.00	593.52	0.00	59352.66	0.00	0.00	
			14121	593.52	0.00	59352.00	0.00	0.00	0.00
06/01/05	I	-593.53	-593.53 ADD2PRIN	0.00	0.00	59946.19	0.00	0.00	0.00
07/01/05	07/01/05 F	8 599.46	0.00 15363	0.01 599.45 Al	0.00	59946.19	0.00	0.00	0.00
07/01/05	1	0.00	0.00 15363	599.45	0.00	59946.19	0.00	0.00	0.00
07/01/05	i	-599.46	-599.46 ADD2PRIN	0.00	0.00	60545.65	0.00	0.00	0.00
08/01/05	08/01/05 F	R 605.46	0.00 14620	0.01 605.45 Al	0.00	60545.65	0.00	0.00	0.00
08/01/05	. F	0.00	0.00 14620	605.45	0.00	60545.65	0.00	0.00	0.00
08/01/05	i	-605.46	-605.46 ADD2PRIN	0.00	0.00	61151.11	0.00	0.00	0.00
09/01/05	09/01/05 F	8 611.51	0.00 14883	0.01 611.50 Al	0.00	61151.11	0.00	0.00	0.00
09/01/05	F	0.00	0.00 14883	611.50	0.00	61151.11	0.00	0.00	0.00
09/01/05	F	P -611.51	-611.51 ADD2PRIN	0.00	0.00	61762.62	0.00	0.00	0.00
10/01/05	10/01/05 F	8 617.63	0.00 15161	0.01 617.62 Al	0.00	61762.62	0.00	0.00	0.00
10/01/05	F	o.00	0.00 15161	617.62	0.00	61762.62	0.00	0.00	0.00
10/01/05	F	-617.63	-617.63 ADD2PRIN	0.00	0.00	62380.25	0.00	0.00	0.00
11/01/05	11/01/05 F	623.80	0.00 15449	0.01 623.79 Al	0.00	62380.25	0.00	0.00	0.00
11/01/05	F	0.00	0.00 15449	623.79	0.00	62380.25	0.00	0.00	0.00
11/01/05	F	-623.80	-623.80 ADD2PRIN	0.00	0.00	63004.05	0.00	0.00	0.00
12/01/05	12/01/05 F	630.04	0.00 15753	0.01 630.03 Al	0.00	63004.05	0.00	0.00	0.00
12/01/05	F	0.00	0.00 15753	630.03	0.00	63004.05	0.00	0.00	0.00
12/01/05	F	-630.04	-630.04 ADD2PRIN	0.00	0.00	63634.09	0.00	0.00	0.00
Annual Tot	al:	6140.70	-38140.70	6140.70	0.00		0.00	0.00	0.00
Escrow Pa	id Out:						0.00		
01/01/06	01/01/06 F		0.00 16067	0.01 636.33 AI	0.00	63634.09	0.00	0.00	0.00
01/01/06	F		0.00 16067	636.33	0.00	63634.09	0.00	0.00	0.00
01/01/06	F	-636.34	-636.34 ADD2PRIN	0.00	0.00	64270.43	0.00	0.00	0.00

Reference

#### National Note of Utah, LC

1549 West 7800 South West Jordan, UT 84088 801-566-7337 Julie@nationalnote.com

Stallman TS04-032	6-PY NNU	Page 4
Printed 02/13/13	Period of 01/01/90	0 - 12/31/12

Pay Date	Due/Type	Amount	RetCap/Ref	Income	DiscEarn	Basis	Escrow	Late	Svo
01/05/06	Р	6000.00	5915.48 WIRETRAN	84.52	0.00	58354.95	0.00	0.00	0.00
02/01/06	02/01/06 R	518.00	0.00 16393	0.01 517.99 Al	0.00	58354.95	0.00	0.00	0.00
02/01/06	Р	0.00	0.00 16393	517.99	0.00	58354.95	0.00	0.00	0.00
02/01/06	Р	-518.00	-518.00 ADD2PRIN	0.00	0.00	58872.95	0.00	0.00	0.00
03/01/06	03/01/06 R	588.73	0.00 16729	0.01 588.72 Al	0.00	58872.95	0.00	0.00	0.00
03/01/06	Р	0.00	0.00 16729	588.72	0.00	58872.95	0.00	0.00	0.00
03/01/06	Р	-588.73	-588.73 ADD2PRIN	0.00	0.00	59461.68	0.00	0.00	0.00
04/01/06	04/01/06 R	594.62	0.00 17083	0.01 594.61 Al	0.00	59461.68	0.00	0.00	0.00
04/01/06	Р	0.00	0.00 17083	594.61	0.00	59461.68	0.00	0.00	0.00
04/01/06	P	-594.62	-594.62 ADD2PRIN	0.00	0.00	60056.30	0.00	0.00	0.00
05/01/06	05/01/06 R	600.56	0.00 17455	0.01 600.55 AI	0.00	60056.30	0.00	0.00	, <b>0.00</b>
05/01/06	Р	0.00	0.00 17455	600.55	0.00	60056.30	0.00	0.00	0.00
05/01/06	Р	-600.56	-600.56 ADD2PRIN	0.00	0.00	60656.86	0.00	0.00	0.00
06/01/06	06/01/06 R	606.57	0.00 17838	0.01 606.56 Al	0.00	60656.86	0.00	0.00	0.00
06/01/06	Р	0.00	0.00 17838	606.56	0.00	60656.86	0.00	0.00	0.00
06/01/06	Р	-606.57	-606.57 ADD2PRIN	0.00	0.00	61263.43	0.00	0.00	0.00
07/01/06	07/01/06 R	612.63	0.00 18229	0.01 612.62 Al	0.00	61263.43	0.00	0.00	0.00
07/01/06	Р	0.00	0.00 18229	612.62	0.00	61263.43	0.00	0.00	0.00
07/01/06	Р	-612.63	-612.63 ADD2PRIN	0.00	0.00	61876.06	0.00	0.00	0.00
08/01/06	08/01/06 R	618.76	0.00 18628	0.01 618.75 Ai	0.00	61876.06	0.00	0.00	0.00
08/01/06	Р	0.00	0.00 18628	618.75	0.00	61876.06	0.00	0.00	0.00
08/01/06	Р	-618.76	-618.76 ADD2PRIN	0.00	0.00	62494.82	0.00	0.00	0.00
09/01/06	09/01/06 R	624.95	0.00 19038	624.95	0.00	62494.82	0.00	0.00	0.00
10/01/06	10/01/06 R	624.95	0.00 19459	624.95	0.00	62494.82	0.00	0.00	0.00
11/01/06	11/01/06 R	624.95	0.00 19885	624.95	0.00	62494.82	0.00	0.00	0.00

#### Case 2:13-cv-00409-DN Document 2-1 Filed 06/06/13 Page 6 of 17

Reference

#### National Note of Utah, LC

1549 West 7800 South West Jordan, UT 84088 801-566-7337 Julie@nationalnote.com

Stallman TS04-032	26-PY NNU	Page 5
Printed 02/13/13	Period of 01/	01/90 - 12/31/12

Pay Date	Due/Type	Amount	RetCap/Ref	Income	DiscEarn	Basis	Payme Escrow	Late	Svo
12/01/06	12/01/06 R	624.95	0.00 20321	624.95	0.00	62494.82	0.00	0.00	0.00
Annual To	tal:	13276.01	1139.27	7360.53	0.00		0.00	0.00	0.00
Escrow Pa	aid Out:						0.00		
01/01/07	01/01/07 R	624.95	0.00 20758	624.95	0.00	62494.82	0.00	0.00	0.00
02/01/07	02/01/07 R	624.95	0.00 21204	624.95	0.00	62494.82	0.00	0.00	0.00
03/01/07	03/01/07 R	624.95	0.00 21662	624.95	0.00	62494.82	0.00	0.00	0.00
04/01/07	04/01/07 R	624.95	0.00 22125	624.95	0.00	62494.82	0.00	0.00	0.00
05/01/07	05/01/07 R	624.95	0.00 22601	624.95	0.00	62494.82	0.00	0.00	0.00
06/01/07	06/01/07 R	624.95	0.00 23063	624.95	0.00	62494.82	0.00	0.00	0.00
07/01/07	07/01/07 R	624.95	0.00 23542	624.95	0.00	62494.82	0.00	0.00	0.00
08/01/07	08/01/07 R	624.95	0.00 24021	624.95	0.00	62494.82	0.00	0.00	0.00
09/01/07	09/01/07 R	624.95	0.00 24507	624.95	0.00	62494.82	0.00	0.00	0.00
10/01/07	10/01/07 R	624.95	0.00 25010	624.95	0.00	62494.82	0.00	0.00	0.00
11/01/07	11/01/07 R	624.95	0.00 25510	624.95	0.00	62494.82	0.00	0.00	0.00
12/01/07	12/01/07 R	624.95	0.00 26025	624.95	0.00	62494.82	0.00	0.00	0.00
Annual To	tal:	7499.40	0.00	7499.40	0.00		0.00	0.00	0.00
Escrow Pa	id Out:		_				0.00		
01/01/08	01/01/08 R	624.95	0.00 26542	624.95	0.00	62494.82	0.00	0.00	0.00
02/01/08	02/01/08 R	624.95	0.00 27056	624.95	0.00	62494.82	0.00	0.00	0.00
03/01/08	03/01/08 R	624.95	0.00 27584	624.95	0.00	62494.82	0.00	0.00	0.00
04/01/08	04/01/08 R	624.95	0.00 28126	624.95	0.00	62494.82	0.00	0.00	0.00
05/01/08	05/01/08 R	624.95	0.00 28667	624.95	0.00	62494.82	0.00	0.00	0.00
06/01/08	06/01/08 R	624.95	0.00 29215	624.95	0.00	62494.82	0.00	0.00	0.00
07/01/08	07/01/08 R	624.95	0.00 29773	624.95	0.00	62494.82	0.00	0.00	0.00
08/01/08	08/01/08 R	624.95	0.00 30323	624.95	0.00	62494.82	0.00	0.00	0.00
09/01/08	09/01/08 R	624.95	0.00 30875	624.95	0.00	62494.82	0.00	0.00	0.00

1549 West 7800 South West Jordan, UT 84088 801-566-7337 Julie@nationalnote.com

Reference		
Stallman TS04-032	6-PY NNU	Page 6
Printed 02/13/13	Period of 01/01	/90 - 12/31/12

Pay Date		Amount	PotCan/Pof	Incomo	DisaForm	Deele	Payme Escrow	nt/Balance -	e
	Due/Type	Amount	RetCap/Ref	Income	DiscEarn	Basis		Late	Sv
10/01/08	10/01/08 R	624.95	0.00 31437	624.95	0.00	62494.82	0.00	0.00	0.0
11/01/08	11/01/08 R	624.95	0.00 31999	624.95	0.00	62494.82	0.00	0.00	0.0
12/01/08	12/01/08 R	624.95	0.00 32566	624.95	0.00	62494.82	0.00	0.00	0.0
Annual Tot	tal:	7499.40	0.00	7499.40	0.00		0.00	0.00	0.0
Escrow Pa	id Out:	·					0.00		
01/01/09	01/01/09 R	624.95	0.00 33136	624.95	0.00	62494.82	0.00	0.00	0.00
02/01/09	02/01/09 R	624.95	0.00 33706	624.95	0.00	62494.82	0.00	0.00	0.00
03/01/09	03/01/09 R	624.95	0.00 34279	624.95	0.00	62494.82	0.00	0.00	0.00
04/01/09	04/01/09 R	624.95	0.00 34860	624.95	0.00	62494.82	0.00	0.00	0.00
05/01/09	05/01/09 R	624.95	0.00 35448	624.95	0.00	62494.82	0.00	0.00	0.00
06/01/09	06/01/09 R	624.95	0.00 36041	624.95	0.00	62494.82	0.00	0.00	0.00
07/01/09	07/01/09 R	624.95	0.00 36638	624.95	0.00	62494.82	0.00	0.00	0.0
08/01/09	08/01/09 R	624.95	0.00 37234	624.95	0.00	62494.82	0.00	0.00	0.0
09/01/09	09/01/09 R	624.95	0.00 37830	624.95	0.00	62494.82	0.00	0.00	0.0
10/01/09	10/01/09 R	624.95	0.00 38436	624.95	0.00	62494.82	0.00	0.00	0.0
11/01/09	11/01/09 R	624.95	0.00 39042	624.95	0.00	62494.82	0.00	0.00	0.0
12/01/09	12/01/09 R	624.95	0.00 39655	624.95	0.00	62494.82	0.00	0.00	0.0
Annual Tot	al:	7499.40	0.00	7499.40	0.00		0.00	0.00	0.0
Escrow Pa	id Out:			·····			0.00		
01/01/10	01/01/10 R	3119.77	0.00 40282	624.95	0.00	62494.82	0.00	0.00	0.00
01/01/10	Р	0.00	2494.82 40282	0.00	0.00	60000.00	0.00	0.00	0.0
02/01/10	02/01/10 R	600.00	0.00 40906	600.00	0.00	60000.00	0.00	0.00	0.0
03/01/10	03/01/10 R	600.00	0.00 41542	600.00	0.00	60000.00	0.00	0.00	0.06
04/01/10	04/01/10 R	600.00	0.00 42176	600.00	0.00	60000.00	0.00	0.00	0.00
05/01/10	05/01/10 R	600.00	0.00 42808	600.00	0.00	60000.00	0.00	0.00	0.0
06/01/10	06/01/10 R	600.00	0.00 43447	600.00	0.00	60000.00	0.00	0.00	0.00

1549 West 7800 South West Jordan, UT 84088 801-566-7337 Julie@nationalnote.com

#### **Investment Pay History**

ReferenceStallman TS04-0326-PY NNUPage 7Printed 02/13/13Period of 01/01/90 - 12/31/12

		Amount	DefCem/Def				Pavme		
Pay Date	Due/Type	Amount	RetCap/Ref	Income	DiscEarn	Basis	Escrow	Late	Svo
07/01/10	07/01/10 R	600.00	0.00 44083	600.00	0.00	60000.00	0.00	0.00	0.00
08/01/10	08/01/10 R	600.00	0.00 44725	600.00	0.00	60000.00	0.00	0.00	0.00
09/01/10	09/01/10 R	600.00	0.00 45380	600.00	0.00	60000.00	0.00	0.00	0.00
10/01/10	10/01/10 R	600.00	0.00 46042	600.00	0.00	60000.00	0.00	0.00	0.00
11/01/10	11/01/10 R	600.00	0.00 46714	600.00	0.00	60000.00	0.00	0.00	0.00
12/01/10	12/01/10 R	600.00	0.00 47393	600.00	0.00	60000.00	0.00	0.00	0.00
Annual To	al:	9719.77	2494.82	7224.95	0.00		0.00	0.00	0.00
Escrow Pa	id Out:						0.00		
01/01/11	01/01/11 R	600.00	0.00 48114	600.00	0.00	60000.00	0.00	0.00	0.00
02/01/11	02/01/11 R	600.00	0.00 48791	600.00	0.00	60000.00	0.00	0.00	0.00
03/01/11	03/01/11 R	600.00	0.00 49475	600.00	0.00	60000.00	0.00	0.00	0.00
04/01/11	04/01/11 R	600.00	0.00 50173	600.00	0.00	60000.00	0.00	0.00	0.00
05/01/11	05/01/11 R	600.00	0.00 50864	600.00	0.00	60000.00	0.00	0.00	0.00
06/01/11	06/01/11 R	600.00	0.00 51567	600.00	0.00	60000.00	0.00	0.00	0.00
07/01/11	07/01/11 R	600.00	0.00 52276	600.00	0.00	60000.00	0.00	0.00	0.00
08/01/11	08/01/11 R	600.00	0.00 52989	600.00	0.00	60000.00	0.00	0.00	0.00
09/01/11	09/01/11 R	600.00	0.00 53711	600.00	0.00	60000.00	0.00	0.00	0.00
10/01/11	10/01/11 R	600.00	0.00 54435	600.00	0.00	60000.00	0.00	0.00	0.00
11/01/11	11/01/11 R	600.00	0.00 55158	600.00	0.00	60000.00	0.00	0.00	0.00
Annual To	al:	6600.00	0.00	6600.00	0.00		0.00	0.00	0.00
Escrow Pa							0.00		
Report Tot	al:	60228.07	-36500.00	51817.77	0.00		0.00	0.00	0.00
Escrow Pa Balances:	id Out:					60000.00	0.00 0.00	0.00	0.00

Taxable: 51817.77

1549 West 7800 South West Jordan, UT 84088 801-566-7337 Julie@nationalnote.com

# Investment Pay History

#### Stallman TS04-0615-PY NNU Printed 02/13/13 Period of 01/01/90 - 12/31/12

Internal report: Do not mail to this address!

American Pension Services Stallman, Terry 4168 West 12600 South 3rd Floor Riverton, UT 84065

W: 801 571-0667 F: 775 881-2891 Additional information

Reference

APS for Terry Stallman # 22

Terry 9 Retail Road Suite 8 Box 111 Dayton NV 89403

H: 775 881-2816

Regular pr		0.01	Int rate:	12.000 12.000	Acct closed:	05/12/10	Orig bal:		17000.00
Escrow pn	nt:	0.00	Int calc:	Fixed			Orig date:		06/15/04
Service fee	Ð:	0.00	Pmt type:	T USRule 365 M			Maturity:		08/01/14
Total pmt:		0.01	NSF fee:	25.00					
Ord/Day/Ll		3.40	Reminder:	08/01/14					
Total if late	<del>)</del> :	3.41	MATURITY DATE				<b>D</b>		
Pay Date	Due/Type	Amount	RetCap/Ref	Income	DiscEarn	Basis	Payme Escrow	Late	Svc
06/15/04		0.00	0.00	0.00	0.00	17000.00	0.00	0.00	0.00
07/01/04	07/01/04 R	89.42	0.00 0.12152	89.42	0.00	17000.00	0.00	0.00	0.00
08/01/04	08/01/04 R	170.00	0.00 12280	170.00	0.00	17000.00	0.00	0.00	0.00
09/01/04	09/01/04 R	170.00	0.00 12415	170.00	0.00	17000.00	0.00	0.00	0.00
10/01/04	10/01/04 R	170.00	0.00 12556	170.00	0.00	17000.00	0.00	0.00	0.00
11/01/04	11/01/04 R	170.00	0.00 12711	170.00	0.00	17000.00	0.00	0.00	0.00
12/01/04	12/01/04 R	170.00	0.00 12865	170.00	0.00	17000.00	0.00	0.00	0.00
Annual Tot	tal:	939.42	0.00	939.42	0.00		0.00	0.00	0.00
Escrow Pa	id Out:						0.00		
01/01/05	01/01/05 R	170.00	0.00 13027	170.00	0.00	17000.00	0.00	0.00	0.00
02/01/05	02/01/05 R	170.00	0.00 13195	170.00	0.00	17000.00	0.00	0.00	0.00
03/01/05	03/01/05 R	170.00	0.00 13364	170.00	0.00	17000.00	0.00	0.00	0.00
04/01/05	04/01/05 R	170.00	0.00 13559	170.00	0.00	17000.00	0.00	0.00	0.00
05/01/05	05/01/05 R	170.00	0.00 13759	170.00	0.00	17000.00	0.00	0.00	0.00
06/01/05	06/01/05 R	170.00	0.00 13971	170.00	0.00	17000.00	0.00	0.00	0.00
07/01/05	07/01/05 R	170.00	0.00 14202	170.00	0.00	17000.00	0.00	0.00	0.00
08/01/05	08/01/05 R	170.00	0.00 14450	170.00	0.00	17000.00	0.00	0.00	0.00
09/01/05	09/01/05 R	170.00	0.00 14708	170.00	0.00	17000.00	0.00	0.00	0.00

1549 West 7800 South West Jordan, UT 84088 801-566-7337 Julie@nationalnote.com

#### Reference

Stallman TS04-061	5-PY NNU	Page 2
Printed 02/13/13	Period of 01/01	/90 - 12/31/12

Pay Date	Due/Type	Amount	RetCap/Ref	Income	DiscEarn	Basis	Payme Escrow	nt/Balance Late	 Svo
10/01/05	10/01/05 R	170.00	0.00	170.00	0.00				
	10/01/05 K	170.00	14980	170.00	0.00	17000.00	0.00	0.00	0.00
11/01/05	11/01/05 R	170.00	0.00 15260	170.00	0.00	17000.00	0.00	0.00	0.00
12/01/05	12/01/05 R	170.00	0.00 15558	170.00	0.00	17000.00	0.00	0.00	0.00
Annual Tot	al:	2040.00	0.00	2040.00	0.00		0.00	0.00	0.00
Escrow Pa	id Out:						0.00		
01/01/06	01/01/06 R	170.00	0.00 15863	170.00	0.00	17000.00	0.00	0.00	0.00
01/05/06	Р	-2850.00	-2850.00 46372	0.00 22.36 Al	0.00	19850.00	0.00	0.00	0.00
02/01/06	02/01/06 R	198.56	0.00 16177	0.01 198.55 Al	0.00	19850.00	0.00	0.00	0.00
02/01/06	Р	0.00	0.00 16177	198.55	0.00	19850.00	0.00	0.00	0.00
02/01/06	Р	-198.56	-198.56 16177	0.00	0.00	20048.56	0.00	0.00	0.00
03/01/06	03/01/06 R	200.49	0.00 1650 <del>9</del>	0.01 200.48 Al	0.00	20048.56	0.00	0.00	0.00
03/01/06	Р	0.00	0.00 16509	200.48	0.00	20048.56	0.00	0.00	0.00
03/01/06	Р	-200.49	-200.49 ADD2PRIN	0.00	0.00	20249.05	0.00	0.00	0.00
04/01/06	04/01/06 R	202.49	0.00 16850	0.01 202.48 AI	0.00	20249.05	0.00	0.00	0.00
04/01/06	Р	0.00	0.00 16850	202.48	0.00	20249.05	0.00	0.00	0.00
)4/01/06	Р	-202.49	-202.49 ADD2PRIN	0.00	0.00	20451.54	0.00	0.00	0.00
05/01/06	05/01/06 R	204.52	0.00 17208	0.01 204.51 Al	0.00	20451.54	0.00	0.00	0.00
05/01/06	Р	0.00	0.00 17208	204.51	0.00	20451.54	0.00	0.00	0.00
)5/01/06	Р	-204.52	-204.52 ADD2PRIN	0.00	0.00	20656.06	0.00	0.00	0.00
6/01/06	06/01/06 R	206.56	0.00 17590	0.01 206.55 Al	0.00	20656.06	0.00	0.00	0.00
)6/01/06	Р	0.00	0.00 17590	206.55	0.00	20656.06	0.00	0.00	0.00
6/01/06	Р	-206.56	-206.56 ADD2PRIN	0.00	0.00	20862.62	0.00	0.00	0.00
7/01/06	07/01/06 R	208.63	0.00 17969	0.01 208.62 AI	0.00	20862.62	0.00	0.00	0.00
7/01/06	Р	0.00	0.00 17969	208.62	0.00	20862.62	0.00	0.00	0.00
7/01/06	Р	-208.63	-208.63 ADD2PRIN	0.00	0.00	21071.25	0.00	0.00	0.00

#### Case 2:13-cv-00409-DN Document 2-1 Filed 06/06/13 Page 11 of 17

Reference

#### National Note of Utah, LC

é

1549 West 7800 South West Jordan, UT 84088 801-566-7337 Julie@nationalnote.com

#### **Investment Pay History**

 Stallman TS04-0615-PY NNU
 Page 3

 Printed 02/13/13
 Period of 01/01/90 - 12/31/12

Pay Date	Due/Type	Amount	RetCap/Ref	Income	DiscEarn	Basis	Payme Escrow	nt/Balance - Late	Sve
08/01/06	08/01/06 R	210.71	0.00 18362	0.01 210.70 Al	0.00	21071.25	0.00	0.00	0.0
08/01/06	Р	0.00	0.00 18362	210.70	0.00	21071.25	0.00	0.00	0.0
08/01/06	Р	-210.71	-210.71 ADD2PRIN	0.00	0.00	21281.96	0.00	0.00	0.0
09/01/06	09/01/06 R	212.82	0.00 18765	0.01 212.81 Al	0.00	21281.96	0.00	0.00	0.00
09/01/06	P	0.00	0.00 18765	212.81	0.00	21281.96	0.00	0.00	0.0
09/01/06	Р	-212.82	-212.82 ADD2PRIN	0.00	0.00	21494.78	0.00	0.00	0.00
10/01/06	10/01/06 R	214.95	0.00 19179	0.01 214.94 Al	0.00	21494.78	0.00	0.00	0.00
10/01/06	Р	0.00	0.00 19179	214.94	0.00	21494.78	0.00	0.00	0.00
10/01/06	Р	-214.95	-214.95 ADD2PRIN	0.00	0.00	21709.73	0.00	0.00	0.00
11/01/06	11/01/06 R	217.10	0.00 19602	0.01 217.09 Al	0.00	21709.73	0.00	0.00	0.00
11/01/06	Р	0.00	0.00 19602	217.09	0.00	21709.73	0.00	0.00	0.0
11/01/06	P	-217.10	-217.10 ADD2PRIN	0.00	0.00	21926.83	0.00	0.00	0.0
12/01/06	12/01/06 R	219.27	0.00 20030	0.01 219.26 Al	0.00	21926.83	0.00	0.00	0.00
12/01/06	P	0.00	0.00 20030	219.26	0.00	21926.83	0.00	0.00	0.00
12/01/06	P	-219.27	-219.27 ADD2PRIN	0.00	0.00	22146.10	0.00	0.00	0.00
Annual Tot		2466.10	-5146.10	2466.10	0.00		0.00	0.00	0.00
Escrow Pa							0.00		<u> </u>
01/01/07	01/01/07 R	221.46	0.00 20467	0.01 221.45 Ai	0.00	22146.10	0.00	0.00	0.00
01/01/07	P	0.00	0.00 20467	221.45	0.00	22146.10	0.00	0.00	0.00
01/01/07	Р	-221.46	-221.46 ADD2PRIN	0.00	0.00	22367.56	0.00	0.00	0.00
02/01/07	02/01/07 R	223.68	0.00 20912	0.01 223.67 Al	0.00	22367.56	0.00	0.00	0.00
02/01/07	P	0.00	0.00 20912	223.67	0.00	22367.56	0.00	0.00	0.00
02/01/07	P	-223.68	-223.68 ADD2PRIN	0.00	0.00	22591.24	0.00	0.00	0.00
03/01/07	03/01/07 R	225.91	0.00 21363	0.01 225.90 Al	0.00	22591.24	0.00	0.00	0.00
03/01/07	Р	0.00	0.00 21363	225.90	0.00	22591.24	0.00	0.00	0.00

#### Case 2:13-cv-00409-DN Document 2-1 Filed 06/06/13 Page 12 of 17

Reference

#### National Note of Utah, LC

1549 West 7800 South West Jordan, UT 84088 801-566-7337 Julie@nationalnote.com

#### **Investment Pay History**

 Stallman TS04-0615-PY NNU
 Page 4

 Printed 02/13/13
 Period of 01/01/90 - 12/31/12

Pay Date	Due/Type	Amount	RetCap/Ref	Income	DiscEarn	Basis	Payme Escrow	nt/Balance - Late	 Svc
03/01/07	Р	-225.91	-225.91 ADD2PRIN	0.00	0.00	22817.15	0.00	0.00	0.00
04/01/07	04/01/07 R	228.17	0.00 21819	0.01 228.16 Al	0.00	22817.15	0.00	0.00	0.00
04/01/07	P	0.00	0.00 2181 <del>9</del>	228.16	0.00	22817.15	0.00	0.00	0.00
04/01/07	Р	-228.17	-228.17 ADD2PRIN	0.00	0.00	23045.32	0.00	0.00	0.00
05/01/07	05/01/07 R	230.45	0.00 22289	0.01 230.44 Al	0.00	23045.32	0.00	0.00	0.00
05/01/07	P	0.00	0.00 22289	230.44	0.00	23045.32	0.00	0.00	0.00
05/01/07	Р	-230.45	-230.45 ADD2PRIN	0.00	0.00	23275.77	0.00	0.00	0.00
06/01/07	06/01/07 R	232.76	0.00 22753	0.01 232.75 AI	0.00	23275.77	0.00	0.00	0.00
06/01/07	P	0.00	0.00 22753	232.75	0.00	23275.77	0.00	0.00	0.00
06/01/07	Р	-232.76	-232.76 ADD2PRIN	0.00	0.00	23508.53	0.00	0.00	0.00
07/01/07	07/01/07 R	235.09	0.00 23223	0.01 235.08 Al	0.00	23508.53	0.00	0.00	0.00
07/01/07	Р	0.00	0.00 23223	235.08	0.00	23508.53	0.00	0.00	0.00
08/01/07	08/01/07 R	235.09	0.00 23705	0.01 235.08 AI	0.00	23508.53	0.00	0.00	0.00
08/01/07	Р	0.00	0.00 23705	235.08	0.00	23508.53	0.00	0.00	0.00
08/01/07	Р	-235.09	-235.09 ADD2PRIN	0.00	0.00	23743.62	0.00	0.00	0.00
09/01/07	09/01/07 R	237.44	0.00 24187	0.01 237.43 Al	0.00	23743.62	0.00	0.00	0.00
09/01/07	Р	0.00	0.00 24187	237.43	0.00	23743.62	0.00	0.00	0.00
09/01/07	Р	-237.44	-237.44 ADD2PRIN	0.00	0.00	23981.06	0.00	0.00	0.00
10/01/07	10/01/07 R	239.81	0.00 24680	0.01 239.80 AI	0.00	23981.06	0.00	0.00	0.00
10/01/07	Р	0.00	0.00 24680	239.80	0.00	23981.06	0.00	0.00	0.00
10/01/07	Ρ.	-239.81	-239.81 ADD2PRIN	0.00	0.00	24220.87	0.00	0.00	0.00
11/01/07	11/01/07 R	242.21	0.00 25181	0.01 242.20 Al	0.00	24220.87	0.00	0.00	0.00
11/01/07	Р	0.00	0.00 25181	242.20	0.00	24220.87	0.00	0.00	0.00
11/01/07	Р	-242.21	-242.21 ADD2PRIN	0.00	0.00	24463.08	0.00	0.00	0.00
12/01/07	12/01/07 R	244.63	0.00 25687	0.01 244.62 Al	0.00	24463.08	0.00	0.00	0.00

#### Case 2:13-cv-00409-DN Document 2-1 Filed 06/06/13 Page 13 of 17

Reference

#### National Note of Utah, LC

1549 West 7800 South West Jordan, UT 84088 801-566-7337 Julie@nationalnote.com

Stallman TS04-061	15-PY NNU	Page 5
Printed 02/13/13	Period of 01/01	/90 - 12/31/12

Date	Due/Type	Amount	RetCap/Ref	Income	DiscEarn	Basis	Payme Escrow	nt/Balance - Late	 Svc
1/07	Р	0.00	0.00 25687	244.62	0.00	24463.08	0.00	0.00	0.00
1/07	Р	-244.63	-244.63 ADD2PRIN	0.00	0.00	24707.71	0.00	0.00	0.00
ual Tota	d:	2796.70	-2561.61	2796.70	0.00		0.00	0.00	0.00
row Paic	d Out:						0.00		
1/08	01/01/08 R	247.08	0.00 26203	0.01 247.07 Al	0.00	24707.71	0.00	0.00	0.00
1/08	Р	0.00	0.00 26203	247.07	0.00	24707.71	0.00	0.00	0.00
1/08	Р	-247.08	-247.08 ADD2PRIN	0.00	0.00	24954.79	0.00	0.00	0.00
1/08	02/01/08 R	249.55	0.00 26716	0.01 249.54 Al	0.00	24954.79	0.00	0.00	0.00
1/08	Р	0.00	0.00 2671 <del>6</del>	249.54	0.00	24954.79	0.00	0.00	0.00
1/08	P	-249.55	-249.55 ADD2PRIN	0.00	0.00	25204.34	0.00	0.00	0.00
1/08	03/01/08 R	252.04	0.00 27234	0.01 252.03 AI	0.00	25204.34	0.00	0.00	0.00
1/08	Р	0.00	0.00 27234	252.03	0.00	25204.34	0.00	0.00	0.00
1/08	Р	-252.04	-252.04 ADD2PRIN	0.00	0.00	25456.38	0.00	0.00	0.00
1/08	04/01/08 R	254.56	0.00 27769	0.01 254.55 Ai	0.00	25456.38	0.00	0.00	0.00
1/08	Р	0.00	0.00 27769	254.55	0.00	25456.38	0.00	0.00	0.00
1/08	Р	-254.56	-254.56 ADD2PRIN	0.00	0.00	25710.94	0.00	0.00	0.00
1/08	05/01/08 R	257.11	0.00 28310	0.01 257.10 Al	0.00	25710.94	0.00	0.00	0.00
1/08	Р	0.00	0.00 28310	257.10	0.00	25710.94	0.00	0.00	0.00
1/08	Р	-257.11	-257.11 ADD2PRIN	0.00	0.00	25968.05	0.00	0.00	0.00
1/08	06/01/08 R	259.68	0.00 28858	0.01 259.67 Al	0.00	25968.05	0.00	0.00	0.00
1/08	Р	0.00	0.00 28858	259.67	0.00	25968.05	0.00	0.00	0.00
1/08	07/01/08 R	259.68	0.00 29411	0.01 259.67 Al	0.00	25968.05	0.00	0.00	0.00
1/08	Р	0.00	0.00 29411	259.67	0.00	25968.05	0.00	0.00	0.00
1/08	Р	-259.68	-259.68 ADD2PRIN	0.00	0.00	26227.73	0.00	0.00	0.00
1/08	08/01/08 R	262.28	0.00 29967	0.01 262.27 Al	0.00	26227.73	0.00	0.00	0.00
1/08	Р	-259.68	29411 -259.68 ADD2PRIN 0.00	0.00 0.01	0.00	26227.73	0.00	0.00	

#### Case 2:13-cv-00409-DN Document 2-1 Filed 06/06/13 Page 14 of 17

Reference

# National Note of Utah, LC

1549 West 7800 South West Jordan, UT 84088 801-566-7337 Julie@nationalnote.com

Stallman TS04-0615	5-PY NNU	Page 6
Printed 02/13/13	Period of 01/01/90	- 12/31/12

Pay Date	Due/Type	Amount	RetCap/Ref	Income	DiscEarn	Basis	Paymer Escrow	Late	Svo
08/01/08	Р	0.00	0.00 29967	262.27	0.00	26227.73	0.00	0.00	0.00
08/01/08	Р	-262.28	-262.28 ADD2PRIN	0.00	0.00	26490.01	0.00	0.00	0.00
09/01/08	09/01/08 R	264.90	0.00 30513	0.01 264.89 Al	0.00	26490.01	0.00	0.00	0.00
09/01/08	Р	0.00	0.00 30513	264.89	0.00	26490.01	0.00	0.00	0.00
09/01/08	Р	-264.90	-264.90 ADD2PRIN	0.00	0.00	26754.91	0.00	0.00	0.00
10/01/08	10/01/08 R	267.55	0.00 31074	0.01 267.54 Al	0.00	26754.91	0.00	0.00	0.00
10/01/08	Р	0.00	0.00 31074	267.54	0.00	26754.91	0.00	0.00	0.00
10/01/08	Р	-267.55	-267.55 ADD2PRIN	0.00	0.00	27022.46	0.00	0.00	0.00
11/01/08	11/01/08 R	270.22	0.00 31637	0.01 270.21 Al	0.00	27022.46	0.00	0.00	0.00
11/01/08	Р	0.00	0.00 31637	270.21	0.00	27022.46	0.00	0.00	0.00
11/01/08	Р	-270.22	-270.22 ADD2PRIN	0.00	0.00	27292.68	0.00	0.00	0.00
12/01/08	12/01/08 R	272.93	0.00 32201	0.01 272.92 Al	0.00	27292.68	0.00	0.00	0.00
12/01/08	Р	0.00	0.00 32201	272.92	0.00	27292.68	0.00	0.00	0.00
12/01/08	P	-272.93	-272.93 ADD2PRIN	0.00	0.00	27565.61	0.00	0.00	0.00
Annual Tot		3117.58	-2857.90	3117.58	0.00		0.00	0.00	0.00
Escrow Pa							0.00		
01/01/09	01/01/09 R	275.66	0.00 32769	0.01 275.65 Al	0.00	27565.61	0.00	0.00	0.00
01/01/09	P	0.00	0.00 32769	275.65	0.00	27565.61	0.00	0.00	0.00
01/01/09	Ρ	-275.66	-275.66 ADD2PRIN	0.00	0.00	27841.27	0.00	0.00	0.00
02/01/09	02/01/09 R	278.41	0.00 33338	0.01 278.40 Al	0.00	27841.27	0.00	0.00	0.00
02/01/09	P	0.00	0.00 33338	278.40	0.00	27841.27	0.00	0.00	0.00
02/01/09	Р	-278.41	-278.41 ADD2PRIN	0.00	0.00	28119.68	0.00	0.00	0.00
03/01/09	03/01/09 R	281.20	0.00 33910	0.01 281.19 Al	0.00	28119.68	0.00	0.00	0.00
03/01/09	Р	0.00	0.00 33910	281.19	0.00	28119.68	0.00	0.00	0.00
03/01/09	Р	-281.20	-281.20 ADD2PRIN	0.00	0.00	28400.88	0.00	0.00	0.00

Reference

#### National Note of Utah, LC

1549 West 7800 South West Jordan, UT 84088 801-566-7337 Julie@nationalnote.com

Stallman TS04-061	5-PY NNU	Page 7
Printed 02/13/13	Period of 01/01	/90 - 12/31/12

Pay Date	Due/Type	Amount	RetCap/Ref	Income	DiscEarn	Basis	Paymei Escrow	nt/Balance - Late	Svo
04/01/09	04/01/09 R	284.01	0.00 34487	0.01 284.00 Al	0.00	28400.88	0.00	0.00	0.00
04/01/09	Р	0.00	0.00 34487	284.00	0.00	28400.88	0.00	0.00	0.00
04/01/09	Р	-284.01	-284.01 ADD2PRIN	0.00	0.00	28684.89	0.00	0.00	0.00
05/01/09	05/01/09 R	286.85	0.00 35072	0.01 286.84 AI	0.00	28684.89	0.00	0.00	0.00
05/01/09	P	0.00	0.00 35072	286.84	0.00	28684.89	0.00	0.00	0.00
05/01/09	Р	-286.85	-286.85 ADD2PRIN	0.00	0.00	28971.74	0.00	0.00	0.00
06/01/09	06/01/09 R	289.72	0.00 35660	0.01 289.71 Al	0.00	28971.74	0.00	0.00	0.00
06/01/09	Р	0.00	0.00 35660	289.71	0.00	28971.74	0.00	0.00	0.00
06/01/09	Р	-289.72	-289.72 ADD2PRIN	0.00	0.00	29261.46	0.00	0.00	0.00
07/01/09	07/01/09 R	292.61	0.00 36257	0.01 292.60 Al	0.00	29261.46	0.00	0.00	0.00
07/01/09	P	0.00	0.00 36257	292.60	0.00	29261.46	0.00	0.00	0.00
07/01/09	P	-292.61	-292.61 ADD2PRIN	0.00	0.00	29554.07	0.00	0.00	0.00
08/01/09	08/01/09 R	295.54	0.00 36853	0.01 295.53 Al	0.00	29554.07	0.00	0.00	0.00
08/01/09	P	0.00	0.00 36853	295.53	0.00	29554.07	0.00	0.00	0.00
08/01/09	P	-295.54	-295.54 ADD2PRIN	0.00	0.00	29849.61	0.00	0.00	0.00
08/04/09	P	-24083.07	-24083.07 74068	0.00 29.44 Al	0.00	53932.68	0.00	0.00	0.00
09/01/09	09/01/09 R	525.92	0.00 37451	0.01 525.91 Al	0.00	53932.68	0.00	0.00	0.00
09/01/09	P	0.00	0.00 37451	525.91	0.00	53932.68	0.00	0.00	0.00
09/01/09	P	-525.92	-525.92 ADD2PRIN	0.00	0.00	54458.60	0.00	0.00	0.00
10/01/09	10/01/09 R	544.59	0.00 38052	0.01 544.58 Al	0.00	54458.60	0.00	0.00	0.00
10/01/09	P	0.00	0.00 38052	544.58	0.00	54458.60	0.00	0.00	0.00
10/01/09	P	-544.59	-544.59 ADD2PRIN	0.00	0.00	55003.19	0.00	0.00	0.00
11/01/09	11/01/09 R	550.03	0.00 38658	0.01 550.02 Al	0.00	55003.19	0.00	0.00	0.00
11/01/09	Р	0.00	0.00 38658	550.02	0.00	55003.19	0.00	0.00	0.00
11/01/09	Р	-550.03	-550.03 ADD2PRIN	0.00	0.00	55553.22	0.00	0.00	0.00

Reference

#### National Note of Utah, LC

1549 West 7800 South West Jordan, UT 84088 801-566-7337 Julie@nationalnote.com

#### **Investment Pay History**

 Stallman TS04-0615-PY NNU
 Page 8

 Printed 02/13/13
 Period of 01/01/90 - 12/31/12

	D	•				<b>D</b>	Payme		
Pay Date	Due/Type	Amount	RetCap/Ref	Income	DiscEarn	Basis	Escrow	Late	Svo
12/01/09	12/01/09 R	555.53	0.00 39267	0.01 555.52 Al	0.00	55553.22	0.00	0.00	0.00
12/01/09	Р	0.00	0.00 39267	555.52	0.00	55553.22	0.00	0.00	0.00
12/01/09	Р	-555.53	-555.53 ADD2PRIN	0.00	0.00	56108.75	0.00	0.00	0.00
Annual To	tal:	4460.07	-28543.14	4460.07	0.00		0.00	0.00	0.00
Escrow Pa	id Out:						0.00		
01/01/10	01/01/10 R	561.09	0.00 39888	0.01 561.08 AI	0.00	56108.75	0.00	0.00	0.00
01/01/10	Р	0.00	0.00 39888	561.08	0.00	56108.75	0.00	0.00	0.00
01/01/10	Р	-561.09	-561.09 ADD2PRIN	0.00	0.00	56669.84	0.00	0.00	0.00
02/01/10	02/01/10 R	566.70	0.00 40509	0.01 566.69 AI	0.00	56669.84	0.00	0.00	0.00
02/01/10	Р	0.00	0.00 40509	566.69	0.00	56669.84	0.00	0.00	0.00
02/01/10	Р	-566.70	-566.70 ADD2PRIN	0.00	0.00	57236.54	0.00	0.00	0.00
03/01/10	03/01/10 R	572.37	0.00 41139	0.01 572.36 Al	0.00	57236.54	0.00	0.00	0.00
03/01/10	Р	0.00	0.00 4113 <del>9</del>	572.36	0.00	57236.54	0.00	0.00	0.00
03/01/10	Р	-572.37	-572.37 ADD2PRIN	0.00	0.00	57808.91	0.00	0.00	0.00
04/01/10	04/01/10 R	578.09	0.00 41777	0.01 578.08 Al	0.00	57808.91	0.00	0.00	0.00
04/01/10	Р	0.00	0.00 41777	578.08	0.00	57808.91	0.00	0.00	0.00
04/01/10	Ρ	-578.09	-578.09 ADD2PRIN	0.00	0.00	58387.00	0.00	0.00	0.00
05/01/10	05/01/10 R	583.87	0.00 42404	0.01 583.86 AI	0.00	58387.00	0.00	0.00	0.00
05/01/10	Р	0.00	0.00 42404	583.86	0.00	58387.00	0.00	0.00	0.00
05/01/10	Р	-583.87	-583.87 ADD2PRIN	0.00	0.00	58970.87	0.00	0.00	0.00
05/12/10	Y	59184.13	58970.87 5094	213.26	0.00	0.00	0.00	0.00	0.00
Annual Total:		62046.25	56108.75	3075.38	0.00		0.00	0.00	0.00
Escrow Pa	id Out:						0.00		

1549 West 7800 South West Jordan, UT 84088 801-566-7337 Julie@nationalnote.com

#### Reference

# Stallman TS04-0615-PY NNU Page 9 Printed 02/13/13 Period of 01/01/90 - 12/31/12

							Payment/Balance		
Pay Date	Due/Type	Amount	RetCap/Ref	Income	DiscEarn	Basis	Escrow	Late	Svc
Report Total:		77866.12	17000.00	18895.25	0.00		0.00	0.00	0.00
Escrow Pa	id Out:						0.00		
Balances:						0.00	0.00	0.00	0.00

Taxable: 18895.25

#### Case 2:13-cv-00409-DN Document 2-2 Filed 06/06/13 Page 1 of 1

JS 44 (Rev. 12/12) CIVIL COVER SHEET The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)* I. (a) PLAINTIFFS DEFENDANTS R. Wayne Klein, as Receiver Terry Stallman and John Does, 1-5 (b) County of Residence of First Listed Plaintiff County of Residence of First Listed Defendant State of Nevada Salt Lake (EXCEPT IN U.S. PLAINTIFF CASES) (IN U.S. PLAINTIFF CASES ONLY) IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED. NOTE: (c) Attorneys (Firm Name, Address, and Telephone Number) Attorneys (If Known) Peggy Hunt Dorsey & Whitney, LLP 136 South Main Street, #1000, SLC, UT 84101; 801-933-7360 II. BASIS OF JURISDICTION (Place an "X" in One Box Only) III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff (For Diversity Cases Only) and One Box for Defendant) □ 1 U.S. Government PTF ■ 3 Federal Ouestion DEF PTF DEF Plaintiff (U.S. Government Not a Party) Citizen of This State I Incorporated or Principal Place 01 **1** 4 04 of Business In This State **4** Diversity □ 2 U.S. Government Citizen of Another State 02 Incorporated and Principal Place D 5 0.5 Defendant (Indicate Citizenship of Parties in Item III) of Business In Another State Citizen or Subject of a Ċ) 3 3 Foreign Nation 0 6 Foreign Country

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT TORTS FORFEITURE/PENALTY BANKRUPTCY OTHER STATUTES C 110 Insurance PERSONAL INJURY PERSONAL INJURY C 625 Drug Related Seizure □ 422 Appeal 28 USC 158 □ 375 False Claims Act D 120 Marine 🗖 310 Airplane □ 365 Personal Injury of Property 21 USC 881 ☐ 423 Withdrawal 400 State Reapportionment 🗇 130 Miller Act C 315 Airplane Product G 690 Other Product Liability 28 USC 157 410 Antitrust 140 Negotiable Instrument Liability 367 Health Care/ □ 430 Banks and Banking □ 150 Recovery of Overpayment 🗇 320 Assault, Libel & Pharmaceutical PROPERTY RIGHTS □ 450 Commerce □ 820 Copyrights & Enforcement of Judgment Slander Personal Injury □ 460 Deportation D 151 Medicare Act 330 Federal Employers' Product Liability D 830 Patent □ 470 Racketeer Influenced and □ 152 Recovery of Defaulted Liability D 368 Asbestos Personal 840 Trademark Corrupt Organizations 340 Marine Student Loans **Injury Product** □ 480 Consumer Credit (Excludes Veterans) O 345 Marine Product Liability TABOR SOCIAL SECURITY □ 490 Cable/Sat TV 153 Recovery of Overpayment PERSONAL PROPERTY Liability 🗇 710 Fair Labor Standards □ 861 HIA (1395ff) □ 850 Securities/Commodities/ □ 350 Motor Vehicle of Veteran's Benefits D 370 Other Fraud Black Lung (923) Act Exchange D 160 Stockholders' Suits 371 Truth in Lending 355 Motor Vehicle □ 720 Labor/Management □ 863 DIWC/DIWW (405(g)) 890 Other Statutory Actions X 190 Other Contract Product Liability 380 Other Personal Relations 864 SSID Title XVI D 891 Agricultural Acts □ 195 Contract Product Liability □ 360 Other Personal 740 Railway Labor Act Property Damage □ 865 RSI (405(g)) 893 Environmental Matters D 196 Franchise 385 Property Damage Injury 751 Family and Medical D 895 Freedom of Information 362 Personal Injury -Product Liability Leave Act Act Medical Malpractice 790 Other Labor Litigation □ 896 Arbitration REAL PROPERTY PRISONER PETITIONS CIVIL RIGHTS 791 Employee Retirement FEDERAL TAX SUITS 899 Administrative Procedure 210 Land Condemnation □ 440 Other Civil Rights Habeas Corpus: Income Security Act 870 Taxes (U.S. Plaintiff Act/Review or Appeal of C 220 Foreclosure □ 441 Voting 463 Alien Detainee or Defendant) Agency Decision 🗇 230 Rent Lease & Ejectment 442 Employment 510 Motions to Vacate O 871 IRS-Third Party 950 Constitutionality of 240 Torts to Land C 443 Housing/ Sentence 26 USC 7609 State Statutes 245 Tort Product Liability Accommodations □ 530 General 290 All Other Real Property □ 445 Amer. w/Disabilities 535 Death Penalty **IMMIGRATION** 462 Naturalization Application Employment Other: 446 Amer. w/Disabilities П 540 Mandamus & Other 465 Other Immigration 550 Civil Rights Other σ Actions □ 448 Education 555 Prison Condition D 560 Civil Detainee -Conditions of Confinement V. ORIGIN (Place an "X" in One Box Only) X 1 Original Proceeding □ 2 Removed from Ο 3 Remanded from 4 Reinstated or 5 Transferred from 06 Multidistrict State Court Appellate Court Reopened Another District Litigation (specify) Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity). 28 U.S.C. § 754. VI. CAUSE OF ACTION Brief description of cause:

	Recovery of th	e value of transfers from	Defendant for th	e benefit of	the receivership estate.			
VII. REQUESTED IN CHECK IF THIS IS A CLASS ACTI			DEMAND \$		CHECK YES only if demanded in complaint:			
COMPLAINT:	UNDER RUI	E 23, F.R.Cv.P.	110,146.09		JURY DEMAND:	🗇 Yes	X No	
VIII. RELATED CA IF ANY	SE(S) (See instructions)	JUDGE Jenkins	~		DOCKET NUMBER 2:12-0	cv-00591		
DATE 6-6-13	3	SIGNATURE OF ATTOR		a				
FOR OFFICE USE ONLY								
RECEIPT #	AMOUNT	APPLYING IFP		JUDGE	MAG. JUDGE	2		